

TONBRIDGE & MALLING BOROUGH COUNCIL



EXECUTIVE SERVICES

Chief Executive

Julie Beilby BSc (Hons) MBA

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West Malling (01732) 844522

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

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

26 June 2023

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

Dear Sir/Madam

Your attendance is requested at a meeting of the Cabinet to be held in the Council Chamber, Gibson Drive, Kings Hill on Tuesday, 4th July, 2023 commencing at 7.30 pm.

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

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

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

Yours faithfully

JULIE BEILBY

Chief Executive

AGENDA

1. Guidance for the Conduct of Meetings

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PART 1 - PUBLIC

2. Apologies for absence 9 - 10
3. Declarations of interest 11 - 12

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).

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

4. Minutes 13 - 16

To confirm as a correct record the Minutes of the meeting of the Cabinet held on 6 June 2023

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5. Corporate Strategy 2023-27 17 - 44

This report provides an update on the development of the Corporate Strategy 2023-2027 and seeks approval for its adoption.

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

Executive Key Decisions

6. Household Support Fund 2023/24 45 - 54

This report seeks approval of the Borough Council's approach in use of the current grant of Household Support Fund for the Borough.

7. New Local Development Scheme 55 - 82

Recommendation HP 23/11 of the Housing and Planning Scrutiny Select Committee of 7 June 2023

Executive Non-Key Decisions

8. Financial Planning and Control 83 - 110

The report brings together information on three key budget areas – salaries, major operational income streams and investment income. The performance of the key budget areas, together with approved variations to the revenue budget and areas identified through revenue budget monitoring are then summarised to provide an indicative overall budget position for the year. The report also updates Cabinet on capital expenditure and variations that have been agreed in relation to the capital plan.

9. Tonbridge and Malling Shared UK Prosperity Fund 111 - 142
- This report provides an update on delivery during Year 1 of the Tonbridge & Malling UKSPF Programme (including Rural England Prosperity Fund) and highlights upcoming initiatives for Year 2.
10. Community Development Grant Scheme 143 - 160
- This report seeks approval of schemes submitted for funding through the Community Development Grant Scheme.
11. TMBC Owned Sites - Local Plan 161 - 272
- Recommendation FRP 23/13 of the Finance, Regeneration and Property Scrutiny Select Committee of 13 June 2023
12. Tree Safety Policy 273 - 330
- Recommendation CE 23/16 of the Communities and Environment Scrutiny Select Committee of 14 June 2023
13. Events on Public Open Spaces 331 - 354
- Recommendation CE 23/17 of the Communities and Environment Scrutiny Select Committee of 14 June 2023
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- Recommendation CE 23/18 of the Communities and Environment Scrutiny Select Committee of 14 June 2023
- Matters submitted for Information**
15. Decisions taken by Cabinet Members 365 - 366
- A record of the decisions taken by portfolio holders since the last meeting of Cabinet are attached.
16. Minutes of Panels, Boards and Other Groups 367 - 372
- The minutes of meetings of Advisory Panels, Boards and Other Groups are attached. Any recommendations arising from these minutes are set out as individual items on this agenda.
- Joint Transportation Board of 5 June 2023
 - Parish Partnership Panel of 15 June 2023 – To Follow
17. Urgent Items 373 - 374
- 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

18. Exclusion of Press and Public 375 - 376

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

19. Urgent Items 377 - 378

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

MEMBERSHIP

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

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

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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 be discussed:

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

Attendance:

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

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

Ground Rules:

The meeting will operate under the following ground rules:

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

For those Members participating online:

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

Voting:

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

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

Apologies for absence

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Declarations of interest

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TONBRIDGE AND MALLING BOROUGH COUNCIL

CABINET

MINUTES

Tuesday, 6th June, 2023

Present: Cllr M D Boughton, Cllr R P Betts, Cllr M A Coffin, Cllr D Keers, Cllr K B Tanner and Cllr M Taylor

Cllrs A G Bennison and M A J Hood were also present pursuant to Access to Information Rule No 23.

(Note: Cllrs S Bell, M Rhodes and Mrs A Oakley listened to the discussion via MS Teams)

PART 1 - PUBLIC

CB 23/50 DECLARATIONS OF INTEREST

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

CB 23/51 MINUTES

RESOLVED: That the Minutes of the meeting of the Cabinet held on 4 April 2023 be approved as a correct record and signed by the Chairman.

DECISIONS TO BE TAKEN IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION

EXECUTIVE KEY DECISIONS

CB 23/52 CAR PARKING FEES AND CHARGES - HAYSDEN COUNTRY PARK - OUTCOME OF PUBLIC CONSULTATION

(Decision Notice D230049CAB)

The report of the Director of Street Scene, Leisure and Technical Services set out proposals for changes to car parking tariffs in the Borough Council's Haysden Country Park in Tonbridge. The proposed changes were outlined in the Formal Consultation Notice attached at Annex 1.

A number of objections and comments had been received during the statutory consultation period and these responses were set out in Annex 2.

Cabinet noted that the proposed changes were reviewed within the context of a set of guiding principles, the cost of the parking service to the Borough Council and ongoing investment in the parking management service. It was anticipated that the new charges would be introduced in late July 2023.

Finally, it was noted that the income received from car parking contributed to the operation of the Country Park and the value of Automatic Number Plate Recognition (ANPR) at the site continued to be explored.

Careful consideration was given to the legal, financial and value for money implications and the responses to the public consultation were taken into account.

RESOLVED: That

- (1) the objections to the proposed changes to the off-street parking charges (as detailed in Annex 2) be set aside; and
- (2) the appropriate Traffic Regulation Order be approved to facilitate the variation of the off-street parking charges (as detailed in Annex 1 and summarised below) to come into effect as soon as possible:
 - an increase of 20p (to £2.00) to the 'up to 4 hour' tariff
 - an increase of 50p (to £4.50) for the 'over 4 hour' tariff
 - an increase of £5 (up to £65) for 12 month car park season tickets

EXECUTIVE NON-KEY DECISIONS

CB 23/53 REVENUE AND CAPITAL OUTTURN 2022/23

(Decision Notice D230050CAB)

In accordance with the Borough Council's Financial Procedure Rules, the report of the Chief Executive and the Director of Finance and Transformation detailed actual Revenue and Capital Outturn for the year ended 31 March 2023 and subsequent adjustments made in light of the Outturn position.

As part of the closedown of accounts, a review of specific earmarked reserves held by the Borough Council had been undertaken and these were detailed in 1.2.3 of the report.

Cabinet welcomed the positive outturn position, which could be attributed to above profile performance on investment returns and major operational income streams, recognised that the financial outlook

remained challenging and that the focus in 2023/24 would be to identify and deliver the savings target of £500,000 before 2024/25.

To ensure that this target was achieved, proposals in respect of potential savings would be formulated in consultation with Officers at an earlier stage, in advance of the budget setting process for 2024/25.

RESOLVED: That

- (1) the Revenue and Capital Outturn for year 2022/23 be endorsed and noted;
- (2) the action taken following a review of specific earmarked reserves, set out at paragraph 1.2.3, be endorsed and noted;
- (3) the Treasury Management and Investment Strategy Review 2022/23, set out at Annex 2) be endorsed and noted; and
- (4) a timetable for the programme of savings and transformation contributions be progressed, in consultation with Officers, as soon as possible to meet the demands of the budget setting process to ensure the target of £500,000 was achieved by the start of the financial year 2024/25

CB 23/54 RISK MANAGEMENT

(Decision Notice D230051CAB)

Consideration was given to recommendation AU 23/15 of the Audit Committee of 17 April 2023.

Cabinet noted that the risks categorised as 'RED' were:

- Financial position/budget deficit;
- Economic stability;
- Corporate strategy and Savings and Transformation Strategy;
- Local Plan;
- Organizational development including recruitment and retention/skills mix;
- Homes for Ukraine Scheme; and
- Implementation of the Agile software system

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

MATTERS SUBMITTED FOR INFORMATION**CB 23/55 MINUTES OF PANELS, BOARDS AND OTHER GROUPS**

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

CB 23/56 DECISIONS TAKEN BY CABINET MEMBERS

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

CB 23/57 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 7.50 pm

TONBRIDGE & MALLING BOROUGH COUNCIL

CABINET

04 July 2023

Report of the Chief Executive

Part 1- Public

Recommendations to Council

1 CORPORATE STRATEGY 2023-2027

This report provides an update on the development of the Corporate Strategy 2023-2027 and seeks approval for its adoption.

1.1 Background:

1.1.1 In March 2023, Report C23/32 set out progress on developing the emerging Corporate Strategy and provided details on proposed amendments to the strategy following a community consultation in January-February 2023. With these amendments having been endorsed by Cabinet, and subsequently Overview and Scrutiny Committee in April 2023, this report seeks approval from Cabinet for the Corporate Strategy 2023-2027 to be taken to Council for adoption.

1.2 Corporate Strategy 2023-2027:

1.2.1 The Corporate Strategy 2023-2027 is provided in Appendix 1. It incorporates the feedback received from the community consultation, as well as matters highlighted through the decision-making process to date. It sets out a new direction for the borough council and has a vision “(t)o be an innovative and forward-thinking council, that leads the people and businesses of the borough towards a vibrant, prosperous and sustainable future”. This vision is underpinned by three values:

- **Innovation** – embracing new ideas and technology, and proactively finding solutions that improve our services to residents.
- **Transformation** – adapting so we can meet the standards residents, businesses and all those involved in the borough council rightly expect.
- **Delivery** – ensuring we set ambitious targets that we strive to meet, in order to provide high quality public services for our residents.

1.2.2 The four priorities set out in the Corporate Strategy are:

- Efficient services for all our residents, maintaining an effective council.
- Sustaining a borough which cares for the environment.

- Improving housing options for local people whilst protecting our outdoor areas of importance.
- Investing in our local economy to help support residents and businesses and foster sustainable growth.

1.2.3 Under each of these priorities, the Corporate Strategy highlights the actions that the council and its partners will undertake.

1.2.4 A short high-level action plan setting out the strategic initiatives linked to delivering the Corporate Strategy is provided in Appendix 2. This plan includes some of the key initiatives, rather than all of the activity, that the council will undertake to meet the priorities set out in the strategy.

1.2.5 This action plan will be reported to Cabinet on a 6-monthly basis, providing a RAG rating for each strategic project, along with some narrative to explain progress.

1.2.6 It will be reviewed on an annual basis throughout the course of the Corporate Strategy.

1.3 Key Performance Indicators (KPIs)

1.3.1 Following on from a previous gap analysis which was shared with Cabinet in March 2023, Appendix 3 sets out a new updated list of KPIs in order to align them more closely with the Corporate Strategy.

1.3.2 There is currently a KPI relating to biodiversity that still need to be finalised. This is because at the time of writing this report DEFRA guidance is still forthcoming on proposals for biodiversity net gain, and strategies on the topic are still being developed. As such, it makes sense to delay finalising this KPI until further information is available.

1.3.3 As is currently the case, specific KPIs will be shared as a standing item with the scrutiny select committees and the Overview and Scrutiny Committee (as highlighted in Appendix 3). The KPIs will also become a standing item at Management Team and Service Management Team meetings in order to ensure that they are embedded within the day-to-day running of the Council.

1.4 Legal Implications

1.4.1 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.

1.5 Financial and Value for Money Considerations

1.5.1 None arising directly from this report.

1.6 Risk Assessment

- 1.6.1 Reputational risk if the Council fails to meet targets set out in the Corporate Peer Review Action Plan and undertake the recommendations suggested by the Peer Team.

1.7 Policy Considerations

- 1.7.1 Business Continuity/Resilience
- 1.7.2 Communications
- 1.7.3 Communities
- 1.7.4 Planning and Housing
- 1.7.5 Environment
- 1.7.6 Economy

1.8 Recommendations

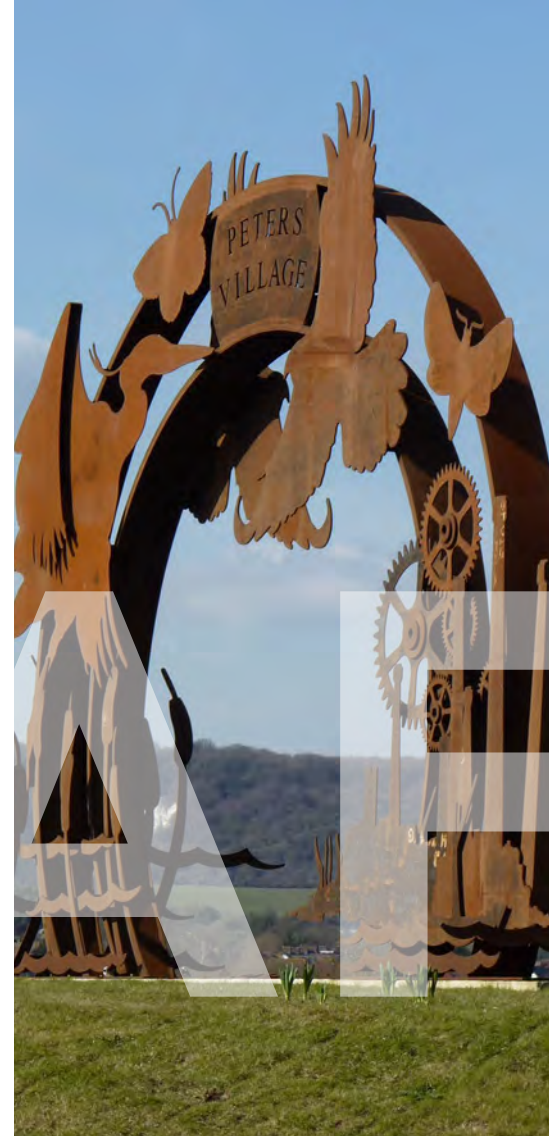
- 1.8.1 That the report **BE NOTED**.
- 1.8.2 That the Corporate Strategy as set out in Appendix 1 **BE RECOMMENDED** to Council for adoption.
- 1.8.3 That the Corporate Strategy Action Plan, as set out in Appendix 2, **BE RECOMMENDED** to Council for adoption.
- 1.8.4 That the proposed new Key Performance Indicators, as set out in Appendix 3, **BE RECOMMENDED** to Council for adoption.
- 1.8.5 That it **BE RECOMMENDED** to Council to agree to delegate authority to the Chief Executive in liaison with the Leader of the Council to approve any necessary further minor changes to the Corporate Strategy, Action Plan and Key Performance Indicators that may be required for reasons of clarity or presentation.

Background papers:

contacts:
Jeremy Whittaker, Strategic
Economic Regeneration
Manager

Julie Beilby
Chief Executive

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Innovation, Transformation and Delivery

Corporate Strategy - Draft
2023 - 2027





Innovation, Transformation and Delivery

Corporate Strategy - Draft 2023 - 2027



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- 6 About Tonbridge and Malling
- 7 What We Do
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Foreword from the Leader and Chief Executive

Tonbridge and Malling is a great and safe place to live, work and socialise. Our historic environment, heritage and countryside has attracted investment for many years.

Since 1974, Tonbridge and Malling Borough Council has been there to support residents, businesses and anyone visiting the area. It delivers its core service well. The borough council has helped so many people and organisations through the challenges of recent years. But there is more that can, and needs, to be done.

As the council approaches its 50th birthday, this Corporate Strategy catapults the borough council into a new era - leading in investing and delivering for the towns and villages that make up this beautiful area.

There are three key values that define our approach:

Innovation, Transformation and Delivery

By pro-actively encouraging these values, we can transform our council and the towns and villages that make up our borough. This allows us to deliver modern and successful public services that help to meet our four key priorities for the borough:

- 1 **Efficient** services for all our residents, maintaining an effective council.
- 2 **Sustaining** a borough which cares for the environment.
- 3 **Improving** housing options for local people whilst protecting our outdoor areas of importance.
- 4 **Investing** in our local economy.

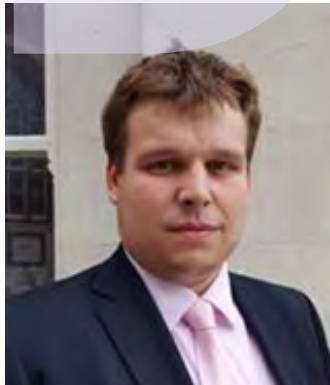
To be an effective community leader, we must continue to provide these services to the standards that residents expect. We know expectations have, rightly, risen. Our challenge is to use new approaches to meet this.

We've got to be flexible in dealing with the challenges we face, both locally and across the country, even the world. Using our ambitious sustainability plans as a base, we can help to transform our community to one which puts greater emphasis on the health of the environment. This will mean acknowledging the importance of our green spaces when taking a balanced approach between the need to tackle the housing crisis and protecting our countryside.

And by leading as an ambassador for business in West Kent, we can demonstrate why Tonbridge and Malling has such a great track record of investment, regardless of economic conditions.

This Corporate Strategy marks a change in the approach of Tonbridge and Malling Borough Council. It is a clear indication of where we wish to take this council, to clearly communicate and lead in the delivery of public services and investment in the community.

As a bold, forward looking Corporate Strategy this sets the benchmark for delivery over the next few years. We are ambitious for Tonbridge and Malling to meet its potential, and look forward to sharing this journey with you all.



Cllr Matt Boughton

Leader of Tonbridge & Malling
Borough Council



Julie Beilby

Chief Executive of Tonbridge & Malling
Borough Council



Our Vision

To be an innovative and forward-thinking council, that leads the people and businesses of the borough towards a vibrant, prosperous and sustainable future.

Our Values

Innovation

Embracing new ideas and technology, and proactively finding solutions that improve our services to residents.

Transformation

Adapting so we can meet the standards residents, businesses and all those involved with the borough council rightly expect.

Delivery

Ensuring we set ambitious targets that we strive to meet, in order to provide high quality public services for our residents.

Our Priorities

1

Efficient services for all our residents, maintaining an effective council

2

Sustaining a borough which cares for the environment

3

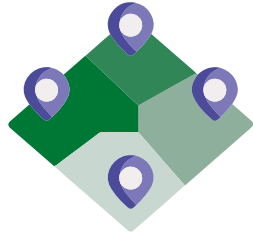
Improving housing options for local people whilst protecting our outdoor areas of importance

4

Investing in our local economy to help support residents and businesses and foster sustainable growth.



132,600
Population (2020)



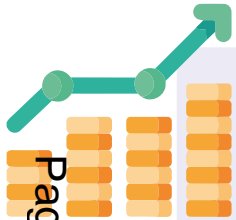
92.71
Square Miles



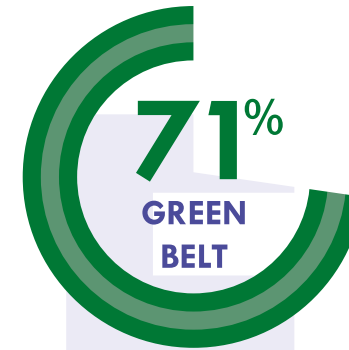
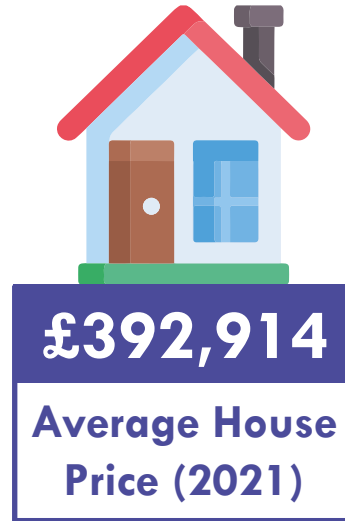
62,000
Employee Jobs in
the Borough (2020)



6055
Enterprises (2020)



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84.1%
Economically active
16-64 year olds (2020)



£689.90
Average Weekly
Resident Salary
(Full-Time) (2020)



We receive
10.9p
of every £1
of Council Tax
(2021)



2 AREAS OF OUTSTANDING
NATURAL BEAUTY IN THE BOROUGH
(**KENT DOWNS & HIGH WEALD**)

About Tonbridge and Malling



Over
75,000
phone calls
answered by
our Contact Centre per year



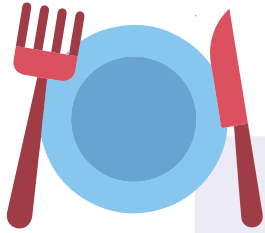
31
independent
businesses
supported
through shopfront improvement grants



Over
£40m
distributed to local
businesses in grants
during COVID-19



1751
roads
cleansed



Over
500
food
businesses inspected annually



25,725
myaccount
users



68
CCTV cameras
covering facilities and town centres

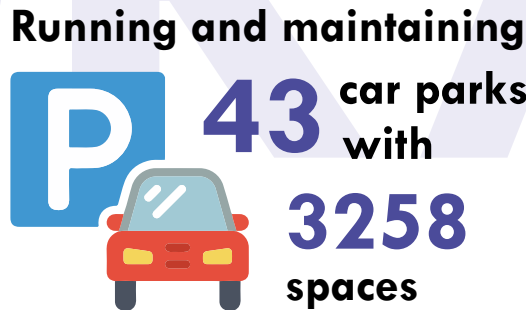


Responsible for maintaining
400
areas of
public open
space

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Over
3000
planning
applications
processed per year



Running and maintaining
43 car parks
with
3258
spaces

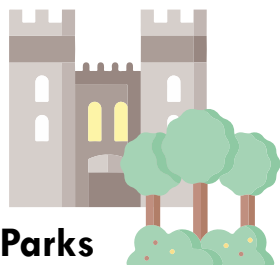


355
miles of
footways
cleansed



Over
1200
business
license
applications processed per year

Providing
2 x Country Parks
3 x Leisure Centres
a Castle & a Golf Course



Achieving the best
recycling rates in Kent



Over
£1.25m
to grants in the
community &
voluntary
organisations
inc. Community Development Grants,
Disabled Facilities Grants, Housing Assistance Grant,
CSU Mediation Service Grant

What
We Do



PETER'S BRIDGE

28

Meeting our Priorities

Efficient services for all residents, maintaining an effective Council.

We want the people of Tonbridge and Malling to enjoy good quality public services, to feel safe and enjoy the benefits that digital technologies offer. Between now and 2027 we will:

- Promote well-being and help people, especially our most vulnerable residents, to live healthy and active lifestyles. This includes facilitating good quality leisure facilities and services across Tonbridge and Malling.
- Through key partnership working with Kent Police and other partners, support residents and ensure safeguarding is an integral part of Council activity.
- Make our services and advice available to residents 24 hours a day through digital innovation, and ensure the borough council is able to respond efficiently to the needs of local residents.
- Further move the borough council forward so its services are delivered innovatively and in the most cost-effective and efficient way



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BASTED MILL

Sustaining a borough which cares for the environment.

We're committed to creating a borough which protects the environment and provides beautiful spaces for our residents and visitors to enjoy. Between now and 2027 we will:

- Deliver climate change plans which focus on cutting emissions and increasing biodiversity.
- Build on our track record of recycling more than anywhere else in Kent with measures to further improve rates while reducing overall levels of waste and fly-tipping.
- Improve environmental quality in the borough by tackling sources of pollution such as car idling and taxi emissions, backed up by design-led approaches in new developments and encouraging sustainable travel.
- Continue our successful management of parks, open spaces and leisure centres so the best recreational facilities are available to everyone.
- Recognise and support our local built heritage to give people pride in the place they live.



Improving housing options for local people, whilst protecting our outdoor areas of importance.

We will bring forward plans to help people onto the housing ladder, improve standards in the rented sector and support those at risk of homelessness through ensuring a strong focus on affordable housing in the borough whilst protecting our outdoor areas of importance. Between now and 2027 we will:

- Develop a Local Plan which will ensure the provision of new homes in appropriate locations, focusing on tackling the need to deliver a range of housing for the whole community.
- Ensure a supply of affordable housing for people who would struggle to buy on the open market.
- Use every power we can to support those who are most in need of housing support and at risk of becoming homeless.
- Improving standards in rented accommodation, including offering help to make flats and houses more energy efficient in order to recognise that this isn't just an issue in the privately rented sector.



Investing in our local economy to help support residents and businesses and foster sustainable growth.

Local businesses have faced tough challenges in recent years and continue to do so. We want to support businesses which are the lifeblood of the local economy and help them adapt and grow in the future. Between now and 2027 we will:

- Deliver a range of measures to help our local economy bounce back from the covid-19 pandemic and current economic pressures.
- Identify ways we could use our land and other assets better, especially in Tonbridge town centre.
- Develop proposals to raise the profile of Tonbridge Castle and all council assets, boosting income generation opportunities and our reputation as a partner to work with.
- Strengthen our links with strategic partners and funding bodies in the public and private sectors to maximise the support available for our local economy.

Annex 1: Our Key Strategies

Our Corporate Strategy does not stand-alone – there are a whole host of key strategies that underpin this document and deliver for the benefit of our residents, visitors and businesses. Some of these key strategies are:

- Climate Change Strategy – sets out an aspiration for the borough council to be carbon neutral by 2030, with an action plan that illustrates key steps required to contribute towards this goal.
- Community Safety Partnership Strategy – creating a safer Tonbridge and Malling.
- Digital Strategy – aims to allow the communities and businesses we serve to be able to engage and transact with us responsively and seamlessly.
- Economic Recovery Strategy – aims to help create a dynamic and inclusive economy that fosters sustainable growth.
- Housing Strategy – improving housing supply and options for the community.
- Local Plan – will guide development across the borough through to 2040 and will include policies on great design, delivering the services communities need, affordable housing and regenerating Tonbridge Town Centre.
- Savings and Transformation Strategy – aims to bridge the funding gap identified in the Medium-Term Financial Strategy through savings and transformation.



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Appendix 2 - Corporate Strategy Action Plan 2023/24 (to be reviewed annually)

Priorities	Actions	Strategic Project	Owner	Timescale
Efficient Services for all our Residents	Promote well-being and help people live healthy and active lifestyles.	Delivering cost efficient leisure centres through capital investment that improves their financial and environmental sustainability.	CM for Community Services	Ongoing
		Deliver One You Public Health Initiative	CM for Finance and Housing	Ongoing
	Through key partnership working with Kent Police and other partners, support residents and ensure safeguarding is an integral part of council activity.	Delivery and implementation of the annual Community Safety Partnership Plan, including measures to tackle anti-social behaviour and domestic violence.	CM for Community Services	Ongoing
	Make our services and advice available to residents 24 hours a day through digital innovation.	Implementation of the Communications Strategy 'strategic themes' specifically building digital reach through social media channels and the MyTMBC app.	CM for Finance and Housing	Ongoing
		Adoption and implementation of a new Digital Strategy		2023
	Further move the borough council forward so its services are delivered innovatively and in the most cost-effective and efficient way.	Additional resource/staffing to be allocated to delivering innovative change through the council's transformation agenda.	CM for Transformation and Infrastructure and CM for Finance and Housing	2023
Implementation of the Medium Terms Financial Strategy and the Savings and Transformation Strategy			Ongoing	
Sustaining a borough which cares	Deliver climate change plans which focus on cutting emissions and increasing biodiversity.	Implementation of the Climate Change Strategy Action Plan – including measures that cover sustainable development, transport, housing, waste, business and property.	CM for Climate Change, Regeneration and Property	Ongoing
		Partnership working with KCC, the Kent Local Nature Partnership and Kent Wildlife Trust to identify sites for a high level of biodiversity net gain.		Ongoing
	Build on our track record of recycling more than anywhere else in Kent.	Continue to increase kerbside recycling.	CM for Transformation and Infrastructure	Ongoing
		Promote recycling and waste minimisation.		Ongoing
	Implementation of Air Quality Action Plan		Ongoing	

for the environment	Improve environmental quality in the borough by tackling sources of pollution.	Continue with dedicated environmental enforcement.	CM for Climate Change, Regeneration and Property	2023
	Continue our successful management of parks, open spaces and leisure centres.	Maintain Green Flag Award status for our parks.	CM for	Ongoing
		Delivering cost efficient leisure centres through capital investment that improves their financial and environmental sustainability.	Community Services	Ongoing
Options for Improving Housing for local people	Develop a Local Plan which will ensure the provision of new homes in appropriate locations, focusing on tackling the need to deliver a range of housing for the whole community.	Submission of Local Plan for the borough.	CM for Planning	Spring 2025
		Examination in Public of the Local Plan		2026
	Ensure a supply of affordable housing for people who would struggle to buy on the open market	Investigate use of council owned assets for use to deliver affordable housing through joint working with Registered providers.	CM for Finance and Housing	2023
		Promote Local Letting Plans to help deliver homes for local people.	CM for Finance and Housing	Ongoing
	Use every power we can to support those who are most in need of housing support and at risk of becoming homeless.	Manage our temporary accommodation provision to support vulnerable residents.	CM for Finance and Housing	Ongoing
		Develop and implement a Homelessness and Rough Sleeping Strategy and Action Plan		2023
	Improving standards in rented accommodation.	Delivery of the Housing Upgrade Grant Project	CM for Finance and Housing	Up to March 2025
		Work with partner organisations and Registered providers to provide advice and signpost to available support.		Ongoing
Investing in our local	Deliver a range of measures to help our local economy bounce back.	Implementation of the T&M UK Shared Prosperity Fund Investment Plan and REPF Addendum.	CM for Climate Change, Regeneration and Property.	Up to March 2025
		Produce and implement a new Economic Development Strategy for 2024-2027.	CM for Climate Change, Regeneration and Property.	Adopt September 2023.

economy to help foster sustainable growth	Identify ways we could use our land and other assets better, especially in Tonbridge Town Centre.	Tonbridge Town Centre Review (inc. Tonbridge Farm)	CM for Climate Change, Regeneration and Property.	Ongoing
		Progress plans for Kings Hill Offices		Ongoing
	Develop proposals to raise the profile of Tonbridge Castle and all council assets.	Agreement of future plans for Tonbridge Castle and develop implementation strategy.	CM for Community Services.	During 2023
		Put new plans in place for the Castle.		From 2024
	Strengthen our links with strategic partners and funding bodies.	Ongoing engagement with strategic partners such as RBLI, NIAB EMR and the Kent and Medway Economic Partnership to ensure investment in the borough.	CM for Climate Change, Regeneration and Property.	During 2023
		Refocus the West Kent Partnership to move from predominantly skills and employability measures to a broader economic development approach that includes promotion and investment.		During 2023

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Appendix 3 – Draft Key Performance Indicators

Actions	Ref No	Aligned KPI	Scrutiny Select Committee	Frequency
Promote well-being and help people live healthy and active lifestyles.	1	% of due food safety inspections undertaken (Risk Category A-C)	CESSC	Quarterly
	2	% of due food safety inspections undertaken (Risk Category D-E)	CESSC	Quarterly
	3	Total attendance at LLC/AC/TSP/PWGC (cumulative for year by quarter)	CESSC	Quarterly
	4	Total number of actual missed collections (waste)	CESSC	Annually
	5	Number of clients referred into the One You service	CESSC	Quarterly
Through key partnership working with Kent Police and other partners, support residents and ensure safeguarding is an integral part of council activity.	6	Total number of ASB cases	CESSC	Quarterly
	7	Total number of victim-based crimes	CESSC	Quarterly
	8	No. of red flags on our annual safeguarding self-assessment framework (SAF) and Section 11 audit.	CESSC	Annually
Make our services and advice available to residents 24 hours a day through digital innovation.	9	Social media clicks/engagement	O&S	Quarterly
	10	Website Myaccount Registrations (total)	O&S	Quarterly
	11	My TMBC app downloads (total)	O&S	Quarterly
	12	Staff Numbers (FTE)	O&S	Quarterly

Further move the borough council forward so its services are delivered innovatively and in the most cost-effective and efficient way.	13	Vacant Posts (FTE)	O&S	Quarterly
	14	Sickness absence (days) - short term	O&S	Quarterly
	15	Sickness absence (days) - medically signed off	O&S	Quarterly
	16	Gender Pay Gap - Median	O&S	Annually
	17	Salary Monitoring data (£)	FRPSSC	Quarterly
	18	Income Monitoring data (£)	FRPSSC	Quarterly
	19	Council Tax collection (%) - cumulative	FRPSSC	Quarterly
	20	NNDR collection (%) - cumulative	FRPSSC	Quarterly
	21	Sales ledger - outstanding debt (£)	FRPSSC	Quarterly
Deliver climate change plans which focus on cutting emissions and increasing biodiversity.	22	T&M carbon dioxide emissions data (tCO ₂ e)	CESSC	Annually
	23	TMBC annual carbon audit emissions data (ktCO ₂ e)	CESSC	Annually
	24	Biodiversity KPI - TBC	CESSC	TBC

Build on our track record of recycling more than anywhere else in Kent.	25	% of household waste sent for recycling and composting	CESSC	Annually
Improve environmental quality in the borough by tackling sources of pollution.	26	Number of contaminated land enquiries.	CESSC	Annually
	27	Total number of service requests leading to investigation	CESSC	Annually
	28	Number of enforcement notices served	CESSC	Annually
	29	Number of AQMA's in the Borough (currently 6) where NO2 results exceed the National Air Quality objective for which they were declared	CESSC	Annually
Continue our successful management of parks, open spaces and leisure centres.	30	Total attendance at LLC/AC/TSP/PWGC (duplicate)	CESSC	Quarterly
	31	No of parks with Green Flag status	CESSC	Annually
Develop a Local Plan which will ensure the provision of new homes in appropriate	32	Housing Land Supply (years)	HPSSC	Annually

locations, focusing on tackling the need to deliver a range of housing for the whole community.	33	Milestones achieved on delivering the T&M Local Development Scheme	HPSSC	Quarterly
Ensure a supply of affordable housing for people who would struggle to buy on the open market	34	Number of affordable homes built out per annum	HPSSC	Annually
Use every power we can to support those who are most in need of housing support and at risk of becoming homeless.	35	Number of people on housing register	HPSSC	Quarterly
	36	Number of HR applications received	HPSSC	Quarterly
	37	Waiting time for assessment of applications (days)	HPSSC	Quarterly
	38	Number of people in Temporary Accommodation	HPSSC	Quarterly
Improving standards in rented accommodation.	39	Number of properties where property conditions have been improved	HPSSC	Quarterly
	40	Number of housing enforcement notices served	HPSSC	Quarterly
	41	Number of disabled facilities grants completed in the borough.	HPSSC	Quarterly
Deliver a range of measures to help our local economy bounce back.	42	Number of economic projects delivered through the UKSPF and REPF	FRPSSC	Quarterly
	43	Ratio of enterprise births to deaths	FRPSSC	Annually

	44	Town Centre Vacancy Levels (%)	FRPSSC	Annually
	45	Unemployment rate (%)	FRPSSC	Quarterly
Identify ways we could use our land and other assets better, especially in Tonbridge Town Centre.	46	% Occupation of rental properties	FRPSSC	Quarterly
	47	Total income generated from property rentals (£)	FRPSSC	Quarterly
	48	Progress made on Tonbridge Town Centre Regeneration Plans.	FRPSSC	Quarterly
Develop proposals to raise the profile of Tonbridge Castle and all council assets.	49	Total income generated by Tonbridge Castle (£)	FRPSSC	Annually
	50	Leisure Centres - overall income (% to profile)	FRPSSC	Quarterly
	51	Leisure Centres - overall expenditure (% to profile)	FRPSSC	Quarterly
	52	Total income from council run/supported events	FRPSSC	Annually
Strengthen our links with strategic partners and funding bodies.	54	External funding received for economic initiatives (£)	FRPSSC	Annually
	55	No of projects jointly delivered with strategic partners.	FRPSSC	Annually

Additional KPIs

Useful data that will give an indication of performance within specific parts of the borough council		Planning		
		% against Government target of 60% (for major apps)	HPSSC	Quarterly
		% against Government target of 65% (for minor apps)	HPSSC	Quarterly
		% against Government target of 80% (for 'others')	HPSSC	Quarterly
		Number of appeals received	HPSSC	Quarterly
		Number of appeals determined - allowed	HPSSC	Quarterly
		Number of appeals determined - dismissed	HPSSC	Quarterly
		Number of planning enforcement cases opened	HPSSC	Quarterly
		Number of planning enforcement cases closed	HPSSC	Quarterly
		Number of planning enforcement notices served	HPSSC	Quarterly
		Customer Services and Licensing		
		% Handled rate (Customer Services)	O&S	Quarterly
		% emails responded to within 24 hours (Customer Services)	O&S	Quarterly
		% webchat answer rate (Customer Services)	O&S	Quarterly
		Total number of licenced drivers	O&S	Quarterly
		Total number of vehicle licences	O&S	Quarterly
		Total number of premises licences	O&S	Quarterly

TONBRIDGE & MALLING BOROUGH COUNCIL

CABINET

04 July 2023

Report of the Director of Finance & Transformation

Part 1- Public

Executive Key Decisions

1 HOUSEHOLD SUPPORT FUND

A report seeking approval of the Council's approach in use of the current grant of Household Support Fund for the Borough

1.1 Background

1.1.1 Government established the Household Support Fund initially as part of the covid recovery financial package. It now forms part of the national cost of living support package to support those most in need across England with the cost of food, energy (heating, cooking, lighting), water bills (including sewerage) and other essentials. This is the fourth consecutive tranche of funding. Previous awards have been for attributed to six month periods, however the current award covers the period 1 April 2023 – 31 March 2024.

1.1.2 In Kent, the fund has again been allocated to Kent County Council. KCC decided to grant 20% to district councils, according to a distribution model based on population and poverty, to target support in their areas, on conditional agreement of the direction of spend meeting national and local criteria. In a change to those criteria, funding of debt advice which was explicitly prohibited, is now permissible.

1.2 Grant Award for Tonbridge & Malling Borough

- 1.2.1 An agreement was made in April for Tonbridge & Malling Borough Council to accept a grant from the fund of £278,562 and to use it in accordance with Government guidance which can be found at:
<https://www.gov.uk/government/publications/household-support-fund-guidance-for-local-councils/household-support-fund-final-guidance-for-county-councils-and-unitary-authorities-in-england>
- 1.2.2 Officers have been working with KCC to establish how the county council intend to put their money to use so our approach can dovetail, complement and not duplicate that of the county. KCC will continue with similar lines of support provided by previous rounds but in addition there will be funding for the provision of enhanced debt advice services across Kent provided by North West Kent

Citizens Advice. The exact shape and provision of service has not been defined at this time. It is likely to be a telephone service.

- 1.2.3 The grant is to be used by 31 March 2024. Unspent grant cannot be rolled over into April, beyond honouring any expenditure committed to before the end of March.

1.3 Proposed use of Grant

- 1.3.1 The draft Tonbridge & Malling Borough Council Household Support Fund Scheme April 2023 – March 2024 **[Annex 1]** sets out the proposed use of the fund. The Scheme objective is to provide crisis support for households. The strategy for direction of funding is based on successful outcomes of previous awards, statistical returns, feedback from a recent welfare support workshop and anecdotal experience.

- 1.3.2 The Finance, Regeneration & Property Scrutiny Select Committee discussed and supports the way forward. Members stressed the need not just in distributing funds to support organisations, but ensuring funds are targeted to those households most in need and to ensure the scheme remains effective to the end. Members were also keen that, where appropriate, the Council takes advantage of any additional funding becoming available from government or KCC to assist our borough. These points have been reflected and addressed in the document.

- 1.3.3 The Scheme sets out the intention to:

- Support local community and charitable foodbanks
- Support organisations in the provision of fuel vouchers (with a focus on the autumn / winter period)
- Support pastoral care for children and parents through local schools
- Support debt advice outreach services across the borough in conjunction with KCC enhanced debt advice service
- Support mental health services for households suffering as a consequence of the economic climate
- Support for community projects that directly help residents in meeting the Scheme objective
- Cover reasonable administrative costs

- 1.3.4 The expectation is for a minimum of 50% funding to be allocated to foodbanks and fuel voucher schemes.

- 1.3.5 The Scheme includes a mechanism to adapt the direction of funds in response to changing or emerging priorities throughout the lifespan.

1.3.6 The report has been considered by Management Team who are supportive of the proposals made.

1.4 Resource Implications

1.4.1 This approach calls for a relatively low resourcing level, which is anticipated as achievable within existing resources.

1.5 Legal Implications

1.5.1 The Scheme complies with Government guidance and the agreement with KCC signed by our Director of Finance & Transformation in April 2023.

1.6 Financial and Value for Money Considerations

1.6.1 Spend will be monitored to ensure the minimum 40% is achieved by 30 September, accessing the remaining 60% making optimum use of the funds for the borough.

1.6.2 Reasonable administration costs incurred in operating this scheme may be met from the grant allocations. These costs may include:

- staff costs
- advertising and publicity to raise awareness of the scheme
- web page design
- printing application forms and postage costs
- small IT changes, for example, to facilitate MI production

1.6.3 With administration costs being met from the allocations it is imperative to run a scheme as efficiently as can be to maximise the level of financial support available to households. A reasonable administrative charge to deliver this scheme is estimated at £3000.

1.7 Risk Assessment

1.7.1 A policy statement / Scheme will reduce the risk of challenge in the operation of the scheme.

1.7.2 Financial exposure is limited. The budget for the Scheme, including administration, is restricted to the level of grant from KCC. Payment from KCC is retrospective and reliant on the provision of agreed monitoring and management information.

1.7.3 Spend will be monitored throughout with a priority to ensure the minimum spend of 40% is met by 30 September 2023 to release the remainder of the fund.

1.8 Equality Impact Assessment

- 1.8.1 Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to (i) eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010, (ii) advance equality of opportunity between people from different groups, and (iii) foster good relations between people from different groups. The decisions recommended through this paper directly impact on end users. The impact has been analysed and varies between groups of people. The results of this analysis are set out immediately below.
- 1.8.2 There is no perceived inequality towards protected characteristic groups by the operation of the scheme. It is targeted generally at residents most vulnerable to the rise in living costs in accordance with government guidance.
- 1.8.3 In using local community and charitable foodbanks we tap into services at a local level that have been established to meet local community needs.

1.9 Recommendation

1.9.1 Members are **RECOMMENDED** to:

- 1) approve the Household Support Fund Scheme July 2023 – March 2024 at **Annex 1**;
- 2) granting authority for the Director of Finance & Transformation to establish an effective operational scheme to disburse funds in accordance with that document; and
- 3) allowing for significant variance in direction of spend in response to any emerging events or needs over the lifetime of the Scheme by agreement of Leader, Cabinet Member for Finance & Housing, Chief Executive and Director of Finance & Transformation, in line with the general parameters of the Household Support Fund.

Background papers:

Nil

contact: Andrew Rosevear
Benefits & Welfare Manager

Sharon Shelton
Director of Finance & Transformation



**Tonbridge & Malling Borough Council
Household Support Fund Scheme
July 2023 – March 2024**

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1.0 Purpose of the Scheme and background

The purpose of this document is to set out the Council's intention for use of the grant of Household Support Fund from Kent County Council to 31 March 2024. The Scheme is part of a national and local package of support for households in hardship through rising energy costs and general rise in costs of living.

1.1 Government has provided funding to Kent County Council (KCC). KCC has shared 20% of their funding across all district councils based on economic indices. [Decision - 21/00107 - Household Support Grant \(kent.gov.uk\)](#)

1.2 The Council's scheme has been designed in compliance with government guidance and an agreement between Tonbridge & Malling Borough Council and Kent County Council.

Guidance can be found at:

<https://www.gov.uk/government/publications/household-support-fund-guidance-for-local-councils/1-april-2023-to-31-march-2024-household-support-fund-guidance-for-county-councils-and-unitary-authorities-in-england>

2.0 Funding

2.1 KCC has allocated HSF funding to the Council totaling **£278,562**

2.2 This grant is to be used in the period 1 April 2023 until 31 March 2024. There is no carry forward of this grant into April 2024 beyond honouring any expenditure committed before 31 March 2024.

2.3 Previous grants have covered six month periods, mirroring government awards to KCC. This grant covers the period 1 April 2023 – 31 March 2024, like that made by government to KCC this time around. Due to process the Scheme will not commence until Cabinet approval in July 2023.

2.4 KCC has made initial allocations of 40% of the annual grant to districts. Confirmation of the further 60% allocation is dependent on use of the initial allocation by 30 September 2023 to reduce the risk of underspends and reflect on residents having higher needs in the winter period.

3.0 Administration costs

3.1 Reasonable costs incurred in administering the Scheme will be charged to the fund. These charges may include:

- staff costs
- advertising and publicity to raise awareness of the scheme
- web page design
- printing application forms
- small IT changes, for example, to facilitate MI production

4.0 Distribution of Funds

- 4.1** The Council champions the objective of the Scheme, to provide crisis support for households. The fund may be used for supplementary advice services, which in a change to previous guidance, can now include debt and benefit advice where authorities consider this appropriate.
- 4.2 Funds should be directed to:**
- 4.2.1 Continuing support for community/charitable foodbanks across the borough. Distributed to the established network with payments showing regard to areas in highest need.
 - 4.2.2 Continuing support for fuel voucher schemes operated by partnering organisations, with emphasis on the Autumn/Winter period.
 - 4.2.3 Support to schools to directly assist pastoral care activities for children and families identified as in need.
 - 4.2.4 Support to debt advice services for the development and provision of outreach face to face surgeries in parts of the borough most in need.
 - 4.2.5 Support to mental health services for households suffering as a consequence of the financial climate.
 - 4.2.6 Support community projects that directly help residents meeting the Scheme objective
 - 4.2.7 Cover of reasonable administrative expenses as incurred
- 4.3** The expectation is that a minimum of 50% of funding will be allocated to foodbanks and fuel voucher schemes
- 4.4** There is a responsibility to ensure the Scheme consistently meets the needs of vulnerable residents of the borough throughout the whole period. Flexibility to react and adapt to changing and emerging events is key in providing the effective support and producing the most value. As an indication, it is expected that over half of the funding will be used to support foodbanks or fuel voucher schemes.
- 4.5** When allocating funds, consideration will be given to the complementary nature of services and avoidance of duplicating support.

Effective date

- 4.6** The Scheme will run from the date the decision becomes live following agreement by the Council's Cabinet. It will end on 31 March 2024.
- 4.7** Payments from the fund must be made or committed to be made by 31 March 2024. Payments will not be made based on any new information received after the close of Scheme.

5.0 How payments will be made

- 5.1** Payments made to third party partnering organisations (including foodbanks) or individual households will be made by direct bank credit or at the discretion of the council, another form of payment deemed appropriate.
- 5.2** In all cases, the Council will ensure that payments are made correctly and where appropriate, require households to verify that that they are eligible for a payment.
- 5.3** Awards to third party organisations will be agreed by negotiation, conditional to meeting the Scheme requirements and on agreement to providing management information. Any assistance scheme operated by a third party organisation must be able to demonstrate compliance to the Council's equalities duties.

6.0 Scheme of Delegation

- 6.1** Cabinet has given approval to the Director of Finance & Transformation to establish this Scheme and, with agreement between Leader, Cabinet Member for Finance & Housing, Director of Finance & Transformation and Chief Executive, make any significant variance to the intention in **Distribution of Funds** caused through emerging needs or alteration to funding.
- 6.2** Any variance must comply to government guidance and any relevant agreement in place with KCC at the time. Payments will be limited to the fund provided for these purposes by Kent County Council.

7.0 Reviews of Decisions

- 7.1** The Council will operate an internal review process and will accept a partnering organisation or householder's request for a review of its decision. Any such request must be made by email to the Council giving reasons to for the challenge.
- 7.2** A request for review will be considered by a senior officer. The decision of the officer on any eligibility matter will be final.

8.0 Taxation and the provision of information to His Majesty's Revenue and Customs (HMRC)

- 8.1** The Council does not accept any responsibility in relation to a householder's HMRC tax liabilities. All payees should make their own enquiries to establish any tax position.

9.0 Managing the risk of fraud

- 9.1 The Council will not accept deliberate manipulation of this policy or fraud. Any person found to falsify information to gain a payment or goods will face prosecution and any amount awarded or the value of goods will be recovered.

10.0 Recovery of amounts paid incorrectly

- 10.1 The council will look to recover any payment made incorrectly due to error by the council, or error, misrepresentation or incorrect information provided to the council by any person or partnering organisation.
- 10.2 The council will look to recover any payment made incorrectly due to error by the council, or error, misrepresentation or incorrect information provided to the council by any person or partnering organisation.

11.0 Data Protection and use of data

- 11.1 All information used to make awards, including information provided by households shall be dealt with in accordance with the Council's Data Protection policy and Privacy Notices which are available on the website.

12.0 Equalities

- 12.1 The Council will operate the Scheme having consideration to the impact of its equality duties.
- 12.2 Consideration of equalities impact will be made when consulting partnering organisations to support and assist in the fair distribution of the fund.

13.0 Monitoring and Management Information

- 13.1 Spend of the fund will be monitored and reported to KCC in accordance with the agreement between KCC and the Council. Monitoring and reporting, with required return dates will be agreed with the partnering organisations in order for the Council to report fully to KCC.

NEW LOCAL DEVELOPMENT SCHEME

Item HP 23/11 referred from Housing and Planning Scrutiny Select Committee of 7 June 2023

The report of the Director of Planning, Housing and Environmental Health set out the new Local Development Scheme (LDS) timetable for the preparation of the Local Plan to enable the deadlines to be met once the Levelling Up and Regeneration Bill was enacted and recommendation was sought from Members on the timetable and the associated budgets and costs of this work.

Members had regard to the key dates set out in the new LDS timetable, next stages in the preparation of the Local Plan, the legal implications and the financial and value for money consideration detailed in the report. Identified risks and issues and recommendations for mitigation were listed in Annex 2 and a full cost breakdown was set out in Annex 3. In respect of the proposed one-off injection of £330,000 to the reserve, it was noted that the majority of the additional spend related to the new requirement to produce borough-wide design codes which was not previously budgeted for.

Clarity was sought around the inclusion of the additional 57 identified sites as part of the Regulation 18 consultation and potential changes to the National Planning Policy Framework (NPPF), with particular reference made to the Green Belt and housing targets. In response Members were advised that these additional sites would be treated in the same way as the other sites identified through the previous Call for Sites exercise and all the sites would be considered as a whole set during the second round of the Regulation 18B consultation. Members were further advised that there was potential for the housing delivery target to be set not directly by the Objectively Assessed Needs and potential for a different approach to Green Belt boundaries subject to proposed changes to the NPPF being adopted.

Positive political engagement and collaboration between Officers and Members throughout the Local Plan process was regarded key in securing its successful adoption and Members were assured that Officers were monitoring and managing progress closely with ongoing reassurance support from Audit.

RECOMMENDED*: That

- (1) the new Local Development Scheme and timetable, as set out at Annex 1, be adopted; and
- (2) the additional budget requirements of the Local Plan and the need for further financial provision in future budget setting process be noted.

* Referred to Cabinet

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TONBRIDGE & MALLING BOROUGH COUNCIL

SUPPLEMENTARY REPORT- CABINET

04 July 2023

Report of the Director of Planning, Housing and Environmental Health

Part 1- Public

Matters for Recommendation to Cabinet - Key Decision

1. LOCAL PLAN EVIDENCE BASE DOCUMENTS UPDATE

1.1.1 This supplementary report sets out further detail on the assumptions around the Local Development Scheme (LDS) timetable within Annex 1 of the Housing and Planning Scrutiny Select Committee (HPSSC) of 7 June 2023 and the evidence base studies and cost assumptions as set out within Annex 3.

1.1.2 Members were asked at paragraph 1.10.1 and 1.10.2 to recommend to Cabinet:

1.1.3 *APPROVAL of the new Local Development Scheme*

1.1.4 *NOTE the additional budget requirements of the local plan and the need for further financial provision in future budget setting process.*

1.2 Local Development Scheme timetable

1.2.1 To add some further detail to paragraph 1.4.3 of the report which sets out the assumptions behind the LDS work programme. Members are also requested to note that the timetable assumptions for the LDS as set out within Annex 1 of the HPSSC report are based on the ability to procure appropriate evidence in a timely manner, any delay to procurement of work has potential to impact upon the key dates as set out within the LDS.

1.3 Local Plan budget

1.3.1 This budget position was based on assumptions around the likely evidence base requirements at the time. This included a 'light touch' Green Belt Study, to reflect the change in approach as set out within the NPPF consultation and the cost included within Annex 3 includes a budget of approximately £70,000 for this work.

- 1.3.2 The Green Belt Study is referenced at paragraphs 1.3.2 and paragraph 1.8.3 of the report, which state a “*Stage 2 Green Belt Assessment will shortly be commissioned (pending approval) to assess parcels of land against the purposes of the Green Belt*” and (with reference to risks of the NPPF not coming forward as previously anticipated) “*Under these circumstances it is not considered possible to progress under the current arrangements as a more detailed Green Belt Study would be required, with an estimated 3-month delay to the programme*”.
- 1.3.3 Following further discussions (as referenced in the report above), the Portfolio Holder for Planning, Cllr Mike Taylor has requested that further work should be produced, to investigate the potential for a ‘strategic gap’. It is anticipated that this further work would cost in the region of an additional £15,000. It should be noted that all cost assumptions within Annex 3 are an informed estimate. This further cost is also an estimate of the additional cost and cannot be confirmed until bids are received from consultants.
- 1.3.4 The Green Belt Study is a crucial piece of evidence which influences other key policy decisions, such as that relating to the spatial strategy. Therefore, it is imperative that this study is commissioned as soon as possible to realistically meet the timeframes as set out in the LDS, and ultimately the transition periods as highlighted within Table 1 of the HPSSC report.
- 1.3.5 Members are asked to note the additional funds required with amendments as below to Table 3 and paragraph 1.6.5 (shown in red) of the HPSSC report as below:

Table 1- Budget spends

	2023/24 £	2024/25 £	2025/26 £	2026/27 £	2027/28 £
<i>Opening Balance</i>	£834,798	£323,608	£69,361	(£246,000)	(£341,375)
<i>Contribution</i>	£80,000	£80,000	£80,000	£80,000	£80,000
<i>External Spend</i>	(£528,794)	(£270,291)	(£395,362)	(£175,375)	(£40,000)
<i>PPO</i>	(£62,396)	(£63,956)	£0	£0	£0
<i>Closing Balance</i>	£323,608	£69,361	(£246,000)	(£341,375)	(£301,375)

- 1.6.5 *Based on the forecast spend, the reserve will need a one-off injection of **£345,000** (rounded up) to prevent it from going into the “red”. This is in addition to the one-off injection of £750,000 made in 2021/22 following Council decision on 13 July 2021 to withdraw the current plan and review, refresh and resubmit the Local Plan.*
- 1.3.6 The recommendation remains as per paragraph 1.10.2 of the HPSSC report.

TONBRIDGE & MALLING BOROUGH COUNCIL
HOUSING AND PLANNING SCRUTINY SELECT COMMITTEE

07 June 2023

Report of the Director of Planning, Housing and Environmental Health

Part 1- Public

Matters for Recommendation to Cabinet - Key Decision

1 NEW LOCAL DEVELOPMENT SCHEME

1.1.1 This report sets out the new Local Development Scheme timetable for the preparation of the Local Plan and the associated budgets and costs of this work. It seeks recommendations of approval to Cabinet for both.

1.2 Background

1.2.1 At the 21 March 2023 meeting of this committee members recommended proceeding with the preparation of the local plan under the current legislative arrangements (Option 1) and the progression of a new Local Development Scheme (LDS) and timetable on this basis.

1.2.2 This report sets out the proposed timetable, to be able to meet the deadlines to be introduced within the Levelling up and Regeneration Bill (once enacted).

1.3 Local Plan progress to date

1.3.1 The Council consulted upon the Regulation 18 Local Plan between 22 September and 3 November 2022. This was accompanied by an evidence base, including topics such as housing and employment, and an interim Sustainability Appraisal. In total over 4,000 representations were received. This included the submission of a further 57 new sites.

1.3.2 Preparation of new evidence in support of the next stages of plan-making is also in progress including detailed transport modelling, a new Heritage Strategy and Strategic Flood Risk Assessment (Level 1). A new piece of evidence is also being prepared to review the Objectively Assessed Needs of the borough in the context of its known constraints. This is to reflect the proposed changes to the NPPF as consulted upon by the government earlier this year. A Stage 2 Green Belt Assessment will shortly be commissioned (pending approval) to assess parcels of land against the purposes of the Green Belt.

1.4 Key dates and transitional arrangements

- 1.4.1 The ‘Levelling up and Regeneration bill: planning reforms’ consultation which took place between December and March 2023 proposed some new processes for plan-making and associated transitional arrangements. Should these proposals and arrangements be finalised by the government this would mean that the new local plan timetable within the LDS needs to allow for submission and adoption by the deadline dates as set out within table 1 below. It is anticipated that these amendments are to be published in the coming months.

Table 1- Key dates

Existing arrangements	
30 June 2025	Submission cut-off date for old-style plans
31 December 2026	Latest date for any old-style plans to be adopted
31 December 2031	Latest date for a local planning authority to commence work on a new style plan (if previous plan adopted on 31 December 2026).

- 1.4.2 **Annex 1** to this report is the new Local Development Scheme which, once approved, will be placed on the council’s website. This will set the timetable for the preparation of the local plan, but also against which delivery will be measured against within the local plan examination. The Authority Monitoring Report (AMR) will also need to report against these deadlines. The key dates are also set out in Table 2 below.
- 1.4.3 This timetable has been developed with the deadlines in table 1 in mind. To be able to meet this timetable several assumptions have been made. That the team is fully staffed (i.e. that existing vacancies are filled), that an appropriate budget is made available to progress at this pace- see for full costings at **Annex 3**, and additional internal resources are available to assist the planning policy team, where required.

Table 2- LDS timetable

Stage	Date
Regulation 18 B- Consultation on draft local plan	April 2024 (at the latest)
Regulation 19 ‘Publication’ local plan	December/January 2024
Submission of the local plan to the Secretary of State (SoS) via the Planning Inspectorate	April 2025
Examination (inc. main modifications)	April 2025 to December 2025

Final Inspector's Report	January- March 2026
Adoption of the local plan	April 2026 onwards

1.4.4 Following submission, the timetable set out within table 2 will be a guide, as the timing and length of the examination process will be determined by PINS rather than the council. However, this is likely to include consultation on proposed main modifications following the receipt of the inspector's initial recommendations. The date of adoption will be determined by the date of the full council meeting.

1.5 Form of the local plan

1.5.1 The next stage in the preparation of the local plan will be a second round of Regulation 18 consultation on a draft local plan. This version of the plan will include draft policies and site allocations. This will build upon the consultation responses from the previous round of consultation (to be reported to members at the July meeting), new evidence base and assessment processes.

1.5.2 It is also proposed to continue the Local Plan member liaison meetings that have been held previously and to include the Leader, Cabinet Member for Planning, the Chair and Vice Chair of the Housing & Planning Scrutiny Select Committee and representatives from each of the political groups. The next meeting is proposed to be held after Cabinet in early July, should the recommendations from this report be approved tonight and confirmed at that meeting.

1.5.3 The following Regulation 19 plan will be a version of the plan which the council considers to be 'sound', to be consulted upon prior to submission to the SoS.

1.6 Financial and Value for Money Considerations

1.6.1 There will be direct financial and value for money considerations associated with local plan preparation. To be able to meet deadlines within the proposed transition period (set out within the government's consultation) for the preparation of the local plan this means that there will be increased spend over the next five years. There is also additional proposed spend associated with the government's expectations around design codes, which are also strengthened within the consultation.

1.6.2 The main new areas of spend relate to the following:

- Additional Regulation 18 consultation: this requires the purchase of a new, fit for purpose consultation portal, which would likely have been required in any case to efficiently progress the Regulation 19 consultation stage. The team is working across the council to ensure cost savings and a shared approach to minimise costs.

- External consultation analysis support: to be able to process consultation responses to meet the table it is essential to procure an external company to analyse these responses for us. This will be required for two consultation exercises.
- Additional evidence: including evidence to support an approach to housing numbers which could differ from the OAN, updating of the plan period to 2041 and scenarios relating to any proposed change in housing numbers.
- Software: continuation of the contract with Urban Intelligence after its end in September 2024 to cover the period to adoption in early 2026 (2 years).
- Design Codes: the new requirement to produce borough-wide design code/s

1.6.3 **Annex 3** provides more detail of the breakdown by category. Some of these costs are confirmed, while others are best and reasonable estimates based on officer experience of the cost of similar contracts, updated to reflect inflation. This means that the final costs could vary slightly from this. Commissioning of work will be undertaken in accordance with the council's procurement processes, to always reflect best value.

1.6.4 Members will be aware that Local Plan expenditure is funded from earmarked reserve. The balance on this reserve was £834,798 at 1 April 2023. The budgeted contribution to the reserve over the next five years is £400,000. The anticipated external spend over the period as shown in **Annex 3** is £1,394,821. In addition, a two-year temporary Principal Planning Officer (PPO) post costing £126,352 will need to be funded from the reserve. The anticipated reserve position is shown in the table below.

Table 3- Budget spends

	2023/24 £	2024/25 £	2025/26 £	2026/27 £	2027/28 £
Opening Balance	834,798	338,608	84,361	(231,000)	326,375
Contribution	80,000	80,000	80,000	80,000	80,000
External Spend	(513,794)	(270,291)	(395,362)	(175,375)	(40,000)
PPO	(62,396)	(63,956)	0	0	0
Closing Balance	338,608	84,361	(231,000)	(326,375)	(286,375)

1.6.5 Based on the forecast spend, the reserve will need a one-off injection of £330,000 to prevent it from going into the "red". This is in addition to the one-off injection of £750,000 made in 2021/22 following Council decision on 13 July 2021 to withdraw the current plan and review, refresh and resubmit the Local Plan.

1.6.6 As shown within **Annex 3**, a majority of the above additional spend (c.£300,000) relates to the new requirement to produce borough-wide design codes which were not costed within the 2021/22 budget but relates to spend 2025/26 onwards.

1.7 Legal Implications

- 1.7.1 Local Planning Authorities are required to prepare and keep an up-to-date development plan for their area. The Planning and Compulsory Purchase 2004 (as amended) and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) set out the requirements and the statutory process for the preparation of a Local Plan.
- 1.7.2 Local Planning Authority must also prepare and maintain a Local Development Scheme (section 15(1), PCPA 2004). The LDS is the starting point for the local community and stakeholders to find out about the status of the LPA's planning policy documents. LPAs are responsible for monitoring progress made in preparing their Local Development Documents against the timetable set out in the LDS. Progress will be reported every year in the LPA's monitoring report.

1.8 Risk Assessment

- 1.8.1 The preparation of the new local plan will provide the council with an up-to-date Local Plan on adoption. This will alleviate the current risks associated with not having an up-to-date development plan in place, however current government proposals within the Levelling Up and Regeneration Bill would mean that the penalties of not having a plan in place would be weakened. There are reputational risks should the local plan programme not be delivered on time.
- 1.8.2 A KCC-led audit took place in November-February 2023 with some key recommendations around the maintenance and update of risk and issues registers as well as other matters. **Annex 2** shows the local plan risks and issues.
- 1.8.3 The relevant corporate risk was updated in December 2022 and will be amended to reflect the potential implications of the NPPF consultation. The service level risk register is maintained and continually updated to reflect the latest position and relevant mitigations. The highest risks to the delivery of the local plan and the mitigation measures are as follows:
- Awaiting the results of the proposed planning reforms: this could involve a delay to the publication of the NPPF, or the final content being different to as proposed in the consultation. The programme as set out within the LDS is based upon the amendments to the NPPF coming forward as proposed within the next 2 months, with implications for housing numbers and Green Belt release, and the transition period. Should these amendments not come forward as envisaged, a new programme would need to be developed. The highest risk to the programme would be a scenario where the housing numbers and Green Belt amendments were not taken forward but the transition period were to remain. Under these circumstances it is not considered possible to progress under the current arrangements as a more detailed Green Belt Study would be required, with an estimated 3-month delay to the programme.

- Change in political direction or aspirations following local elections, or revised approach to LDS programme or associated budget
- Need to work alongside the Head of Legal to procure appropriate dedicated legal support for local plan preparation
- Internal staff resourcing issues- relating to the council being a 'host borough' for the Lower Thames Crossing, recruitment issues relating to vacant posts, and absence of dedicated in-house conservation or design support – these issues are mitigated as much as possible through use of contractor staff
- Delay to any 'critical path' evidence base studies, such as the Housing Constraints Assessment (commissioned), software approach for the Spatial Strategy, transport modelling, Sustainability Appraisal and Habitats Regulations requirements: utilising comprehensive project management programme and techniques to ensure the production keeps to time
- Duty to Cooperate issues- 'grid approach' adopted and maintained to minimise risk (can be made available to members on request).

1.8.4 At present no risks are within the 'high' risk category but should this occur the corporate risk escalation process will be triggered. To further assist in the mitigation of risk the costs at Annex 2 also include a Planning Advisory Service 'peer review' for Autumn 2023 to support the development of the Regulation 18B document.

1.8.5 In addition to the above identified risks, an issues register is also maintained. This is to record matters that have already occurred or are currently happening which needs to be addressed now to prevent them becoming future risks. The following are those currently set as 'high':

- Unknown content of the proposed National Development Management Policies- this may require a review of the proposed DM policies within the Regulation 18 local plan, which could have associated delays to the programme.
- Lack of comprehensive, up-to-date and modern monitoring systems- without which could result in delays to the collection of data inputs to the evidence base document. This would also have implications of demonstrating our five-year housing land supply for any submitted appeals. A dedicated workstream is underway to assist in mitigation.

1.9 Equality Impact Assessment

1.9.1 The decisions recommended through this report have relevance to the substance of the Equality Act 2010. The stages in plan preparation will be undertaken in accordance with the new Statement of Community Involvement which ensures

that planning policy consultations are accessible to all, irrespective of protected characteristics. An Equalities Impact Assessment is being undertaken alongside the preparation of the next stages of the Local Plan.

1.10 Recommendations

HPSSC is asked to recommend to Cabinet:

1.10.1 APPROVAL of the new Local Development Scheme

1.10.2 NOTE the additional budget requirements of the local plan and the need for further financial provision in future budget setting process.

Background papers:

Annex 1- Local Development Scheme

Annex 2- Known risks and issues

Annex 3- Full cost breakdown

contact: Gudrun Andrews
Planning Policy Manager

Eleanor Hoyle

Director of Planning, Housing and Environmental Health

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Local Development Scheme



DERBIE *draws* MAPS

June 2023

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1. BACKGROUND

1.1 Tonbridge and Malling Borough Council's planning powers and responsibilities are drawn from the following:

- Town and Country Planning Act 1990 (as amended)
- Planning and Compulsory Purchase Act 2004 (as amended)
- The Planning Act 2008 (as amended)
- Town and Country Planning (Local Planning) (England) Regulations 2012
- Town and Country Planning (Development Management Procedure) (England) Order 2015 and other statutory instruments made under Part III of the 1990 Act
- The Community Infrastructure Levy Regulations 2010 (as amended)

1.2 The council is required by the [Planning and Compulsory Purchase Act 2004](#) (as amended) to prepare and maintain a Local Development Scheme (LDS). As set out in Section 15 the LDS must specify:

- the local development documents which are to be development plan documents
- the subject matter and geographical areas to which each development plan document is to relate
- which development plan documents (if any) are to be prepared jointly with one or more other local planning authorities
- any matter or area in respect of which the authority has agreed (or propose to agree) the constitution of a joint committee under section 29
- the timetable for the preparation and revision of the development plan documents

1.3 The [National Planning Policy Framework \(NPPF\)](#) is the primary source of policy relating to the planning system. The NPPF states that local plans must be prepared with the objective of contributing to the achievement of sustainable development and be consistent with the policies in the NPPF, including the presumption in favour of sustainable development. It advocates that local plans should address the spatial implications of economic, social and environmental change, set out the opportunities for development and clear policies on what development will or will not be permitted and where. It requires that local planning authorities set out their strategic priorities for the area including strategic policies to deliver:

- The homes and jobs needed in the area
- The provision of retail, leisure and other commercial development
- The provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and energy

- The provision of health, security, community and cultural infrastructure and other local facilities
- Climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape.

1.4 The NPPF at paragraph 16 also states that Local Plans should:

“a) be prepared with the objective of contributing to the achievement of sustainable development;
b) be prepared positively, in a way that is aspirational but deliverable;
c) be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees;
d) contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;
e) be accessible through the use of digital tools to assist public involvement and policy presentation; and
f) serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).”

1.5 The current statutory adopted elements of the development plan for Tonbridge and Malling Borough are:

- [Core Strategy](#) (adopted September 2007)
- [Development Land Allocations DPD](#) (adopted April 2008)
- [Tonbridge Central Area Action Plan](#) (adopted April 2008)
- [Managing Development and the Environment DPD](#) (adopted April 2010)
- The [Kent Minerals and Waste Local Plan](#) (adopted Sept 2020)
- Saved policies of the Tonbridge and Malling Borough Local Plan

1.6 Local planning authorities are required to prepare and keep an up-to-date development plan for their area. The [Planning and Compulsory Purchase Act 2004](#) (as amended) and the [Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#) (as amended) set out the requirements and the statutory process for the preparation of a Local Plan.

1.7 The Local Plan will set the vision and framework for development needs for the whole of Tonbridge and Malling borough from 2021 to 2041. This will include addressing proposed revisions to the National Planning Policy Framework and associated Planning Practice Guidance; addressing housing need; the local economy; environmental considerations; community infrastructure needs; transport and other physical infrastructure needs. The plan will include strategic

policies to address these matters and put forward a development strategy for the Borough. It will also include site allocations to meet identified need and new detailed topic development management policies¹ to guide determination of planning applications.

2. WHAT IS A LOCAL DEVELOPMENT SCHEME?

- 2.1 Tonbridge and Malling Borough Council (TMBC) is in the process of preparing a new Local Plan. The new Local Plan will have a time horizon to 2041. More details can be found on our website <https://www.tmbc.gov.uk/local-plan>.
- 2.2 This LDS sets out a work programme for the council's Local Plan over the period to 2026 and its anticipated adoption. It sets out the stages involved in the plan-making process and the timetable against which the work will be undertaken.
- 2.3 Section 19 of the [Planning and Compulsory Purchase Act 2004](#) (as amended) requires Development Plan Documents (DPDs) to be prepared in accordance with the LDS. Progress against this LDS will be reviewed annually through the Authority Monitoring Report (AMR). As such, progress made against the LDS will be monitored, and a reported upon, to coincide with the annual Infrastructure Funding Statement.
- 2.4 This LDS supersedes the previous version and contains a new Local Plan programme. This LDS updates and replaces the one published by the Tonbridge and Malling Borough Council in 2021 and will take effect once approved by Cabinet in July 2023.
- 2.5 At this stage, this LDS does not include any plans or associated timetables for supplementary planning documents or other documents that might be published by the Tonbridge and Malling Borough Council. Information on these other documents can be found separately on the Tonbridge and Malling Borough Council website <https://www.tmbc.gov.uk/local-plan>
- 2.6 The LDS should be read in conjunction with the [Statement of Community Involvement](#) which sets out how the council will involve the local community, businesses and other stakeholders in carrying out its local planning authority functions.

¹ Form and content of development management policies dependent on detail and scope of proposed National Development management policies- see Levelling up and Regeneration Bill

3. LOCAL PLAN- SCOPE AND PROGRAMME

- 3.1 A Local Plan sets out the vision for future development in the borough. Every local planning authority in England and Wales should have an up-to-date Local Plan in place (and review it every five years). Local Plans are used to make decisions on planning applications and other planning related decisions.
- 3.2 The council does not have an up-to-date local plan. The legislative and planning policy has changed quite considerably since the production of the current adopted local plan documents; therefore, the new local plan will be an entirely new document and contain new policy areas, and site-specific considerations. This presents an opportunity to bring the local planning policy context up to date with national planning policy and to develop new local policy which responds to the needs of the borough residents, whilst adapting and mitigating against the impact of climate change.
- 3.3 The scope of the proposed changes will be considered during 2023 through the review and updating of the Local Plan evidence base, including information from the monitoring of the Plan against existing indicators, and through the outcomes of the early engagement with the community and other stakeholders.

Work to date

- 3.4 The council consulted upon the [Regulation 18 Local Plan](#) between 22 September and 3 November 2022. The associated evidence base is available at this location: <https://www.tmbc.gov.uk/local-plan/local-plan-updates>.
- 3.5 Following the outcomes of the consultation, submission of additional sites through our call for sites process and proposed changes to the NPPF through the Levelling up and Regeneration Bill a second round of Regulation 18 consultation is now required. This has been introduced within the timetable as set out below.

Key dates

3.6 The following table sets out the timetable to produce the new Local Plan.

Local Plan Stage	Date
Regulation 18 B: Second stage of consultation	Q1 2024/25 (April/May 2024)
Regulation 19: Publication of the draft local plan	Q3 24/25 (December 2024)
Regulation 20: Consultation on the draft local plan	Q3 24/25 (December/January 2024)
Regulation 22: Submission to the Secretary of State	Q1 2025/26 (April 2025)
Regulation 24: Independent Examination (potentially including main modifications)	Q1-Q3 2025/26 (April to December 2025) <i>(subject to PINS)</i>
Regulation 25: Publication of Inspector's Report (Final)	Q4 2025/26 <i>(subject to PINS)</i>
Adoption² of the Local Plan	Q1 2025/26 (April 2026 onwards)

3.7 **Annex 1** to this report shows a graphical representation of this timeline.

4. INFORMATION AND DATA

Information on the website

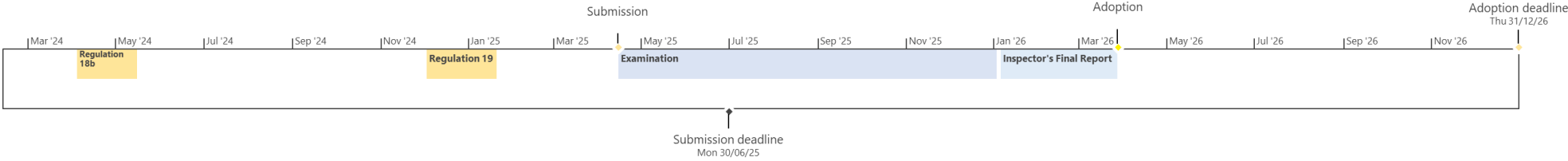
4.1 The council's website will be the location for all matters relating to the development of the new Local Plan. This currently holds downloadable copies of the adopted development plan documents on our [local plan website](#). Supplementary Planning Guidance and other associated documents are also published at this location.

Consultation and the consultation database

² Required by end December 2023 (subject to Levelling up and Regeneration Bill)

- 4.2 A planning policy public consultation list is held by the council's Planning Policy Team. This holds a record of the contact details for those who have responded to previous planning policy consultations (through emails, letters or online) as well as those who have specifically requested that they are notified about future consultations. The [Privacy Notice](#) sets out how we store and process information.
- 4.3 If you wish to register for local plan consultation updates please contact local.plan@tmbc.gov.uk .

ANNEX 1- LOCAL DEVELOPMENT SCHEME PROGRAMME



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Annex 2-

Highest Risks (all medium)- as at April 2023

No	Risk Title	Consequences	Overall inherent risk score	Mitigating actions to achieve desired risk score
1	Change in political administration/direction	Delay or revisiting key aspect of the local plan	12	Working with all members to gain understanding and awareness of the local plan and the process. Member briefings ahead of the March 3 HPSSC
2	Project management-timetable for local plan document, evidence and supporting documentation slips	Delay to the local plan consultation	12	Regular project management meetings between PPM and PPOs; regular updates of timetable
3	Staffing- further changes in staff numbers or loss of hour, unexpected absences	Delay to timetable, health and wellbeing implications for team	12	Regular team meetings, 1:1s, effective file management and installation of a 'buddy' system, risk management escalation
4	DTC issues	Failure to demonstrate DTC at examination or other issues raised prior to in consultations; issues with neighbouring boroughs	12	Developing a robust PM system, new DTC grid and legal compliance toolkit at an early stage
5	Consultation database, GDPR and privacy notice issues	Legal failure	12	Liaising with legal, keeping them informed of current process, setting dates/timeframes for consultation database review/refresh
6	Lack of design/conservation support	Lack of dedicated internal staff offering this support could lead to matters being missed in local plan, design code or decision-making compromised	12	Continual review of and flagging of matters relating to conservation and design- review of the design code work programme and resource requirements

7	Lower Thames Crossing	Stepping outside alignment with the KCC position either existing or new administration	12	Raising awareness across the organisation and regular briefings on the LTC situation
8	HRA, AQ Evidence- Evidence	Delay to the local plan production and consultation process	12	Project management approach, regular evidence base check ins, ensuring consultants and internal deadlines are met
9	SA	Delay to the local plan production and consultation process	12	Project management approach, regular evidence base check ins, ensuring consultants and internal deadlines are met
10	EDNS - Evidence	Delay to the local plan production and consultation process; lack of consultant support, failure to deliver the study to time	12	Project management approach, regular evidence base check ins, ensuring consultants and internal deadlines are met
11	SFRA, L1 and L2- - Evidence	Delay to the local plan production and consultation process; Not PPG compliant as data is not available; not yet known the number of sites to be assessed which could extend cost or length or work programme. With impacts on other workstreams.	12	Project management approach, regular evidence base check ins, ensuring consultants and internal deadlines are met
12	HCA- Evidence delay	Delay to the local plan production and consultation process	12	Project management approach, regular evidence base check ins, ensuring consultants and internal deadlines are met
13	Spatial Strategy	Delay to the local plan production and consultation process	12	Project management approach, regular evidence base check ins, ensuring consultants and internal deadlines are met
14	Transport Modelling	Delay to the local plan production and consultation process	12	Project management approach, regular evidence base check ins, ensuring consultants and internal deadlines are met
15	NPPF reforms delayed or content differing from consultation approach	Delay to the local plan content requirements, timeline and consultation process	12	Risk escalation process, awareness raising. Maintaining oversight of government products and timetables.

'High' Issues- as at April 2023

No	Risk Title	Issue Detail	Impact and Implication	Severity	Issue Mitigation
1	Change in political administration/direction, including in relation to housing numbers	Change in political direction or Members decide to await further clarification on planning reforms in particular in relation to housing numbers	Change in content, timing or emphasis within local plan	High	Working will all members to gain understanding and awareness of the local plan and the process. Member briefings ahead of the June 7 HPSSC. Continue to liaise with members and keep them informed of local plan progress and need for a plan to be in place. Member briefings on implications of NPPF consultation implications. Utilising risk and issues management template for each senior staff or member engagement process- escalation of risks
2	Currently proposed planning reforms	Current NPPF proposed reforms scrapped or new taken forward;	Need to review work programme in light of changes; potential to not meet the transitional deadlines, financial loss, reputational loss	High	Continue to liaise with members to keep them informed of any changes and timescales for reform Utilising risk and issues management template for each senior staff or member engagement process- escalation of risks
3	NDMP content and scope	Content of NDMP requiring a review of work to date	Delay to timetable and alignment with new approach; potential not to meet the transitional deadline, reputational and financial loss	High	Continue to liaise with members to keep them informed of any changes and timescales for reform Utilising risk and issues management template for each senior staff or member engagement process- escalation of risks
4	Legal advice, lack of	Delay, absence of lack of legal advice on key issues; lack of contracts in place for	Lack of legal process and compliance and ultimately failure of local plan	High	Continue to liaise and chase responses; initiate discussions about support; discuss with legal re options; send out priorities Utilising risk and issues management template for each

		critical pieces of evidence			senior staff or member engagement process- escalation of risks
5	Monitoring systems	Failure to have up to date monitoring inputs	5 year housing land supply and other data not being available should an appeal be lodged; input of quality data into new studies	High	working with IT on options, identifying a budget to take forward as a separate project Utilising risk and issues management template for each senior staff or member engagement process- escalation of risks

Annex 3- Cost breakdown

	Total £	2023/24 £	2024/25 £	2025/26 £	2026/27 £	2027/28 £
<i>Local Plan</i>						
Evidence	£493,321	£438,419	£44,916	£9,987	£0	£0
Software	£161,500	£30,375	£60,375	£60,375	£10,375	£0
Consultation analysis	£80,000	£0	£80,000	£0	£0	£0
Graphics and Design	£20,000	£10,000	£5,000	£0	£5,000	£0
Examination costs	£125,000	£0	£0	£125,000	£0	£0
Legal (inc PAS support)	£215,000	£35,000	£80,000	£100,000	£0	£0
<i>Design Codes</i>						
Evidence	£220,000	£0	£0	£100,000	£120,000	£0
Production	£80,000	£0	£0	£0	£40,000	£40,000
Total	£1,394,821	£513,794	£270,291	£395,362	£175,375	£40,000

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TONBRIDGE & MALLING BOROUGH COUNCIL

CABINET

04 July 2023

Report of the Director of Finance and Transformation

Part 1- Public

Executive Non Key Decisions

1 FINANCIAL PLANNING AND CONTROL

The report brings together information on three key budget areas – salaries, major operational income streams and investment income. The performance of the key budget areas, together with approved variations to the revenue budget and areas identified through revenue budget monitoring are then summarised to provide an indicative overall budget position for the year. The report also updates Cabinet on capital expenditure and variations that have been agreed in relation to the capital plan.

1.1 Salaries Monitoring Statement

1.1.1 Appended for information at **[Annex 1]** is a budgetary control statement that compares actual expenditure on basic salaries, temporary staff, overtime, superannuation and national insurance to the end of May 2023, with the appropriate proportion of the original estimate for 2023/24.

1.1.2 Cabinet will note that overall actual expenditure to the end of May is **£46,650** more than budgeted at the February Budget meeting. However, this overspend includes £42,300 of temporary staffing in Planning following Decision Notice D230019URG as explained in paragraph 1.4.5 below.

1.2 Income Monitoring Statement

1.2.1 Appended for information at **[Annex 2]** is a budgetary control statement that compares actual income from fees and charges to the end of May 2023, with the appropriate proportion of the original estimate for 2023/24.

1.2.2 Cabinet will note that overall actual income to the end of May is **£141,550** less than budgeted. This is relatively early days in the new financial year and we will continue to monitor this.

1.3 Treasury Management

Core Funds

- 1.3.1 The Council achieved a return of 4.47% on its core fund investments for the period ended May 2023, compared to the benchmark of 4.51%. Investment income achieved for the period ended May 2023 is £194,998.
- 1.3.2 At the end of May 2023 the value of core funds stood at £26m. This was invested at an average rate of 4.46% and an average maturity of 87 days.

Cash Flow Funds

- 1.3.3 The Council achieved a return of 4.68% on its cash flow investments for the period ended May 2023, compared to the benchmark of 4.33%. Investment income achieved for the period ended May 2023 is £177,573.
- 1.3.4 At the end of May 2023 the value of cash flow investments stood at £21.7m. This was invested at an average rate of 4.48% and an average maturity of 9 days.

Multi-Asset Diversified Income Funds

- 1.3.5 The Council achieved a return of 4.33% on its multi-asset diversified income funds for the period ended May 2023. Investment income achieved for the period ended May 2023 is £30,729.
- 1.3.6 At the end of May 2023, the sum of £4.25m was invested in multi-asset diversified income funds spread across three different funds.

Property Investment Funds

- 1.3.7 Property funds pay dividends quarterly based on activity to the end of March, June, September and December.
- 1.3.8 At the end of May 2023, the sum of £5m was invested in property investment funds spread across three different funds.

All Investments

- 1.3.9 The combined return figure for core, cash flow and multi-asset diversified income funds is compared with the original estimate for 2023/24 later in this report.

1.4 Approved Variations to the Revenue Budget

- 1.4.1 Listed below are the variations that have been agreed to the revenue budget. It has been based upon those variations approved by Portfolio Holders, Committees, Cabinet and Council.

1.4.2 Cabinet 7 March 2023

- [Endorsed](#) the proposed Green Business Grant Scheme for 2023/24 and 2024/25. The revenue costs of the scheme of £6,000 (£2,000 in 2023/24 and £4,000 in 2024/25) will be funded from the UK Shared Prosperity Fund.

1.4.3 General Purposes Committee 15 March 2023

- [Resolved](#) that the proposals for changes to the establishment in Revenue and Benefits, Accountancy and Exchequer, Customer Services and Parking Administration be approved. The proposals generate net growth of £3,300 per annum (£3,800 in 2023/24 of which £1,100 reflected in salary monitoring above).

1.4.4 Cabinet 4 April 2023

- [Resolved](#) that the Blue Bell Hill commuter car park be closed and the site secured to prevent any pedestrian and vehicular access. Fencing will need to be installed at the main entrance to prevent access. The cost of this is estimated to be £5,000. Existing season ticket holders will also have to be refunded at an estimated cost of £2,100 (all of which is reflected in income monitoring statement above). The ongoing financial impact of the closure is expected to be broadly neutral.
- [Resolved](#) that a new Community Development Grant Scheme be launched from April 2023. The scheme will be funded from the £165,269 allocated to the Council from the UK Shared Prosperity Fund (£33,962 in 2023/24 and £131,307 in 2024/25).

1.4.5 Emergency and Urgency Decisions under Part 7 of the Constitution

- The Leader [resolved](#) on 13 March 2023 that the proposal for the net additional cost of £127,000 of employing agency staff to fill vacant positions in Development Management for the initial period of the 6 months from April 2023 to September 2023 be met from the Council's General Revenue Reserve (£42,300 reflected in salary monitoring above).

1.4.6 Cabinet Member Decisions under Part 4 of the Constitution

- The Cabinet Member for Strategic Planning and Infrastructure [resolved](#) on 7 March 2023 that the provisional Biodiversity Net Gain grant from the Department for Environment, Food and Rural Affairs of £15,638 be accepted. Delegated authority has been granted to the Director of Planning, Housing and Environmental Health to agree a programme of works to be funded from the grant.
- The Cabinet Member for Economic Regeneration [agreed](#) on 8 March 2023 the proposals for TMBC Apprenticeships (£25,000) and Apprenticeships

Grant Scheme (£30,000). Both proposals will be funded from the Business Rates Retention Pilot Reserve.

- The latest triennial revaluation of the Tonbridge & Malling Leisure Trust has reported a pension fund deficit of £756,000 in relation to former Council employees who were transferred to the Trust under TUPE legislation in November 2013, for which the Council retains liability. The actuaries have proposed that the Council pays-off the deficit in instalments totalling £1.07m over the next 11 years. The Cabinet Member for Finance, Innovation and Property [resolved](#) on 8 March 2023 that instalment due in 2023/24 of £79,800 be funded from the Tonbridge & Malling Leisure Trust Reserve. Cabinet on 6 June 2023 [endorsed](#) the transfer of £249,000 to the reserve to fund the instalments for 2023/24 to 2025/26, covering the period until the next triennial revaluation. Consideration will be given, during 2023/24, as to whether it might be more cost effective for the Council to discharge its existing liability in a shorter timescale to that proposed by the actuary. See also paragraph 1.6.2.
- The Cabinet Member for Finance, Innovation and Property [resolved](#) on 21 March 2023 that the Adelante Smartpay cashiering system be upgraded at a cost of £57,500. This will be funded from the Transformation Reserve.
- The Cabinet Member for Strategic Planning and Infrastructure [resolved](#) on 21 March 2023 that the Active Travel Capability Fund grant from Kent County Council of up to £25,000 be accepted. A detailed project delivery approaches will be reported to Members in the coming months.
- The Cabinet Member for Technical and Waste Services [resolved](#) on 3 April 2023 that all scheduled waste collections and street cleaning services be maintained on Monday 8 May 2023, the King's Coronation Bank Holiday. The cost of the proposal is £30,762 and will be funded from the Budget Stabilisation Reserve
- The Cabinet Member for Housing [resolved](#) on 18 April 2023 that the existing fixed term posts of Temporary Accommodation Welfare Officer and Housing Allocations Assistant be extended to 31 March 2024 and that a new six-month fixed term post of Housing Allocations Assistant be established. The cost of the proposals is £60,603 and will be funded from the additional Homelessness Prevention Grant funding received in 2022/23.
- The Cabinet Member for Finance, Innovation and Property [resolved](#) on 19 April 2023 that a dedicated Business Change Project Management resource be established for a period of 6 months to support the Agile project. The cost of the proposal is £58,500 and will be funded from the Budget Stabilisation Reserve.

1.4.7 A summary of the approved variations to the revenue budget is given in the table below.

Description	Paragraph Reference	2023/24 £	2024/25 £
Green Business Grant Scheme	1.4.2	-	-
Establishment	1.4.3	2,700	3,300 *
Blue Bell Hill Car Park	1.4.4	5,000	-
Community Development Grant Scheme	1.4.4	-	-
Development Management Agency Staff	1.4.5	84,700	-
Biodiversity Net Gain Grant	1.4.6	-	-
Apprenticeships	1.4.6	-	-
TMLT Pension Fund Deficit	1.4.6	-	- *
Adelante Smartpay	1.4.6	-	-
Active Travel Capability Fund	1.4.6	-	-
Waste Collections & Street Cleaning	1.4.6	-	-
Housing Temporary Staffing	1.4.6	-	-
Business Change Project Management	1.4.6	-	-
Total		92,400	3,300

Those items marked with an asterisk* will need to be considered and reflected as appropriate in updating the Medium Term Financial Strategy beyond 2024/25.

1.5 Virements

1.5.1 There have been no virements made to the original revenue estimates for 2023/24 reported to Council on 21 February 2023.

1.6 Revenue Budget Monitoring

1.6.1 As part of our budget monitoring and control arrangements Chief Officers confirm that budgetary control has been undertaken within the Service areas under their control each month and at the same time highlight those areas, if any, which they wish to bring to the attention of the Director of Finance and Transformation. In addition, the Accountancy Section also monitors budgetary performance across the whole range of services during the year. At the time of writing this report the following areas have been brought to my attention.

- 1.6.2 The latest triennial revaluation of the Tonbridge & Malling Leisure Trust has resulted in employer's contribution rate increasing from 18.4% to 22.4%. The Council is responsible for contributions in excess of 12% - the rate when the Trust was established - in respect of employees who were transferred to the Trust under TUPE legislation in November 2013. The increase represents budget growth of £31,350. See also paragraph 1.4.6.
- 1.6.3 As reported to Overview and Scrutiny Committee on [6 April 2023](#), the government is proposing to increase planning application fees by between 25% and 35%. An analysis by advisers LG Futures has suggested that the increase will generate approximately £440,000 additional income per annum which is £270,000 more than that currently reflected in the Council's Medium Term Financial Strategy. The current deficit on the development management budget is £973,000 (2023/24 budget) and any increase in fees should first and foremost contribute towards reducing the deficit. Planning application fees were last increased in January 2018 and it has been assumed that the proposed increase will come into effect from January 2024.
- 1.6.4 As reported to Housing and Planning Scrutiny Select Committee on [7 June 2023](#), the latest estimate of the costs of the local plan review over the next five years will necessitate a one-off injection of £330,000 into the Local Plan Reserve. This is in addition to the one-off injection of £750,000 made in 2021/22 following Council decision on [13 July 2021](#) to withdraw the current plan and review, refresh and resubmit the Local Plan. **This additional injection of funding has yet to be facilitated.**
- 1.6.5 Following the biennial structural inspection of Council managed bridges, the anticipated spend on bridge maintenance in the next two years will be £25,000 in 2023/24 and £41,600 in 2024/25. The current annual budget is £15,000.
- 1.6.6 A judicial review brought by a housing client has resulted in costs being awarded against the Council, the amount is currently being negotiated and will be reported once known.
- 1.6.7 The inflationary increase to be applied from 1 April 2023 in respect of the Internal Audit and Fraud service provided by Kent County Council was 2.5% less than estimated, equating to a budget saving of £4,600.
- 1.6.8 Inflationary increases in respect of the cleaning and security contracts in respect of Tonbridge Castle were £7,900 more than estimated.
- 1.6.9 Funding of £36,300 is being provided to Domestic Abuse Volunteer Support Services (DAVSS) for to employ a Housing Independent Domestic Violence Advisor in 2023/24 and 2024/25. This is to be funded from the Domestic Abuse Act New Burdens Grant.

1.6.10 Three specialist pieces of work are to be undertaken as part of the review of Tonbridge Castle: heritage assessment (£3,000), architectural designer work (£6,000) and commercial activity market viability (£4,500).

1.6.11 Current homelessness caseload is around 110 compared to the estimated 80 used to estimate the budget approved in February 2023. If caseload remains at current levels for the remainder of the year, this would amount to a potential budget growth of at least £175,000 for the full financial year.

1.6.12 Management Team have made the following establishment changes under delegated authority:

- A temporary Resettlement Worker and a Homelessness Support Officer are to be employed to support Ukrainian refugees in the borough. These posts are to be funded from the share of the 'Homes for Ukraine' funding received from Kent County Council.
- The fixed-term Domestic Abuse Co-ordinator post has been extended from end of December 2023 to end of March 2025. The additional cost will be £11,800 in 2023/24 and £48,700 in 2024/25. This post is funded from the Domestic Abuse Act New Burdens Grant.
- A three-month fixed-term Open Space Auditor post has been created to assist with the tender of the Grounds Maintenance Contract, at a cost of £7,800.
- A Building Control Technician post has been regraded and hours increased for a six-month period. A Building Control Surveyor post has been deleted and replaced by a senior post while a vacant part-time Building Control Surveyor post has been deleted. The changes will generate a saving of £20,600 in 2023/24 but the saving is to be ring-fenced pending a review of the temporary arrangements.
- A Principal Planning Officer (PPO) and a Senior Planning Officer post within Planning Policy have had their hours increased for a six-month period and an agency PPO has been taken on for a four-month period. The cost of these changes is £34,500 and is to be funded from a vacant two-year fixed-term PPO post.
- The temporary arrangements within the Street Scene Administration Team have been extended from end of December 2022 to end of March 2024. The additional cost in 2023/24 will be £7,100 (£1,200 reflected in salary monitoring above).

1.6.13 The Council has been awarded the following grants from central government which will be used to fund as yet unbudgeted expenditure:

- Council Tax Support New Burdens Grant £12,578

- Electoral Integrity Programme New Burdens Funding £7,169 (in addition to budgeted £32,150)
- Homelessness Prevention Grant – Ukrainian Refugees £189,657
- Housing Benefit Award Accuracy Initiative Grant £15,688
- Local Authority Data Sharing Programme Grant £11,596
- Verify Earnings and Pension Alerts Grant £15,431
- Welfare Reform Grant £25,841

1.6.14 A summary of the items identified through budgetary control is given in the table below.

Description	Paragraph Reference	2023/24 £	2024/25 £
TMLT Pension Contributions	1.6.2	31,350	31,350 *
Planning Application Fees (<i>assumed w.e.f Jan 24</i>)	1.6.3	(110,000)	(270,000) *
Local Plan (<i>funding yet to be agreed</i>)	1.6.4	330,000	
Bridge Maintenance	1.6.5	10,000	26,600
Internal Audit and Fraud Service	1.6.7	(4,600)	(4,600) *
Tonbridge Castle Cleaning and Security	1.6.8	7,900	7,900 *
Independent Domestic Violence Advisor	1.6.9	-	-
Tonbridge Castle Review	1.6.10	13,500	-
Homelessness Caseload	1.6.11	175,000	-
Ukrainian Refugees Workers	1.6.12	-	-
Domestic Abuse Co-ordinator	1.6.12	-	-
Open Space Auditor	1.6.12	7,800	-
Building Control	1.6.12	-	-
Planning Policy	1.6.12	-	-
Street Scene Administration	1.6.12	5,900	-
Central Government Grants	1.6.13	-	-
Total		466,850	(208,750)

Those items marked with an asterisk* will need to be considered and reflected as appropriate in updating the Medium Term Financial Strategy beyond 2024/25.

1.7 Revenue Budget Summary

- 1.7.1 The table below brings together information on the key budget areas, the variations agreed to the revenue budget and items identified through budgetary control to provide an indicative overall budget position for the year.

Description	Budget to May £	Actual to May £	Variance £
Salaries Monitoring Statement	2,009,200	2,055,850	46,650
Income Monitoring Statement	(1,282,200)	(1,140,650)	141,550
Treasury Management	(213,000)	(403,300)	(190,300)
Approved Variations to the Revenue Budget			92,400
Revenue Budgetary Control			466,850
Net Adverse Variance			557,150

- 1.7.2 This would suggest if nothing else changed, the contribution to the General Revenue Reserve would be £799,650 compared to £1,356,800 anticipated when the budget was set in February 2023, if the Local Plan is to be met from the General Revenue Reserve, or £1,129,650 if it is met from other reserves.

1.8 Medium Term Financial Strategy / Savings and Transformation Strategy

- 1.8.1 The current economic climate will have an ongoing impact on the Council's financial position. Officers are currently in the process of assessing the impact on both the current and future financial years of the Council's Medium Term Financial Strategy.

In respect of the Savings and Transformation Strategy, at Cabinet on 6 June 2023 it was agreed (Minute CB 23/53 refers) that;

“a timetable for the programme of savings and transformation contributions be progressed, in consultation with Officers, as soon as possible to meet the demands of the budget setting process to ensure the target of £500,000 was achieved by the start of the financial year 2024/25.”

1.9 Capital Monitoring Statement

- 1.9.1 Appended for information at **[Annex 3]** is a capital monitoring statement which compares actual capital expenditure for the period 1 April 2023 to 31 May 2023 with the 2023/24 Capital Plan. The Capital Plan for 2023/24 is based on the 2023/24 budgets that were approved by Council on 21 February 2023, amended for slippage from 2022/23.

1.9.2 Prior year's expenditure is only shown for finite schemes for which there is a budget in 2023/24. Where schemes are of a rolling programme nature, prior year's expenditure has not been shown in order to avoid large, generally meaningless, totals building up.

1.9.3 Capital Plan schemes which are scheduled to start in 2024/25 and beyond have not been shown. The budget profile for these schemes can be found in the [2023/24 Revenue and Capital Budgets Book](#).

1.9.4 Cabinet will note a Capital Plan spend (net) at the end of May 2023 of income of £5,000 against a budget for the year of £7,851,000.

1.9.5 The largest project, the refurbishment of the Gibson East Building, has yet to commence due to ongoing legal discussions.

1.10 Approved Variations to the Capital Plan

1.10.1 Cabinet 7 March 2023

- Approved the Funding of Grants through the UK Shared Prosperity Fund. This amounts to £10,000 in 2023/24 and £50,000 in 2024/25.

1.11 Capital Plan Issues

1.11.1 The capital plan monitoring statement is essentially aimed at monitoring the financial performance of the capital plan overall and on a Service and scheme basis. Notes have been provided to supply further information where this is felt to be particularly relevant. Other monitoring reports, which provide greater information about individual schemes, are presented by the Services to the relevant Committee.

1.12 Business Rates Pooling

1.12.1 For 2023/24, Tonbridge and Malling Borough Council was accepted back into the Kent Business Rates Pool.

1.12.2 The pool offers advantages of retaining further income where the Council's Business Rates are above the Baseline set as part of the Government Grant Settlement.

1.12.3 When setting the budget for the council and the pool for 2023/24, it was predicted that the borough would be £707,000 above the nationally set baseline and retain £566,000 income, including £106,000 for joint economic development with the County Council. The compares to £353,000 if we were outside of the pooling arrangements.

1.12.4 Monitoring as at the end of May 2023 puts the Council at £701,000 above the nationally set baseline with a retained income of £561,000, including £105,000 for

joint economic development activities, a variation of £5,000 against the 2023/24 estimate.

- 1.12.5 As at the end of May, 4 of the 6 properties at Panattoni Park on the former Aylesford Newsprint site, have been occupied but have yet to be valued by the Valuation Office. The resulting valuations will increase the income reported above and will be backdated to the date of occupation.
- 1.12.6 The remaining two properties are expected to ready for occupation between the end of this calendar year and sometime in 2024/25.

1.13 Legal Implications

- 1.13.1 This report fulfils the requirement of the Local Government Act 2003 which places a statutory duty on the authority to monitor income and expenditure against budget and to take action if overspends or shortfalls in income emerge. If monitoring establishes that the budget situation has deteriorated, authorities are required to take such action as they consider necessary. This might include action to reduce spending in the rest of the year, to increase income or to finance all or part of the shortfall from reserves.

1.14 Financial and Value for Money Considerations

- 1.14.1 As set out above.

1.15 Risk Assessment

- 1.15.1 Budgetary control is a prerequisite of good financial management, financial planning and control and needs to be kept under review to ensure it remains effective and relevant.
- 1.15.2 The Council's financial sustainability at increased risk following the Ukraine conflict and its adverse impact on global economic conditions.

1.16 Equality Impact Assessment

- 1.16.1 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.

1.17 Policy Considerations

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

1.18 Recommendations

1.18.1 Cabinet are asked to:

- 1) Note that as at the end of May 2023 the projected overall outturn position for the year 2023/24 is a net adverse variance of circa £557,000 when compared to the budget set in February 2023.
- 2) Note the not insignificant impact of the current economic global conditions on the Council's finances, and the need to identify and implement opportunities to deliver as a minimum this year's savings target of £500,000.
- 3) Note the current business rate pool position as at the end of May 2023.

Background papers:

contact: Paul Worden

Nil

Sharon Shelton
Director of Finance and Transformation

Salaries Budgetary Control Monitoring Statement

Annex 1

Period Ended Last Day of May 2023

2023/24 Financial Year

2022/23 Actual to end of May	Service	Annual Budget	2023/24		Above (Below) Budget (b - a) £
			Budget to end of May (a) £	Actual to end of May (b) £	
	Central				
141,250	Administration & Property	969,800	161,650	148,800	(12,850)
103,700	Legal	663,800	112,650	112,700	50
83,950	Personnel	568,950	94,800	92,700	(2,100)
91,600	Executive	637,700	104,600	111,650	7,050
	Finance & Transformation				
305,150	Finance	1,778,250	296,350	316,400	20,050
164,950	Information Technology	1,170,300	195,100	182,900	(12,200)
	Planning, Housing & Environmental Health				
268,600	Environmental Health & Housing	1,787,750	297,950	286,400	(11,550)
428,250	Planning	2,472,500	411,400	459,000	47,600
	Street Scene, Leisure & Technical				
219,800	Street Scene & Leisure	1,361,600	228,350	224,750	(3,600)
112,600	Technical	751,600	125,300	121,450	(3,850)
----- 1,919,850	Sub-total	----- 12,162,250	----- 2,028,150	----- 2,056,750	----- 28,600
	Non-budgeted spend on recruitment & other expenses to the end of May				1,700
	Budgeted ring-fenced sum to the end of May				(1,050)
	Adjustments for expenditure funded from reserves or grants				(2,600)
	Budgeted management savings to the end of May				20,000
	Above / (Below) Budget				----- 46,650 -----

Financial Services
7 June 2023

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Income Budgetary Control Monitoring Statement

Annex 2

Period Ended Last Day of May 2023

2023/24 Financial Year

2022/23 Actual to end of May	Service	Annual Budget	2023/24		(Above) Below Budget (b - a)
			Budget to end of May (a)	Actual to end of May (b)	
£		£	£	£	£
	Central				
(34,700)	Land Charges	(243,000)	(40,000)	(29,150)	10,850
(52,100)	Licensing	(380,800)	(62,650)	(54,850)	7,800
(86,800)	Sub-Total	(623,800)	(102,650)	(84,000)	18,650
	Planning, Housing & Environmental Health				
(141,700)	Planning Applications	(850,000)	(141,650)	(83,700)	57,950
(88,750)	Building Regulations	(484,000)	(80,650)	(65,750)	14,900
(230,450)	Sub-Total	(1,334,000)	(222,300)	(149,450)	72,850
	Street Scene, Leisure & Technical				
(127,400)	Garden Waste Collection	(1,240,000)	(435,000)	(392,400)	42,600
0	Recycling Performance Payment	(628,000)	0	0	0
(23,400)	Bulky Refuse Collection	(147,000)	(24,500)	(24,100)	400
(19,950)	Tonbridge Cemetery	(141,450)	(23,600)	(14,050)	9,550
(236,450)	Short Stay Car Parking	(1,800,000)	(270,000)	(270,050)	(50)
(97,950)	Long Stay Car Parking	(635,000)	(97,000)	(101,000)	(4,000)
(50,450)	Penalty Charge Notices	(320,000)	(53,350)	(55,050)	(1,700)
(11,250)	Car Parks Season Tickets	(167,000)	(19,000)	(7,450)	11,550
(19,150)	Residents Parking Permits	(145,000)	(19,000)	(23,900)	(4,900)
(15,150)	Haysden Country Park Parking	(89,000)	(15,800)	(19,200)	(3,400)
(601,150)	Sub-Total	(5,312,450)	(957,250)	(907,200)	50,050
(918,400)	Grand Total	(7,270,250)	(1,282,200)	(1,140,650)	141,550

Financial Services
7 June 2023

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<u>CAPITAL PLAN MONITORING STATEMENT 2023/24 TO 31 MAY 2023</u>			
<u>SUMMARY OF SERVICES</u>			
	Expenditure To 31/03/23	2023/24 Including Prior Year Slippage	2023/24 Actual to 31 May 2023
	£'000	£'000	£'000
Capital Plan Schemes			
Planning, Housing & Environmental Health	1,488	113	1
Street Scene, Leisure & Technical Services	605	1,559	(48)
Corporate	10	3,320	0
Sub-total	2,103	4,992	(47)
Capital Renewals			
Planning, Housing & Environmental Health	n/a	0	0
Street Scene, Leisure & Technical Services	n/a	2,234	25
Corporate	n/a	615	17
Sub-total	n/a	2,849	42
Total	2,103	7,841	(5)

<u>CAPITAL PLAN MONITORING STATEMENT 2023/24 TO 31 MAY 2023</u> <u>PLANNING, HOUSING AND ENVIRONMENTAL HEALTH</u>			
	Expenditure To 31/03/23	2023/24 Including Prior Year Slippage	2023/24 Actual to 31 May 2023
	£'000	£'000	£'000
Capital Plan Schemes			
Housing			
Grants	n/a	30	(1)
Temporary Accommodation	1,477	83	2
Environmental Health	11	0	0
Sub-total	1,488	113	1
Capital Renewals	n/a	0	0
Total Planning, Housing and Environmental Health	1,488	113	1

CAPITAL PLAN MONITORING STATEMENT 2023/24 TO 31 MAY 2023					
PLANNING, HOUSING AND ENVIRONMENTAL HEALTH					
	Code	Expenditure To 31/03/23	2023/24 Including Prior Year Slippage	2023/24 Actual to 31 May 2023	Notes
		£'000	£'000	£'000	
Housing					
(a) Disabled Facility Grants					
(i) Mandatory Grants Less repayments	P03AC	n/a n/a	2,203 (10)	102 (3)	Government grant of £1.153m carried forward to 2023/24.
(ii) Government Grant		n/a	(2,193)	(99)	
Sub-total		n/a	0	0	
(b) Housing Assistance Less repayments	P03AD	n/a n/a	60 (30)	4 (5)	
Sub-total		n/a	30	(1)	
Total Grants to Summary		n/a	30	(1)	
(c) Temporary Accommodation					
(i) 4 Dwellings Pembury Road, Tonbridge Less Developer Contributions	P03AX	2,127 (860)	83 0	2	Works completed to convert two of the four dwellings. The remaining budget is currently under consideration.
Sub-total		1,267	83	2	
(ii) Freehold of 47 High Street, Tonbridge	P03AZ	210			Purchase completed in 2022/23.
Total Temporary Accommodation to Summary		1,477	83	2	

CAPITAL PLAN MONITORING STATEMENT 2023/24 TO 31 MAY 2023					
PLANNING, HOUSING AND ENVIRONMENTAL HEALTH					
	Code	Expenditure To 31/03/23	2023/24 Including Prior Year Slippage	2023/24 Actual to 31 May 2023	Notes
		£'000	£'000	£'000	
Environmental Health					
(a) Air Quality Monitoring Station	P02EN	11	0	0	
(b) Anti-idling Campaign Project Less Government Grant	P02EM	20 (20)	11 (11)		
Sub-total		0	0	0	
Total Environmental Health to Summary		11	0	0	

CAPITAL PLAN MONITORING STATEMENT 2023/24 TO 31 MAY 2023			
STREET SCENE, LEISURE & TECHNICAL SERVICES			
	Expenditure To 31/03/23	2023/24 Including Prior Year Slippage	2023/24 Actual to 31 May 2023
	£'000	£'000	£'000
Capital Plan Schemes			
Street Scene	n/a	120	23
Leisure			
Sports Grounds	95	116	5
Open Spaces	124	0	1
Larkfield Leisure Centre	126	14	0
Other Schemes	103	15	0
Technical Services			
Car Parking	0	30	2
Transportation	7	33	(79)
Land Drainage / Flood Defence	150	1,231	0
Sub-total	605	1,559	(48)
Capital Renewals	n/a	2,234	25
Total Street Scene, Leisure & Technical Services	605	3,793	(23)

CAPITAL PLAN MONITORING STATEMENT 2023/24 TO 31 MAY 2023
STREET SCENE, LEISURE & TECHNICAL SERVICES

	Code	Expenditure To 31/03/23	2023/24 Including Prior Year Slippage	2023/24 Actual to 31 May 2023	Notes
		£'000	£'000	£'000	
Street Scene					
(a) Green Waste Bins Growth / Replacement	P02BC	n/a	31		
(b) Refuse Bins Growth / Replacement	P02DA	n/a	61	23	
(c) Garden Waste Bin Replacement	P03CF	n/a	28		
Total Street Scene to Summary		n/a	120	23	
Sports Grounds					
(d) Racecourse Sports Ground Riverside Revetment Less Grants	P05DD	108 (19)	117 (9)		
Sub-total		89	108	0	
(e) Racecourse Sportsground Rugby Pitch Drainage Less Developer Contributions	P05DE	15 (10)	16 (8)		
Sub-total		5	8	0	
(f) Tonbridge Farm Sportsground Site Improvements Less Developer Contributions	P05DF	40 (39)			
Sub-total		1	0	0	
(g) Racecourse Sportsground to Tonbridge Swimming Pool Bridge	P05DN			5	
Total Sports Grounds to Summary		95	116	5	
Larkfield Leisure Centre					
(h) Photovoltaic System	P05LR	126	14		
Total Larkfield Leisure Centre to Summary		126	14	0	

CAPITAL PLAN MONITORING STATEMENT 2023/24 TO 31 MAY 2023						
<u>STREET SCENE, LEISURE & TECHNICAL SERVICES</u>						
	Code	Expenditure To 31/03/23	2023/24 Including Prior Year Slippage	2023/24 Actual to 31 May 2023	Notes	
		£'000	£'000	£'000		
Open Spaces						
(a) Leybourne Lakes Country Park Path Improvements	P05FH	74	0	6	Scheme completed in 2022/23.	
Less Grants & Developer Contributions		(22)	0	(5)		
Sub-total		52	0	1		
(b) Leybourne Lakes Country Park Facility Improvements	P05FF	929	0	0		
Less Grants & Developer Contributions		(857)	0	0		
Sub-total		72	0	0		
Total Open Spaces to Summary		124	0	1		
Other Leisure Schemes						
(c) Ton Cemetery / Closed Churchyards - Memorial Safety	P05KV	106	15	0		
Less Grants & Developer Contributions		(3)	0	0		
Sub-total		103	15	0		
Total Other Leisure Schemes to Summary		103	15	0		

CAPITAL PLAN MONITORING STATEMENT 2023/24 TO 31 MAY 2023					
STREET SCENE, LEISURE & TECHNICAL SERVICES					
	Code	Expenditure To 31/03/23	2023/24 Including Prior Year Slippage	2023/24 Actual to 31 May 2023	Notes
		£'000	£'000	£'000	
Car Parking					
(a) Existing Car Parks Improvement Rolling Programme Less Grants & Contributions	P01AB	n/a	30	2	
Sub-total			30	2	
Total Car Parking to Summary		0	30	2	
Transportation					
(b) Electric Vehicle Charging Points Less Grants & Contributions	P01EA	7	113 (80)	0 (79)	DFT grant received in respect of Electric Vehicle Charging Points.
Total Transportation to Summary		7	33	(79)	
Land Drainage / Flood Defence					
(c) Wouldham River Wall	P01HS	25	1,100	0	
(d) Leigh FSA Enhancement Contribution	P01HV	125	131	0	
Total Land Drainage / Flood Defence to Summary		150	1,231	0	

CAPITAL PLAN MONITORING STATEMENT 2023/24 TO 31 MAY 2023
STREET SCENE, LEISURE & TECHNICAL SERVICES

	Code	Expenditure To 31/03/23	2023/24 Including Prior Year Slippage	2023/24 Actual to 31 May 2023	Notes
		£'000	£'000	£'000	
Capital Renewals					
Sports Grounds & Open Spaces	P05KG BC05	n/a	950	1	} Budgets includes £458,000 underspend carried forward from 2022/23. To be reviewed Autumn 2023. } } } } } } } } } } } } }
Technical Services					
(a) CCTV Capital Renewals	P01BA	n/a	35	1	
(b) Car Parking	P01JF	n/a	24		
Provision for Inflation		n/a	9		
Sub-total			1,018	2	
Leisure Centres					
(c) Angel Centre	P05KG BC01	n/a	443		
(d) Larkfield Leisure Centre	BC02	n/a	614	6	
(e) Tonbridge Swimming Pool	BC04	n/a	344	1	
(f) Poulton Wood Golf Clubhouse	BC03	n/a	110	16	
Course	BC07	n/a	8		
Grounds Maintenance	BC06	n/a	93		
Provision for inflation		n/a	1,612	23	
Savings Target (assumes 25%)	P05KZ	n/a	11		
Sub-total			(407)		
			1,216	23	
Total Capital Renewals to Summary		n/a	2,234	25	

<u>CAPITAL PLAN MONITORING STATEMENT 2023/24 TO 31 MAY 2023</u>			
<u>CORPORATE</u>			
	Expenditure To 31/03/23	2023/24 Including Prior Year Slippage	2023/24 Actual to 31 May 2023
	£'000	£'000	£'000
Capital Plan Schemes			
Land and Property	10	3,285	0
Other schemes	0	35	0
Sub-total	10	3,320	0
Capital Renewals	n/a	615	17
Total Corporate	10	3,935	17

CAPITAL PLAN MONITORING STATEMENT 2023/24 TO 31 MAY 2023					
CORPORATE					
	Code	Expenditure To 31/03/23	2023/24 Including Prior Year Slippage	2023/24 Actual to 31 May 2023	Notes
		£'000	£'000	£'000	
Land and Property					
(a) Tonbridge Castle Offices: Re-tile Roof	P06AA	10	60	0	Work is currently ongoing on the issues surrounding legal arrangements affecting the start of this project
(b) Gibson East Refurbishment	P06AL	0	3,000	0	
(c) De-carbonising the Council's Estate	P06AM	0	225	0	
Total Land and Property to Summary		10	3,285	0	
Other Schemes					
(d) UK Shared Prosperity Fund Projects/Initiatives	P06FN	0	0		Includes Grant award reported to Cabinet 7th March 2023
Mobile CCTV	FN10	21			
Tonbridge Wayfinding	FN20	10	14		
Digital Information Boards	FN30		40		
Shopfront and Vacant Unit Improvements	FN40		40		
Bus Shelter Green Roofs Pilot	FN50		30		
West Kent Green Business Grants	FN60		25		
Carbon Descent Plans	FN70				
Safer Sustainable Car Parks	FN80				
Less Grants	FN90	(31)	(114)		
Total Other Schemes to Summary		0	35	0	

CAPITAL PLAN MONITORING STATEMENT 2023/24 TO 31 MAY 2023
CORPORATE

	Code	Expenditure To 31/03/23	2023/24 Including Prior Year Slippage	2023/24 Actual to 31 May 2023	
		£'000	£'000	£'000	Notes
Capital Renewals					
(a) General :	P06FA				} Budgets includes £90,000 underspend carried forward from 2022/23. To be reviewed Autumn 2023.
Departmental Administration	GR01	n/a	5		
Council Offices	GR02	n/a	26		
Print Unit	GR03	n/a	105		
Telephones	GR05	n/a			
Snack Facilities	GR06	n/a			
Elections	GR10	n/a	11		
Sub-total		n/a	147	0	
(b) Information Technology :	P06FB		463		
Desktop Hardware	FB10	n/a			
Mobile Hardware	FB20	n/a		17	
Computer Suite	FB30	n/a			
Other Hardware	FB40	n/a			
Network	FB50	n/a			
Corporate Software	FB60	n/a			
Operational Software	FB70	n/a			
User Software	FB80	n/a			
Sub-total		n/a	463	17	
Provision for inflation	P06FZ	n/a	5		
Total Capital Renewals to Summary		n/a	615	17	

TONBRIDGE & MALLING BOROUGH COUNCIL

CABINET

04 July 2023

Report of the Chief Executive

Part 1- Public

Executive Non Key Decisions

1 TONBRIDGE & MALLING UK SHARED PROSPERITY FUND (UKSPF)

This report provides an update on delivery during Year 1 of the Tonbridge & Malling UKSPF Programme (including Rural England Prosperity Fund) and highlights upcoming initiatives for Year 2.

1.1 Background:

- 1.1.1 In April 2022, the council was provisionally allocated £1m for the period up to March 2025 to go towards projects that supported the government's Levelling Up agenda. The Levelling Up agenda is a national plan aimed at delivering a wider range of socio-economic initiatives aimed at spreading opportunity and prosperity to all parts of the country.
- 1.1.2 In order to access the first year of funding for this programme, the council was required to pull together an Investment Plan setting out how the funding would be spent. Following both internal discussion and engagement with external partner organisations and MPs, an Investment Plan was produced which addressed the three programme priorities of 'Communities and Place', 'Local Business Investment' and 'People and Skills'.
- 1.1.3 With Cabinet having approved the Tonbridge and Malling UKSPF Investment Plan in July 2022, it was submitted to the Department for Levelling Up, Housing and Communities (DLUHC) shortly thereafter. Having indicated that investment plans would be approved 'from October 2022 onwards' it was not until just before Christmas 2022 that confirmation came that the T&M investment Plan had been approved and that the council had been successful in unlocking its Year 1 funding allocation. Funding for Years 2 and 3 are dependent on successful delivery in previous years.

The Rural England Prosperity Fund (REPF) is treated by Government as an addendum to UKSPF Investment Plans, with allocations being awarded to only those areas of the country that are predominantly rural in nature. With Cabinet having approved the submission of the addendum in November 2022, the council received the good news that the capital funding had been approved for this

initiative in May 2023. Work is now underway to bring a programme of rural grants into implementation that will run until March 2025.

1.2 UKSPF Year 1 Delivery (2022/23)

1.2.1 Despite only receiving confirmation of the funding allocation in December 2022, the council had undertaken considerable work in order to ensure that we were able to respond quickly. The Year 1 projects had been identified and progressed as far as practicable before confirmation was received. These projects were:

- **Youth Provision** – Diversionary activities to reduce ASB amongst young people. Allocation of £7,500 (revenue)
- **Mobile CCTV** – Purchase and installation of mobile cameras to tackle ASB. Allocation of £20,000 (capital) and £5,000 (revenue)
- **Tonbridge Wayfinding** – Improvements to legibility of Tonbridge Centre through artistic wayfinding. Allocation of £24,731 (capital) and £1,500 (revenue)
- **Tonbridge Town Centre Review** – Development of regeneration plans for Tonbridge Town Centre. Allocation of £20,000 (revenue)
- **Carbon Descent Plans** – Plans to reduce carbon footprint of leisure centres. Allocation of £12,000 (revenue)
- **Shopfront and Vacant Unit Improvement Programme** – Advice service and grants to support applicants. Allocation of £3,500 (revenue)
- **West Kent Business Support Programme** – Advice and micro-grants to support small business. Allocation of £4,500 (revenue)

2022/23 Total - £98,731

1.2.2 Achievements during the course of 2022/23 have been:

- **Youth Initiatives** - three separate commissions (EMBER Trust, KCC Early Help and Salus) resulting in diversionary activities for young people undertaken in areas of deprivation. Year 1 budget spent and activity being planned for 2023/24.
- **Mobile CCTV** – 4 CCTV cameras purchased. Some revenue associated with moving cameras to various hotspots spent, but remainder will be spent in early 2023/24.
- **Tonbridge Wayfinding** - Artist Guy Portelli commissioned and £9,800 capital sent so far on materials. Running behind profile due to delay in negotiations with Network Rail/Southeastern.

- **Tonbridge Town Centre** - considerable progress made on Phase 2 of the town centre regeneration plans. Budget spent for 2022/23 and on track to spend the 2023/24 allocation in mid-2023.
- **Carbon Descent Plans** - reports on Larkfield Leisure Centre and Tonbridge Swimming Pool completed and 2022/23 budget spent.
- **Shopfront Improvement Grant Scheme** - Let's Do Business Group commissioned and provided advice service for applicants. First call closed on 08 March 2023. Revenue budget in 2022/23 spent. Grant Offer Letters sent to 18 successful applicants who have until end of 2023/24 to deliver their improvements.
- **WK Business Support Programme** - Gemteq Ltd (Smarter Society) commissioned and setting up the programme. 29 expressions of interest from West Kent businesses collated within Year 1.

2022/23 Total Spent - £75,094 (76% of Year 1 budget)

1.2.3 With over three-quarters of the Year 1 budget spent in the period of three months from January to March 2023, DLUHC has been satisfied that sufficient progress has been made to carry forward Year 1 underspend and unlock Year 2 funding. In the end of year return to DLUHC, as well as information about progress to date, it was proposed that the remaining Year 1 budget be carried over into Year 2 as follows:

- **Youth Initiatives** – Carry forward of £3 (revenue)
- **Tonbridge Wayfinding** – Carry forward of £14,134 (capital)
- **Mobile CCTV** – Carry forward of £5,000 (revenue)
- **WK Business Support Programme** – Carry forward of £4,500 (revenue) which was subsequently spent in April 2023.

1.2.4 In addition to internal Project Leads meetings, which have taken place on a bi-monthly basis, a Local Group comprising key partner organisations (which is a requirement of the UKSPF funding) has met on a 4-monthly basis. The aim of this group is to act as an advisory group - providing advice, support and expert knowledge in the delivery of the programme. As well as TMBC, this group has membership from the Department for Work and Pensions, Kent County Council, Tonbridge Town Team, Kent Community Foundation, Clarion Futures, Mid Kent College, North Kent College, Royal British Legion Industries and the West Kent Partnership. The slide pack for the 11 May 2023 meeting has been provided in **Appendix 1** for your information.

1.3 UKSPF Year 2 Development and Implementation

1.3.1 A number of Year 2 projects are continuation projects from Year 1 – Youth Provision (£20,000 revenue); Mobile CCTV (£5,000 revenue); Tonbridge Town Centre Review (£20,000); Shopfront Improvement Grant Scheme (£10,000 capital and £1,500 revenue) and West Kent Business Support Programme (£25,000 revenue). However, there are a number of new projects:

- Digital Information Boards – allocation of £40,000 (capital) – site visits for potential locations have been undertaken, and feedback has been sought from the Local Group about possible uses for the boards.
- Living Bus Shelter Roofs Pilot – allocation of £30,000 (capital) – discussions have commenced with Clear Channel and a site within Tonbridge Town Centre has been identified for the pilot.
- Green Business Grant Scheme – allocation of £10,000 (capital) and £2,000 (revenue) from the UKSPF, with an additional c.£35,000 from the Business Rates Retention Pilot. Sevenoaks District Council has also allocated some UKSPF to this initiative and as such applicants from Sevenoaks District can apply. With the details having been approved by Cabinet in March 2023, a new round closed on 31 May 2023. 16 applications were received.
- Community Development Grant Scheme – allocation of £33,962 (revenue). With the details having been approved by Cabinet in April 2023, this scheme launched on 21 April 2023 and the first call for applications closed on 16 June 2023.

2023/24 Total - £197,462 plus Year 1 carry forward of £23,637 = £221,099

1.3.2 The deadline for the next return to DLUHC will be 01 August 2023, which will set out progress for the first quarter of 2023/24.

1.3.3 As agreed at Cabinet in November 2022, having secured the REPF funding allocation, the council is now progressing with establishing a West Kent Rural Grants Programme in line with addendum submission.

1.3.4 As part of this programme, all funding allocated to the council will be ring-fenced for projects within our borough. Rural Business and Communities will be able to apply for capital grants of up to £25,000, with applications being initially assessed by officers and recommendations made to a panel comprising:

- A Cabinet Member representative from each Local Authority (SDC, TMBC and TWBC)
- Rural Business Representatives
- Produced in Kent
- Kent Downs & High Weald AONBs
- National Farmers Union

- National Trust
- Hadlow College

1.3.5 Action with Rural Communities in Kent had also initially been on the list for inclusion, but they unfortunately closed in December 2022.

1.3.6 Given the sustainability and economic development emphasis of the fund, it is recommended that the Cabinet Member for Climate Change, Regeneration and Property represents the borough council on this panel.

1.4 Legal Implications

1.4.1 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.

1.5 Financial and Value for Money Considerations

1.5.1 None arising directly from this report.

1.6 Risk Assessment

1.6.1 A Risk Assessment has been undertaken for the programme which identifies a number of potential hazards and control measures to mitigate their impact. This Risk Assessment is provided as **Appendix 2**.

1.7 Policy Considerations

1.7.1 Business Continuity/Resilience

1.7.2 Communications

1.7.3 Communities

1.7.4 Planning and Housing

1.7.5 Environment

1.7.6 Economy

1.8 Recommendations

1.8.1 That the report **BE NOTED**.

1.8.2 That the delegation of decision-making powers to the West Kent Rural Grants Programme Panel as set out in 1.3.4 **BE AGREED**.

1.8.3 That the Cabinet Member for Climate Change, Regeneration and Property **BE AGREED** as the representative for the Council on the West Kent Rural Grants Programme Panel.

1.8.4 That the Risk Assessment for the UKSPF Programme as set out in **Appendix 2**
BE ENDORSED.

Background papers:

contacts:
Jeremy Whittaker, Strategic
Economic Regeneration
Manager

Julie Beilby
Chief Executive

Appendix 1

Tonbridge & Malling UK Shared Prosperity Fund Local Group

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11 May 2023



Agenda

- Welcome and Introductions
- Notes of Last Meeting and Matters Arising (EH)
- Programme Overview Refresh (JW)
- Year 1 Retrospective and Reporting (JW)
- Plans for Years 2 and 3
- Focus Projects:
 - Digital Information Boards (SG)
 - Green Retrofit Skills (SH)
- Any Other Business
- Close (proposed next meeting 07 September at 2pm)

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UK Government

**LEVELLING
— UP —**



www.tmbc.gov.uk

Programme Overview Refresh

- UKSPF launched by government in April 2022 as part of the Levelling Up agenda.
- £2.6bn across the UK for period up to March 2025.
- T&M Investment Plan submitted in July 2022 following help from local groups.
- Government approved £1m T&M Investment Plan in December 2022.
- Year 1 projects needed to be delivered by end of March 2023 (although flexibility built-in).
- Now in Year 2.

Priority	Project	Intervention	2022/23			2023/24			2024/25			UKSPF Total	
			Capital	Revenue	Total	Capital	Revenue	Total	Capital	Revenue	Total		
Communities and Place	Youth Provision	E10		7500	7500			20000	20000		22500	22500	50000
	Mobile CCTV	E5	20000	5000	25000			5000	5000		5000	5000	35000
	Council Review of Tonbridge Town Centre	E14		20000	20000			20000	20000		20000	20000	60000
	Tonbridge Wayfinding	E1	24731	1500	26231				0		3500	3500	29731
	Safer Sustainable Car Parks	E5			0	0			0	100000		100000	100000
	Digital Information Boards	E6			0	40000			40000	80000		80000	120000
	Shopfront Improvement/Tackling Vacancies	E1		3500	3500	10000	1500	11500	55000		55000		70000
	Community Development Grant Scheme	E9			0			33962	33962		131307	131307	165269
	Green Roofs at Bus Stops - Pilot Scheme	E3					30000		30000			0	30000
	Carbon Descent Plans	E10		12000	12000				0	75000		75000	87000
Local Business	West Kent Green Business Grant Scheme	E29			0	10000	2000	12000	50000	4000	54000	66000	
	West Kent Business Support Programme	E24		4500	4500			25000	25000		25000	25000	54500
People and Skills	Community Carbon Literacy Training Grant	E39			0				0		12500	12500	12500
	West Kent Volunteering and Enrichment Project	E35			0				0		10000	10000	10000
	West Kent Life Skills Project (supporting people furthest from employment)	E33			0				0		50000	50000	50000
	Green Retrofit Skills Project (linked to 50+ economically inactive)	E39			0				0		60000	60000	60000
Total			44731	54000	98731	90000	107462	197462	360000	343807	703807	1000000	

Year 1 Retrospective

- Had very little time to deliver as Investment Plan approved in December 2022.
- Despite that, 76% of budget spent and remaining underspend carried into Year 2.
- Reporting for end of Year 1 submitted in to DLUHC on 02 May 2023.

Year 1 Projects:

Shopfront Improvement Grant Scheme

Tonbridge Town Centre Review

Tonbridge Wayfinding

Youth Provision

Mobile CCTV

Carbon Descent Plans – Leisure Centres

West Kent Business Support Programme

Year 1 Projects - Overview

Shopfront Improvement Grant Scheme (£3,500 in Year 1):

- Year 1 – focused on set up of scheme.
- Grants of up to £3,500 to improve shopfronts or for energy efficiency improvements.
- Let's Do Business Group commissioned to provide advice and support to applicants.
- Call for applications opened in January 2023 and closed on 08 March 2023.
- 32 applications received and 18 offered a grant.
- Delivery of projects during Year 2.



Year 1 Projects - Overview

Tonbridge Town Centre Review (£20,000 in Year 1)

Page 22

- MACE commissioned to carry out review.
- Currently an analysis of sites to the east of the High Street.
- Aim to bring forward viable developments that create a more vibrant town centre.
- Allocations in Year 2 and 3.





Year 1 Projects - Overview

Tonbridge Wayfinding (£26,231 in Year 1)

- Artist Guy Portelli commissioned to create artistic wayfinding.
- Improve movement from station to rest of town.
- Slight delays caused by getting Southeastern approval.
- Some funding carried over into year 2.

Year 1 Projects - Overview

Youth Provision (£7,500 in Year 1)

- KCC Early Help, EMBER Trust and Salus commissioned to deliver diversionary activities in the borough.
- In Year 1, just over 130 young people have engaged with this activity.



Year 1 Projects - Overview

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Mobile CCTV (£25,000 in Year 1)

Aim is to be more agile in dealing with anti-social behaviour

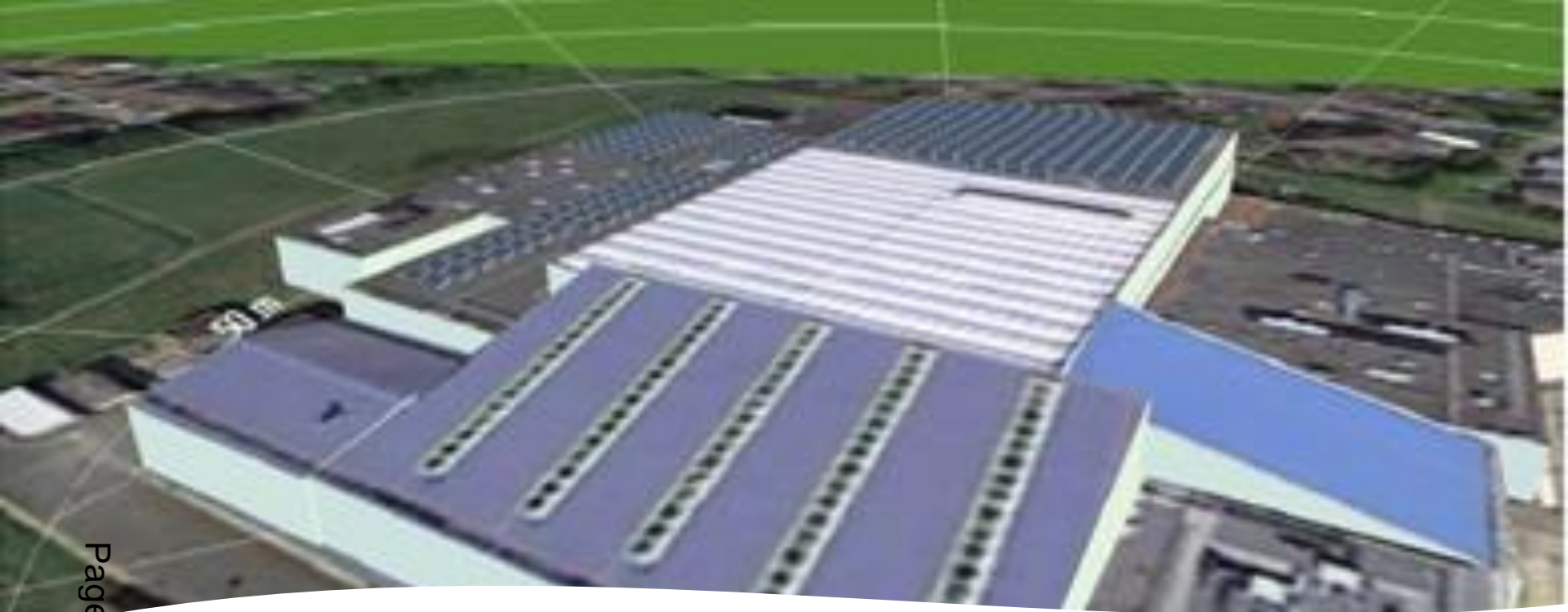
- 4 mobile cameras have been purchased.
- Permission from KCC secured to secured cameras on lamp posts.
- Revenue funding in Years 2 and 3 to install cameras.



Year 1 Projects - Overview

Carbon Descent Plans (£12,000 in Year 1)

- UKSPF-funded reports produced for Larkfield Leisure Centre and Tonbridge Swimming Pool in order to reduce their carbon footprint.
- Number of recommendations arising out of the report.
- Subsequent investment in PV panels at Larkfield Leisure Centre (not UKSPF funded).
- UKSPF allocation in Year 3 for further investment.





Year 1 Projects - Overview

West Kent Business Support Programme (£4,500 set up in Year 1)

- Gemteq ltd (Smarter Society) - <https://smartersociety.org/> - commissioned to deliver the programme.
- Focus on small and start-up businesses
- Will comprise mentoring, workshops and seminars, events and a micro-grants (£500) programme that supports development.
- Currently building up expressions of interest.

UKSPF Year 2

- Year 2 projects are either continuation from Year 1, have started anew or in development.
- Continuation from Year 1 – Youth Provision; Mobile CCTV; Town Centre Review; Tonbridge Wayfinding; Shopfront Improvement Scheme; West Kent Business Support.
2 Projects (which were the focus of last meeting) – Community Development Grant Scheme and the Green Business Grant Scheme – have started.
- 2 Projects in development – Digital Information Boards and Living Bus Shelter Roofs.

Community Development Grant Scheme

- Scheme to support local community and voluntary sector.
- Grants of up to £2,000 in Year 2.
- Launched on 21 April 2023 with a deadline of 16 June 2023.
- Successful projects will have until end of financial year to deliver.
- For more information go to <https://www.tmbc.gov.uk/business/community-development-grant-scheme/1>

Green Business Grant Scheme

- Grants to support businesses in the Green Economy (up to £8,000) OR helping local businesses reduce carbon footprint (up to £5,000).
- Covers both T&M Borough and Sevenoaks District.
- Opened for applications on 18 April 2023 and closes on 31 May 2023.
- Projects will have until end of financial year to deliver.
- For more information go to <https://www.tmbc.gov.uk/business/apply-green-business-grant>



Focus Projects

- Opportunity to input into project development and to share views, ideas and concerns.
- Chosen a couple of 'focus projects' to discuss in order to help develop.
- This meeting:
 - Digital Information Boards (Year 2 and 3)
 - Green Retrofit Skills (Year 3)

Digital Information Boards

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- UKSPF Funding - £40,000 in Year 2 and £80,000 in Year 3.
- Will fund up to 12 information boards across the borough.
- Enable more effective communication about local information, community activities and events.
- Initial work regarding sites being undertaken.
- Welcome views on potential locations and uses of the boards



Green Retrofit Skills

Page:134

- UKSPF allocation of £60,000 in Year 3 from the T&M Investment Plan.
- To be delivered in partnership with Sevenoaks District Council (and possibly Tunbridge Wells BC).
- Also potential for wider partnership.
- Aim to commission a training provider to deliver flexible Level 3 training programme for people who reside in the local area.
- Help strengthen the green economy and to stimulate people back into the workforce.



Any Other Business

(also opportunity to share any good news or updates!)


Next Meeting

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Propose Thursday 07 September 2023 at 2pm
(virtual)



Appendix 2

 <p>TONBRIDGE & MALLING BOROUGH COUNCIL</p> <p>www.tmbc.gov.uk</p>		<p>RISK ASSESSMENT FOR:</p> <p>T&M UKSPF Programme (including REPF)</p>			<p>ASSESSORS NAME AND DEPARTMENT:</p> <p>Jeremy Whittaker, Executive Services</p>						
		<p>NOTE : (S) SEVERITY X (L) LIKELIHOOD = (RR) RISK RATING</p>			<p>DATE OF INITIAL ASSESSMENT:</p> <p>April 2023</p>			<p>REVIEW DATE:</p> <p>November 2023</p>			
Page 137	ACTIVITY/ PROCESS/ OPERATION	HAZARDS AND PERSONS AFFECTED	RISK RATING (before control measures)			EXISTING CONTROL MEASURES	RISK RATING (after control measures)			ADDITIONAL CONTROL MEASURES (ACM) REQUIRED	DATE OF ACM IN PLACE
			S	L	RR		S	L	RR		
1.	Overall Programme Management resources for the UKSPF Programme.	Loss of staff due to illness or resignation. Insufficient funds to maintain level of staffing resource.	5	3	15	Ensure workloads remain reasonable and work rewarding. Funding identified to ensure EDO extension – still to be approved.	5	2	10		

2.	Reporting Process to DLUHC	<p>Incorrect information or information gaps provided to DLUHC in returns.</p> <p>Information emailed by DLUHC is missed.</p> <p>Deadlines missed in submitting reports to DLUHC.</p>	4	2	8	<p>System set in place for projects to provide requested detail.</p> <p>Information goes both to JW and SW.</p> <p>Process in place working back from deadlines to ensure submissions in time.</p>	4	1	4		
Page 138	Local Elections/ Change of Leadership	Change in priorities means resources need to be focussed on amending the Investment Plan and funding new initiatives.	4	3	12	Mitigate through having early discussions with new administration and providing information on existing commitments.	4	2	8		
4.	Local Group	<p>Does not engage with the Programme.</p> <p>Established members of the group move on.</p>	3	2	6	<p>Attendance to date has been good. Need to continue to ensure meetings are easy to attend (virtual) and efficient.</p> <p>Review ToR regularly to ensure good level of representation.</p>	3	1	3	Chaired by Director, with inclusive agendas.	January 2023

5.	Communications	UKSPF publicity requirements are not met.	4	2	8	Project leads have all been given the publicity guidance.	4	1	4		
6.	Procurement	UKSPF procurement requirements are not met.	5	2	10	Procurement rules have been shared with Project Leads and are discussed at the bi-monthly Project Leads meetings.	5	1	5		
7.	Fraud	<p>Applicants attempt to access grant funding through fraudulent activity.</p> <p>Project delivery organisations falsely claim work undertaken.</p>	5	3	15	<p>Our grant schemes have numerous checks during the application process to ensure they are genuine and provide correct information, and pay out only on evidence of completion and payment.</p> <p>Regular meetings with organisations undertaking delivery with monitoring and evidence of delivery required.</p>	5	2	10		

<p>8</p>	<p>Projects do not deliver.</p>	<p>Project Leads leave their current roles and limited capacity from other staff to deliver.</p> <p>Any recruitment into positions required to support the programme is unsuccessful</p> <p>Project Leads have to prioritise other workloads.</p> <p>Unforeseen obstacles occur that severely delay delivery.</p>	<p>4</p>	<p>3</p>	<p>12</p>	<p>Staff resources discussed at project lead meetings and managed.</p> <p>Ensure adverts are shared amongst partner organisations in order to encourage wide circulation.</p> <p>Due to early investment in time setting up the programme, project leads have had significant time to prepare and manage delivery.</p> <p>Project Lead meetings to identify and discuss issues at an early stage. Contact DLUHC to discuss at the earliest opportunity.</p>	<p>4</p>	<p>2</p>	<p>8</p>		
<p>9.</p>	<p>Take up of Grant Schemes is limited.</p>	<p>No interest in schemes due to no longer addressing a priority, the application forms are too complicated or inability to raise match-funding.</p>	<p>3</p>	<p>2</p>	<p>6</p>	<p>Advisers have been provided in some schemes to provide free support and intervention rates have been increased to help businesses.</p>	<p>2</p>	<p>2</p>	<p>4</p>		

10.	Disruption caused by Covid-19 (or similar)	Further outbreaks of Covid (or a similar virus) require a change of focus and a disruption to staffing.	5	2	10	The Borough Council has built up its business resilience measures in recent years and is now in a strong position to maintain business continuity through any future outbreaks.	3	2	6		
11.	Economic Issues	Inflation increases further and gives rise to higher costs than currently envisaged	4	3	12	Realistic costs have been sourced and in the event of such a change the Borough Council would look to work closely with DLUHC to tweak the programme or specific projects accordingly.	2	3	6		

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TONBRIDGE & MALLING BOROUGH COUNCIL

CABINET

04 July 2023

Report of the Chief Executive

Part 1- Public

Executive Non Key Decisions

1 COMMUNITY DEVELOPMENT GRANT SCHEME

This report seeks approval of schemes submitted for funding through the Community Development Grant Scheme

1.1 Background

1.1.1 On 5 July 2022, Cabinet endorsed the Tonbridge and Malling UK Shared Prosperity Fund (UKSPF) Investment Plan, which included a total allocation of £165,269 for a community grant scheme. Government approved the Investment Plan in December 2022. The plan set out projects to create a better borough for residents and businesses and this included the Community Development Grant Scheme.

1.1.2 The Scheme will run for the 2023/24 financial year, with a second round in 2024/25. Each year the scheme will operate in the same way, however the allocation of funds for the first year is lower than year two, therefore the amount applicants can apply for will be increased in the second year.

1.2 Funding Priorities for 2023/24

1.2.1 A copy of the Application Form, Criteria and Scoring Sheet that was used for Round 1 of the scheme is attached for information at **Annex 1**.

1.2.2 For this financial year, the funding priorities were set as follows:

- A specific project deliverable in the year the grant is awarded
- Projects which are funded from a variety of sources where the Council can provide additional financial support
- Projects which help the Council meet one or more of the priorities set out in the Corporate Strategy
- Projects which address one or more of the following priorities:
 - **Helping vulnerable communities through the cost-of-living crisis**
 - **Supporting healthy lifestyles**
 - **Improving community safety**

- **Helping people gain skills to access the workplace**
- **Supporting environmental and carbon reduction initiatives**

1.3 Round 1 Applications

- 1.3.1 The deadline for applications closed on Friday 16 June 2023. During the 8-week application window, we received 24 applications, 22 of which met the grant criteria guidelines (two were excluded due to incomplete applications and failure to submit the required financial accounts).
- 1.3.2 As anticipated, we were oversubscribed, and the total amount applied for by eligible applicants exceeded the total funding pot for Round 1 of £33,962. Unfortunately, we could not offer all the organisations the full amount that they requested. This meant difficult decisions needed to be made. The following options were considered:
- a) Some applicants do not receive a grant, based on a lower score, the others receive the full amount requested.
 - b) Decrease the amount requested for all applicants.
 - c) Decrease the amount for some applicants based on a scaled allocation, with those achieving higher scores getting the full amount, and those with a lower score against the funding priorities, receiving a lower amount.
- 1.3.3 We felt that option “a” would be unfair to those who completed the application and had submitted a worthwhile bid, but scored lower as they hadn’t demonstrated evidence across all the scoring criteria. Option “b” would have been fairer than “a”, as all applicants would receive some funding, but potentially unfair in restricting the award to the higher scoring applicants for delivering their project, despite meeting multiple funding priorities. Option “c” was therefore chosen as this allowed the full amount to be paid to those applicants who met more of our funding priorities whilst still ensuring all eligible bids received some funding.
- 1.3.4 Using the scoring system set out in the application process, the decision was taken to offer those with a score of above 14 the full amount requested (to a maximum amount of £2,000 as set out in the guidelines). Using this scaled allocation approach, those with a score of 14 or below, have been offered £1,000. 14 was chosen for the scaled allocation point, as this enabled us to distribute most of the money- leaving just £622.
- 1.3.5 The suggested allocations are set out in **Annex 2** of the report, with a further, more detailed summary of the details of each bid and the priorities met, set out in **Annex 3**. Where “Merits” have been listed in **Annex 3**, this relates specifically to the information that applicants themselves have submitted in answer to questions about our funding priorities and objectives.

There has been a wide range of applications that meet our funding priorities. Overall, 15 applicants submitted bids to offer support, advice or equipment for children, young people and their families, 4 applicants submitted bids to support vulnerable adults and low-income families, 2 applicants submitted bids to support environmental goals and 1 applicant submitted a bid for equipment not targeted at a particular sub-group. All applicants were able to prove they will be using the grant to support at least one of the priorities set for this year and in most cases multiple priorities will be met.

- 1.3.6 All applicants were asked during the application process if they were willing to acknowledge the support of the Borough Council with regards to media and publicity. As we have done on previous occasions we would of course, ensure that the Mayor and/or Cabinet Member has the opportunity to present checks and visit some of the schemes in action.

1.4 Legal Implications

- 1.4.1 Applications were assessed against set priorities and scored against set criteria.

1.5 Financial and Value for Money Considerations

- 1.5.1 The total amount allocated from the UKSPF to the Community Development Grant Scheme is £165,269, split over the two years as follows:

- Round 1 - 2023/24 - £33,962
- Round 2 - 2024/25 - £131,307

- 1.5.2 In Round 1, applicants were able to apply for grants to a maximum of £2,000. This will be increased to grants of up to a maximum of £5,000 in Round 2.

- 1.5.3 Suggested allocations for this financial year are set out in **Annex 2**. If all applicants are agreed as set out in the Annex, there will be a remaining balance of £622. This remaining money can be used to fund the administration costs for the scheme, or used as a contingency fund if Members feel there is a specific bid that they would like to see receiving additional funds. If Members opt to spend the remaining £622 in this round, we will ensure administrative costs are covered during Round 2 (next financial year) in line with UKSPF guidelines.

- 1.5.4 Members will note on the Household Support Fund HSF paper (also presented at this meeting), that there may be some potential overlap between schemes. Members may wish to cross reference some of the bids against suggested HSF allocations.

1.6 Risk Assessment

- 1.6.1 The application process has been designed to minimise risk, with assessments based on set criteria. Payments will only be made following this process and

upon receipt of audited or signed accounts, along with a copy of the organisation's constitution.

1.7 Equality Impact Assessment

- 1.7.1 The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.
- 1.7.2 A number of the initiatives will make a positive contribution in supporting those with protected characteristics.

1.8 Policy Considerations

- 1.8.1 Biodiversity & Sustainability
- 1.8.2 Climate Change
- 1.8.3 Community
- 1.8.4 Crime & Disorder Reduction
- 1.8.5 Healthy Lifestyles

1.9 Recommendations

- 1.9.1 That the grant allocations as set out in Annex 2 of the report **BE ENDORSED**.
- 1.9.2 That Members **FURTHER CONSIDER** best use of the remaining £622.

Background papers:

Nil

contacts: Gill Fox
Carrie Spencer

Julie Beilby
Chief Executive

<p>Annex 1 Maximum Grant - £2000</p>	<p align="center">UK Shared Prosperity Fund Tonbridge & Malling Borough Council Community Development Grant Scheme 2023/24</p>	<p>Ref. No</p>
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How to fill in this application form

- 1.** The decision about a grant will be made on the basis of information you submit on this form.
- 2.** It is essential that you fully complete all parts of the form itself, even if this information is included in other documents you may submit.
- 3.** Please remember to attach copies of signed accounts for the last 2 years, or a budget for the first year if this is a new venture and a copy of your constitution or set of rules.
- 5.** Please use the checklist to ensure that you have submitted all of the required information.
- 6.** This form should be submitted **by 16 June 2023**

1. CONTACT INFORMATION ABOUT YOUR ORGANISATION

Name and Address of organisation: (as it should appear on a grant cheque)

Name of applicant:

Position in organisation:

Address to which correspondence should be sent:

Daytime telephone number:

Email Address:

Registered Charity No (if applicable):

2. THE PURPOSE OF YOUR ORGANISATION

What is the purpose of your organisation?

3. ADDITIONAL INFORMATION ABOUT YOUR ORGANISATION

What area does your organisation serve (please tick one)

All of the borough of Tonbridge & Malling

Part of the borough of Tonbridge & Malling

How many people living in Tonbridge & Malling Borough directly benefit from contact with your organisation each year?

How many staff are employed by your organisation?

How many volunteers assist your organisation?

Have staff/volunteers who work with young people/vulnerable adults obtained DBS clearance if required?
Yes / No

4. INFORMATION ABOUT HOW YOU WOULD USE A GRANT FROM TONBRIDGE AND MALLING BOROUGH COUNCIL

What is the amount of grant you are applying for:

£

Please provide here a short summary of what the grant will fund:

Will the grant be used to fund:

A specific project or purchase

On-going work

A combination of the above

Establishment of a new group

Which of the following priorities does the grant application seek to support?

- Helping vulnerable communities through the cost-of-living crisis
- Supporting healthy lifestyles
- Improving community safety
- Helping people gain skills to access the workplace
- Supporting environmental and carbon reduction initiatives

5. WORKING IN PARTNERSHIP

Is this a joint grant application submitted with other partners? Yes No

If yes, please name partner organisations

Please give details of any applications made to other funding bodies for a grant for the financial year 2023/24

Funding organisation	Amount	Confirmed Yes / No

6. ACCREDITATION

Do you have or are you working towards any quality accreditation?

Yes No Please give details:

7. PERFORMANCE INDICATORS

Please list at least 3 indicators which will help you measure your success and will also enable us to assess whether our grant support to your organisation will have achieved its intended objectives. This will assist us to monitor progress throughout the year.

- 1.
- 2.
- 3.
- 4.
- 5.

8. YOUR CONFIRMATION

If my application is successful, I agree to acknowledge the support of the borough council in my publicity material or on my premises. I confirm that my organisation is committed to equal opportunities and complies with statutory requirements.

Signed:

Position:

Date:



YOUR CHECKLIST

- **Applications must be submitted by no later than 16 June 2023.**
- **Please attach a copy of your latest set of audited or signed accounts and a copy of the constitution of your organisation.**
- **Any grant given must be spent during the financial year in which it is awarded.**
- **Please ensure that all sections of this form are completed and any supplementary information which is required is attached. Please note we do not need additional information/literature about your organisation.**
- **Be sure to tell us full details about why you need a grant, what it will be used for and how you will measure your success**
- **Please be aware that grant applications are assessed against a number of criteria set out on the attached sheet. Ensure your grant application addresses the criteria where appropriate**

**For information
only – do not
complete**

Criteria and Scoring for applications

Criteria		Score	Awarded (office use only)
Location of the organisation	Based in the borough	3	
	Based in the local area (including Maidstone, Tunbridge Wells, Sevenoaks, Medway)	1	
Area of the borough served	Support focused on residents in more deprived communities (Trench, Snodland, East Malling or Aylesford)	3	
	Serves other areas of the borough	2	
Project Funding	Grant will fund a project or purchase or seeks to establish a new group	5	
	Grant will fund both ongoing work and a specific project purchase	3	
	Ongoing work only	1	
Delivery of priorities	Assists with the delivery of more than one priority	5	
	Assists with the delivery of one priority	3	
Partnership working	Application involves joint working with others	2	
Other sources of funding	Several sources of funding obtained	5	
	Funding obtained from one other source	3	
	Funding applied for but not yet confirmed	2	
Recognised quality standard	Has achieved accreditation	3	
	Is working towards accreditation	1	
Total Points Scored			

Community Development Grant Scheme - Funding allocated by applicant

Round 1 (2022-23)

Applicant	Reason for funding	Amount requested	Amount awarded
Mereworth Parish	Provision of toddler play equipment	£2,000	£2,000
Sweet Sensations	Provision of changing facilities for older children and adults with disabilities	£2,500	£2,000
Leybourne Parish	Improve aeration, biodiversity and woods at Castle Lake and surrounding area	£10,000	£1,000
Mind	Provide support for people experiencing domestic abuse, mental health challenges and complex needs	£2,000	£2,000
Borough Green Junior FC	Establishment of girls' football	£2,000	£1,000
Wateringbury Surgery	Provision of sensory garden for patients	£5,000	£2,000
Youth Resilience	Provision of 5 educational courses for young people experiencing mental and emotional distress	£1,950	£1,950
21 Together	Establish a support hub for children & families with Downs Syndrome	£2,000	£2,000
PS Breastfeeding	Carry out a trial of cloth nappies	£1,890	£1,890
East Malling Centre	Provision of cookery courses for healthy eating on a budget	£2,000	£2,000
Royal Air Force cadets	Purchase flight simulator equipment	£2,000	£1,000
Friars visitor centre	Provision of children's play area and equipment	£2,000	£2,000
Autism Apprentice	Provision of support for children and families with Autism	£2,000	£1,000
Baby Umbrella	Provision of support groups for parents and families	£2,000	£1,000
Multiple Intelligence Hub	Provision of equipment for children and young people with disabilities	£2,000	£1,000
Project Salus	Provide Summer Programme for children and young people	£2,000	£1,000
Person-Centred Neurological Society	Set up a website and promotional materials for café for people with neurological conditions	£2,000	£1,000
Malling Photographic Society	Purchase of photographic equipment	£1,500	£1,000
Communigrow	Provision of weekly family workshops	£2,000	£2,000
Larkfield FC	Establishment of girls' football	£1,500	£1,500
Space 2 Be Me	Run a club for young people with additional needs	£2,000	£2,000
Tonbridge Angels FC	Increase outreach and inclusion for low income households, children with disabilities and SEN.	£2,000	£1,000

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Applicant	Reason for funding
Mereworth Parish	<p>Provision of toddler play equipment.</p> <p>Aims of project: expand toddler play area to make it more accessible and inclusive to a wider range of children.</p> <p>Merits: In the borough, a specific purchase, supports healthy lifestyles, funding obtained from one other source.</p>
Sweet Sensations	<p>Provision of changing facilities for older children and adults with disabilities.</p> <p>Aims of the project: changing place will assist veterans and disabled older people to access facilities. Currently the disabled toilet has handrails, but the only changing facilities for older people are on the floor.</p> <p>Merits: In the borough – in more deprived community, specific purchase, supports healthy lifestyles and improves community safety.</p>
Leybourne Parish	<p>Improve aeration, biodiversity and woods at Castle Lake and surrounding area.</p> <p>Aims of project: The area has fallen into disrepair and the above improvements would improve biodiversity and improve the area for the community.</p> <p>Merits: In the borough – serves part of the borough, supports healthy lifestyles and environmental / carbon reduction initiatives. Partnership working and joint funding questions answered as “no”.</p>
Mind	<p>Provide support for people experiencing domestic abuse, mental health challenges and complex needs.</p> <p>Aims of the project: funding will increase capacity to support people on the edge of a mental health crisis who also have complex needs.</p> <p>Merits: In local area, operating in borough. Specific purchase/new group, assists with delivery of multiple priorities, joint working, funding from other sources obtained, accredited.</p>
Borough Green Junior FC	<p>Establishment of girls’ football.</p> <p>Aims: Funds will aid the purchase of kit, equipment marketing and training.</p> <p>Merits: In borough, ongoing work plus specific purchase, assists with one priority, funding applied for, but unconfirmed, working towards accreditation.</p>

<p>Wateringbury Surgery</p>	<p>Provision of sensory garden for patients.</p> <p>Aims: encourage physical and mental wellbeing, as well as volunteer opportunities</p> <p>Merits: In borough, ongoing work and specific purchase, multiple priorities, joint working, funding obtained from additional source.</p>
<p>Youth Resilience</p>	<p>Provision of 5 educational courses for young people experiencing mental and emotional distress.</p> <p>Aims: will increase understanding of mental health issues and help young people better understand the most prevalent issues causing them emotional and mental distress.</p> <p>Merits: Operating in the borough, ongoing work plus specific purchase, delivery of multiple priorities, several sources of funding obtained, achieved accreditation.</p>
<p>21 Together</p>	<p>Establish a support hub for children & families with Downs Syndrome.</p> <p>Aims: Regional hubs will provide local support for children with Down Syndrome and their families. The funding would be specifically to support the hub covering T&M.</p> <p>Merits: operating in the borough, project or establish new group, delivery of one priority, several sources of funding obtained.</p>
<p>PS Breastfeeding</p>	<p>Carry out a trial of cloth nappies.</p> <p>Aims: will enable free trial of cloth nappies for new parents in T&M, saving money and supporting environmental aims.</p> <p>Merits: Operating in borough, a project/new group, more than one priority, funding obtained from additional source.</p>
<p>East Malling Centre</p>	<p>Provision of cookery courses for healthy eating on a budget.</p> <p>Aims: learn more about healthy, cost-effective cooking, using leftovers and reducing food waste.</p> <p>Merits: In borough, focused in deprived community, new group/purchase, more than one priority, joint working, additional funding applied for but not yet confirmed.</p>
<p>Royal Air Force cadets</p>	<p>Purchase flight simulator equipment.</p> <p>Aims: Funds will allow for equipment of meaningful quality eg flying joystick rather than a mouse. Flying time is required for cadet badges so availability of simulator will allow cadets hands on experience.</p>

	<p>Merits: specific project/purchase, one priority. Partnership working, joint funding and accreditation questions were answered as “no”.</p>
Friars visitor centre	<p>Provision of children’s play area and equipment.</p> <p>Aims: A beautiful setting where families can come for free. The addition of a playground will provide additional activity for children, without having to pay for entry.</p> <p>Merits: In the borough, focused in more deprived area, specific project/purchase, multiple priorities, funding applied for not yet confirmed.</p>
Autism Apprentice	<p>Provision of support for children and families with Autism.</p> <p>Aims: Support families who care for a child with autism by provision of a virtual advice/support service.</p> <p>Merits: based in local area, specific project/purchase, more than one priority. Partnership working, joint funding and accreditation questions were answered as “no”.</p>
Baby Umbrella	<p>Provision of support groups for parents and families.</p> <p>Aims: Support with breastfeeding, bottle feeding, expressing breast milk, introducing solids.</p> <p>Merits: based in local area, ongoing work only, assists with more than one priority, several sources of funding obtained, partnership working and accreditation questions were answered as “no”.</p>
Multiple Intelligence Hub	<p>Provision of equipment for children and young people with disabilities.</p> <p>Aims: to purchase outdoor walker and outdoor arm wheels which will encourage physical exercise and coordination development.</p> <p>Merits: In borough, ongoing work/purchase, supports one priority, funding applied for but not confirmed, partnership working answered as “no”, working towards accreditation.</p>
Project Salus	<p>Provide Summer Programme for children and young people.</p> <p>Aims: To provide a summer programme within T&M for children/YP aged 8 – 19 yrs, providing skills to develop community involvement, peer relations and transitions.</p> <p>Merits: based in local area, but working in borough, ongoing work, delivers multiple priorities, achieved accreditation.</p>
Person-Centred Neurological Society	<p>Set up a website and promotional materials for café for people with neurological conditions.</p>

	<p>Aims: For people with a neurological condition to meet up/ support group, fund to help publicise the café and to pay for printed materials to distribute to the community.</p> <p>Merits: In borough, ongoing work, one priority, joint working, Other sources of funding and accreditation questions answered as “no”.</p>
Malling Photographic Society	<p>Purchase of photographic equipment.</p> <p>Aims: To purchase a photographic projector to enable club to project images.</p> <p>Merits: In borough, specific project/purchase, one priority. Partnership working, joint funding and accreditation questions were answered as “no”..</p>
Communigrow	<p>Provision of weekly family workshops.</p> <p>Aims: grant will fund weekly free weekend family workshops aimed at children 5-11, to inspire growing, being active and outdoors. Supports children with confidence/anxiety issues to feel comfortable in new setting.</p> <p>Merits: In borough, more deprived community, specific project/purchase, more than one priority, several sources of additional funding, accredited.</p>
Larkfield FC	<p>Establishment of girls’ football.</p> <p>Aims: to establish 3 additional teams and continue as cheap club to sign on with. Fees fixed for three seasons to allow families from wider areas of E.Malling and Aylesford etc to attend regardless of circumstance.</p> <p>Merits: In borough, focused on more deprived areas, ongoing and specific purchase, more than one priority, accredited.</p>
Space 2 Be Me	<p>Run a club for young people with additional needs.</p> <p>Aims: a future where children and young people with additional needs have equal opportunities. Funding would contribute towards new clubs to reduce isolation, make friends, increase confidence and learn new skills.</p> <p>Merits: Based in local area, operates in borough, ongoing plus specific project, more than one priority, multiple funding sources obtained.</p>
Tonbridge Angels FC	<p>Increase outreach and inclusion for low income households, children with disabilities and SEN.</p> <p>Aims: to engage as much of the community as possible to be healthy, active and well. Grant would help to attract and help</p>

	<p>under represented groups within our community, including families on lower incomes, women, disabled people, ethnic minorities, people of all sexual orientations and all religions.</p> <p>Merits: In borough, ongoing work and project, more than one priority. Partnership working, joint funding and accreditation questions were answered as “no”.</p>
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TMBC OWNED SITES – LOCAL PLAN

Item FRP 23/13 referred from Finance, Regeneration and Property Scrutiny Select Committee of 13 June 2023

Careful consideration was given to a number of sites identified for potential development as part of the Local Plan process and Urban Capacity Study. Members were reminded that potential development sites could be brought forward through the planning approval process and did not specifically require allocation in the Local Plan to do so. However, at this stage no decisions on particular sites for inclusion had yet been made by the Borough Council acting as the Local Planning Authority.

The report of the Director of Central Services & Deputy Chief Executive sought Members' views on whether the Borough Council owned sites, detailed in Annex A, were available or unavailable for development.

Members had regard to housing targets for the Borough, the Management Development and Environmental Development Plan Document, Biodiversity Net Gain, the Interim Sustainability Appraisal and the Local Lettings Policy detailed in the report. It was also noted that housing targets remained subject to change pending the outcomes of the NPPF consultation. Particular reference was made to the Angel Centre site and although it was not identified in the UCS there was scope for this to be included as a potentially available site for development if the Borough Council, as landowner chose to do so.

The Committee recognised the value of open green spaces, especially on residents living in urban areas and this formed part of Members deliberations.

RECOMMENDED*: That

- (1) the following 10 TMBC owned sites identified in the urban capacity study be considered **available** for development when formally responding to the letter from the LPA:
 - 59559, 59560, 59661, 59562, 59563, 59581 (Cage Green and Angel);
 - 59469 (Aylesford South and Ditton);
 - 59554 59555 (Vauxhall); and
 - 59572 (Judd)
- (2) the Angel Centre, Tonbridge site be considered **available** for development when formally responding to the letter from the LPA; and
- (3) the following 11 TMBC owned sites identified in the urban capacity study be considered **unavailable** for development when formally responding to the letter from the LPA:
 - 59437 (Larkfield);
 - 59449 (East Malling, West Malling and Offham);
 - 59456 (Birling, Leybourne and Ryarsh);
 - 59502 (Snodland East and Ham Hill);

- 59515; 59516 (Cage Green and Angel);
- 59521; 59522 (Trench);
- 59524 (Higham); and
- 59550; 59552 (Judd)

***Referred to Cabinet**

TONBRIDGE & MALLING BOROUGH COUNCIL

FINANCE, REGENERATION AND PROPERTY SCRUTINY SELECT COMMITTEE

13 June 2023

Report of the Director of Central Services & Deputy Chief Executive

Part 1- Public

Matters for Recommendation to Cabinet - Non-Key Decision

1 TMBC OWNED SITES – LOCAL PLAN

1.1 Introduction

- 1.1.1 As Members will be aware, the Council, acting as the Local Planning Authority (LPA), is preparing its new Local Plan and toward the end of last year undertook its Regulation 18 consultation.
- 1.1.2 As part of that process there are several ways potential development sites can be identified, including the Urban Capacity Study (UCS). Details of the UCS can be found on the Council's website under the Regulation 18 consultation evidence base [Local Plan \(Regulation 18\) consultation evidence base – Tonbridge and Malling Borough Council \(tmbc.gov.uk\)](https://www.tmbc.gov.uk/Local-Plan-Regulation-18-consultation-evidence-base)
- 1.1.3 Members will be aware that potential development sites can be brought forward through the planning approval process and do not specifically require allocation in the local plan to do so. There are specific benefits of allocation within the local plan, however at this stage no decisions on particular sites for inclusion have yet been made by the Council as LPA. The planning policy team are at this stage seeking to understand availability of sites which have been identified through the UCS.
- 1.1.4 At its meeting on 14th March 2023, this Committee considered a report relating to 12 TMBC owned sites which were identified by the UCS (a copy of the meeting agenda, where the report and annexes can be viewed, can be found here [Agenda for Finance, Regeneration and Property Scrutiny Select Committee on Tuesday, 14th March, 2023, 7.30 pm \(tmbc.gov.uk\)](https://www.tmbc.gov.uk/Agenda-for-Finance-Regeneration-and-Property-Scrutiny-Select-Committee-on-Tuesday-14th-March-2023-7.30-pm)).
- 1.1.5 The report included sites where it had been quickly identified there were existing restrictions or specific characteristics which meant future development was considered unlikely. The Committee recommended to Cabinet the sites listed should be considered unavailable for development. Cabinet endorsed the Committee's recommendation at their meeting on 4th April 2023 (Decision No.D230035CAB).

- 1.1.6 The 14th March 2023 stated officers were analysing the remaining sites and a future report would be presented to the Committee with the findings.

1.2 TMBC Owned Sites

- 1.2.1 The Council as LPA has written to all landowners whose sites were identified in the UCS, which of course includes itself as landowner, seeking additional information about those sites.
- 1.2.2 Officers from several Services have input comments into the proforma supplied by the LPA to assist Members in deciding whether the sites should be considered available for development, which can be found at **Annex A**.
- 1.2.3 The information provided under the heading 'URBAN CAPACITY STUDY INFORMATION' has been populated by the study. The 'OPTIMISED RESIDENTIAL CAPACITY' figure is the number of residential units the software calculated as being suitable for the area based on the characteristics of the site.
- 1.2.4 Outlined below is some additional information which Members may find helpful in reaching a recommendation.

1.3 Housing Targets

- 1.3.1 The housing need figure generated by the government's standard method which features in the Council's Local Plan (Regulation 18) is 839 dwellings per annum. For the period up to 2040, this is over 15,000 homes (gross). This is a significant housing need, and in order to reduce the pressure for greenfield releases beyond existing settlements, opportunities within built-up areas with good proximity to local services need to be fully explored.

1.4 MDEDPD

- 1.4.1 The Managing Development and the Environmental Development Plan Document (MDEDPD) forms part of the Council's Local Development Framework and is used, amongst other things, to assess and determine planning applications for development. The MDEDPD was adopted in April 2010. The Plan can be found on the Council's website here [Managing development and the environment – Tonbridge and Malling Borough Council \(tmbc.gov.uk\)](https://www.tmbc.gov.uk/Managing-development-and-the-environment)
- 1.4.2 A number of the sites identified in the UCS are included in the MDEDPD under Policy Annex OS1A – Open Spaces to be Protected. Reference to this is included in the proforma at Annex A for each applicable site.
- 1.4.3 Members should note that where a site benefits from protection under the MDEDPD it would represent a significant hurdle to future development in terms of obtaining planning permission, however it does not automatically mean any form of development would be deemed to be unacceptable. For example, in the instance where a site had a number of other important factors or characteristics

which made future development appealing, these may outweigh the protection the MDEDPD affords it.

1.5 Biodiversity Net Gain (BNG)

- 1.5.1 Under the Environment Act 2021, all planning permissions granted in England will have to deliver 10% BNG to be calculated using the DEFRA Biodiversity Metric and that habitat managed for at least 30 years. BNG requirements will apply to most sites from November 2023, with small sites included from April 2024. Whilst further detailed guidance is awaited from DEFRA, to meet BNG requirements developers will need to assess the biodiversity and its condition on sites, and submit plans that will deliver a 10% increase.
- 1.5.2 In general, it will be more costly and technically challenging to increase biodiversity on a site that is currently green space and on which the development will remove mature trees and hedgerows, compared to a site that has already been developed.
- 1.5.3 The UCS TMBC owned sites include both undeveloped (e.g. open green spaces) as well as developed sites (e.g. car parks). If sites are sold for development it is likely that the differential costs and challenges of biodiversity assessments, improvements and long-term maintenance between types of sites would increase the tendency towards 'brownfield first' developments, over sites that are currently green spaces.

1.6 Interim Sustainability Appraisal

- 1.6.1 Included in the Council's Regulation 18 consultation was the Interim Sustainability Appraisal, which includes an assessment of alternative site options for the sites identified by the UCS. A full copy of the report can be found on the Council's website here ([Interim Sustainability Appraisal – Tonbridge and Malling Borough Council \(tmbc.gov.uk\)](https://www.tonbridgeandmallingsborough.gov.uk/interim-sustainability-appraisal)).
- 1.6.2 The proformas for each of the Council owned sites which are the subject of this report have been extracted and can be found at **Annex B**. The sites are in the same order as in Annex A.
- 1.6.3 For each site 14 sustainability appraisal objectives were individually assessed and scored by the UCS software. Scores for each objective range from Significant Negative to Significant Positive. Members may find these scores helpful when arriving at recommendations for each site.

1.7 Local Lettings Policy

- 1.7.1 The Council has nomination rights to affordable housing in the borough and as per our agreed policy position, will seek to agree local lettings plans (LLP) with providers of affordable housing on new housing developments and if needed for

specific reasons in existing provision and communities, e.g. anti-social behaviour in a particular area containing affordable homes.

- 1.7.2 The Council has agreed to seek to prioritise affordable home ownership homes, such as shared ownership, for local households and will make arrangements to support this where appropriate. The main priorities for use of local lettings plans are to give top priority for households with a local connection to the immediate area of the development and to achieve 50 per cent of first lets to households who are economically active. Each LLP is considered, developed and agreed in its own right so the aims, objectives and criteria may vary.
- 1.7.3 Any housing developed on Council owned land could therefore have an LLP in place to help manage lettings on the site, providing a direct benefit to the local community.

1.8 Tonbridge Town Centre

- 1.8.1 Members will be aware the Council is currently reviewing its land and property assets within Tonbridge town centre. The surface car parks around the Sainsbury's and Angel Centre site have been captured by the UCS however it was noted the Angel Centre itself was not included by the software, on the basis it is an existing, occupied building.
- 1.8.2 For completeness, if Members recommend the inclusion of the surface car parks in the area it is also recommended the Angel Centre itself is included.

1.9 Legal Implications

- 1.9.1 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.
- 1.9.2 As part of the Local Plan process, the Council is no different to any other landowner and therefore, all suitable sites need to be submitted to the Local Planning Authority if they are to be considered as part of the formal consultation. It is important that the Council through the Local Plan process can demonstrate that it has considered all available sites for development. The Council has to be seen to be following due process in relation to the submission of sites for possible allocation in the Local Plan and so the considerations in this report are appropriate in relation to Council owned sites.

1.10 Financial and Value for Money Considerations

- 1.10.1 In deciding whether sites could be made available for development, or not, within the life of the Local Plan, the Council will not actually be deciding to develop the sites, that is, the decision to bring a site forward for development will be the subject of a separate decision. It is therefore felt there are no financial or value for money considerations at this stage.

1.11 Risk Assessment

1.11.1 If all of the sites within the built-up areas are rejected, there is likely to be greater pressure for greenfield releases outside of settlement confines to help address our assessed needs for housing through the Local Plan process.

1.12 Equality Impact Assessment

1.12.1 Based on the fact this decision is linked to whether the sites should be made available for development in the future, not to develop the sites now, it is considered the decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

1.12.2 Should a site be brought forward to development in the future then at that stage an equality impact assessment would be undertaken.

1.13 Policy Considerations

1.13.1 Asset Management.

1.14 Recommendations

1.14.1 It is **RECOMMENDED** to Cabinet that;

1.14.2 Members' views on sites which are considered to be available/unavailable for development be taken into account in formally responding to the letter from the LPA regarding TMBC owned sites identified in the Urban Capacity Study.

Background papers:

contact: Stuart Edwards


Nil

Adrian Stanfield
Director of Central Services & Deputy Chief Executive


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Explanatory Note


Please note that the suitability and 'optimised residential capacity' fields within the proforma have been populated with information directly from the Urban Capacity Study, 2022 which assessed the site for residential use only. In certain locations (for example town centres) sites may be suitable for a mix of uses, and further work is ongoing to assess potential for non-residential uses, which may result in amendments to the residential capacity figure provided.

SITE DETAILS	
UCS SITE REFERENCE	59559
WARD	Cage Green & Angel
SITE BOUNDARY	
URBAN CAPACITY STUDY INFORMATION	
SIZE (HA)	0.30
ACCESSIBILITY LEVEL	Excellent Accessibility
OVERALL ASSESSMENT	Suitable
SUITABILITY	Mixed uses
OPTIMISED RESIDENTIAL CAPACITY	35
AVAILABILITY INFORMATION	
OWNERSHIP	Tonbridge and Malling Borough Council, Kent County Council
AVAILABLE	<input type="checkbox"/> Yes – site is available for future redevelopment or other uses <input type="checkbox"/> No- site is not available for redevelopment or other uses
TIMESCALE	<p>Subject to gaining necessary approvals including planning permission construction can commence (<i>please tick one box</i>)</p> <input type="checkbox"/> In the next 5 years (2023-2027) <input type="checkbox"/> 6 to 10 years (2028-2033) <input type="checkbox"/> 11 to 15 years (2034-2038) <input type="checkbox"/> 16 years + (2039 onwards)


AVAILABILITY	<i>Please state for what uses the site may be available for</i>
COMMENTS	<ol style="list-style-type: none">1) This car park forms part of the Council's Tonbridge Town Centre asset work 2) Existing car park provision will need to be considered if the site is to be developed in the future

SITE DETAILS	
UCS SITE REFERENCE	59560
WARD	Cage Green & Angel
SITE BOUNDARY	
URBAN CAPACITY STUDY INFORMATION	
SIZE (HA)	0.49
ACCESSIBILITY LEVEL	Excellent Accessibility
OVERALL ASSESSMENT	Suitable
SUITABILITY	Mixed uses
OPTIMISED RESIDENTIAL CAPACITY	57
AVAILABILITY INFORMATION	
OWNERSHIP	Tonbridge and Malling Borough Council, Kent County Council
AVAILABLE	<input type="checkbox"/> Yes – site is available for future redevelopment or other uses <input type="checkbox"/> No- site is not available for redevelopment or other uses
TIMESCALE	<p>Subject to gaining necessary approvals including planning permission construction can commence (<i>please tick one box</i>)</p> <input type="checkbox"/> In the next 5 years (2023-2027) <input type="checkbox"/> 6 to 10 years (2028-2033) <input type="checkbox"/> 11 to 15 years (2034-2038) <input type="checkbox"/> 16 years + (2039 onwards)


AVAILABILITY	<i>Please state for what uses the site may be available for</i>
COMMENTS	<ol style="list-style-type: none">1) This car park forms part of the Council's Tonbridge Town Centre asset work 2) Existing car park provision will need to be considered if the site is to be developed in the future

SITE DETAILS	
UCS SITE REFERENCE	59561
WARD	Cage Green & Angel
SITE BOUNDARY	
URBAN CAPACITY STUDY INFORMATION	
SIZE (HA)	1.07
ACCESSIBILITY LEVEL	Excellent Accessibility
OVERALL ASSESSMENT	Suitable
SUITABILITY	Mixed uses
OPTIMISED RESIDENTIAL CAPACITY	111
AVAILABILITY INFORMATION	
OWNERSHIP	Tonbridge and Malling Borough Council, Kent County Council, the Environment Agency
AVAILABLE	<input type="checkbox"/> Yes – site is available for future redevelopment or other uses <input type="checkbox"/> No- site is not available for redevelopment or other uses
TIMESCALE	<p>Subject to gaining necessary approvals including planning permission construction can commence (<i>please tick one box</i>)</p> <input type="checkbox"/> In the next 5 years (2023-2027) <input type="checkbox"/> 6 to 10 years (2028-2033) <input type="checkbox"/> 11 to 15 years (2034-2038) <input type="checkbox"/> 16 years + (2039 onwards)


AVAILABILITY	<i>Please state for what uses the site may be available for</i>
COMMENTS	<ol style="list-style-type: none"> <li data-bbox="576 230 1353 349">1) This car park forms part of the Council's Tonbridge Town Centre asset work and is subject to several agreements with Sainsburys <li data-bbox="576 389 1385 465">2) Existing car park provision will need to be considered if the site is to be developed in the future

SITE DETAILS	
UCS SITE REFERENCE	59562
WARD	Cage Green & Angel
SITE BOUNDARY	
URBAN CAPACITY STUDY INFORMATION	
SIZE (HA)	0.18
ACCESSIBILITY LEVEL	Excellent Accessibility
OVERALL ASSESSMENT	Suitable
SUITABILITY	Residential
OPTIMISED RESIDENTIAL CAPACITY	22
AVAILABILITY INFORMATION	
OWNERSHIP	Tonbridge and Malling Borough Council, Kent County Council
AVAILABLE	<input type="checkbox"/> Yes – site is available for future redevelopment or other uses <input type="checkbox"/> No- site is not available for redevelopment or other uses
TIMESCALE	<p>Subject to gaining necessary approvals including planning permission construction can commence (<i>please tick one box</i>)</p> <input type="checkbox"/> In the next 5 years (2023-2027) <input type="checkbox"/> 6 to 10 years (2028-2033) <input type="checkbox"/> 11 to 15 years (2034-2038) <input type="checkbox"/> 16 years + (2039 onwards)


AVAILABILITY	<i>Please state for what uses the site may be available for</i>
COMMENTS	<ol style="list-style-type: none">1) This car park forms part of the Council's Tonbridge Town Centre asset work 2) Existing car park provision will need to be considered if the site is to be developed in the future

SITE DETAILS	
UCS SITE REFERENCE	59563
WARD	Cage Green & Angel
SITE BOUNDARY	
URBAN CAPACITY STUDY INFORMATION	
SIZE (HA)	0.10
ACCESSIBILITY LEVEL	Excellent Accessibility
OVERALL ASSESSMENT	Suitable
SUITABILITY	Residential
OPTIMISED RESIDENTIAL CAPACITY	12
AVAILABILITY INFORMATION	
OWNERSHIP	Tonbridge and Malling Borough Council, Kent County Council
AVAILABLE	<input type="checkbox"/> Yes – site is available for future redevelopment or other uses <input type="checkbox"/> No- site is not available for redevelopment or other uses
TIMESCALE	<p>Subject to gaining necessary approvals including planning permission construction can commence (<i>please tick one box</i>)</p> <input type="checkbox"/> In the next 5 years (2023-2027) <input type="checkbox"/> 6 to 10 years (2028-2033) <input type="checkbox"/> 11 to 15 years (2034-2038) <input type="checkbox"/> 16 years + (2039 onwards)


AVAILABILITY	<i>Please state for what uses the site may be available for</i>
COMMENTS	<ol style="list-style-type: none"> 1) This car park forms part of the Council's Tonbridge Town Centre asset work and is subject to a right of access to the Indoor Bowls Club 2) Existing car park provision will need to be considered if the site is to be developed in the future

SITE DETAILS	
UCS SITE REFERENCE	59581
WARD	Cage Green & Angel
SITE BOUNDARY	
URBAN CAPACITY STUDY INFORMATION	
SIZE (HA)	0.56
ACCESSIBILITY LEVEL	Excellent Accessibility
OVERALL ASSESSMENT	Suitable
SUITABILITY	Residential
OPTIMISED RESIDENTIAL CAPACITY	65
AVAILABILITY INFORMATION	
OWNERSHIP	Tonbridge and Malling Borough Council, Sainsburys Supermarkets Ltd
AVAILABLE	<input type="checkbox"/> Yes – site is available for future redevelopment or other uses <input type="checkbox"/> No- site is not available for redevelopment or other uses
TIMESCALE	<p>Subject to gaining necessary approvals including planning permission construction can commence (<i>please tick one box</i>)</p> <input type="checkbox"/> In the next 5 years (2023-2027) <input type="checkbox"/> 6 to 10 years (2028-2033) <input type="checkbox"/> 11 to 15 years (2034-2038) <input type="checkbox"/> 16 years + (2039 onwards)


AVAILABILITY	<i>Please state for what uses the site may be available for</i>
COMMENTS	<ol style="list-style-type: none"> <li data-bbox="549 230 1326 349">1) This car park forms part of the Council's Tonbridge Town Centre asset work and is subject to an agreement with Sainsburys <li data-bbox="549 389 1385 465">2) Existing car park provision will need to be considered if the site is to be developed in the future

SITE DETAILS	
UCS SITE REFERENCE	59437
WARD	Larkfield
SITE BOUNDARY	
URBAN CAPACITY STUDY INFORMATION	
SIZE (HA)	0.31
ACCESSIBILITY LEVEL	Very Good Accessibility
OVERALL ASSESSMENT	Suitable
SUITABILITY	Residential
OPTIMISED RESIDENTIAL CAPACITY	9
AVAILABILITY INFORMATION	
OWNERSHIP	East Malling and Larkfield Parish Council, Tonbridge & Malling Leisure Trust
AVAILABLE	<input type="checkbox"/> Yes – site is available for future redevelopment or other uses <input type="checkbox"/> No- site is not available for redevelopment or other uses
TIMESCALE	Subject to gaining necessary approvals including planning permission construction can commence (<i>please tick one box</i>) <input type="checkbox"/> In the next 5 years (2023-2027) <input type="checkbox"/> 6 to 10 years (2028-2033) <input type="checkbox"/> 11 to 15 years (2034-2038) <input type="checkbox"/> 16 years + (2039 onwards)


AVAILABILITY	<i>Please state for what uses the site may be available for</i>
COMMENTS	<ol style="list-style-type: none">1) This site is operated by the Tonbridge & Malling Leisure Trust via a sub-lease from the Borough Council. The Borough Council lease the site from East Malling & Larkfield Parish Council. 2) The car park is used by customers and staff and at peak times is at capacity.

SITE DETAILS	
UCS SITE REFERENCE	59449
WARD	East Malling, West Malling & Offham
SITE BOUNDARY	
URBAN CAPACITY STUDY INFORMATION	
SIZE (HA)	0.42
ACCESSIBILITY LEVEL	Very Good Accessibility
OVERALL ASSESSMENT	Suitable
SUITABILITY	Residential
OPTIMISED RESIDENTIAL CAPACITY	19
AVAILABILITY INFORMATION	
OWNERSHIP	Tonbridge and Malling Borough Council
AVAILABLE	<input type="checkbox"/> Yes – site is available for future redevelopment or other uses <input type="checkbox"/> No- site is not available for redevelopment or other uses
TIMESCALE	Subject to gaining necessary approvals including planning permission construction can commence (<i>please tick one box</i>) <input type="checkbox"/> In the next 5 years (2023-2027) <input type="checkbox"/> 6 to 10 years (2028-2033) <input type="checkbox"/> 11 to 15 years (2034-2038) <input type="checkbox"/> 16 years + (2039 onwards)


AVAILABILITY	<i>Please state for what uses the site may be available for</i>
COMMENTS	<ol style="list-style-type: none">1) Mainly grassed area with a few mature trees and now a roadside nature reserve, well used for recreation 2) Site identified as amenity green space 'to be protected' within MDEDPD.

SITE DETAILS	
UCS SITE REFERENCE	59456
WARD	Birling, Leybourne & Ryarsh
SITE BOUNDARY	
URBAN CAPACITY STUDY INFORMATION	
SIZE (HA)	0.24
ACCESSIBILITY LEVEL	Very Good Accessibility
OVERALL ASSESSMENT	Suitable
SUITABILITY	Residential
OPTIMISED RESIDENTIAL CAPACITY	7
AVAILABILITY INFORMATION	
OWNERSHIP	Tonbridge and Malling Borough Council, Private
AVAILABLE	<input type="checkbox"/> Yes – site is available for future redevelopment or other uses <input type="checkbox"/> No- site is not available for redevelopment or other uses
TIMESCALE	<p>Subject to gaining necessary approvals including planning permission construction can commence (<i>please tick one box</i>)</p> <input type="checkbox"/> In the next 5 years (2023-2027) <input type="checkbox"/> 6 to 10 years (2028-2033) <input type="checkbox"/> 11 to 15 years (2034-2038) <input type="checkbox"/> 16 years + (2039 onwards)


AVAILABILITY	<i>Please state for what uses the site may be available for</i>
COMMENTS	<ol style="list-style-type: none"> <li data-bbox="576 237 1374 309">1) Mainly grassed area with a few mature trees around the edge <li data-bbox="576 353 1254 425">2) Part of a wider open space which gets more recreational use than this section <li data-bbox="576 470 1374 622">3) Although the UCS did not highlight the area, the Council does also own the open space directly to the north of this site, although the footpath which divides the two spaces is not owned by the Council <li data-bbox="576 667 1334 739">4) Identified as amenity green space to be protected and enhanced within MDEDPD.


SITE DETAILS	
UCS SITE REFERENCE	59469
WARD	Aylesford South & Ditton
SITE BOUNDARY	
URBAN CAPACITY STUDY INFORMATION	
SIZE (HA)	0.81
ACCESSIBILITY LEVEL	Very Good Accessibility
OVERALL ASSESSMENT	Suitable
SUITABILITY	Residential
OPTIMISED RESIDENTIAL CAPACITY	23
AVAILABILITY INFORMATION	
OWNERSHIP	Tonbridge and Malling Borough Council
AVAILABLE	<input type="checkbox"/> Yes – site is available for future redevelopment or other uses <input type="checkbox"/> No- site is not available for redevelopment or other uses
TIMESCALE	<p>Subject to gaining necessary approvals including planning permission construction can commence (<i>please tick one box</i>)</p> <input type="checkbox"/> In the next 5 years (2023-2027) <input type="checkbox"/> 6 to 10 years (2028-2033) <input type="checkbox"/> 11 to 15 years (2034-2038) <input type="checkbox"/> 16 years + (2039 onwards)

AVAILABILITY	<i>Please state for what uses the site may be available for</i>
COMMENTS	<ol style="list-style-type: none">1) Grass area with mature trees around the edge2) Identified as open space to be protected within MDEDPD.


SITE DETAILS	
UCS SITE REFERENCE	59502
WARD	Snodland East and Ham Hill
SITE BOUNDARY	
URBAN CAPACITY STUDY INFORMATION	
SIZE (HA)	0.16
ACCESSIBILITY LEVEL	Excellent Accessibility
OVERALL ASSESSMENT	Suitable
SUITABILITY	Residential
OPTIMISED RESIDENTIAL CAPACITY	8
AVAILABILITY INFORMATION	
OWNERSHIP	Kent County Council, Tonbridge and Malling Borough Council
AVAILABLE	<input type="checkbox"/> Yes – site is available for future redevelopment or other uses <input type="checkbox"/> No- site is not available for redevelopment or other uses
TIMESCALE	<p>Subject to gaining necessary approvals including planning permission construction can commence (<i>please tick one box</i>)</p> <input type="checkbox"/> In the next 5 years (2023-2027) <input type="checkbox"/> 6 to 10 years (2028-2033) <input type="checkbox"/> 11 to 15 years (2034-2038) <input type="checkbox"/> 16 years + (2039 onwards)

AVAILABILITY	<i>Please state for what uses the site may be available for</i>
COMMENTS	1) TMBC only owns an incredibly small amount of this site, with the vast majority of the site being owned by Kent County Council


SITE DETAILS	
UCS SITE REFERENCE	59515
WARD	Cage Green & Angel
SITE BOUNDARY	
URBAN CAPACITY STUDY INFORMATION	
SIZE (HA)	0.15
ACCESSIBILITY LEVEL	Very Good Accessibility
OVERALL ASSESSMENT	Suitable
SUITABILITY	Residential
OPTIMISED RESIDENTIAL CAPACITY	5
AVAILABILITY INFORMATION	
OWNERSHIP	Tonbridge and Malling Borough Council,
AVAILABLE	<input type="checkbox"/> Yes – site is available for future redevelopment or other uses <input type="checkbox"/> No- site is not available for redevelopment or other uses
TIMESCALE	Subject to gaining necessary approvals including planning permission construction can commence (<i>please tick one box</i>) <input type="checkbox"/> In the next 5 years (2023-2027) <input type="checkbox"/> 6 to 10 years (2028-2033) <input type="checkbox"/> 11 to 15 years (2034-2038) <input type="checkbox"/> 16 years + (2039 onwards)
AVAILABILITY COMMENTS	<i>Please state for what uses the site may be available for</i> 1) Small grass area with some mature trees - links to area at Salisbury Road 2) Identified as an amenity open space to be protected within MDEDPD.

SITE DETAILS	
UCS SITE REFERENCE	59516
WARD	Cage Green & Angel
SITE BOUNDARY	
URBAN CAPACITY STUDY INFORMATION	
SIZE (HA)	0.75
ACCESSIBILITY LEVEL	Very Good Accessibility
OVERALL ASSESSMENT	Suitable
SUITABILITY	Residential
OPTIMISED RESIDENTIAL CAPACITY	22
AVAILABILITY INFORMATION	
OWNERSHIP	Tonbridge and Malling Borough Council, The Rochester Diocesan Society And Board Of Finance
AVAILABLE	<input type="checkbox"/> Yes – site is available for future redevelopment or other uses <input type="checkbox"/> No- site is not available for redevelopment or other uses
TIMESCALE	Subject to gaining necessary approvals including planning permission construction can commence (<i>please tick one box</i>) <input type="checkbox"/> In the next 5 years (2023-2027) <input type="checkbox"/> 6 to 10 years (2028-2033) <input type="checkbox"/> 11 to 15 years (2034-2038) <input type="checkbox"/> 16 years + (2039 onwards)


AVAILABILITY	<i>Please state for what uses the site may be available for</i>
COMMENTS	<ol style="list-style-type: none">1) Large predominantly grassed area with some mature trees, Church and play area nearby2) Identified as an amenity open space to be protected within MDEDPD.

SITE DETAILS	
UCS SITE REFERENCE	59521
WARD	Trench
SITE BOUNDARY	
URBAN CAPACITY STUDY INFORMATION	
SIZE (HA)	0.94
ACCESSIBILITY LEVEL	Very Good Accessibility
OVERALL ASSESSMENT	Suitable
SUITABILITY	Residential
OPTIMISED RESIDENTIAL CAPACITY	27
AVAILABILITY INFORMATION	
OWNERSHIP	Tonbridge and Malling Borough Council
AVAILABLE	<input type="checkbox"/> Yes – site is available for future redevelopment or other uses <input type="checkbox"/> No- site is not available for redevelopment or other uses
TIMESCALE	<p>Subject to gaining necessary approvals including planning permission construction can commence (<i>please tick one box</i>)</p> <input type="checkbox"/> In the next 5 years (2023-2027) <input type="checkbox"/> 6 to 10 years (2028-2033) <input type="checkbox"/> 11 to 15 years (2034-2038) <input type="checkbox"/> 16 years + (2039 onwards)


AVAILABILITY	<i>Please state for what uses the site may be available for</i>
COMMENTS	<ol style="list-style-type: none">1) Large grass expanse with a few incidental trees, access to wooded and natural area to rear 2) Identified as an amenity open space to be protected within MDEDPD

SITE DETAILS	
UCS SITE REFERENCE	59522
WARD	Trench
SITE BOUNDARY	
URBAN CAPACITY STUDY INFORMATION	
SIZE (HA)	0.29
ACCESSIBILITY LEVEL	Very Good Accessibility
OVERALL ASSESSMENT	Suitable
SUITABILITY	Residential
OPTIMISED RESIDENTIAL CAPACITY	8
AVAILABILITY INFORMATION	
OWNERSHIP	Tonbridge and Malling Borough Council
AVAILABLE	<input type="checkbox"/> Yes – site is available for future redevelopment or other uses <input type="checkbox"/> No- site is not available for redevelopment or other uses
TIMESCALE	<p>Subject to gaining necessary approvals including planning permission construction can commence (<i>please tick one box</i>)</p> <input type="checkbox"/> In the next 5 years (2023-2027) <input type="checkbox"/> 6 to 10 years (2028-2033) <input type="checkbox"/> 11 to 15 years (2034-2038) <input type="checkbox"/> 16 years + (2039 onwards)


AVAILABILITY	<i>Please state for what uses the site may be available for</i>
COMMENTS	<ol style="list-style-type: none"> <li data-bbox="571 241 1369 309">1) Amenity open space with an equal split of grass and mature trees <li data-bbox="571 342 1369 409">2) Amenity area to the northeast is also owned by the Council but was not highlighted by the UCS <li data-bbox="571 454 1369 521">3) Identified as an amenity open space to be protected within MDEDPD.

SITE DETAILS	
UCS SITE REFERENCE	59524
WARD	Higham
SITE BOUNDARY	
URBAN CAPACITY STUDY INFORMATION	
SIZE (HA)	0.30
ACCESSIBILITY LEVEL	Very Good Accessibility
OVERALL ASSESSMENT	Suitable
SUITABILITY	Residential
OPTIMISED RESIDENTIAL CAPACITY	8
AVAILABILITY INFORMATION	
OWNERSHIP	Tonbridge and Malling Borough Council
AVAILABLE	<input type="checkbox"/> Yes – site is available for future redevelopment or other uses <input type="checkbox"/> No- site is not available for redevelopment or other uses
TIMESCALE	<p>Subject to gaining necessary approvals including planning permission construction can commence (<i>please tick one box</i>)</p> <input type="checkbox"/> In the next 5 years (2023-2027) <input type="checkbox"/> 6 to 10 years (2028-2033) <input type="checkbox"/> 11 to 15 years (2034-2038) <input type="checkbox"/> 16 years + (2039 onwards)

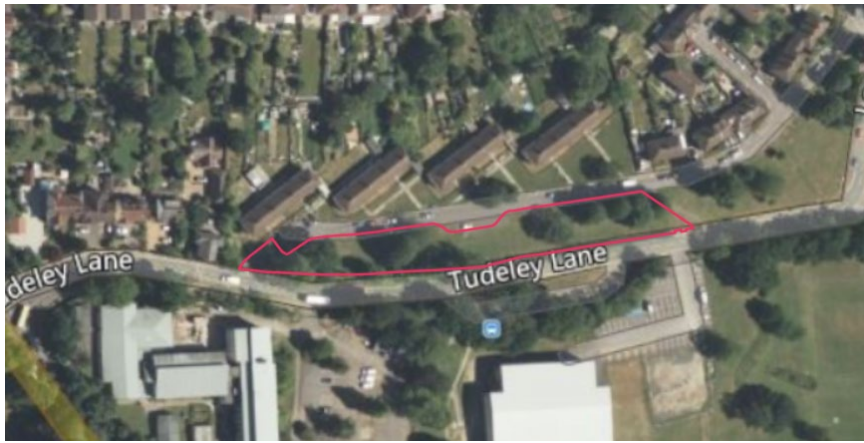
AVAILABILITY	<i>Please state for what uses the site may be available for</i>
COMMENTS	<ol style="list-style-type: none">1) Amenity open space with small number of tree coverage, mostly grass 2) Classified as part of Woodland walk within MDEDPD and identified as a Natural and Semi-Natural Green Space to be protected.

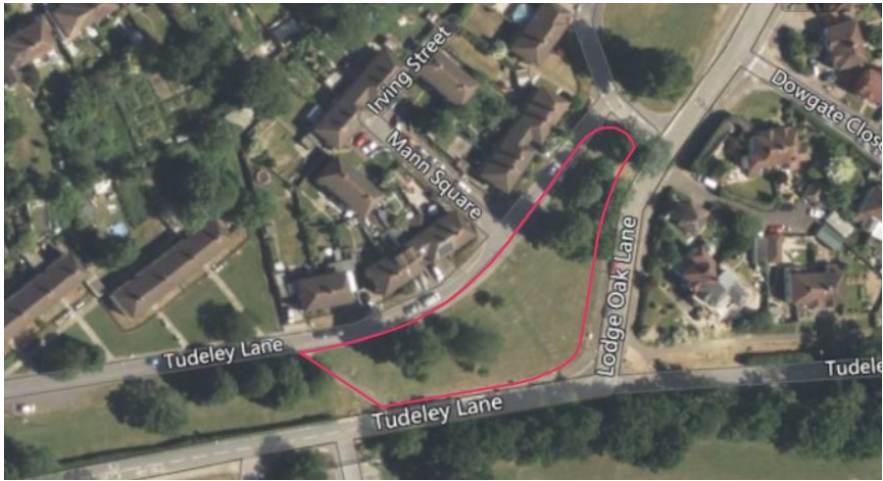
SITE DETAILS	
UCS SITE REFERENCE	59550
WARD	Judd
SITE BOUNDARY	
URBAN CAPACITY STUDY INFORMATION	
SIZE (HA)	0.24
ACCESSIBILITY LEVEL	Good Accessibility
OVERALL ASSESSMENT	Suitable
SUITABILITY	Residential
OPTIMISED RESIDENTIAL CAPACITY	8
AVAILABILITY INFORMATION	
OWNERSHIP	Tonbridge and Malling Borough Council
AVAILABLE	<input type="checkbox"/> Yes – site is available for future redevelopment or other uses <input type="checkbox"/> No- site is not available for redevelopment or other uses
TIMESCALE	<p>Subject to gaining necessary approvals including planning permission construction can commence (<i>please tick one box</i>)</p> <input type="checkbox"/> In the next 5 years (2023-2027) <input type="checkbox"/> 6 to 10 years (2028-2033) <input type="checkbox"/> 11 to 15 years (2034-2038) <input type="checkbox"/> 16 years + (2039 onwards)


AVAILABILITY	<i>Please state for what uses the site may be available for</i>
COMMENTS	<ol style="list-style-type: none">1) Amenity open space with trees and grassland, used for recreation and surrounding a play area2) Some issues with anti-social behaviour3) Identified as a play area to be protected within MDEDPD.

SITE DETAILS	
UCS SITE REFERENCE	59552
WARD	Judd
SITE BOUNDARY	
URBAN CAPACITY STUDY INFORMATION	
SIZE (HA)	0.21
ACCESSIBILITY LEVEL	Good Accessibility
OVERALL ASSESSMENT	Suitable
SUITABILITY	Residential
OPTIMISED RESIDENTIAL CAPACITY	7
AVAILABILITY INFORMATION	
OWNERSHIP	Tonbridge and Malling Borough Council
AVAILABLE	<input type="checkbox"/> Yes – site is available for future redevelopment or other uses <input type="checkbox"/> No- site is not available for redevelopment or other uses
TIMESCALE	<p>Subject to gaining necessary approvals including planning permission construction can commence (<i>please tick one box</i>)</p> <input type="checkbox"/> In the next 5 years (2023-2027) <input type="checkbox"/> 6 to 10 years (2028-2033) <input type="checkbox"/> 11 to 15 years (2034-2038) <input type="checkbox"/> 16 years + (2039 onwards)

AVAILABILITY	<i>Please state for what uses the site may be available for</i>
COMMENTS	<ol style="list-style-type: none"> 1) Amenity open space with trees and grassland, used for recreation and surrounding a play area 2) Some issues with anti-social behaviour 3) Identified as a play area to be protected within MDEDPD.

SITE DETAILS	
UCS SITE REFERENCE	59554
WARD	Vauxhall
SITE BOUNDARY	
URBAN CAPACITY STUDY INFORMATION	
SIZE (HA)	0.28
ACCESSIBILITY LEVEL	Very Good Accessibility
OVERALL ASSESSMENT	Suitable
SUITABILITY	Residential
OPTIMISED RESIDENTIAL CAPACITY	8
AVAILABILITY INFORMATION	
OWNERSHIP	Tonbridge and Malling Borough Council
AVAILABLE	<input type="checkbox"/> Yes – site is available for future redevelopment or other uses <input type="checkbox"/> No- site is not available for redevelopment or other uses
TIMESCALE	<p>Subject to gaining necessary approvals including planning permission construction can commence (<i>please tick one box</i>)</p> <input type="checkbox"/> In the next 5 years (2023-2027) <input type="checkbox"/> 6 to 10 years (2028-2033) <input type="checkbox"/> 11 to 15 years (2034-2038) <input type="checkbox"/> 16 years + (2039 onwards)
AVAILABILITY COMMENTS	<p><i>Please state for what uses the site may be available for</i></p> <ol style="list-style-type: none"> 1) Amenity open space with some tree coverage, minimal recreational usage 2) Identified as an amenity open space to be protected within MDEDPD

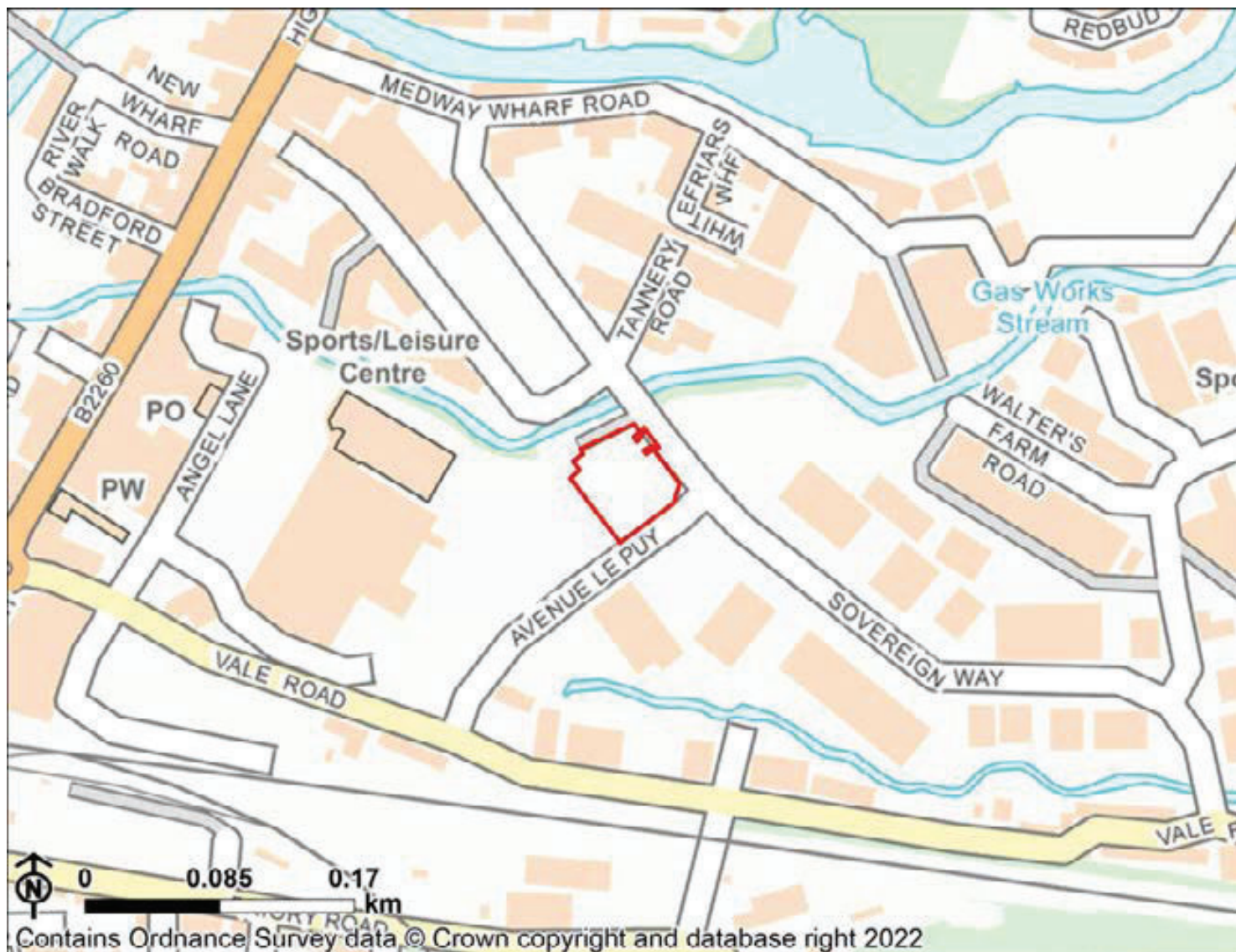
SITE DETAILS	
UCS SITE REFERENCE	59555
WARD	Vauxhall
SITE BOUNDARY	
URBAN CAPACITY STUDY INFORMATION	
SIZE (HA)	0.24
ACCESSIBILITY LEVEL	Very Good Accessibility
OVERALL ASSESSMENT	Suitable
SUITABILITY	Residential
OPTIMISED RESIDENTIAL CAPACITY	7
AVAILABILITY INFORMATION	
OWNERSHIP	Tonbridge and Malling Borough Council
AVAILABLE	<input type="checkbox"/> Yes – site is available for future redevelopment or other uses <input type="checkbox"/> No- site is not available for redevelopment or other uses
TIMESCALE	Subject to gaining necessary approvals including planning permission construction can commence (<i>please tick one box</i>) <input type="checkbox"/> In the next 5 years (2023-2027) <input type="checkbox"/> 6 to 10 years (2028-2033) <input type="checkbox"/> 11 to 15 years (2034-2038) <input type="checkbox"/> 16 years + (2039 onwards)
AVAILABILITY COMMENTS	<i>Please state for what uses the site may be available for</i>
COMMENTS	1) Amenity open space with some tree coverage, minimal recreational usage 2) Identified as an amenity open space to be protected within MDEDPD

SITE DETAILS	
UCS SITE REFERENCE	59572
WARD	Judd
SITE BOUNDARY	
URBAN CAPACITY STUDY INFORMATION	
SIZE (HA)	0.46
ACCESSIBILITY LEVEL	Very Good Accessibility
OVERALL ASSESSMENT	Suitable
SUITABILITY	Residential
OPTIMISED RESIDENTIAL CAPACITY	13
AVAILABILITY INFORMATION	
OWNERSHIP	Tonbridge and Malling Borough Council, Kent County Council, Clarion Housing Association Limited
AVAILABLE	<input type="checkbox"/> Yes – site is available for future redevelopment or other uses <input type="checkbox"/> No- site is not available for redevelopment or other uses
TIMESCALE	<p>Subject to gaining necessary approvals including planning permission construction can commence (<i>please tick one box</i>)</p> <input type="checkbox"/> In the next 5 years (2023-2027) <input type="checkbox"/> 6 to 10 years (2028-2033) <input type="checkbox"/> 11 to 15 years (2034-2038) <input type="checkbox"/> 16 years + (2039 onwards)

AVAILABILITY	<i>Please state for what uses the site may be available for</i>
COMMENTS	<ol style="list-style-type: none">1) Easement in place with Southern Gas Networks2) Some tree coverage, minimal recreational usage3) Identified as an amenity open space to be protected within MDEDPD.

Site 59559

Residential



SA Objective 1: To improve human health and well-being

Significant positive (++)

This site is within 800m of an existing healthcare facility and an existing area of open space/ walking and cycle path / play area/ sports facility.

SA Objective 2: To improve equality and access to community facilities and services

Significant positive (++)

The site is placed within the Excellent Accessibility Band.

SA Objective 3: To improve levels of educational attainment and skills and training development for all age groups and all sectors of society

Uncertain significant positive (++)?

The site is within 800m of an existing secondary school and a primary school. However, uncertainty exists as the effects will depend on there being capacity available at those facilities to

accommodate new pupils. It is also noted that the provision of new residential development could stimulate the provision of new schools and/or school places, however this cannot be assumed at this stage and is therefore uncertain.

SA Objective 4: To encourage sustainable economic growth, business development, and economic inclusion across the borough

Negligible (0)/Negligible (0)

The location of residential sites will not directly influence sustainable economic growth or the delivery of employment opportunities

SA Objective 5: To protect and enhance biodiversity and geodiversity

Uncertain negligible (0?)

SA Objective 6: To protect and enhance the borough's landscape and townscape character and quality

Negligible (0)

This site is located within a settlement.

SA Objective 7: To protect and enhance the cultural heritage resource

Uncertain significant negative (--?)

The site is located within 250m of a heritage asset. Effects are uncertain at this stage as they will depend on factors such as the design of the development and whether there are lines of sight between the development site and nearby heritage assets.

SA Objective 8: To protect and enhance the quality of water features and resources

Significant negative (--)/Uncertain minor negative (-?)

The site is either entirely or significantly (i.e. $\geq 25\%$) within Flood Zone 3 and/or within an area with a 1 in 30 year risk of surface water flooding.

The site does not contain a water body or watercourse but falls within or partially within Source Protection Zones 2 and 3. However, these effects are uncertain as effects resulting from proximity to Source Protection Zones and water bodies are uncertain at this stage.

SA Objective 9: To conserve and enhance soil resources and guard against land contamination

Significant positive (++)

The site is located on brownfield land.

SA Objective 10: To reduce greenhouse gas emissions so as to minimise climate change

Significant positive (++)

The site is within 800m of a railway station.

SA Objective 11: To improve adaptation to climate change so as to minimise its impact

Negligible (0)

The location of development will not affect the achievement of this objective as effects will depend largely on the detailed proposals for sites and their design, which would be influenced by policies in the new Local Plan and details submitted at the planning application stage. The extent to which the location of development sites would facilitate the use of sustainable modes of transport is considered separately under SA objective 10.

SA Objective 12: To protect and improve air quality

Negligible (0)

The site is not within 100m of an AQMA.

SA Objective 13: To protect material assets and minimise waste

Negligible (0)

The site does not fall within a Minerals Safeguarding Area.

SA Objective 14: To provide a suitable supply of high quality housing including an appropriate mix of sizes, types and tenures

Minor positive (+)

The site is expected to provide fewer than 100 dwellings. It is expected that these smaller sites will not be able to offer as wider mix of housing or making as greater contribution towards local housing needs as larger sites would.

Site 59560

Residential



SA Objective 1: To improve human health and well-being

Significant positive (++)

This site is within 800m of an existing healthcare facility and an existing area of open space/ walking and cycle path / play area/ sports facility.

SA Objective 2: To improve equality and access to community facilities and services

Significant positive (++)

The site is placed within the Excellent Accessibility Band.

SA Objective 3: To improve levels of educational attainment and skills and training development for all age groups and all sectors of society

Uncertain significant positive (++)?

The site is within 800m of an existing secondary school and a primary school. However, uncertainty exists as the effects will depend on there being capacity available at those facilities to

accommodate new pupils. It is also noted that the provision of new residential development could stimulate the provision of new schools and/or school places, however this cannot be assumed at this stage and is therefore uncertain.

SA Objective 4: To encourage sustainable economic growth, business development, and economic inclusion across the borough

Negligible (0)/Negligible (0)

The location of residential sites will not directly influence sustainable economic growth or the delivery of employment opportunities

SA Objective 5: To protect and enhance biodiversity and geodiversity

Uncertain significant negative (--?)

The site contains an existing green infrastructure asset that could be lost as a result of new development. The effect is uncertain as it may be possible to conserve or even enhance the asset through the design and layout of the new development.

SA Objective 6: To protect and enhance the borough's landscape and townscape character and quality

Negligible (0)

This site is located within a settlement.

SA Objective 7: To protect and enhance the cultural heritage resource

Uncertain significant negative (--?)

The site is located within 250m of a heritage asset. Effects are uncertain at this stage as they will depend on factors such as the design of the development and whether there are lines of sight between the development site and nearby heritage assets.

SA Objective 8: To protect and enhance the quality of water features and resources

Significant negative (--)/Uncertain minor negative (-?)

The site is either entirely or significantly (i.e. $\geq 25\%$) within Flood Zone 3 and/or within an area with a 1 in 30 year risk of surface water flooding.

The site does not contain a water body or watercourse but falls within or partially within Source Protection Zones 2 and 3. However, these effects are uncertain as effects resulting from proximity to Source Protection Zones and water bodies are uncertain at this stage.

SA Objective 9: To conserve and enhance soil resources and guard against land contamination

Significant positive (++)

The site is located on brownfield land.

SA Objective 10: To reduce greenhouse gas emissions so as to minimise climate change

Significant positive (++)

The site is within 800m of a railway station.

SA Objective 11: To improve adaptation to climate change so as to

minimise its impact

Negligible (0)

The location of development will not affect the achievement of this objective as effects will depend largely on the detailed proposals for sites and their design, which would be influenced by policies in the new Local Plan and details submitted at the planning application stage. The extent to which the location of development sites would facilitate the use of sustainable modes of transport is considered separately under SA objective 10.

SA Objective 12: To protect and improve air quality

Negligible (0)

The site is not within 100m of an AQMA.

SA Objective 13: To protect material assets and minimise waste

Negligible (0)

The site does not fall within a Minerals Safeguarding Area.

SA Objective 14: To provide a suitable supply of high quality housing including an appropriate mix of sizes, types and tenures

Minor positive (+)

The site is expected to provide fewer than 100 dwellings. It is expected that these smaller sites will not be able to offer as wider mix of housing or making as greater contribution towards local housing needs as larger sites would.

Site 59561

Residential



SA Objective 1: To improve human health and well-being

Significant positive (++)/Uncertain significant negative (--?)

SA Objective 2: To improve equality and access to community facilities and services

Significant positive (++)

The site is placed within the Excellent Accessibility Band.

SA Objective 3: To improve levels of educational attainment and skills and training development for all age groups and all sectors of society

Uncertain significant positive (++)

The site is within 800m of an existing secondary school and a primary school. However, uncertainty exists as the effects will depend on the capacity available at those facilities to accommodate new pupils. It is also noted that the provision of new residential development could

stimulate the provision of new schools and/or school places, however this cannot be assumed at this stage and is therefore uncertain.

SA Objective 4: To encourage sustainable economic growth, business development, and economic inclusion across the borough

Negligible (0)/Negligible (0)

The location of residential sites will not directly influence sustainable economic growth or the delivery of employment opportunities

SA Objective 5: To protect and enhance biodiversity and geodiversity

Uncertain significant negative (--?)

The site contains an existing green infrastructure asset that could be lost as a result of new development. The effect is uncertain as it may be possible to conserve or even enhance the asset through the design and layout of the new development.

SA Objective 6: To protect and enhance the borough's landscape and townscape character and quality

Negligible (0)

This site is located within a settlement.

SA Objective 7: To protect and enhance the cultural heritage resource

Uncertain significant negative (--?)

The site is located within 250m of a heritage asset. Effects are uncertain at this stage as they will depend on factors such as the design of the development and whether there are lines of sight between the development site and nearby heritage assets.

SA Objective 8: To protect and enhance the quality of water features and resources

Significant negative (--)/Uncertain minor negative (-?)

The site is either entirely or significantly (i.e. $\geq 25\%$) within Flood Zone 3 and/or within an area with a 1 in 30 year risk of surface water flooding.

The site does not contain a water body or watercourse but falls within or partially within Source Protection Zones 2 and 3. However, these effects are uncertain as effects resulting from proximity to Source Protection Zones and water bodies are uncertain at this stage.

SA Objective 9: To conserve and enhance soil resources and guard against land contamination

Significant positive (++)

The site is located on brownfield land.

SA Objective 10: To reduce greenhouse gas emissions so as to minimise climate change

Significant positive (++)

The site is within 800m of a railway station.

SA Objective 11: To improve adaptation to climate change so as to

minimise its impact

Negligible (0)

The location of development will not affect the achievement of this objective as effects will depend largely on the detailed proposals for sites and their design, which would be influenced by policies in the new Local Plan and details submitted at the planning application stage. The extent to which the location of development sites would facilitate the use of sustainable modes of transport is considered separately under SA objective 10.

SA Objective 12: To protect and improve air quality

Negligible (0)

The site is not within 100m of an AQMA.

SA Objective 13: To protect material assets and minimise waste

Negligible (0)

The site does not fall within a Minerals Safeguarding Area.

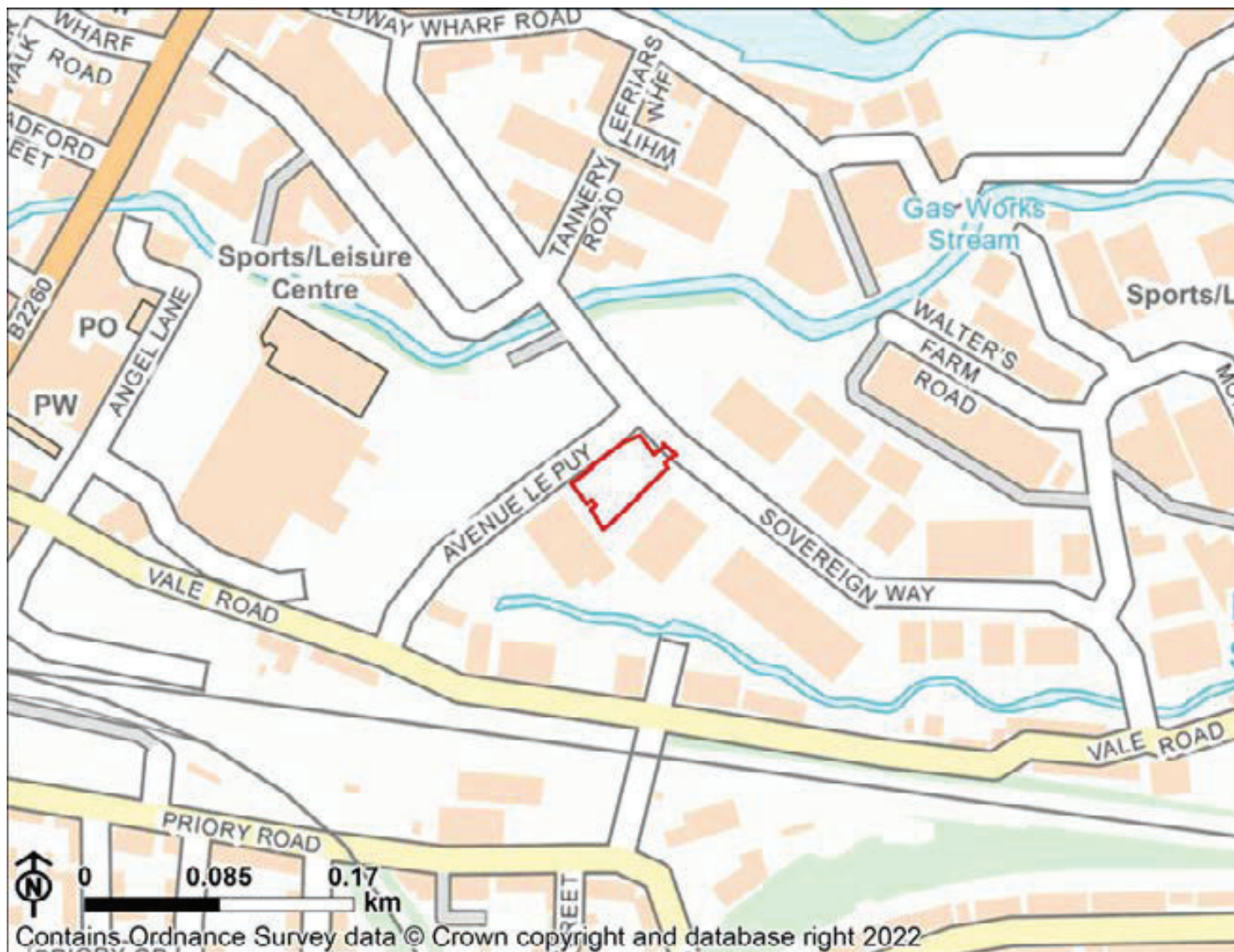
SA Objective 14: To provide a suitable supply of high quality housing including an appropriate mix of sizes, types and tenures

Significant positive (++)

The site is expected to comprise 100 dwellings or more. It is expected that these large sites will be able to offer a wider mix of housing, including affordable housing, as well as making a greater contribution towards local housing needs.

Site 59562

Residential



SA Objective 1: To improve human health and well-being

Significant positive (++)

This site is within 800m of an existing healthcare facility and an existing area of open space/ walking and cycle path / play area/ sports facility.

SA Objective 2: To improve equality and access to community facilities and services

Significant positive (++)

The site is placed within the Excellent Accessibility Band.

SA Objective 3: To improve levels of educational attainment and skills and training development for all age groups and all sectors of society

Uncertain significant positive (++)

The site is within 800m of an existing secondary school and a primary school. However, uncertainty exists as the effects will depend on there being capacity available at those facilities to

accommodate new pupils. It is also noted that the provision of new residential development could stimulate the provision of new schools and/or school places, however this cannot be assumed at this stage and is therefore uncertain.

SA Objective 4: To encourage sustainable economic growth, business development, and economic inclusion across the borough

Negligible (0)/Negligible (0)

The location of residential sites will not directly influence sustainable economic growth or the delivery of employment opportunities

SA Objective 5: To protect and enhance biodiversity and geodiversity

Uncertain negligible (0?)

SA Objective 6: To protect and enhance the borough's landscape and townscape character and quality

Negligible (0)

This site is located within a settlement.

SA Objective 7: To protect and enhance the cultural heritage resource

Uncertain significant negative (--?)

The site is located within 250m of a heritage asset. Effects are uncertain at this stage as they will depend on factors such as the design of the development and whether there are lines of sight between the development site and nearby heritage assets.

SA Objective 8: To protect and enhance the quality of water features and resources

Significant negative (--)/Uncertain minor negative (-?)

The site is either entirely or significantly (i.e. $\geq 25\%$) within Flood Zone 3 and/or within an area with a 1 in 30 year risk of surface water flooding.

The site does not contain a water body or watercourse but falls within or partially within Source Protection Zones 2 and 3. However, these effects are uncertain as effects resulting from proximity to Source Protection Zones and water bodies are uncertain at this stage.

SA Objective 9: To conserve and enhance soil resources and guard against land contamination

Significant positive (++)

The site is located on brownfield land.

SA Objective 10: To reduce greenhouse gas emissions so as to minimise climate change

Significant positive (++)

The site is within 800m of a railway station.

SA Objective 11: To improve adaptation to climate change so as to minimise its impact

Negligible (0)

The location of development will not affect the achievement of this objective as effects will depend largely on the detailed proposals for sites and their design, which would be influenced by policies in the new Local Plan and details submitted at the planning application stage. The extent to which the location of development sites would facilitate the use of sustainable modes of transport is considered separately under SA objective 10.

SA Objective 12: To protect and improve air quality

Negligible (0)

The site is not within 100m of an AQMA.

SA Objective 13: To protect material assets and minimise waste

Negligible (0)

The site does not fall within a Minerals Safeguarding Area.

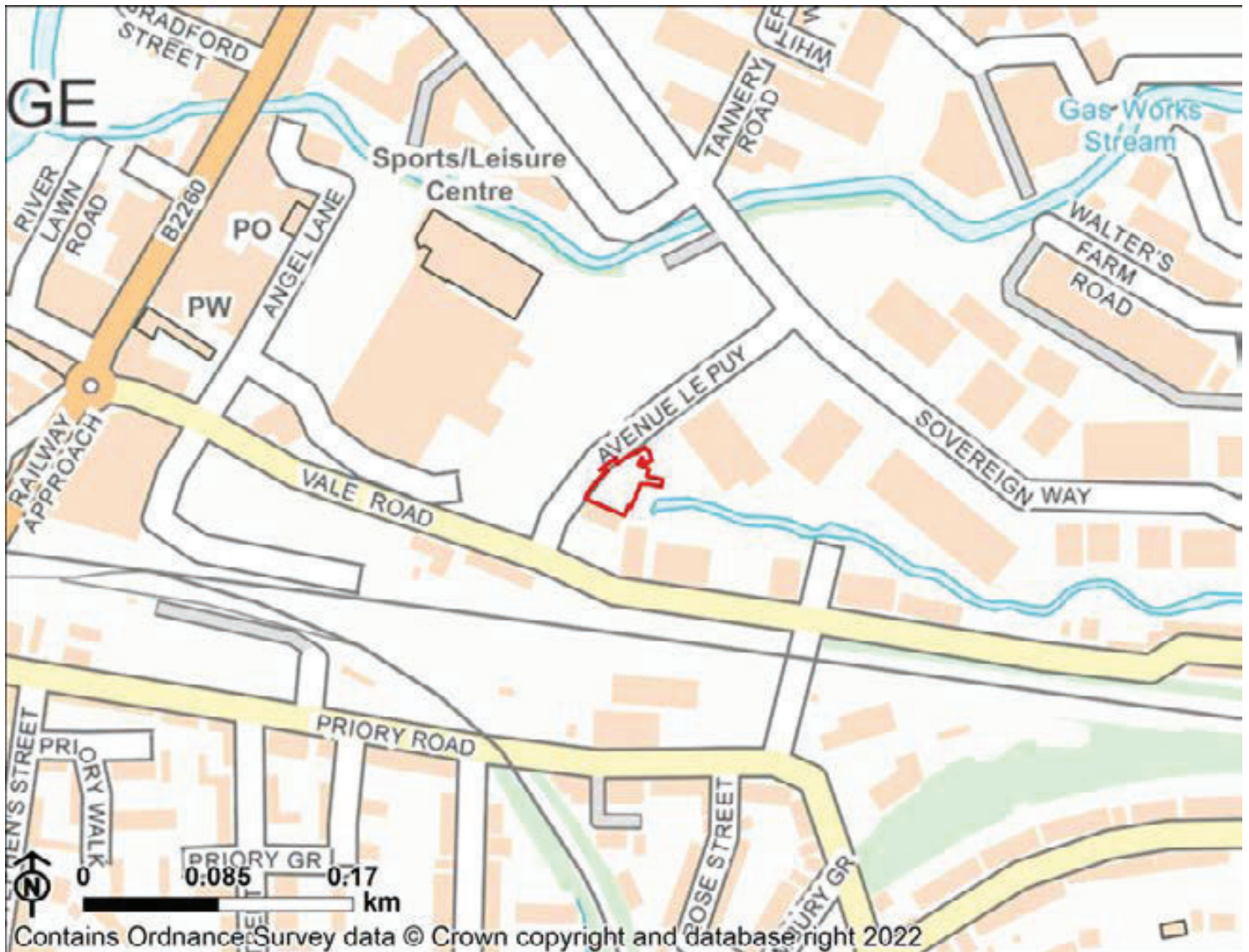
SA Objective 14: To provide a suitable supply of high quality housing including an appropriate mix of sizes, types and tenures

Minor positive (+)

The site is expected to provide fewer than 100 dwellings. It is expected that these smaller sites will not be able to offer as wider mix of housing or making as greater contribution towards local housing needs as larger sites would.

Site 59563

Residential



SA Objective 1: To improve human health and well-being

Significant positive (++)/Uncertain significant negative (--?)

SA Objective 2: To improve equality and access to community facilities and services

Significant positive (++)

The site is placed within the Excellent Accessibility Band.

SA Objective 3: To improve levels of educational attainment and skills and training development for all age groups and all sectors of society

Uncertain significant positive (++)

The site is within 800m of an existing secondary school and a primary school. However, uncertainty exists as the effects will depend on the capacity available at those facilities to accommodate new pupils. It is also noted that the provision of new residential development could

stimulate the provision of new schools and/or school places, however this cannot be assumed at this stage and is therefore uncertain.

SA Objective 4: To encourage sustainable economic growth, business development, and economic inclusion across the borough

Negligible (0)/Negligible (0)

The location of residential sites will not directly influence sustainable economic growth or the delivery of employment opportunities

SA Objective 5: To protect and enhance biodiversity and geodiversity

Uncertain significant negative (--?)

The site contains an existing green infrastructure asset that could be lost as a result of new development. The effect is uncertain as it may be possible to conserve or even enhance the asset through the design and layout of the new development.

SA Objective 6: To protect and enhance the borough's landscape and townscape character and quality

Negligible (0)

This site is located within a settlement.

SA Objective 7: To protect and enhance the cultural heritage resource

Uncertain significant negative (--?)

The site is located within 250m of a heritage asset. Effects are uncertain at this stage as they will depend on factors such as the design of the development and whether there are lines of sight between the development site and nearby heritage assets.

SA Objective 8: To protect and enhance the quality of water features and resources

Significant negative (--)/Uncertain minor negative (-?)

The site is either entirely or significantly (i.e. $\geq 25\%$) within Flood Zone 3 and/or within an area with a 1 in 30 year risk of surface water flooding.

The site does not contain a water body or watercourse but falls within or partially within Source Protection Zones 2 and 3. However, these effects are uncertain as effects resulting from proximity to Source Protection Zones and water bodies are uncertain at this stage.

SA Objective 9: To conserve and enhance soil resources and guard against land contamination

Significant positive (++)

The site is located on brownfield land.

SA Objective 10: To reduce greenhouse gas emissions so as to minimise climate change

Significant positive (++)

The site is within 800m of a railway station.

SA Objective 11: To improve adaptation to climate change so as to

minimise its impact

Negligible (0)

The location of development will not affect the achievement of this objective as effects will depend largely on the detailed proposals for sites and their design, which would be influenced by policies in the new Local Plan and details submitted at the planning application stage. The extent to which the location of development sites would facilitate the use of sustainable modes of transport is considered separately under SA objective 10.

SA Objective 12: To protect and improve air quality

Negligible (0)

The site is not within 100m of an AQMA.

SA Objective 13: To protect material assets and minimise waste

Negligible (0)

The site does not fall within a Minerals Safeguarding Area.

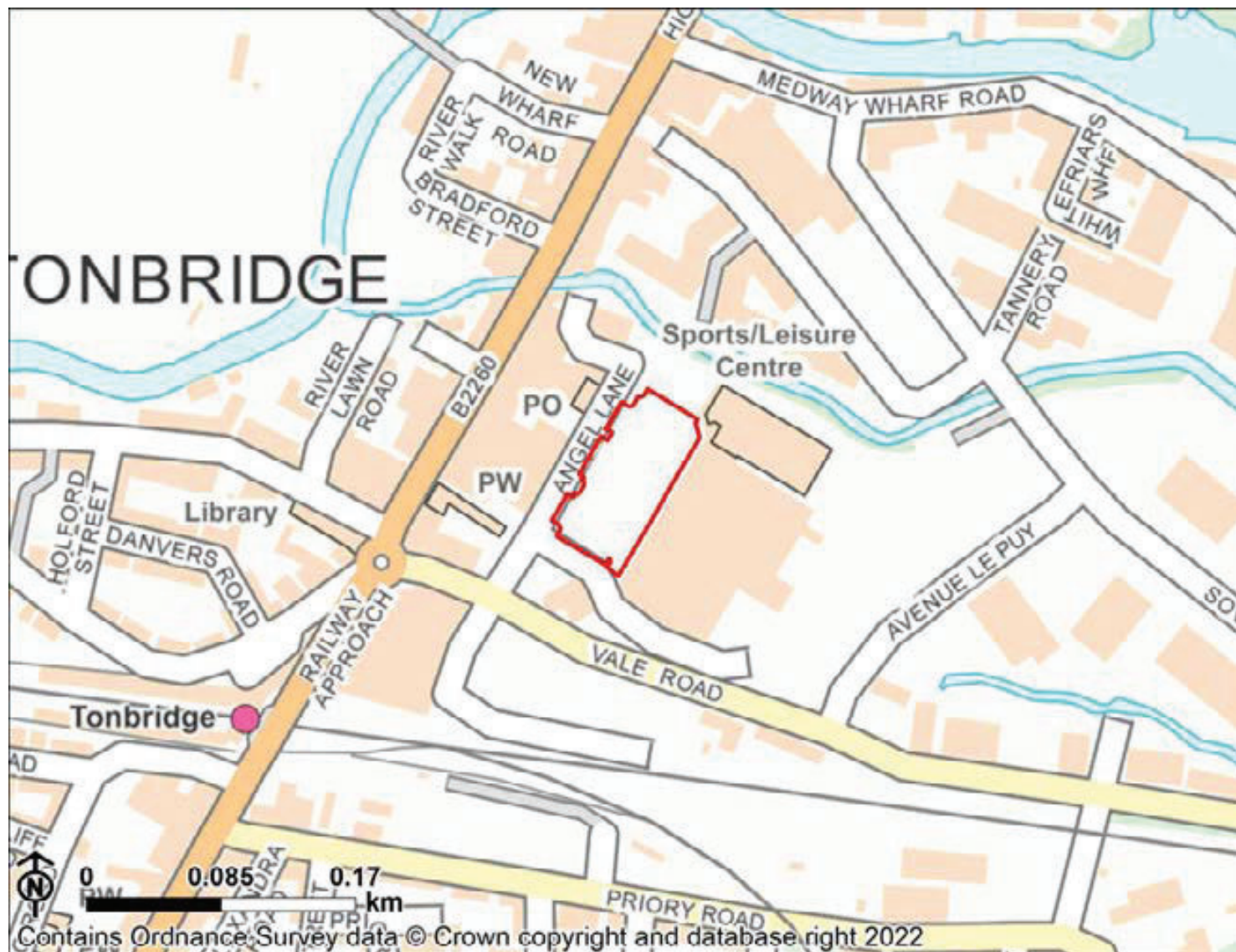
SA Objective 14: To provide a suitable supply of high quality housing including an appropriate mix of sizes, types and tenures

Minor positive (+)

The site is expected to provide fewer than 100 dwellings. It is expected that these smaller sites will not be able to offer as wider mix of housing or making as greater contribution towards local housing needs as larger sites would.

Site 59581

Residential



SA Objective 1: To improve human health and well-being

Significant positive (++)

This site is within 800m of an existing healthcare facility and an existing area of open space/ walking and cycle path / play area/ sports facility.

SA Objective 2: To improve equality and access to community facilities and services

Significant positive (++)

The site is placed within the Excellent Accessibility Band.

SA Objective 3: To improve levels of educational attainment and skills and training development for all age groups and all sectors of society

Uncertain significant positive (++)?

The site is within 800m of an existing secondary school and a primary school. However, uncertainty exists as the effects will depend on there being capacity available at those facilities to

accommodate new pupils. It is also noted that the provision of new residential development could stimulate the provision of new schools and/or school places, however this cannot be assumed at this stage and is therefore uncertain.

SA Objective 4: To encourage sustainable economic growth, business development, and economic inclusion across the borough

Negligible (0)/Negligible (0)

The location of residential sites will not directly influence sustainable economic growth or the delivery of employment opportunities

SA Objective 5: To protect and enhance biodiversity and geodiversity

Uncertain negligible (0?)

SA Objective 6: To protect and enhance the borough's landscape and townscape character and quality

Negligible (0)

This site is located within a settlement.

SA Objective 7: To protect and enhance the cultural heritage resource

Uncertain significant negative (--?)

The site is located within 250m of a heritage asset. Effects are uncertain at this stage as they will depend on factors such as the design of the development and whether there are lines of sight between the development site and nearby heritage assets.

SA Objective 8: To protect and enhance the quality of water features and resources

Significant negative (--)/Uncertain minor negative (-?)

The site is either entirely or significantly (i.e. $\geq 25\%$) within Flood Zone 3 and/or within an area with a 1 in 30 year risk of surface water flooding.

The site does not contain a water body or watercourse but falls within or partially within Source Protection Zones 2 and 3. However, these effects are uncertain as effects resulting from proximity to Source Protection Zones and water bodies are uncertain at this stage.

SA Objective 9: To conserve and enhance soil resources and guard against land contamination

Significant positive (++)

The site is located on brownfield land.

SA Objective 10: To reduce greenhouse gas emissions so as to minimise climate change

Significant positive (++)

The site is within 800m of a railway station.

SA Objective 11: To improve adaptation to climate change so as to minimise its impact

Negligible (0)

The location of development will not affect the achievement of this objective as effects will depend largely on the detailed proposals for sites and their design, which would be influenced by policies in the new Local Plan and details submitted at the planning application stage. The extent to which the location of development sites would facilitate the use of sustainable modes of transport is considered separately under SA objective 10.

SA Objective 12: To protect and improve air quality

Significant negative (--)

The site is within 100m of an AQMA.

SA Objective 13: To protect material assets and minimise waste

Negligible (0)

The site does not fall within a Minerals Safeguarding Area.

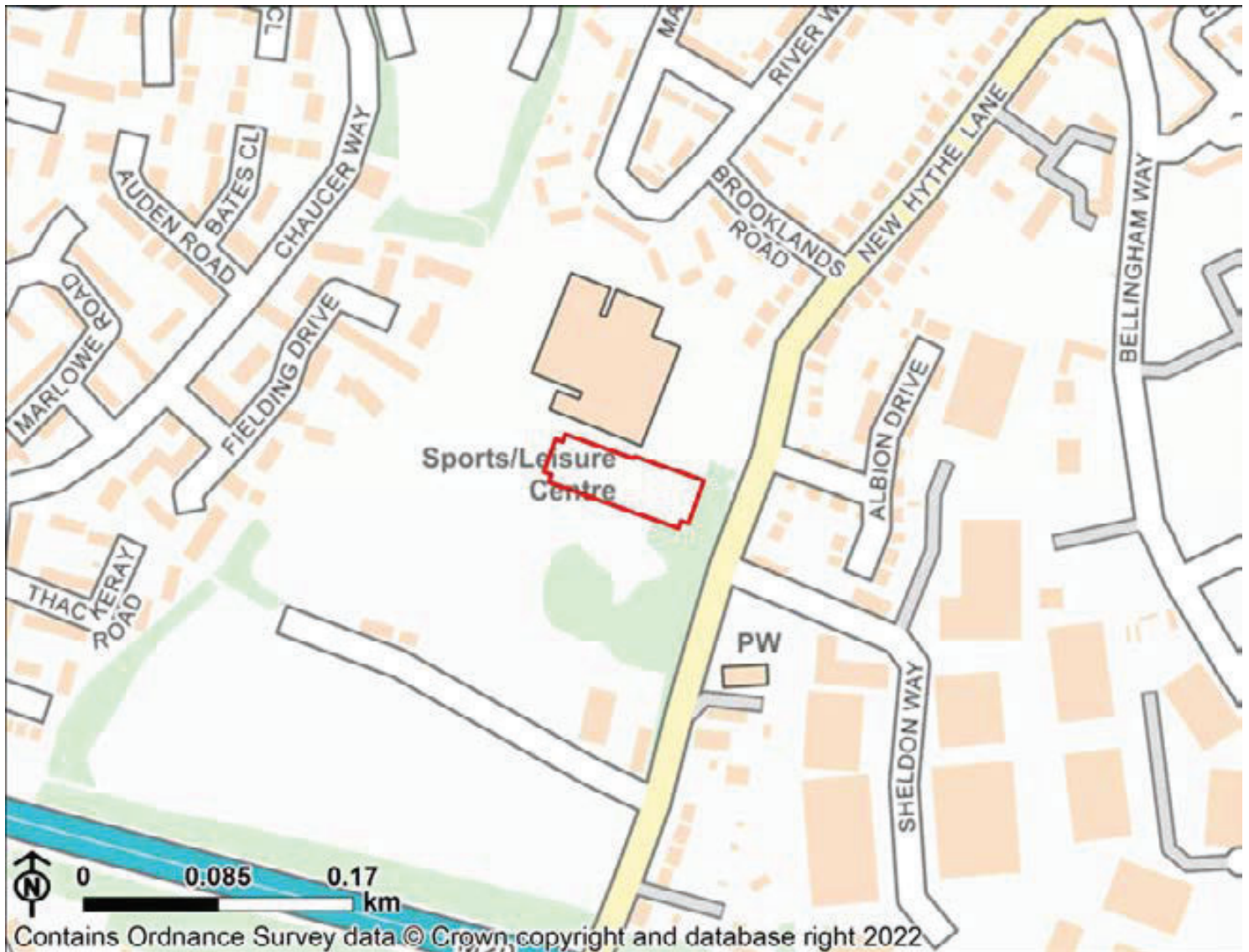
SA Objective 14: To provide a suitable supply of high quality housing including an appropriate mix of sizes, types and tenures

Minor positive (+)

The site is expected to provide fewer than 100 dwellings. It is expected that these smaller sites will not be able to offer as wider mix of housing or making as greater contribution towards local housing needs as larger sites would.

Site 59437

Residential



SA Objective 1: To improve human health and well-being

Significant positive (++)/Uncertain significant negative (--?)

SA Objective 2: To improve equality and access to community facilities and services

Minor positive (+)

The site is placed within the Very Good Accessibility Band.

SA Objective 3: To improve levels of educational attainment and skills and training development for all age groups and all sectors of society

Uncertain minor positive (+?)

The site is within 800m of an existing secondary school or a primary school (but not both). However, uncertainty exists as the effects will depend on there being capacity available at those facilities to accommodate new pupils. It is also noted that the provision of new residential

development could stimulate the provision of new schools and/or school places, however this cannot be assumed at this stage and is therefore uncertain.

SA Objective 4: To encourage sustainable economic growth, business development, and economic inclusion across the borough

Negligible (0)/Negligible (0)

The location of residential sites will not directly influence sustainable economic growth or the delivery of employment opportunities

SA Objective 5: To protect and enhance biodiversity and geodiversity

Uncertain significant negative (--?)

The site contains an existing green infrastructure asset that could be lost as a result of new development. The effect is uncertain as it may be possible to conserve or even enhance the asset through the design and layout of the new development.

SA Objective 6: To protect and enhance the borough's landscape and townscape character and quality

Uncertain significant negative (--?)

The site is not located near any settlements in rural locations, and/or would result in the loss of designated open spaces. These effects are uncertain at this stage as the effects on landscapes and townscapes will depend on the design, scale and layout of development, which may help mitigate any adverse effects.

SA Objective 7: To protect and enhance the cultural heritage resource

Uncertain significant negative (--?)

The site is located within 250m of a heritage asset. Effects are uncertain at this stage as they will depend on factors such as the design of the development and whether there are lines of sight between the development site and nearby heritage assets.

SA Objective 8: To protect and enhance the quality of water features and resources

Negligible (0)/Uncertain minor negative (-?)

The site is either entirely or largely ($\geq 75\%$) within Flood Zone 1. The site does not contain a water body or watercourse but falls within or partially within Source Protection Zones 2 and 3. However, these effects are uncertain as effects resulting from proximity to Source Protection Zones and water bodies are uncertain at this stage.

SA Objective 9: To conserve and enhance soil resources and guard against land contamination

Significant positive (++)

The site is located on brownfield land.

SA Objective 10: To reduce greenhouse gas emissions so as to minimise climate change

Minor positive (+)

The site is more than 800m from a railway station and within 400m of a bus stop.

SA Objective 11: To improve adaptation to climate change so as to minimise its impact

Negligible (0)

The location of development will not affect the achievement of this objective as effects will depend largely on the detailed proposals for sites and their design, which would be influenced by policies in the new Local Plan and details submitted at the planning application stage. The extent to which the location of development sites would facilitate the use of sustainable modes of transport is considered separately under SA objective 10.

SA Objective 12: To protect and improve air quality

Negligible (0)

The site is not within 100m of an AQMA.

SA Objective 13: To protect material assets and minimise waste

Uncertain minor negative (-?)

The site is within a Minerals Safeguarding Area. The site is within a Minerals Safeguarding Area. These effects are uncertain as they will largely depend on factors such as whether the sites would in fact offer viable opportunities for minerals extraction, and it may be possible for prior extraction to occur before a site is developed.

SA Objective 14: To provide a suitable supply of high quality housing including an appropriate mix of sizes, types and tenures

Minor positive (+)

The site is expected to provide fewer than 100 dwellings. It is expected that these smaller sites will not be able to offer as wider mix of housing or making as greater contribution towards local housing needs as larger sites would.

Site 59449

Residential



SA Objective 1: To improve human health and well-being

Significant positive (++)/Uncertain significant negative (--?)

SA Objective 2: To improve equality and access to community facilities and services

Minor positive (+)

The site is placed within the Very Good Accessibility Band.

SA Objective 3: To improve levels of educational attainment and skills and training development for all age groups and all sectors of society

Uncertain significant positive (++)

The site is within 800m of an existing secondary school and a primary school. However, uncertainty exists as the effects will depend on there being capacity available at those facilities to accommodate new pupils. It is also noted that the provision of new residential development could

stimulate the provision of new schools and/or school places, however this cannot be assumed at this stage and is therefore uncertain.

SA Objective 4: To encourage sustainable economic growth, business development, and economic inclusion across the borough

Negligible (0)/Negligible (0)

The location of residential sites will not directly influence sustainable economic growth or the delivery of employment opportunities

SA Objective 5: To protect and enhance biodiversity and geodiversity

Uncertain negligible (0?)

SA Objective 6: To protect and enhance the borough's landscape and townscape character and quality

Uncertain significant negative (--?)

The site is not located near any settlements in rural locations, and/or would result in the loss of designated open spaces. These effects are uncertain at this stage as the effects on landscapes and townscapes will depend on the design, scale and layout of development, which may help mitigate any adverse effects.

SA Objective 7: To protect and enhance the cultural heritage resource

Uncertain significant negative (--?)

The site is located within 250m of a heritage asset. Effects are uncertain at this stage as they will depend on factors such as the design of the development and whether there are lines of sight between the development site and nearby heritage assets.

SA Objective 8: To protect and enhance the quality of water features and resources

Negligible (0)/Uncertain minor negative (-?)

The site is either entirely or largely ($\geq 75\%$) within Flood Zone 1. The site does not contain a water body or watercourse but falls within or partially within Source Protection Zones 2 and 3. However, these effects are uncertain as effects resulting from proximity to Source Protection Zones and water bodies are uncertain at this stage.

SA Objective 9: To conserve and enhance soil resources and guard against land contamination

Minor negative (-)

The site is greenfield land that contains a less than significant proportion ($< 25\%$) of Grade 1, 2 or 3 agricultural land.

SA Objective 10: To reduce greenhouse gas emissions so as to minimise climate change

Minor positive (+)

The site is more than 800m from a railway station but within 400m of a bus stop.

SA Objective 11: To improve adaptation to climate change so as to

minimise its impact

Negligible (0)

The location of development will not affect the achievement of this objective as effects will depend largely on the detailed proposals for sites and their design, which would be influenced by policies in the new Local Plan and details submitted at the planning application stage. The extent to which the location of development sites would facilitate the use of sustainable modes of transport is considered separately under SA objective 10.

SA Objective 12: To protect and improve air quality

Negligible (0)

The site is not within 100m of an AQMA.

SA Objective 13: To protect material assets and minimise waste

Negligible (0)

The site does not fall within a Minerals Safeguarding Area.

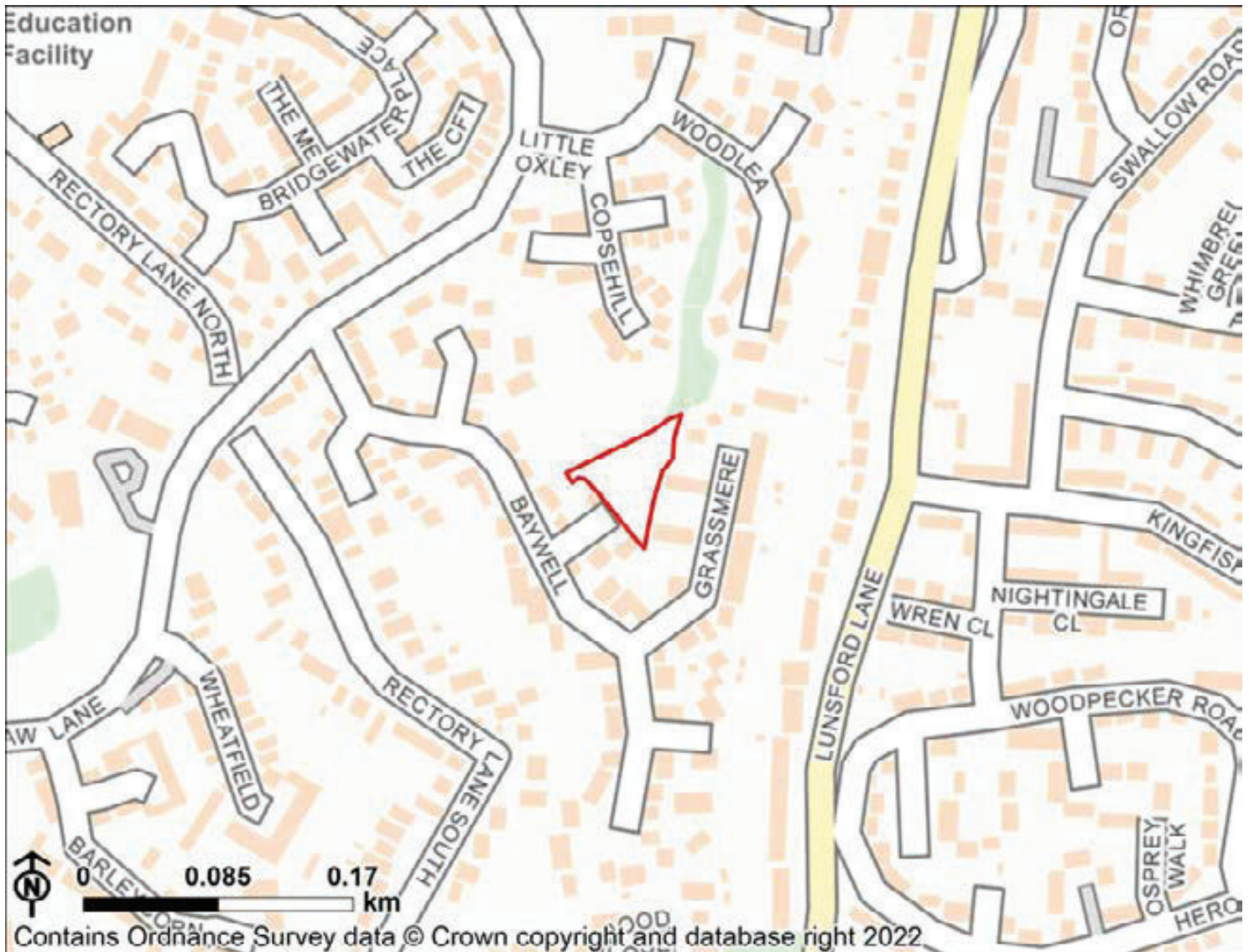
SA Objective 14: To provide a suitable supply of high quality housing including an appropriate mix of sizes, types and tenures

Minor positive (+)

The site is expected to provide fewer than 100 dwellings. It is expected that these smaller sites will not be able to offer as wider mix of housing or making as greater contribution towards local housing needs as larger sites would.

Site 59456

Residential



SA Objective 1: To improve human health and well-being

Significant positive (++)/Uncertain significant negative (--?)

SA Objective 2: To improve equality and access to community facilities and services

Minor positive (+)

The site is placed within the Very Good Accessibility Band.

SA Objective 3: To improve levels of educational attainment and skills and training development for all age groups and all sectors of society

Uncertain minor positive (+?)

The site is within 800m of an existing secondary school or a primary school (but not both). However, uncertainty exists as the effects will depend on there being capacity available at those facilities to accommodate new pupils. It is also noted that the provision of new residential

development could stimulate the provision of new schools and/or school places, however this cannot be assumed at this stage and is therefore uncertain.

SA Objective 4: To encourage sustainable economic growth, business development, and economic inclusion across the borough

Negligible (0)/Negligible (0)

The location of residential sites will not directly influence sustainable economic growth or the delivery of employment opportunities

SA Objective 5: To protect and enhance biodiversity and geodiversity

Uncertain minor negative (-?)

The site is between 250m and 1km of one or more internationally or nationally designated biodiversity or geodiversity sites, or is within 250m of a locally designated site. While proximity to designated sites provides an indication of the potential for an adverse effect, uncertainty exists, as appropriate mitigation may avoid adverse effects and may even result in beneficial effects.

SA Objective 6: To protect and enhance the borough's landscape and townscape character and quality

Uncertain significant negative (--?)

The site is not located near any settlements in rural locations, and/or would result in the loss of designated open spaces. These effects are uncertain at this stage as the effects on landscapes and townscapes will depend on the design, scale and layout of development, which may help mitigate any adverse effects.

SA Objective 7: To protect and enhance the cultural heritage resource

Uncertain minor negative (-?)

The site is located between 250m-1km of a heritage asset. Effects are uncertain at this stage as they will depend on factors such as the design of the development and whether there are lines of sight between the development site and nearby heritage assets.

SA Objective 8: To protect and enhance the quality of water features and resources

Minor negative (-)/Uncertain minor negative (-?)

The site is either entirely or significantly (i.e. $\geq 25\%$) within Flood Zone 2 and/or contains land with a 1 in 100 year risk of surface water flooding.

The site does not contain a water body or watercourse but falls within or partially within Source Protection Zones 2 and 3. However, these effects are uncertain as effects resulting from proximity to Source Protection Zones and water bodies are uncertain at this stage.

SA Objective 9: To conserve and enhance soil resources and guard against land contamination

Significant negative (--)

The site is greenfield land and contains a significant proportion ($\geq 25\%$) of Grade 1 and/or 2 agricultural land.

SA Objective 10: To reduce greenhouse gas emissions so as to minimise climate change

Minor positive (+)

The site is more than 800m from a railway station but within 400m of a bus stop.

SA Objective 11: To improve adaptation to climate change so as to minimise its impact

Negligible (0)

The location of development will not affect the achievement of this objective as effects will depend largely on the detailed proposals for sites and their design, which would be influenced by policies in the new Local Plan and details submitted at the planning application stage. The extent to which the location of development sites would facilitate the use of sustainable modes of transport is considered separately under SA objective 10.

SA Objective 12: To protect and improve air quality

Negligible (0)

The site is not within 100m of an AQMA.

SA Objective 13: To protect material assets and minimise waste

Uncertain minor negative (-?)

The site is within a Minerals Safeguarding Area. The site is within a Minerals Safeguarding Area. These effects are uncertain as they will largely depend on factors such as whether the sites would in fact offer viable opportunities for minerals extraction, and it may be possible for prior extraction to occur before a site is developed.

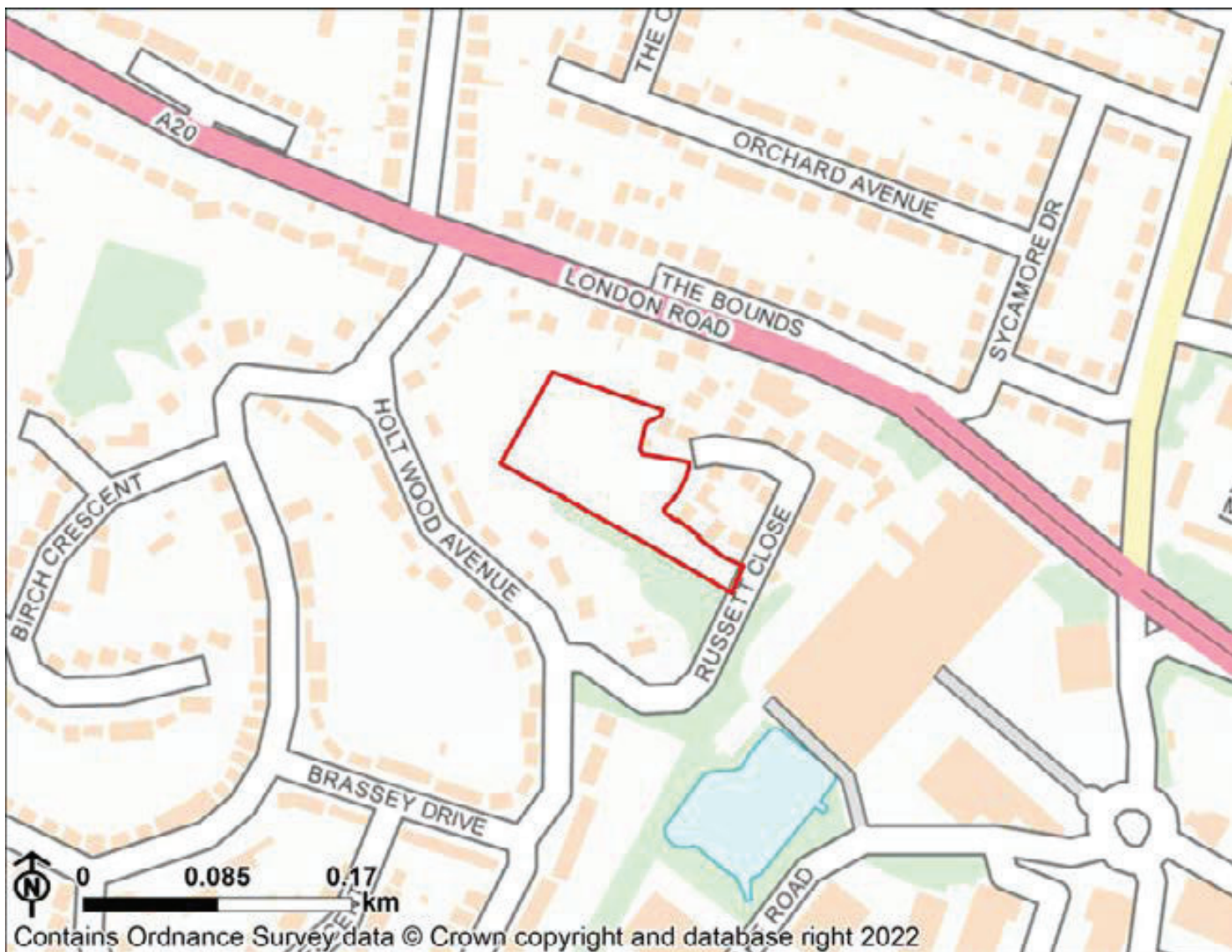
SA Objective 14: To provide a suitable supply of high quality housing including an appropriate mix of sizes, types and tenures

Minor positive (+)

The site is expected to provide fewer than 100 dwellings. It is expected that these smaller sites will not be able to offer as wider mix of housing or making as greater contribution towards local housing needs as larger sites would.

Site 59469

Residential



SA Objective 1: To improve human health and well-being

Significant positive (++)/Uncertain significant negative (--?)

SA Objective 2: To improve equality and access to community facilities and services

Minor positive (+)

The site is placed within the Very Good Accessibility Band.

SA Objective 3: To improve levels of educational attainment and skills and training development for all age groups and all sectors of society

Uncertain significant positive (++)

The site is within 800m of an existing secondary school and a primary school. However, uncertainty exists as the effects will depend on there being capacity available at those facilities to accommodate new pupils. It is also noted that the provision of new residential development could

stimulate the provision of new schools and/or school places, however this cannot be assumed at this stage and is therefore uncertain.

SA Objective 4: To encourage sustainable economic growth, business development, and economic inclusion across the borough

Negligible (0)/Negligible (0)

The location of residential sites will not directly influence sustainable economic growth or the delivery of employment opportunities

SA Objective 5: To protect and enhance biodiversity and geodiversity

Uncertain significant negative (--?)

The site contains an existing green infrastructure asset that could be lost as a result of new development. The effect is uncertain as it may be possible to conserve or even enhance the asset through the design and layout of the new development.

SA Objective 6: To protect and enhance the borough's landscape and townscape character and quality

Uncertain significant negative (--?)

The site is not located near any settlements in rural locations, and/or would result in the loss of designated open spaces. These effects are uncertain at this stage as the effects on landscapes and townscapes will depend on the design, scale and layout of development, which may help mitigate any adverse effects.

SA Objective 7: To protect and enhance the cultural heritage resource

Uncertain significant negative (--?)

The site is located within 250m of a heritage asset. Effects are uncertain at this stage as they will depend on factors such as the design of the development and whether there are lines of sight between the development site and nearby heritage assets.

SA Objective 8: To protect and enhance the quality of water features and resources

Significant negative (--)/Negligible (0)

The site is either entirely or significantly (i.e. $\geq 25\%$) within Flood Zone 3 and/or within an area with a 1 in 30 year risk of surface water flooding.

The site does not contain a water body or watercourse or fall within a Source Protection Zone.

SA Objective 9: To conserve and enhance soil resources and guard against land contamination

Minor negative (-)

The site is greenfield land that contains a less than significant proportion ($< 25\%$) of Grade 1, 2 or 3 agricultural land.

SA Objective 10: To reduce greenhouse gas emissions so as to minimise climate change

Significant positive (++)

The site is within 800m of a railway station.

SA Objective 11: To improve adaptation to climate change so as to minimise its impact

Negligible (0)

The location of development will not affect the achievement of this objective as effects will depend largely on the detailed proposals for sites and their design, which would be influenced by policies in the new Local Plan and details submitted at the planning application stage. The extent to which the location of development sites would facilitate the use of sustainable modes of transport is considered separately under SA objective 10.

SA Objective 12: To protect and improve air quality

Negligible (0)

The site is not within 100m of an AQMA.

SA Objective 13: To protect material assets and minimise waste

Uncertain minor negative (-?)

The site is within a Minerals Safeguarding Area. The site is within a Minerals Safeguarding Area. These effects are uncertain as they will largely depend on factors such as whether the sites would in fact offer viable opportunities for minerals extraction, and it may be possible for prior extraction to occur before a site is developed.

SA Objective 14: To provide a suitable supply of high quality housing including an appropriate mix of sizes, types and tenures

Minor positive (+)

The site is expected to provide fewer than 100 dwellings. It is expected that these smaller sites will not be able to offer as wider mix of housing or making as greater contribution towards local housing needs as larger sites would.

Site 59502

Residential



SA Objective 1: To improve human health and well-being

Significant positive (++)

This site is within 800m of an existing healthcare facility and an existing area of open space/ walking and cycle path / play area/ sports facility.

SA Objective 2: To improve equality and access to community facilities and services

Significant positive (++)

The site is placed within the Excellent Accessibility Band.

SA Objective 3: To improve levels of educational attainment and skills and training development for all age groups and all sectors of society

Uncertain significant positive (++)

The site is within 800m of an existing secondary school and a primary school. However, uncertainty exists as the effects will depend on there being capacity available at those facilities to

accommodate new pupils. It is also noted that the provision of new residential development could stimulate the provision of new schools and/or school places, however this cannot be assumed at this stage and is therefore uncertain.

SA Objective 4: To encourage sustainable economic growth, business development, and economic inclusion across the borough

Negligible (0)/Negligible (0)

The location of residential sites will not directly influence sustainable economic growth or the delivery of employment opportunities

SA Objective 5: To protect and enhance biodiversity and geodiversity

Uncertain minor negative (-?)

The site is between 250m and 1km of one or more internationally or nationally designated biodiversity or geodiversity sites, or is within 250m of a locally designated site. While proximity to designated sites provides an indication of the potential for an adverse effect, uncertainty exists, as appropriate mitigation may avoid adverse effects and may even result in beneficial effects.

SA Objective 6: To protect and enhance the borough's landscape and townscape character and quality

Negligible (0)

This site is located within a settlement.

SA Objective 7: To protect and enhance the cultural heritage resource

Uncertain significant negative (--?)

The site is located within 250m of a heritage asset. Effects are uncertain at this stage as they will depend on factors such as the design of the development and whether there are lines of sight between the development site and nearby heritage assets.

SA Objective 8: To protect and enhance the quality of water features and resources

Minor negative (-)/Negligible (0)

The site is either entirely or significantly (i.e. $\geq 25\%$) within Flood Zone 2 and/or contains land with a 1 in 100 year risk of surface water flooding.

The site does not contain a water body or watercourse or fall within a Source Protection Zone.

SA Objective 9: To conserve and enhance soil resources and guard against land contamination

Uncertain significant negative (--?)

The site is greenfield land and contains a significant proportion ($\geq 25\%$) of Grade 3 agricultural land. The uncertainty acknowledges that the Grade 3 agricultural land may be either Grade 3a (high quality) or 3b (not classed as high quality).

SA Objective 10: To reduce greenhouse gas emissions so as to minimise climate change

Significant positive (++)

The site is within 800m of a railway station.

SA Objective 11: To improve adaptation to climate change so as to minimise its impact

Negligible (0)

The location of development will not affect the achievement of this objective as effects will depend largely on the detailed proposals for sites and their design, which would be influenced by policies in the new Local Plan and details submitted at the planning application stage. The extent to which the location of development sites would facilitate the use of sustainable modes of transport is considered separately under SA objective 10.

SA Objective 12: To protect and improve air quality

Negligible (0)

The site is not within 100m of an AQMA.

SA Objective 13: To protect material assets and minimise waste

Negligible (0)

The site does not fall within a Minerals Safeguarding Area.

SA Objective 14: To provide a suitable supply of high quality housing including an appropriate mix of sizes, types and tenures

Minor positive (+)

The site is expected to provide fewer than 100 dwellings. It is expected that these smaller sites will not be able to offer as wider mix of housing or making as greater contribution towards local housing needs as larger sites would.

Site 59515

Residential



SA Objective 1: To improve human health and well-being

Minor positive (+)/Uncertain significant negative (--?)

The site is within 800m of either an existing healthcare facility or an existing area of open space/ walking and cycle path / play area/ sports facility (but not both).

The site is within an area of open space or currently accommodates an outdoor sports facility and this use may be lost as a result of development. The site is within an area of open space or currently accommodates an outdoor sports facility and this use may be lost as a result of development. However, these negative effects are uncertain as the effects will depend on the exact scale, layout and design of development and whether these existing features are in fact lost to new development.

SA Objective 2: To improve equality and access to community facilities and services

Minor positive (+)

The site is placed within the Very Good Accessibility Band.

SA Objective 3: To improve levels of educational attainment and

skills and training development for all age groups and all sectors of society

Uncertain significant positive (++)?

The site is within 800m of an existing secondary school and a primary school. However, uncertainty exists as the effects will depend on there being capacity available at those facilities to accommodate new pupils. It is also noted that the provision of new residential development could stimulate the provision of new schools and/or school places, however this cannot be assumed at this stage and is therefore uncertain.

SA Objective 4: To encourage sustainable economic growth, business development, and economic inclusion across the borough

Negligible (0)/Negligible (0)

The location of residential sites will not directly influence sustainable economic growth or the delivery of employment opportunities

SA Objective 5: To protect and enhance biodiversity and geodiversity

Uncertain minor negative (-?)

The site is between 250m and 1km of one or more internationally or nationally designated biodiversity or geodiversity sites, or is within 250m of a locally designated site. While proximity to designated sites provides an indication of the potential for an adverse effect, uncertainty exists, as appropriate mitigation may avoid adverse effects and may even result in beneficial effects.

SA Objective 6: To protect and enhance the borough's landscape and townscape character and quality

Uncertain significant negative (--?)

The site is not located near any settlements in rural locations, and/or would result in the loss of designated open spaces. These effects are uncertain at this stage as the effects on landscapes and townscapes will depend on the design, scale and layout of development, which may help mitigate any adverse effects.

SA Objective 7: To protect and enhance the cultural heritage resource

Uncertain significant negative (--?)

The site is located within 250m of a heritage asset. Effects are uncertain at this stage as they will depend on factors such as the design of the development and whether there are lines of sight between the development site and nearby heritage assets.

SA Objective 8: To protect and enhance the quality of water features and resources

Negligible (0)

The site is either entirely or largely ($\geq 75\%$) within Flood Zone 1.

The site does not contain a water body or watercourse or fall within a Source Protection Zone.

SA Objective 9: To conserve and enhance soil resources and guard against land contamination

Minor negative (-)

The site is greenfield land that contains a less than significant proportion ($< 25\%$) of Grade 1, 2 or

3 agricultural land.

SA Objective 10: To reduce greenhouse gas emissions so as to minimise climate change

Minor positive (+)

The site is more than 800m from a railway station but within 400m of a bus stop.

SA Objective 11: To improve adaptation to climate change so as to minimise its impact

Negligible (0)

The location of development will not affect the achievement of this objective as effects will depend largely on the detailed proposals for sites and their design, which would be influenced by policies in the new Local Plan and details submitted at the planning application stage. The extent to which the location of development sites would facilitate the use of sustainable modes of transport is considered separately under SA objective 10.

SA Objective 12: To protect and improve air quality

Negligible (0)

The site is not within 100m of an AQMA.

SA Objective 13: To protect material assets and minimise waste

Negligible (0)

The site does not fall within a Minerals Safeguarding Area.

SA Objective 14: To provide a suitable supply of high quality housing including an appropriate mix of sizes, types and tenures

Minor positive (+)

The site is expected to provide fewer than 100 dwellings. It is expected that these smaller sites will not be able to offer as wider mix of housing or making as greater contribution towards local housing needs as larger sites would.

Site 59516

Residential



SA Objective 1: To improve human health and well-being

Minor positive (+)/Uncertain significant negative (--?)

The site is within 800m of either an existing healthcare facility or an existing area of open space/ walking and cycle path / play area/ sports facility (but not both).

The site is within an area of open space or currently accommodates an outdoor sports facility and this use may be lost as a result of development. The site is within an area of open space or currently accommodates an outdoor sports facility and this use may be lost as a result of development. However, these negative effects are uncertain as the effects will depend on the exact scale, layout and design of development and whether these existing features are in fact lost to new development.

SA Objective 2: To improve equality and access to community facilities and services

Minor positive (+)

The site is placed within the Very Good Accessibility Band.

SA Objective 3: To improve levels of educational attainment and

skills and training development for all age groups and all sectors of society

Uncertain significant positive (++)

The site is within 800m of an existing secondary school and a primary school. However, uncertainty exists as the effects will depend on there being capacity available at those facilities to accommodate new pupils. It is also noted that the provision of new residential development could stimulate the provision of new schools and/or school places, however this cannot be assumed at this stage and is therefore uncertain.

SA Objective 4: To encourage sustainable economic growth, business development, and economic inclusion across the borough

Negligible (0)/Negligible (0)

The location of residential sites will not directly influence sustainable economic growth or the delivery of employment opportunities

SA Objective 5: To protect and enhance biodiversity and geodiversity

Uncertain significant negative (--?)

The site is within 250m of one or more internationally or nationally designated biodiversity or geodiversity sites. While proximity to designated sites provides an indication of the potential for an adverse effect, uncertainty exists, as appropriate mitigation may avoid adverse effects and may even result in beneficial effects.

The site contains an existing green infrastructure asset that could be lost as a result of new development. The effect is uncertain as it may be possible to conserve or even enhance the asset through the design and layout of the new development.

SA Objective 6: To protect and enhance the borough's landscape and townscape character and quality

Uncertain significant negative (--?)

The site is not located near any settlements in rural locations, and/or would result in the loss of designated open spaces. These effects are uncertain at this stage as the effects on landscapes and townscapes will depend on the design, scale and layout of development, which may help mitigate any adverse effects.

SA Objective 7: To protect and enhance the cultural heritage resource

Uncertain significant negative (--?)

The site is located within 250m of a heritage asset. Effects are uncertain at this stage as they will depend on factors such as the design of the development and whether there are lines of sight between the development site and nearby heritage assets.

SA Objective 8: To protect and enhance the quality of water features and resources

Minor negative (-)/Negligible (0)

The site is either entirely or significantly (i.e. $\geq 25\%$) within Flood Zone 2 and/or contains land with a 1 in 100 year risk of surface water flooding.

The site does not contain a water body or watercourse or fall within a Source Protection Zone.

SA Objective 9: To conserve and enhance soil resources and guard

against land contamination

Minor negative (-)

The site is greenfield land that contains a less than significant proportion (<25%) of Grade 1, 2 or 3 agricultural land.

SA Objective 10: To reduce greenhouse gas emissions so as to minimise climate change

Minor positive (+)

The site is more than 800m from a railway station but within 400m of a bus stop.

SA Objective 11: To improve adaptation to climate change so as to minimise its impact

Negligible (0)

The location of development will not affect the achievement of this objective as effects will depend largely on the detailed proposals for sites and their design, which would be influenced by policies in the new Local Plan and details submitted at the planning application stage. The extent to which the location of development sites would facilitate the use of sustainable modes of transport is considered separately under SA objective 10.

SA Objective 12: To protect and improve air quality

Negligible (0)

The site is not within 100m of an AQMA.

SA Objective 13: To protect material assets and minimise waste

Negligible (0)

The site does not fall within a Minerals Safeguarding Area.

SA Objective 14: To provide a suitable supply of high quality housing including an appropriate mix of sizes, types and tenures

Minor positive (+)

The site is expected to provide fewer than 100 dwellings. It is expected that these smaller sites will not be able to offer as wider mix of housing or making as greater contribution towards local housing needs as larger sites would.

Site 59521

Residential



SA Objective 1: To improve human health and well-being

Minor positive (+)/Uncertain significant negative (--?)

The site is within 800m of either an existing healthcare facility or an existing area of open space/ walking and cycle path / play area/ sports facility (but not both).

The site is within an area of open space or currently accommodates an outdoor sports facility and this use may be lost as a result of development. The site is within an area of open space or currently accommodates an outdoor sports facility and this use may be lost as a result of development. However, these negative effects are uncertain as the effects will depend on the exact scale, layout and design of development and whether these existing features are in fact lost to new development.

SA Objective 2: To improve equality and access to community facilities and services

Minor positive (+)

The site is placed within the Very Good Accessibility Band.

SA Objective 3: To improve levels of educational attainment and

skills and training development for all age groups and all sectors of society

Uncertain significant positive (++)?

The site is within 800m of an existing secondary school and a primary school. However, uncertainty exists as the effects will depend on there being capacity available at those facilities to accommodate new pupils. It is also noted that the provision of new residential development could stimulate the provision of new schools and/or school places, however this cannot be assumed at this stage and is therefore uncertain.

SA Objective 4: To encourage sustainable economic growth, business development, and economic inclusion across the borough

Negligible (0)/Negligible (0)

The location of residential sites will not directly influence sustainable economic growth or the delivery of employment opportunities

SA Objective 5: To protect and enhance biodiversity and geodiversity

Uncertain significant negative (--?)

The site is within 250m of one or more internationally or nationally designated biodiversity or geodiversity sites. While proximity to designated sites provides an indication of the potential for an adverse effect, uncertainty exists, as appropriate mitigation may avoid adverse effects and may even result in beneficial effects.

The site contains an existing green infrastructure asset that could be lost as a result of new development. The effect is uncertain as it may be possible to conserve or even enhance the asset through the design and layout of the new development.

SA Objective 6: To protect and enhance the borough's landscape and townscape character and quality

Uncertain significant negative (--?)

The site is not located near any settlements in rural locations, and/or would result in the loss of designated open spaces. These effects are uncertain at this stage as the effects on landscapes and townscapes will depend on the design, scale and layout of development, which may help mitigate any adverse effects.

SA Objective 7: To protect and enhance the cultural heritage resource

Uncertain minor negative (-?)

The site is located between 250m-1km of a heritage asset. Effects are uncertain at this stage as they will depend on factors such as the design of the development and whether there are lines of sight between the development site and nearby heritage assets.

SA Objective 8: To protect and enhance the quality of water features and resources

Significant negative (--)/Negligible (0)

The site is either entirely or significantly (i.e. $\geq 25\%$) within Flood Zone 3 and/or within an area with a 1 in 30 year risk of surface water flooding.

The site does not contain a water body or watercourse or fall within a Source Protection Zone.

SA Objective 9: To conserve and enhance soil resources and guard

against land contamination

Minor negative (-)

The site is greenfield land that contains a less than significant proportion (<25%) of Grade 1, 2 or 3 agricultural land.

SA Objective 10: To reduce greenhouse gas emissions so as to minimise climate change

Minor positive (+)

The site is more than 800m from a railway station but within 400m of a bus stop.

SA Objective 11: To improve adaptation to climate change so as to minimise its impact

Negligible (0)

The location of development will not affect the achievement of this objective as effects will depend largely on the detailed proposals for sites and their design, which would be influenced by policies in the new Local Plan and details submitted at the planning application stage. The extent to which the location of development sites would facilitate the use of sustainable modes of transport is considered separately under SA objective 10.

SA Objective 12: To protect and improve air quality

Negligible (0)

The site is not within 100m of an AQMA.

SA Objective 13: To protect material assets and minimise waste

Negligible (0)

The site does not fall within a Minerals Safeguarding Area.

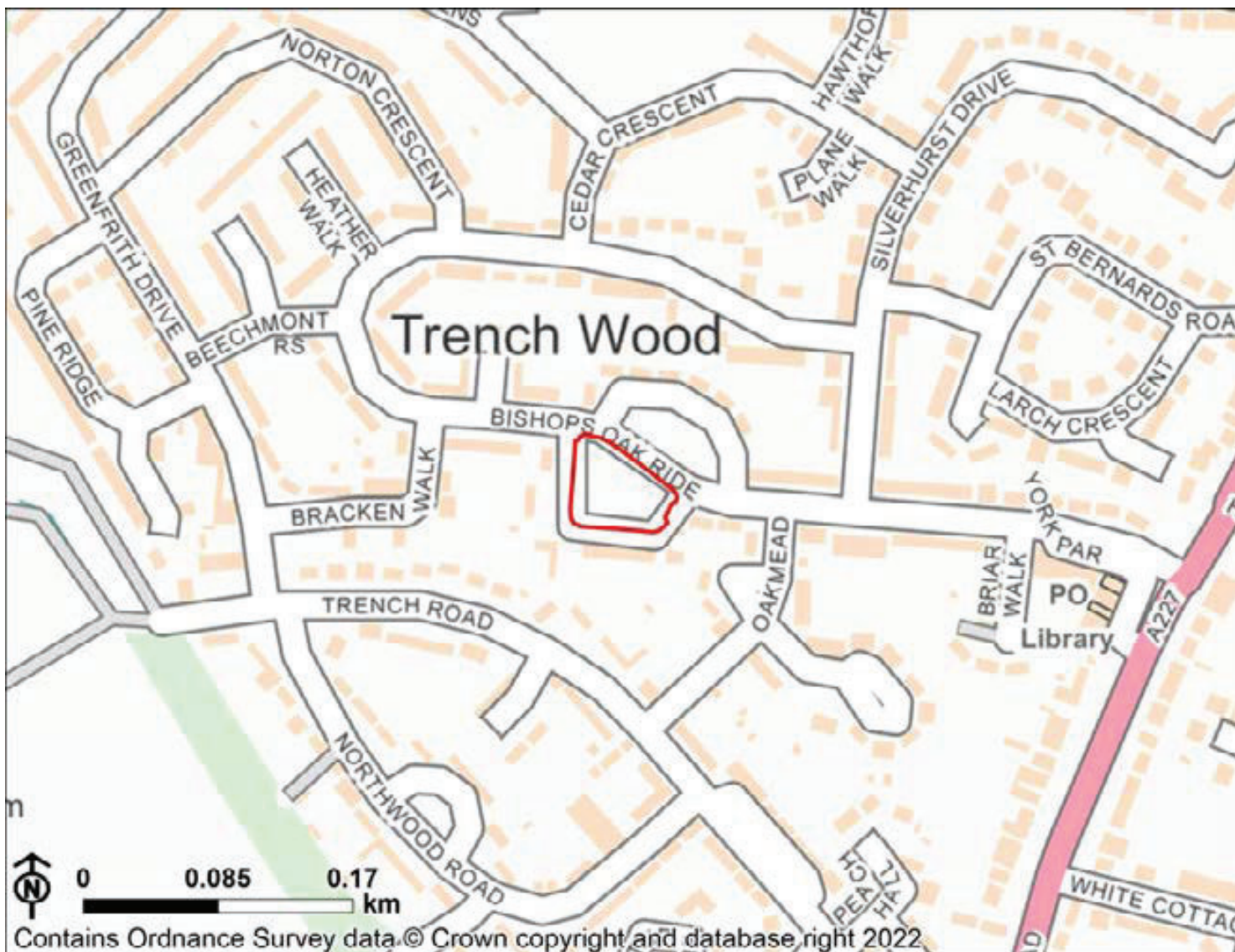
SA Objective 14: To provide a suitable supply of high quality housing including an appropriate mix of sizes, types and tenures

Minor positive (+)

The site is expected to provide fewer than 100 dwellings. It is expected that these smaller sites will not be able to offer as wider mix of housing or making as greater contribution towards local housing needs as larger sites would.

Site 59522

Residential



SA Objective 1: To improve human health and well-being

Minor positive (+)/Uncertain significant negative (--?)

The site is within 800m of either an existing healthcare facility or an existing area of open space/ walking and cycle path / play area/ sports facility (but not both).

The site is within an area of open space or currently accommodates an outdoor sports facility and this use may be lost as a result of development. The site is within an area of open space or currently accommodates an outdoor sports facility and this use may be lost as a result of development. However, these negative effects are uncertain as the effects will depend on the exact scale, layout and design of development and whether these existing features are in fact lost to new development.

SA Objective 2: To improve equality and access to community facilities and services

Minor positive (+)

The site is placed within the Very Good Accessibility Band.

SA Objective 3: To improve levels of educational attainment and

skills and training development for all age groups and all sectors of society

Uncertain significant positive (++)

The site is within 800m of an existing secondary school and a primary school. However, uncertainty exists as the effects will depend on there being capacity available at those facilities to accommodate new pupils. It is also noted that the provision of new residential development could stimulate the provision of new schools and/or school places, however this cannot be assumed at this stage and is therefore uncertain.

SA Objective 4: To encourage sustainable economic growth, business development, and economic inclusion across the borough

Negligible (0)/Negligible (0)

The location of residential sites will not directly influence sustainable economic growth or the delivery of employment opportunities

SA Objective 5: To protect and enhance biodiversity and geodiversity

Uncertain significant negative (--?)

The site is within 250m of one or more internationally or nationally designated biodiversity or geodiversity sites. While proximity to designated sites provides an indication of the potential for an adverse effect, uncertainty exists, as appropriate mitigation may avoid adverse effects and may even result in beneficial effects.

SA Objective 6: To protect and enhance the borough's landscape and townscape character and quality

Uncertain significant negative (--?)

The site is not located near any settlements in rural locations, and/or would result in the loss of designated open spaces. These effects are uncertain at this stage as the effects on landscapes and townscapes will depend on the design, scale and layout of development, which may help mitigate any adverse effects.

SA Objective 7: To protect and enhance the cultural heritage resource

Uncertain minor negative (-?)

The site is located between 250m-1km of a heritage asset. Effects are uncertain at this stage as they will depend on factors such as the design of the development and whether there are lines of sight between the development site and nearby heritage assets.

SA Objective 8: To protect and enhance the quality of water features and resources

Negligible (0)

The site is either entirely or largely ($\geq 75\%$) within Flood Zone 1.
The site does not contain a water body or watercourse or fall within a Source Protection Zone.

SA Objective 9: To conserve and enhance soil resources and guard against land contamination

Minor negative (-)

The site is greenfield land that contains a less than significant proportion ($< 25\%$) of Grade 1, 2 or

3 agricultural land.

SA Objective 10: To reduce greenhouse gas emissions so as to minimise climate change

Minor positive (+)

The site is more than 800m from a railway station but within 400m of a bus stop.

SA Objective 11: To improve adaptation to climate change so as to minimise its impact

Negligible (0)

The location of development will not affect the achievement of this objective as effects will depend largely on the detailed proposals for sites and their design, which would be influenced by policies in the new Local Plan and details submitted at the planning application stage. The extent to which the location of development sites would facilitate the use of sustainable modes of transport is considered separately under SA objective 10.

SA Objective 12: To protect and improve air quality

Negligible (0)

The site is not within 100m of an AQMA.

SA Objective 13: To protect material assets and minimise waste

Negligible (0)

The site does not fall within a Minerals Safeguarding Area.

SA Objective 14: To provide a suitable supply of high quality housing including an appropriate mix of sizes, types and tenures

Minor positive (+)

The site is expected to provide fewer than 100 dwellings. It is expected that these smaller sites will not be able to offer as wider mix of housing or making as greater contribution towards local housing needs as larger sites would.

Site 59524

Residential



SA Objective 1: To improve human health and well-being

Minor positive (+)/Uncertain significant negative (--?)

The site is within 800m of either an existing healthcare facility or an existing area of open space/ walking and cycle path / play area/ sports facility (but not both).

The site is within an area of open space or currently accommodates an outdoor sports facility and this use may be lost as a result of development. The site is within an area of open space or currently accommodates an outdoor sports facility and this use may be lost as a result of development. However, these negative effects are uncertain as the effects will depend on the exact scale, layout and design of development and whether these existing features are in fact lost to new development.

SA Objective 2: To improve equality and access to community facilities and services

Minor positive (+)

The site is placed within the Very Good Accessibility Band.

SA Objective 3: To improve levels of educational attainment and

skills and training development for all age groups and all sectors of society

Uncertain significant positive (++)?

The site is within 800m of an existing secondary school and a primary school. However, uncertainty exists as the effects will depend on there being capacity available at those facilities to accommodate new pupils. It is also noted that the provision of new residential development could stimulate the provision of new schools and/or school places, however this cannot be assumed at this stage and is therefore uncertain.

SA Objective 4: To encourage sustainable economic growth, business development, and economic inclusion across the borough

Negligible (0)/Negligible (0)

The location of residential sites will not directly influence sustainable economic growth or the delivery of employment opportunities

SA Objective 5: To protect and enhance biodiversity and geodiversity

Uncertain significant negative (--?)

The site is within 250m of one or more internationally or nationally designated biodiversity or geodiversity sites. While proximity to designated sites provides an indication of the potential for an adverse effect, uncertainty exists, as appropriate mitigation may avoid adverse effects and may even result in beneficial effects.

The site contains an existing green infrastructure asset that could be lost as a result of new development. The effect is uncertain as it may be possible to conserve or even enhance the asset through the design and layout of the new development.

SA Objective 6: To protect and enhance the borough's landscape and townscape character and quality

Uncertain significant negative (--?)

The site is not located near any settlements in rural locations, and/or would result in the loss of designated open spaces. These effects are uncertain at this stage as the effects on landscapes and townscapes will depend on the design, scale and layout of development, which may help mitigate any adverse effects.

SA Objective 7: To protect and enhance the cultural heritage resource

Uncertain significant negative (--?)

The site is located within 250m of a heritage asset. Effects are uncertain at this stage as they will depend on factors such as the design of the development and whether there are lines of sight between the development site and nearby heritage assets.

SA Objective 8: To protect and enhance the quality of water features and resources

Significant negative (--)/Negligible (0)

The site is either entirely or significantly (i.e. $\geq 25\%$) within Flood Zone 3 and/or within an area with a 1 in 30 year risk of surface water flooding.

The site does not contain a water body or watercourse or fall within a Source Protection Zone.

SA Objective 9: To conserve and enhance soil resources and guard

against land contamination

Minor negative (-)

The site is greenfield land that contains a less than significant proportion (<25%) of Grade 1, 2 or 3 agricultural land.

SA Objective 10: To reduce greenhouse gas emissions so as to minimise climate change

Minor positive (+)

The site is more than 800m from a railway station but within 400m of a bus stop.

SA Objective 11: To improve adaptation to climate change so as to minimise its impact

Negligible (0)

The location of development will not affect the achievement of this objective as effects will depend largely on the detailed proposals for sites and their design, which would be influenced by policies in the new Local Plan and details submitted at the planning application stage. The extent to which the location of development sites would facilitate the use of sustainable modes of transport is considered separately under SA objective 10.

SA Objective 12: To protect and improve air quality

Negligible (0)

The site is not within 100m of an AQMA.

SA Objective 13: To protect material assets and minimise waste

Uncertain minor negative (-?)

The site is within a Minerals Safeguarding Area. The site is within a Minerals Safeguarding Area. These effects are uncertain as they will largely depend on factors such as whether the sites would in fact offer viable opportunities for minerals extraction, and it may be possible for prior extraction to occur before a site is developed.

SA Objective 14: To provide a suitable supply of high quality housing including an appropriate mix of sizes, types and tenures

Minor positive (+)

The site is expected to provide fewer than 100 dwellings. It is expected that these smaller sites will not be able to offer as wider mix of housing or making as greater contribution towards local housing needs as larger sites would.

Site 59550

Residential



SA Objective 1: To improve human health and well-being

Minor positive (+)/Uncertain significant negative (--?)

The site is within 800m of either an existing healthcare facility or an existing area of open space/ walking and cycle path / play area/ sports facility (but not both).

The site is within an area of open space or currently accommodates an outdoor sports facility and this use may be lost as a result of development. The site is within an area of open space or currently accommodates an outdoor sports facility and this use may be lost as a result of development. However, these negative effects are uncertain as the effects will depend on the exact scale, layout and design of development and whether these existing features are in fact lost to new development.

SA Objective 2: To improve equality and access to community facilities and services

Negligible (0)

The site is placed within the Good Accessibility Band.

SA Objective 3: To improve levels of educational attainment and

skills and training development for all age groups and all sectors of society

Uncertain significant positive (++)

The site is within 800m of an existing secondary school and a primary school. However, uncertainty exists as the effects will depend on there being capacity available at those facilities to accommodate new pupils. It is also noted that the provision of new residential development could stimulate the provision of new schools and/or school places, however this cannot be assumed at this stage and is therefore uncertain.

SA Objective 4: To encourage sustainable economic growth, business development, and economic inclusion across the borough

Negligible (0)/Negligible (0)

The location of residential sites will not directly influence sustainable economic growth or the delivery of employment opportunities

SA Objective 5: To protect and enhance biodiversity and geodiversity

Uncertain significant negative (--?)

The site contains an existing green infrastructure asset that could be lost as a result of new development. The effect is uncertain as it may be possible to conserve or even enhance the asset through the design and layout of the new development.

SA Objective 6: To protect and enhance the borough's landscape and townscape character and quality

Uncertain significant negative (--?)

The site is not located near any settlements in rural locations, and/or would result in the loss of designated open spaces. These effects are uncertain at this stage as the effects on landscapes and townscapes will depend on the design, scale and layout of development, which may help mitigate any adverse effects.

The site is within 500m of the AONBs. These effects are uncertain at this stage as the effects on landscapes and townscapes will depend on the design, scale and layout of development, which may help mitigate any adverse effects.

SA Objective 7: To protect and enhance the cultural heritage resource

Uncertain significant negative (--?)

The site is located within 250m of a heritage asset. Effects are uncertain at this stage as they will depend on factors such as the design of the development and whether there are lines of sight between the development site and nearby heritage assets.

SA Objective 8: To protect and enhance the quality of water features and resources

Negligible (0)

The site is either entirely or largely (>=75%) within Flood Zone 1.

The site does not contain a water body or watercourse or fall within a Source Protection Zone.

SA Objective 9: To conserve and enhance soil resources and guard against land contamination

Uncertain significant negative (--?)

The site is greenfield land and contains a significant proportion ($\geq 25\%$) of Grade 3 agricultural land. The uncertainty acknowledges that the Grade 3 agricultural land may be either Grade 3a (high quality) or 3b (not classed as high quality).

SA Objective 10: To reduce greenhouse gas emissions so as to minimise climate change

Minor positive (+)

The site is more than 800m from a railway station but within 400m of a bus stop.

SA Objective 11: To improve adaptation to climate change so as to minimise its impact

Negligible (0)

The location of development will not affect the achievement of this objective as effects will depend largely on the detailed proposals for sites and their design, which would be influenced by policies in the new Local Plan and details submitted at the planning application stage. The extent to which the location of development sites would facilitate the use of sustainable modes of transport is considered separately under SA objective 10.

SA Objective 12: To protect and improve air quality

Negligible (0)

The site is not within 100m of an AQMA.

SA Objective 13: To protect material assets and minimise waste

Uncertain minor negative (-?)

The site is within a Minerals Safeguarding Area. The site is within a Minerals Safeguarding Area. These effects are uncertain as they will largely depend on factors such as whether the sites would in fact offer viable opportunities for minerals extraction, and it may be possible for prior extraction to occur before a site is developed.

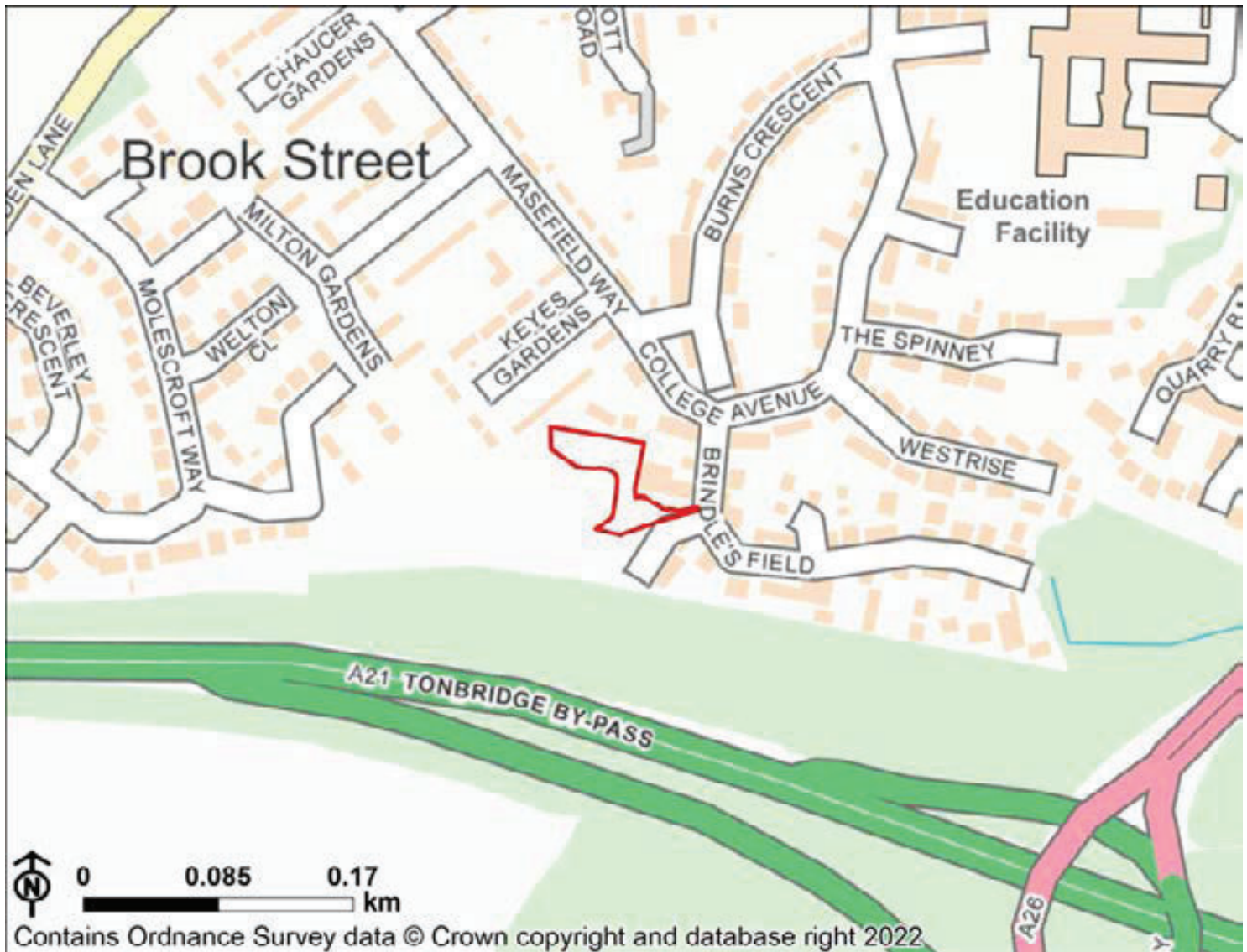
SA Objective 14: To provide a suitable supply of high quality housing including an appropriate mix of sizes, types and tenures

Minor positive (+)

The site is expected to provide fewer than 100 dwellings. It is expected that these smaller sites will not be able to offer as wider mix of housing or making as greater contribution towards local housing needs as larger sites would.

Site 59552

Residential



SA Objective 1: To improve human health and well-being

Minor positive (+)/Uncertain significant negative (--?)

The site is within 800m of either an existing healthcare facility or an existing area of open space/ walking and cycle path / play area/ sports facility (but not both).

The site is within an area of open space or currently accommodates an outdoor sports facility and this use may be lost as a result of development. The site is within an area of open space or currently accommodates an outdoor sports facility and this use may be lost as a result of development. However, these negative effects are uncertain as the effects will depend on the exact scale, layout and design of development and whether these existing features are in fact lost to new development.

SA Objective 2: To improve equality and access to community facilities and services

Negligible (0)

The site is placed within the Good Accessibility Band.

SA Objective 3: To improve levels of educational attainment and

skills and training development for all age groups and all sectors of society

Uncertain significant positive (++)?

The site is within 800m of an existing secondary school and a primary school. However, uncertainty exists as the effects will depend on there being capacity available at those facilities to accommodate new pupils. It is also noted that the provision of new residential development could stimulate the provision of new schools and/or school places, however this cannot be assumed at this stage and is therefore uncertain.

SA Objective 4: To encourage sustainable economic growth, business development, and economic inclusion across the borough

Negligible (0)/Negligible (0)

The location of residential sites will not directly influence sustainable economic growth or the delivery of employment opportunities

SA Objective 5: To protect and enhance biodiversity and geodiversity

Uncertain minor negative (-?)

The site is between 250m and 1km of one or more internationally or nationally designated biodiversity or geodiversity sites, or is within 250m of a locally designated site. While proximity to designated sites provides an indication of the potential for an adverse effect, uncertainty exists, as appropriate mitigation may avoid adverse effects and may even result in beneficial effects.

SA Objective 6: To protect and enhance the borough's landscape and townscape character and quality

Uncertain significant negative (--?)

The site is not located near any settlements in rural locations, and/or would result in the loss of designated open spaces. These effects are uncertain at this stage as the effects on landscapes and townscapes will depend on the design, scale and layout of development, which may help mitigate any adverse effects.

The site is within 500m of the AONBs. These effects are uncertain at this stage as the effects on landscapes and townscapes will depend on the design, scale and layout of development, which may help mitigate any adverse effects.

SA Objective 7: To protect and enhance the cultural heritage resource

Uncertain significant negative (--?)

The site is located within 250m of a heritage asset. Effects are uncertain at this stage as they will depend on factors such as the design of the development and whether there are lines of sight between the development site and nearby heritage assets.

SA Objective 8: To protect and enhance the quality of water features and resources

Negligible (0)

The site is either entirely or largely (>=75%) within Flood Zone 1.

The site does not contain a water body or watercourse or fall within a Source Protection Zone.

SA Objective 9: To conserve and enhance soil resources and guard against land contamination

Minor negative (-)

The site is greenfield land that contains a less than significant proportion (<25%) of Grade 1, 2 or 3 agricultural land.

SA Objective 10: To reduce greenhouse gas emissions so as to minimise climate change

Minor positive (+)

The site is more than 800m from a railway station but within 400m of a bus stop.

SA Objective 11: To improve adaptation to climate change so as to minimise its impact

Negligible (0)

The location of development will not affect the achievement of this objective as effects will depend largely on the detailed proposals for sites and their design, which would be influenced by policies in the new Local Plan and details submitted at the planning application stage. The extent to which the location of development sites would facilitate the use of sustainable modes of transport is considered separately under SA objective 10.

SA Objective 12: To protect and improve air quality

Negligible (0)

The site is not within 100m of an AQMA.

SA Objective 13: To protect material assets and minimise waste

Uncertain minor negative (-?)

The site is within a Minerals Safeguarding Area. The site is within a Minerals Safeguarding Area. These effects are uncertain as they will largely depend on factors such as whether the sites would in fact offer viable opportunities for minerals extraction, and it may be possible for prior extraction to occur before a site is developed.

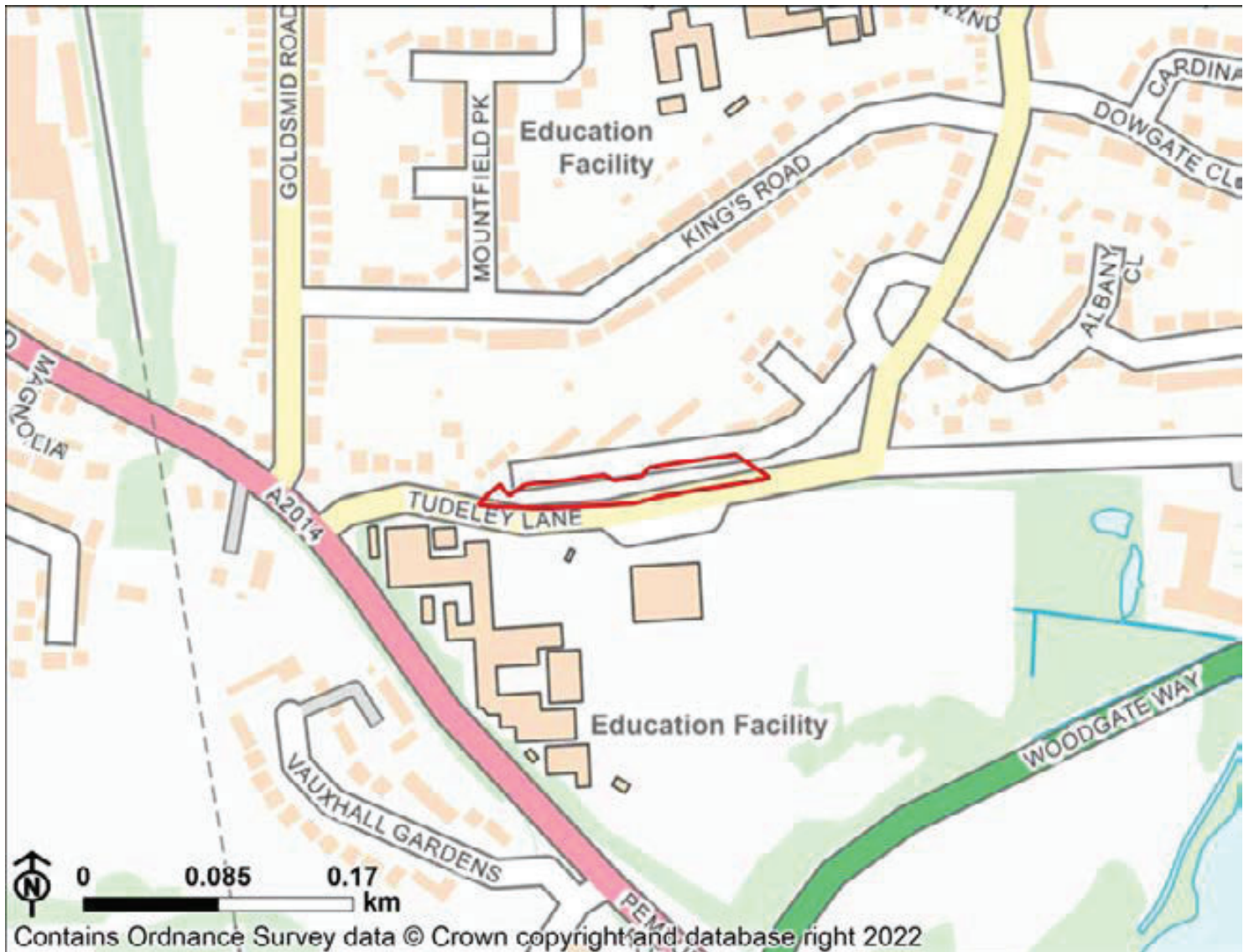
SA Objective 14: To provide a suitable supply of high quality housing including an appropriate mix of sizes, types and tenures

Minor positive (+)

The site is expected to provide fewer than 100 dwellings. It is expected that these smaller sites will not be able to offer as wider mix of housing or making as greater contribution towards local housing needs as larger sites would.

Site 59554

Residential



SA Objective 1: To improve human health and well-being

Significant positive (++)/Uncertain significant negative (--?)

SA Objective 2: To improve equality and access to community facilities and services

Minor positive (+)

The site is placed within the Very Good Accessibility Band.

SA Objective 3: To improve levels of educational attainment and skills and training development for all age groups and all sectors of society

Uncertain significant positive (++)

The site is within 800m of an existing secondary school and a primary school. However, uncertainty exists as the effects will depend on the capacity available at those facilities to accommodate new pupils. It is also noted that the provision of new residential development could

stimulate the provision of new schools and/or school places, however this cannot be assumed at this stage and is therefore uncertain.

SA Objective 4: To encourage sustainable economic growth, business development, and economic inclusion across the borough

Negligible (0)/Negligible (0)

The location of residential sites will not directly influence sustainable economic growth or the delivery of employment opportunities

SA Objective 5: To protect and enhance biodiversity and geodiversity

Uncertain minor negative (-?)

The site is between 250m and 1km of one or more internationally or nationally designated biodiversity or geodiversity sites, or is within 250m of a locally designated site. While proximity to designated sites provides an indication of the potential for an adverse effect, uncertainty exists, as appropriate mitigation may avoid adverse effects and may even result in beneficial effects.

SA Objective 6: To protect and enhance the borough's landscape and townscape character and quality

Uncertain significant negative (--?)

The site is not located near any settlements in rural locations, and/or would result in the loss of designated open spaces. These effects are uncertain at this stage as the effects on landscapes and townscapes will depend on the design, scale and layout of development, which may help mitigate any adverse effects.

The site is within 500m of the AONBs. These effects are uncertain at this stage as the effects on landscapes and townscapes will depend on the design, scale and layout of development, which may help mitigate any adverse effects.

SA Objective 7: To protect and enhance the cultural heritage resource

Uncertain significant negative (--?)

The site is located within 250m of a heritage asset. Effects are uncertain at this stage as they will depend on factors such as the design of the development and whether there are lines of sight between the development site and nearby heritage assets.

SA Objective 8: To protect and enhance the quality of water features and resources

Negligible (0)

The site is either entirely or largely ($\geq 75\%$) within Flood Zone 1.

The site does not contain a water body or watercourse or fall within a Source Protection Zone.

SA Objective 9: To conserve and enhance soil resources and guard against land contamination

Minor negative (-)

The site is greenfield land that contains a less than significant proportion ($< 25\%$) of Grade 1, 2 or 3 agricultural land.

SA Objective 10: To reduce greenhouse gas emissions so as to minimise climate change

Minor positive (+)

The site is more than 800m from a railway station but within 400m of a bus stop.

SA Objective 11: To improve adaptation to climate change so as to minimise its impact

Negligible (0)

The location of development will not affect the achievement of this objective as effects will depend largely on the detailed proposals for sites and their design, which would be influenced by policies in the new Local Plan and details submitted at the planning application stage. The extent to which the location of development sites would facilitate the use of sustainable modes of transport is considered separately under SA objective 10.

SA Objective 12: To protect and improve air quality

Negligible (0)

The site is not within 100m of an AQMA.

SA Objective 13: To protect material assets and minimise waste

Negligible (0)

The site does not fall within a Minerals Safeguarding Area.

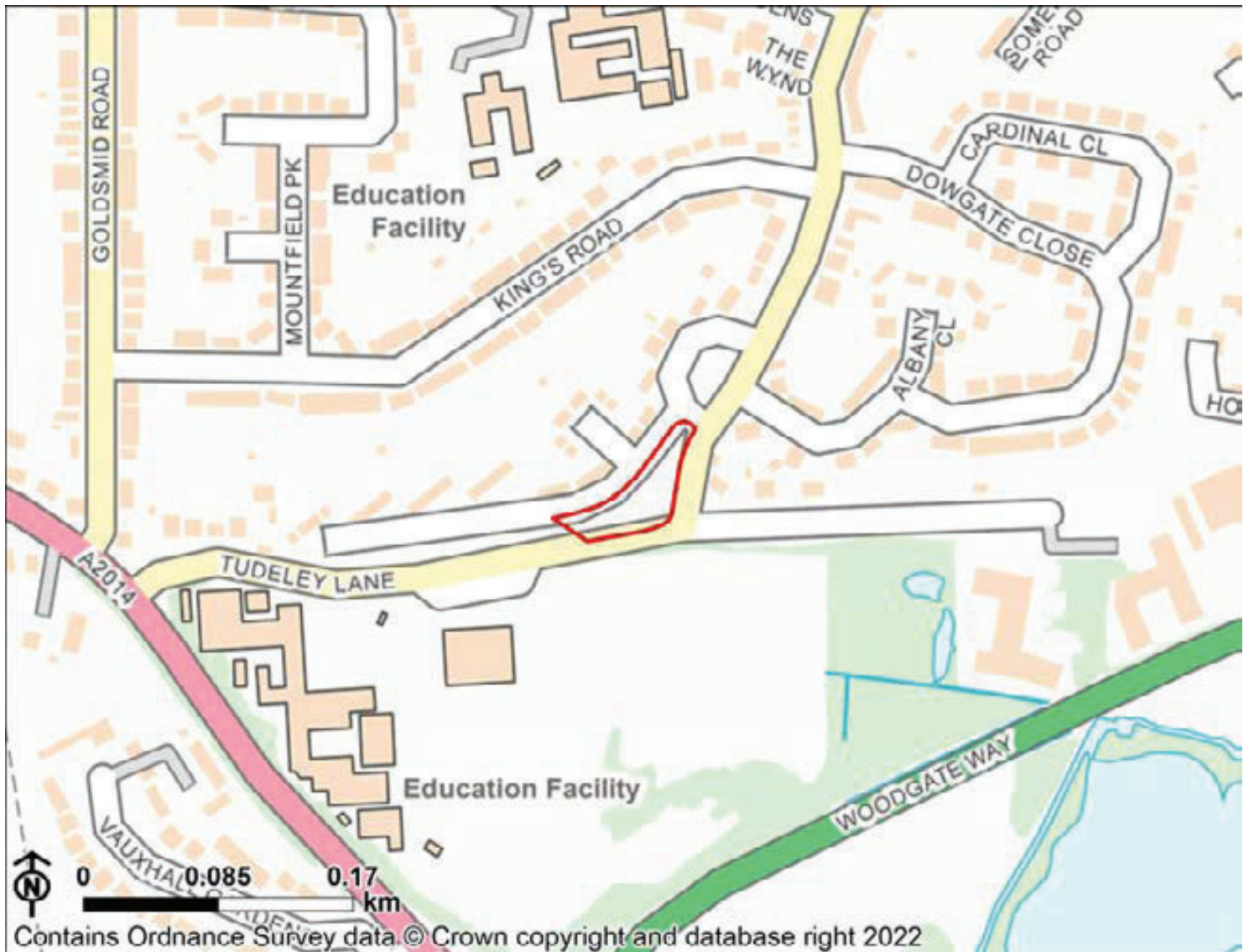
SA Objective 14: To provide a suitable supply of high quality housing including an appropriate mix of sizes, types and tenures

Minor positive (+)

The site is expected to provide fewer than 100 dwellings. It is expected that these smaller sites will not be able to offer as wider mix of housing or making as greater contribution towards local housing needs as larger sites would.

Site 59555

Residential



SA Objective 1: To improve human health and well-being

Significant positive (++)/Uncertain significant negative (--?)

SA Objective 2: To improve equality and access to community facilities and services

Minor positive (+)

The site is placed within the Very Good Accessibility Band.

SA Objective 3: To improve levels of educational attainment and skills and training development for all age groups and all sectors of society

Uncertain significant positive (++)

The site is within 800m of an existing secondary school and a primary school. However, uncertainty exists as the effects will depend on the being capacity available at those facilities to accommodate new pupils. It is also noted that the provision of new residential development could

stimulate the provision of new schools and/or school places, however this cannot be assumed at this stage and is therefore uncertain.

SA Objective 4: To encourage sustainable economic growth, business development, and economic inclusion across the borough

Negligible (0)/Negligible (0)

The location of residential sites will not directly influence sustainable economic growth or the delivery of employment opportunities

SA Objective 5: To protect and enhance biodiversity and geodiversity

Uncertain minor negative (-?)

The site is between 250m and 1km of one or more internationally or nationally designated biodiversity or geodiversity sites, or is within 250m of a locally designated site. While proximity to designated sites provides an indication of the potential for an adverse effect, uncertainty exists, as appropriate mitigation may avoid adverse effects and may even result in beneficial effects.

SA Objective 6: To protect and enhance the borough's landscape and townscape character and quality

Uncertain significant negative (--?)

The site is not located near any settlements in rural locations, and/or would result in the loss of designated open spaces. These effects are uncertain at this stage as the effects on landscapes and townscapes will depend on the design, scale and layout of development, which may help mitigate any adverse effects.

The site is within 500m of the AONBs. These effects are uncertain at this stage as the effects on landscapes and townscapes will depend on the design, scale and layout of development, which may help mitigate any adverse effects.

SA Objective 7: To protect and enhance the cultural heritage resource

Uncertain significant negative (--?)

The site is located within 250m of a heritage asset. Effects are uncertain at this stage as they will depend on factors such as the design of the development and whether there are lines of sight between the development site and nearby heritage assets.

SA Objective 8: To protect and enhance the quality of water features and resources

Minor negative (-)/Negligible (0)

The site is either entirely or significantly (i.e. $\geq 25\%$) within Flood Zone 2 and/or contains land with a 1 in 100 year risk of surface water flooding.

The site does not contain a water body or watercourse or fall within a Source Protection Zone.

SA Objective 9: To conserve and enhance soil resources and guard against land contamination

Minor negative (-)

The site is greenfield land that contains a less than significant proportion ($< 25\%$) of Grade 1, 2 or 3 agricultural land.

SA Objective 10: To reduce greenhouse gas emissions so as to minimise climate change

Minor positive (+)

The site is more than 800m from a railway station but within 400m of a bus stop.

SA Objective 11: To improve adaptation to climate change so as to minimise its impact

Negligible (0)

The location of development will not affect the achievement of this objective as effects will depend largely on the detailed proposals for sites and their design, which would be influenced by policies in the new Local Plan and details submitted at the planning application stage. The extent to which the location of development sites would facilitate the use of sustainable modes of transport is considered separately under SA objective 10.

SA Objective 12: To protect and improve air quality

Negligible (0)

The site is not within 100m of an AQMA.

SA Objective 13: To protect material assets and minimise waste

Negligible (0)

The site does not fall within a Minerals Safeguarding Area.

SA Objective 14: To provide a suitable supply of high quality housing including an appropriate mix of sizes, types and tenures

Minor positive (+)

The site is expected to provide fewer than 100 dwellings. It is expected that these smaller sites will not be able to offer as wider mix of housing or making as greater contribution towards local housing needs as larger sites would.

Site 59572

Residential



SA Objective 1: To improve human health and well-being

Minor positive (+)/Uncertain significant negative (--?)

The site is within 800m of either an existing healthcare facility or an existing area of open space/walking and cycle path / play area/ sports facility (but not both).

The site is within an area of open space or currently accommodates an outdoor sports facility and this use may be lost as a result of development. The site is within an area of open space or currently accommodates an outdoor sports facility and this use may be lost as a result of development. However, these negative effects are uncertain as the effects will depend on the exact scale, layout and design of development and whether these existing features are in fact lost to new development.

SA Objective 2: To improve equality and access to community facilities and services

Minor positive (+)

The site is placed within the Very Good Accessibility Band.

SA Objective 3: To improve levels of educational attainment and

skills and training development for all age groups and all sectors of society

Uncertain significant positive (++)?

The site is within 800m of an existing secondary school and a primary school. However, uncertainty exists as the effects will depend on there being capacity available at those facilities to accommodate new pupils. It is also noted that the provision of new residential development could stimulate the provision of new schools and/or school places, however this cannot be assumed at this stage and is therefore uncertain.

SA Objective 4: To encourage sustainable economic growth, business development, and economic inclusion across the borough

Negligible (0)/Negligible (0)

The location of residential sites will not directly influence sustainable economic growth or the delivery of employment opportunities

SA Objective 5: To protect and enhance biodiversity and geodiversity

Uncertain significant negative (--?)

The site contains an existing green infrastructure asset that could be lost as a result of new development. The effect is uncertain as it may be possible to conserve or even enhance the asset through the design and layout of the new development.

SA Objective 6: To protect and enhance the borough's landscape and townscape character and quality

Uncertain significant negative (--?)

The site is not located near any settlements in rural locations, and/or would result in the loss of designated open spaces. These effects are uncertain at this stage as the effects on landscapes and townscapes will depend on the design, scale and layout of development, which may help mitigate any adverse effects.

The site is within 500m of the AONBs. These effects are uncertain at this stage as the effects on landscapes and townscapes will depend on the design, scale and layout of development, which may help mitigate any adverse effects.

SA Objective 7: To protect and enhance the cultural heritage resource

Uncertain significant negative (--?)

The site is located within 250m of a heritage asset. Effects are uncertain at this stage as they will depend on factors such as the design of the development and whether there are lines of sight between the development site and nearby heritage assets.

SA Objective 8: To protect and enhance the quality of water features and resources

Significant negative (--)/Uncertain minor negative (-?)

The site is either entirely or significantly (i.e. $\geq 25\%$) within Flood Zone 3 and/or within an area with a 1 in 30 year risk of surface water flooding.

The site does not contain a water body or watercourse but falls within or partially within Source Protection Zones 2 and 3. However, these effects are uncertain as effects resulting from proximity to Source Protection Zones and water bodies are uncertain at this stage.

SA Objective 9: To conserve and enhance soil resources and guard

against land contamination

Uncertain significant negative (--?)

The site is greenfield land and contains a significant proportion ($\geq 25\%$) of Grade 3 agricultural land. The uncertainty acknowledges that the Grade 3 agricultural land may be either Grade 3a (high quality) or 3b (not classed as high quality).

SA Objective 10: To reduce greenhouse gas emissions so as to minimise climate change

Minor positive (+)

The site is more than 800m from a railway station but within 400m of a bus stop.

SA Objective 11: To improve adaptation to climate change so as to minimise its impact

Negligible (0)

The location of development will not affect the achievement of this objective as effects will depend largely on the detailed proposals for sites and their design, which would be influenced by policies in the new Local Plan and details submitted at the planning application stage. The extent to which the location of development sites would facilitate the use of sustainable modes of transport is considered separately under SA objective 10.

SA Objective 12: To protect and improve air quality

Negligible (0)

The site is not within 100m of an AQMA.

SA Objective 13: To protect material assets and minimise waste

Negligible (0)

The site does not fall within a Minerals Safeguarding Area.

SA Objective 14: To provide a suitable supply of high quality housing including an appropriate mix of sizes, types and tenures

Minor positive (+)

The site is expected to provide fewer than 100 dwellings. It is expected that these smaller sites will not be able to offer as wider mix of housing or making as greater contribution towards local housing needs as larger sites would.

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TREE SAFETY POLICY

Item CE 23/16 referred from Communities and Environment Scrutiny Select Committee of 14 June 2023

Members were advised of the Borough Council's current policy in regard to the health and safety management of its own tree stock (attached at Annex 1).

Following a review by Officers and Insurers it was concluded that the current policy demonstrated well-documented evidence of a risk based approach adopted by the Borough Council in relation to the management of tree liability risks. Whilst there were no major faults identified a number of recommendations to improve how the document could be relied upon from a claim's defensibility perspective were presented for consideration as detailed in Annex 3 and Annex 3a.

Clarification was sought on the definition of an "adequate" length of time for any records of tree inspections to be kept as highlighted in the Insurers' report and further information was to be sought from the Insurers.

RECOMMENDED*: That

- (1) the proposed amendments to the Tree Safety Policy, as set out in Annex 3 and Annex 3a, be approved, subject to clarification with the Insurers with regard to the recommended length of time for any tree inspection records to be kept by the Borough Council.

* Referred to Cabinet

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

1 TREE SAFETY POLICY

Summary

This report advises on the Council's current policy in regard to the health and safety management of its own tree stock and identifies potential alterations to the policy following a review by Officers and the Council's Insurers.

1.1 Background

1.1.1 The Council's current Policy covers trees on all Borough Council owned sites including Country Parks, Tonbridge Castle grounds, Tonbridge Cemetery, sportsgrounds, woodlands, general public open spaces and Council owned car parks. The Council is responsible for an estimated 2,500 non woodland trees and woodlands which are estimated to contain between 2,000-10,000 trees per woodland.

1.2 Current Policy

1.2.1 The current health and safety management of trees is dictated by the Council's Tree Safety Policy which was adopted in 2010. The Policy has been subject to previous reviews and updates with the latest being October 2021. A copy of the current Policy can be found at **Annex 1**.

1.2.2 The Policy aims to address the following key issues:

- to ensure the management of the Council's tree stock contributes to making the environment safe, attractive and sustainable.
- to provide formal policies that enable the Borough Council to conform to best practice in the management of its trees, in relation to health and safety.

1.2.3 Fundamentally the Policy sets out the Council's approach to health and safety inspections identifying which trees need inspecting, the frequency of inspections and the competency required to undertake them. In summary, every individual mature tree is currently subject to a formal 'Expert' inspection every three years

and this is undertaken through the Council's current grounds maintenance contract. Trees located at high profile/high use sites are also subject to a 'Basic' inspection every other year when an 'Expert' inspection isn't being undertaken at that particular site with these inspections being undertaken by appropriately trained Leisure staff. In addition, trees on high profile/high use sites are inspected following 'storm' conditions (Policy 4 with the Tree Safety Policy) also by Leisure staff.

- 1.2.4 The Policy continues to outline the time frame for rectification of any defects found and the recording process.

1.3 Review of Current Policy

- 1.3.1 The current review sought comments on the Council's existing Policy from its insurers Zurich and this was undertaken by their Liability Risk Consultant. A full copy of the Zurich Report can be found at **Annex 2**.
- 1.3.2 In summary the report concluded that the *"policy therein demonstrates there is well- documented evidence of a risk-based approach that TMBC have adopted in relation to their management of their tree liability risks. This report has found no major faults in the documentation that has been presented however does make some recommendations to improve how the document can be relied upon from a claim's defensibility perspective."*
- 1.3.3 The 10 recommendations are detailed within the Zurich report at **Annex 2** though have been specifically drawn out in the table at **Annex 3**. The Zurich report/ recommendations and the Tree Safety Policy were also shared with the Council's Health and Safety Officer and their comments on the Zurich recommendations can also be found within the table at **Annex 3**. Additional comments were also received from the Health and Safety Officer, and these are shown at **Annex 3a**.
- 1.3.4 In response to both the Zurich recommendations and the comments from the Council's Health and Safety Officer, **Annex 3 and Annex 3a** also proposes amendments to the current Policy for consideration by Members of this Committee.

1.4 Legal Implications

- 1.4.1 The current Policy identifies the Council's legal responsibilities and Duty of Care in regard to the management of its tree stock.

1.5 Financial and Value for Money Considerations

- 1.5.1 It is essential that works arising as a result of this policy are actioned in accordance with the time frame identified. The Council's current estimated budget for tree works for 2023/24 is £80,000.

- 1.5.2 Whilst this is an estimate, costs will fluctuate dependant on work required and this will be influenced on an annual basis by a number of factors including weather conditions. Other implications such as Ash Die Back are also impacting on work required and resulting costs.

1.6 Risk Assessment

- 1.6.1 As identified by Zurich and within the Council's Policy it is essential that a risk based approach is taken to the management of the Council's tree stock with regard to health and safety.

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 Asset Management, Biodiversity & Sustainability, Health and Safety and Community.

1.9 Recommendations

- 1.9.1 Members of the Committee are invited to comment on the Council's existing Tree Safety Policy and, taking into consideration the recommendations from Zurich and comments from the Council's Health and Safety Officer, bring forward any proposed alterations to the policy to Cabinet.

The Director of Street Scene, Leisure & Technical Services confirms that the proposals contained in the recommendation(s), if approved, will fall within the Council's Budget and Policy Framework.

Background papers:

contact: Darren Lanes

Nil

Robert Styles
Director of Street Scene, Leisure & Technical Services

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Tonbridge and Malling Borough Council
Tree Safety Policy



Table of revisions

Date first published	October 2010
Updated logo, page numbers on contents page	August 2018
Updated section 3.0 to include number of claims between 2010 and 2018.	August 2018
Updated section 4.0 to include reference to Tonbridge and Malling Leisure Trust.	August 2018
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Updated Annex 4 to reflect changes to policies.	June 2020
Updated expert categories, policy 4 including references from audit report	November 2020
Updated policy 4 to clarify 'storm conditions'	October 2021

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1.0 The importance and value of trees

Trees and woodlands bring many benefits to the local environment. They make an important visual contribution, softening and enhancing the landscape by providing form, colour and diversity that change with the seasons. Trees help to improve air quality, play a part in water management and air conditioning that mitigate the effects of climate change and help to reduce global warming. Trees provide shade from the sun and shelter from wind and rain. They have significant aesthetic value screening unsightly buildings, providing privacy and reducing the effects of noise they help to enhance land and property values. Woodlands and parklands that contain trees, offer valuable habitats to a range of wildlife and desirable opportunities for education, relaxation and informal recreation including walking, cycling and horse riding.

The borough of Tonbridge and Malling has a large stock of trees reflecting its predominately rural nature. This strategy covers trees in the Council's ownership, the majority are in areas of woodland and public open spaces accessible by the general public.

Trees are amongst the least transitory, longest lasting assets of the natural environment. But as a living species they are subject to disease and defects that can make them a nuisance and in some situations they can become unsafe.

2.0 Risk management

Over many years risks from trees have been managed and have not been high on the list of public concerns. However, attitudes to risk are changing and in a risk-averse society the duty of care has become more onerous. Given the importance of trees the risks they pose need to be managed with their protection and conservation.

The Health and Safety Executive has identified the risk as 'broadly acceptable'. It states that each year between five and six people in the UK are killed when trees fall on them. Thus the risk of being struck and killed by a tree falling is extremely low. Around three people are killed each year by trees in public spaces; but as almost the entire population of the UK is exposed, **the risk per person is about one in 20 million.**



The risk, per tree, of causing fatality is of the order of one in 150 million for all trees in Britain or one in 10 million for those trees in, or adjacent to, areas of high public use. However the low level of overall risk may not be perceived in this way by the public although there is no research to suggest trees have become more dangerous in recent times.

3.0 History of claims

In recent years tree related claims against the Council have been relatively minimal. Since 2002 a total of 33 claims have been made costing the Council Insurers approximately £40,000 in claim payouts. These claims have been related to property damage caused by falling trees or root damage and none have related to personal injury.

4.0 Scope

This Policy covers trees on all Borough Council sites, predominantly trees are located on public open spaces or within woodlands. The Council is responsible for an estimated 2,500 non woodland trees and 24 woodlands which are estimated to contain between 2,000-10,000 trees per woodland.

The public open spaces include Country Parks, Tonbridge Castle grounds, Tonbridge Cemetery, sportsgrounds, woodlands, Council owned car parks and trees on land adopted as part of new developments or on other public open spaces throughout the borough.

The Council also undertake tree inspections within the car parks of sites managed by Tonbridge and Malling Leisure Trust. These include The Angel Centre (Tonbridge), Tonbridge Swimming Pool, Larkfield Leisure Centre and Poulton Wood Golf Centre (Tonbridge).



Trees owned by Parish/Town Councils, the County Council, in the ownership of Housing Associations and those privately owned are excluded from this Strategy as are highway trees.

In April 2009 the Borough Council commissioned its insurers, Zurich, to carry out a Tree Liability Report. This report assessed the Council's current approach to tree safety and advised on recommended improvements. The recommendations of the report have been considered within later sections of this policy and its specific policies.

5.0 Aims of the policy

The policy aims to address the following key issues:

- To ensure the management of the Council's tree stock contributes to making the environment safe, attractive and sustainable.
- To provide formal policies that enable the Borough Council to conform to best practice in the management of its trees, in relation to health and safety.

6.0 Legal obligations/best practice

Landowners have a legal Duty of Care with respect to trees on land they own. Industry-wide standards are currently in the process of revision given the need to be able to demonstrate in a court of law that owners of trees and those who carry out tree work have acted properly. At the present time a variety of standards that have arisen over decades are referred to in practice.

The Occupiers Liability Act 1957 is relevant for all public services, since nearly all are occupiers of property to which visitors resort throughout the year. It states: *"The common duty of care is a duty to take such care as in all circumstances of the case is reasonable, to see that the visitor will be reasonably safe in using the premises for the purposes for which he is invited or permitted by the occupier to be there"*.

Case law identifies the test of the 'duty of care' owed by a landowner with regard to trees as being that of *"the conduct to be expected of a reasonable and prudent landowner"* (House of Lords 1950).

A range of other more recent statements are referred, in particular the Health and Safety Executive SIM 01/2007.5(HSE) *Management of the risk from falling trees* (see **Annex 1**). The document is aimed specifically at Enforcement Officers not Duty Holders but clearly indicates the approach that the HSE would expect Duty Holders to take under Section 3 of The Health and Safety at Work Act 1974 (HSW). Employers, persons carrying out undertakings or in control of premises all have duties under the HSW Act. In particular, there is the duty to do all that is reasonably practicable to ensure that people are not exposed to risk to their health and safety. The HSE document states: *"Doing all that is reasonably practicable does not mean that all trees have to be individually examined on a regular basis. A decision has to be taken on what is reasonable in the circumstances and this will include consideration of the risks to which people may be exposed"*.

Other legislation relevant to the management of trees includes the Occupiers' Liability Acts 1984, the Local Government (Miscellaneous Provisions) Act 1976, the Countryside and Rights of Way Act 2000 (CRoW), the Wildlife and Countryside Act 1981 as well as legislation relating to Sites of Special Scientific Interest. Risk management is required under the Management of Health and Safety Regulations 1999.

7.0 Tree inspection policy

Tree inspections are defined as visual or exploratory assessments to determine various attributes of trees as determined by the level of arboricultural knowledge of the person concerned.

This section of the policy deals with the following questions that need to be addressed in dealing with tree inspections.

1. Which trees need inspecting?
2. How often do they need inspecting?
3. What level of competence should the inspector have?
4. How should the trees be inspected?
5. When should the trees be inspected?
6. How should tree works be prioritised?
7. What records should be kept of the inspections?

7.1 Which trees need inspecting?

HSE SIM 01/2007.5 provides guidance for HSE Inspectors and Local Authority Enforcement Officers. It states: *'Stakeholders, including Local Authorities (as duty holders), major landowners and arboriculturalists are being encouraged to agree a simple tree management standard. Given the large number of trees in public spaces across the country, control measures that involve inspecting and recording every tree would appear to be grossly disproportionate to the risk. Individual tree inspection should only be necessary in specific circumstances, for example where a particular tree is in a place frequently visited by the public, has been identified as having structural faults that are likely to make it unstable, but a decision has been made to retain it with these faults'*.

The HSE believes that public safety aspects can be addressed as part of the approach to managing tree health. Groups of trees can be identified by their position and degree of public access. As a minimum, the HSE suggests trees should be divided into two zones: one zone where there is frequent public access to trees (for example in and around picnic areas, schools, children's playgrounds, popular footpaths, car parks, or at the side of busy roads); and a second zone where trees are not subject to frequent public access. As a rough guide 'trees subject to frequent public access' are those that are closely approached by many people every day. For trees in a frequently visited zone, a system for periodic, proactive checks is appropriate. Further details of the HSE's suggested approach are located in **Annex 1**.

Taking the HSE's comments into consideration thought was given to the nature of the Council's tree stock in regard to relative public use/access. It has been concluded that due to the scale and nature of each site all 'Mature trees' will be inspected. It was felt that the Council managed no sites containing 'deep woodland' or significant areas where public access was completely restricted. Mature trees are defined in the Council's current Grounds Maintenance Contract as those over 6 metres tall.

Provision for maintenance of non-mature trees on public open spaces is, however, made within the Grounds Maintenance Contract.

Policy 1

The Council will monitor the health and safety of all mature trees in its ownership by carrying out regular inspections.

7.2 How often do trees need inspecting?

Unfortunately there is no definitive statement that gives a statutory definition with respect to the frequency of inspections. Government Circular 90/73 concerned with the inspection of roadside trees (with the potential to fall on the road) states '*The frequency of investigation will depend on age, kind, condition and circumstances of each tree.*' The frequency of inspections should depend on the location of the tree in relation to the level of public activity nearby and its age and condition.

The HSE omits any specific identification of frequency of tree inspections but notes the need for "a system for periodic, proactive checks is appropriate".

A 2008 Conference called by the Tree Safety Group brought together fifteen experts including the Forestry Commission, Barristers, members of the British Standards B/213 Committee – Trees, the Director of the Arboricultural Association, leading academics and others to discuss standards. 'Regular' inspection was described as 'vital', but not one contributor specified what frequency constituted 'regular'.

The Forestry Commission provide useful guidelines (Common sense risk management of Trees – in collaboration with the National Tree safety Group above) by suggesting placing sites into zones – typically two zones may be sufficient, high usage (e.g. car parks, play areas and amenity areas) and low usage (away from known access routes). It also states '*guidance relating to inspection frequency varies greatly; there is no uniformly accepted frequency appropriate to all situations, the decision is a judgment for the owner, agent or adviser, applying sensible reasonable behaviour in taking account of the site circumstances as a basis for good practice*'.

As previously highlighted, Zurich has undertaken a Tree Liability Report for the Borough Council. In summary the report recommends that high risk trees, those near footpaths etc, should be inspected by a qualified person at least once every five years. In addition it notes that annual checks should continue to identify storm damage etc and obvious ill-health resulting in unsafe limbs.

A British Standard – BS 8516 concerned with tree safety inspection has been drafted and consulted, but is not yet adopted (Relevant selected extracts from the draft proposal are detailed in **Annex 2**). In terms of frequency of inspections the draft, which is aimed at tree owners and managers, identifies prioritising inspections dependent on the level of public access. The draft proposal would require all trees to be checked by a ‘trained person’ every three years, with a still more rigorous ‘expert inspection’ by an arboriculturist every five years. To date this Standard has not been adopted. In the absence of statutory regulations the practice of other local authorities is a valuable reference.

Kent County Council is responsible for the highway network in the borough. Section 154 of the Highways Act 1980 empowers the County Council to inspect and manage all trees within falling distance of the highway, termed highway trees. The Code of Practice for Highway Maintenance Management Section 9.13.4 (2005) ‘Well-maintained Highways’ states that: ‘most trees should ideally have an arboricultural inspection every five years’.

Tunbridge Wells Borough Council currently carries out an ‘in-house’ expert inspection on an annual basis within their parks and open spaces. This relatively high frequency of inspection is achievable due to the relative low number of trees they manage, (approximately 2,500). The Borough Council does not have a formal written Strategy.

Maidstone Borough Council formally inspect one third of the borough each year with works carried out in the fourth year. Parks and open spaces staff carry out reactive works and inspection as reported/seen. Specialist survey work on ancient and veteran trees are commissioned as necessary. The Borough Council does not have a formal written Strategy, though are looking to write this and move to a three year rotation from 2020.

Sevenoaks District Council undertakes tree inspections at a frequency related to public usage. In regard to its countryside sites, annual inspections are undertaken at High Risk (High Use) sites with inspections decreasing to bi-annual or every third year at sites with a lower relative public use. Some sites have also been identified as not requiring any regular inspection. Initial surveys of all trees were undertaken by external consultants though subsequent inspections are now carried out ‘in-house’ through the Council’s Ranger Service.

Medway Council’s Tree Management Policy (adopted January 2009) specifies a policy “ensuring a competent arboriculturist undertakes regular inspections” as part of its tree management; no definition is given of “regular”.

As previously demonstrated, whilst no industry standard has yet been adopted in regard to inspection frequency, some comparables can be drawn from relevant guidance and approaches adopted by other local authorities. In general, it appears that expert inspections should be carried out at a frequency no longer than five years apart with these being supported by more basic inspections.

Further to the above, consideration should also be given to the need and frequency of basic inspections based on the individual risk presented by the trees/sites based

on public usage. In accordance with HSE guidance, Tonbridge and Malling Borough Council has identified a list of 'Priority Sites' that demonstrate relative high public usage and a full list can be found at **Annex 3**. It is the intention that trees at these sites, within falling distance of main thoroughfares and open spaces, will be subject to basic annual inspections.

Taking the above into consideration the following policies have been developed:

Policy 2

All mature trees owned by the Council will be subject to an expert inspection (see definition at 7.4) every three years.

Policy 3

In addition to expert inspections, basic inspections (see definition at 7.4) will be undertaken annually on all mature trees at identified priority sites and locations as highlighted at Annex 3.

Policy 4

After storm conditions occur (Storms which are categorised and named by the Met Office which also have significant impacts in the local area within the Borough) a basic inspection will be carried out at priority sites as soon as conditions permit and as staffing allows.

7.3 What level of competence should the inspector have?

The un-adopted British Standard 8516 – (see **Annex 2**) identifies four levels of inspection:

Level 1 'Lay' – requires no specialist knowledge

Level 2 'Basic' – should be 'by a person trained to observe potential hazards (for example Tree Warden, Park Ranger)'.

Level 3 'Expert' – undertaken by a qualified arboriculturist.

Level 4 'Detailed' – inspection by an arboriculturist requires either an aerial view or specialised equipment.

Tonbridge and Malling Borough Council's Grounds Maintenance Contract currently specifies the following required standard for undertaking Expert Inspections:

"The person undertaking these inspections shall hold qualifications which in the opinion of the Supervising Officer make him fit to carry out the work. As a guide, the following qualifications or their equivalents will be acceptable:

Degree in Forestry or Professional Member of The Institute of Chartered Foresters or Diploma in Arboriculture

The HSE's advice states: *“a quick visual check for obvious signs that a tree is likely to be unstable should be carried out by a person with a working knowledge of trees and their defects, but who need not be an arboricultural specialist. Informing staff who work in parks or highways as to what to look for would normally suffice.*

Policy 5

Expert inspections will be undertaken by a qualified arboriculturist. The minimum qualification standard required will be in accordance with the Council's grounds maintenance contract.

Policy 6

Basic inspections will be undertaken by a trained person (e.g. Tree Warden, Park Ranger). The minimum training required will be a LANTRA Basic Trees Survey & Inspection course, or equivalent.

7.4 How should the trees be inspected?

Trees are normally assessed by means of scheduled systematic visual assessment initially from ground level. Assessments will usually consist of a staged approach and compare the tree being inspected to a notional healthy, vigorous and defect free specimen. This staged approach may include:

1. Visual inspection of the tree for defect symptoms and overall vitality. If there are no signs of any problems the assessment is concluded.
2. If a defect is suspected on the basis of the symptoms, the presence or absence of that defect must be confirmed by thorough examination.
3. If the defect is confirmed, it must be quantified, remedial action should be identified and priority/urgency of works recorded.

Where necessary, further detailed investigation of potential structural weakness may be needed involving aerial inspections, soil and root condition or other procedures for assessing the nature of decay, wood quality or internal stem condition.

The un-adopted British Standard 8516 – (see **Annex 2**) indicates the following:

Expert Inspections - Systematic and diagnostic process of visual inspection by a competent person (e.g. an arboriculturist) from ground level using binoculars, mallet and probe as necessary in order to gain sufficient understanding of a trees structural condition, so as to inform, where appropriate, re-inspection interval and management recommendations (risk control measures) including detailed inspection.

Basic Inspections - Preliminary but systematic inspection undertaken (possibly using binoculars, mallet and probe) by a person trained to observe potential

hazards (e.g. Tree Warden, Park Ranger) so as to inform, where appropriate a risk control decision, including inspection by an expert.

Policy 7

Expert inspections will consist of a ground based visual assessment to gain an understanding of an individual trees structural condition so as to inform, where appropriate, re-inspection interval and management recommendations. Where detailed inspection is identified as being necessary aerial access to view the upper parts of the tree, or the use of specialised equipment (for example decay mapping) will be undertaken.

Policy 8

Basic inspections will consist of a ground based visual assessment to observe obvious potential hazards including altered exposure, hanging dead-wood, broken branches, injury, wilting, crown decline, severed roots, cracks in the soil around the tree, evidence of fungus and splits.

It is acknowledged that Basic Inspections are undertaken to identify obvious hazards that may lead to imminent failure of the tree. In regard to Basic inspections, an example inspection form can be found at **Annex 4** that details the hazards to be identified.

7.5 When should the trees be inspected?

Inspections undertaken at differing times of the year present a variety of benefits and obstacles. Inspecting a tree in full leaf assists in determining physiological conditions from the quality of the foliage though at the same time leaves obscure a clear view of the trees structure. Conversely, inspecting a deciduous tree in bare branch condition allows a good view of the structure but no assessment of the foliage.

Policy 9

Successive inspections, whether basic or expert, will take place, where practicable, at differing times of year so that all trees are assessed in-leaf and out-leaf alternately.

7.6 How should tree works be prioritised?

Where defects are confirmed as posing an unacceptable risk, appropriate remedial action should be identified to remedy the potential hazard and the timescale specified.

Policy 10

Following expert inspections remedial action will be identified under the following categories:

Category 1	within 6 months
Category 2	within 6-12 months
Category 3	within 12-24 months
Category 4	no action required until next scheduled inspection

Note: Any tree deemed an immediate danger to the public that cannot wait until inspections are written up and handed to the council will be taped off, and the council contacted at the time of inspection to carry out necessary works to make safe.

Note: Some trees may present signs of decline that warrants re-inspection prior to their next scheduled Expert Inspection, though do not require immediate remedial action. These will be brought to the attention of the Borough Council and re-inspected within the prescribed timescales stated on the report.

Policy 11

Following basic inspections remedial action will be identified under the following categories:

Category 1	urgent action	within 6 months
Category 2	high priority action	within 6-12 months

Note: The Council will prioritise actions based on risk, and all works that are deemed to be necessary for safety reasons as emergency works, will override any other priorities that exist within the current tree work schedule.

Note: Any tree deemed an immediate danger to the public that cannot wait until inspections are written up will be taped off, and a tree surgeon contacted to carry out necessary works to make safe.

7.7 What records should be kept of tree inspections?

The Zurich report highlighted that:

“Full and readily accessible inspection records can aid the defence of liability claims. It is recommended that detailed records be kept of all inspections done, whether in response to a complaint, in connection with maintenance work, or part of a new routine inspection regime.

Records should include the area/trees inspected, when and who by, and any problems found plus remedial action taken. Records must be kept for an adequate length of time, bearing in mind the fact that in the case of personal injury a minor has until three years after their eighteenth birthday to make a claim.

Reporting should always be positive in respect of inspection systems. In other words, there should always be a report. It is often more important to show that at

the time of the inspection there was no defect. In the absence of an inspection report it would be difficult to prove that at that particular time there was nothing wrong, especially if it has resulted in some personal injury to a member of the public. This is particularly true if a number of consecutive inspections have identified no defects since there will be no evidence of inspection over a significant period.”

The data to be recorded varies with the level of inspection and should reflect the findings. Records of Basic Inspections need not be as exhaustive as Expert Inspections though any observations giving rise to concern over tree safety should be recorded.

Policy 12

Expert inspections will be formally recorded and, as a minimum, will identify the following:

- Inspector’s Name:
- Date:
- Location:
- Tree Number (linked to site map):
- Species:
- Defects:
- Comments:
- Recommended Remedial Action:
- Priority for Works:
- Estimated Costs:

Policy 13

Basic inspections will be formally recorded and, as a minimum, will identify the following:

- Inspector’s Name:
- Date:
- Location:
- Tree Number (linked to site map):
- Species (If Known):
- Defects:
- Comments:
- Recommended Remedial Action:
- Priority for Works:

In regard to Basic Inspections an example inspection form can be found at **Annex 4**.



7.8 List of Policies

Policy 1

The Council will monitor the health and safety of all mature trees in its ownership by carrying out regular inspections.

Policy 2

All mature trees owned by the Council will be subject to an expert inspection (see definition at 7.4) every three years.

Policy 3

In addition to expert inspections, basic inspections (see definition at 7.4) will be undertaken annually on all mature trees at identified priority sites and locations as highlighted at Annex 3.

Policy 4

After storm conditions occur (Storms which are categorised and named by the Met Office which also have significant impacts in the local area within the Borough) a basic inspection will be carried out at priority sites as soon as conditions permit and as staffing allows.

Policy 5

Expert inspections will be undertaken by a qualified arboriculturist. The minimum qualification standard required will be in accordance with the Council's Grounds Maintenance Contract.

Policy 6

Basic inspections will be undertaken by a trained person (e.g. Tree Warden, Park Ranger). The minimum training required will be a LANTRA Basic Trees Survey & Inspection course, or equivalent.

Policy 7

Expert inspections will consist of a ground based visual assessment to gain an understanding of an individual trees structural condition so as to inform, where appropriate, re-inspection interval and management recommendations. Where detailed inspection is identified as being necessary aerial access to view the upper parts of the tree, or the use of specialised equipment (for example decay mapping) will be undertaken.

Policy 8

Basic inspections will consist of a ground based visual assessment to observe obvious potential hazards including altered exposure, hanging dead-

wood, broken branches, injury, wilting, crown decline, severed roots, cracks in the soil around the tree, evidence of fungus and splits.

Policy 9

Successive inspections, whether basic or expert, will take place, where practicable, at differing times of year so that all trees are assessed in-leaf and out-leaf alternately.

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Category 3	within 12-24 months
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Note: Any tree deemed an immediate danger to the public that cannot wait until inspections are written up and handed to the council will be taped off, and the council contacted at the time of inspection to carry out necessary works to make safe.

Note: Some trees may present signs of decline that warrants re-inspection prior to their next scheduled Expert Inspection, though do not require immediate remedial action. These will be brought to the attention of the Borough Council and re-inspected within the prescribed timescales stated on the report.

Policy 11

Following basic inspections remedial action will be identified under the following categories:

Category 1	urgent action	within 6 months
Category 2	high priority action	within 6-12 months

Note: The Council will prioritise actions based on risk, and all works that are deemed to be necessary for safety reasons as emergency works, will override any other priorities that exist within the current tree work schedule.

Note: Any tree deemed an immediate danger to the public that cannot wait until inspections are written up will be taped off, and a tree surgeon contacted to carry out necessary works to make safe.

Policy 12

Expert inspections will be formally recorded and, as a minimum, will identify the following:

- Inspector's Name:
- Date:
- Location:
- Tree Number (linked to site map):
- Species:
- Defects:
- Comments:
- Recommended Remedial Action:
- Priority for Works:
- Estimated Costs:

Policy 13

Basic inspections will be formally recorded and, as a minimum, will identify the following:

- Inspector's Name:
- Date:
- Location:
- Tree Number (linked to site map):
- Species (If Known):
- Defects:
- Comments:
- Recommended Remedial Action:
- Priority for Works:

8.0 Implementation and review

The Council's available financial resources will be prioritised with tree safety delivered ahead of environmental improvements.

The Council will continue to ensure that its Officers with responsibility for trees will receive adequate, appropriate and periodic training in relation to their specific duties of employment.

Electronic services are widely used by the Council to communicate with the public and provide information. In addition, the development of a computerised record system as a tree management database would make recording of inspections easier to complete, store and retrieve. It would, therefore, be beneficial to investigate the development of an electronic data base and tree inspection recoding process.

The implementation of the Policies in this document will feed into and be reviewed annually within the Councils Operational Risk Register.

Alterations or amendments to this policy document will be considered if any industry/governmental standards are formally adopted.

HEALTH AND SAFETY EXECUTIVE

Management of the risk from falling trees

SIM 01/2007/05

Target Audience:
FOD Inspectors
Local Authority Enforcement Officers

Date issued: 2007-07-03 **OG Status:** Fully open **Review date:** 2011-07-03
Author Unit/Section: Agriculture & Food Sector (Agricultural Safety Section)

Summary
 Background
 Suggested approach
 Enforcement guidance
 Action by inspectors
 Further information and contacts

Summary

This SIM outlines guidance on the standard of risk management of trees, including risk assessment and where appropriate, routine checks by a competent person. Duty holders should have such systems in place to control risks from trees to their employees, contractors and members of the public. This SIM is aimed specifically at duties under Section 3 HSW Act and should be read in conjunction with HSC's Enforcement Policy Statement, HSC policy on Section 3 enforcement and HSE's guidance on Section 3 enforcement. It also gives guidance on enforcement action, which should be taken in accordance with the principles and expectations of HSC's Enforcement Policy Statement (EPS). It is **not** intended as a guide to duty holders.

Background

What is the risk?

1. Each year between 5 and 6 people in the UK are killed when trees fall on them. Thus the risk of being struck and killed by a tree falling is extremely low. Around 3 people are killed each year by trees in public spaces; but as almost the entire population of the UK is exposed, the risk per person is about one in 20 million. The risk, per tree, of causing fatality is of the order of one in 150 million for all trees in Britain or one in 10 million for those trees in, or adjacent to areas of high public use. However the low level of overall risk may not be perceived in this way by the public, particularly following an incident.
2. The average risk is firmly in the "broadly acceptable" region of the tolerability of risk triangle published in HSE's "Reducing Risks Protecting People". However, "Reducing Risks, Protecting People" explicitly states that "broadly acceptable" is a general guide and not a definitive statement of what is reasonably practicable in law.

What is required?

3. Employers, persons carrying out undertakings or in control of premises all have duties under the HSW Act. In particular, there is the duty to do all that is reasonably practicable to ensure that people are not exposed to risk to their health and safety. Doing all that is reasonably practicable does **not** mean that all trees have to be individually examined on a regular basis. A decision has to be taken on what is reasonable in the circumstances and this will include consideration of the risks to which people may be exposed. The issues that need to be included in the risk assessment are discussed in paragraph 10.

4. Around half of all fatalities due to falling trees occur in public spaces, such as a park or beside roads, so Section 3 HSW Act may be applicable. Whilst HSE may regard the average risk as extremely low, the law requires that where reasonably practicable measures are available in individual cases they should be taken. Whilst the risk of such incidents puts them outside HSEs and LAs main proactive priorities, inspectors may be called upon to investigate serious incidents, including fatalities.

Other legislation

5. In addition to duties under the HSWA there are a number of reasons why LAs as duty holders) and others may want to manage their tree stocks, for example responsibilities under other legislation and the risk of civil liabilities to:
 - reduce the risk of property damage from subsidence;
 - maintain stocks to preserve their amenity, conservation, and environmental value;
 - prevent personal injury through trips and falls on footways disturbed by tree roots; and
 - prevent vehicle damage and personal injury from obscured sightlines on the highway.

For these and other reasons, some duty holders may undertake inspection of trees in a manner well beyond the reasonably practicable requirements of the HSW Act.

6. Other legislation relevant to the management of trees includes, for example the Occupiers' Liability Acts 1957 and 1984, Occupiers Liability Act (Scotland) 1960, Land Reform (Scotland) 2003, the Countryside and Rights of Way Act 2000 (CRoW), the Wildlife and Countryside Act 1981 as well as legislation relating to Sites of Special Scientific Interest, planning issues and Tree Preservation Orders.

Suggested approach

7. This SIM provides guidance on handling these issues and approaching enforcement decisions for HSE Inspectors and LA Enforcement Officers. Stakeholders, including LAs (as duty holders), major landowners and arboriculturists are being encouraged to agree a simple tree management standard. Given the large number of trees in public spaces across the country, control measures that involve inspecting and recording every tree would appear to be grossly disproportionate to the risk. Individual tree inspection should only be necessary in specific circumstances, for example where a particular tree is in a place frequently visited by the public, has been identified as having structural faults that are likely to make it unstable, but a decision has been made to retain it with these faults.
8. HSE believes that public safety aspects can be addressed as part of the approach to managing tree health and tree owners should be encouraged to

consider public safety as part of their overall approach to tree management. A sensible approach will ensure the maintenance of a healthy tree stock, the sound management of the environment and will usually satisfy health and safety requirements.

9. There are several approaches to managing the risks from trees that involve 'zoning' trees according to the risk of them falling and causing serious injury or death. Zoning approaches have been adopted by a number of large land owners and can be an effective approach. The complexity of zoning systems varies considerably, some involving as many as 12 different levels. Given the relatively low risk, some will involve a level of sacrifice (time, trouble and money) that not only meets, but goes beyond reasonable practicability, as required by HSWA s3.
10. An effective system for managing trees should meet the requirements set out in the Management of Health and Safety at Work Regulations 1999 and the associated ACoP (guidance is contained in HSG 65 Successful health and safety management and INDG 163 Five steps to risk assessment) and is likely to address the following:
 - (i) An overall assessment of risks from trees, particularly identifying groups of trees by their position and degree of public access. This will enable the risks associated with tree stocks to be prioritised, and help identify any checks or inspections needed. As a minimum, trees should be divided into two zones: one zone where there is frequent public access to trees (e.g. in and around picnic areas, schools, children's playgrounds, popular foot paths, car parks, or at the side of busy roads); and a second zone where trees are not subject to frequent public access. As a rough guide 'trees subject to frequent public access' are those that are closely approached by many people every day. Maps may be useful here as individual records for individual trees are unlikely to be necessary if zones and the trees in the zones are clearly defined.
 - (ii) For trees in a frequently visited zone, a system for periodic, proactive checks is appropriate. This should involve a quick visual check for obvious signs that a tree is likely to be unstable and be carried out by a person with a working knowledge of trees and their defects, but who need not be an arboricultural specialist. Informing staff who work in parks or highways as to what to look for would normally suffice. Duty holders should ensure that any system that is put in place for managing tree safety is properly applied and monitored.
 - (iii) A short record of when an area or zone or occasionally an individual tree has been checked or inspected with details of any defects found and action taken.
 - (iv) A system for obtaining specialist assistance / remedial action when a check reveals defects out with the experience and knowledge of the person carrying out the check.

- (v) A system to enable people to report damage to trees, such as vehicle collisions, and to trigger checks following potentially damaging activities such as work by the utilities in the vicinity of trees or severe gales.
- (vi) Occasionally a duty holder may have responsibility for trees that have serious structural faults but which they decide to retain. Where such a condition is suspected and the tree also poses a potentially serious risk because, for example its proximity to an area of high public use, a specific assessment for that tree and specific management measures, are likely to be appropriate.
- (vii) Once a tree has been identified by a check to have a structural fault that presents an elevated risk, action should be planned and taken to manage the risk. Any arboricultural work required should be carried out by a competent arboriculturist, as such work tends to present a relatively high risk to the workers involved. Duty holders should **not** be encouraged to fell or prune trees unnecessarily.
- (viii) Inspection of individual trees will only be necessary where a tree is in, or adjacent to, an area of high public use, has structural faults that are likely to make it unstable and a decision has been made to retain the tree with these faults.
- (ix) Monitoring to ensure that the arrangements are implemented in practice.

Enforcement guidance

11. Enforcement action may be appropriate following an incident or investigation of a complaint and should be in accordance with HSC's EPS and with HSE's Enforcement Management Model (EMM). In particular, consideration should be given as to how far the duty holder fell below what could reasonably be expected in the circumstances. This should be informed by the broad approach outlined above and factors such as:
 - (i) the frequency of public access to the tree;
 - (ii) the existence of a system for managing trees based on the level of risk;
 - (iii) the implementation of the system in practice, including a procedure to act on reports of structural faults;
 - (iv) the need to comply with other legislation e.g. the Wildlife and Countryside Act, Tree Preservation Orders etc. Such legislation generally allows that trees in a dangerous condition may be felled, however a specific check should be made before considering enforcement action.

12. Consideration should also be given to the risks to persons that arise from the failings of the duty holder, along with the factors set down in paragraph 39 of the EPS. Of particular relevance will be any history of previous incidents in the area managed by the duty holder and any previous advice or enforcement in relation to the duty holder.
13. For the purposes of the EMM, the guidance in this SIM should be 'established' guidance. The benchmark, based on duties under HSW Act is a 'remote' risk of 'serious personal injury'.
14. Inspectors should seek advice from either the Agriculture and Food Sector or the Central and Local Government, Education and Research Sector as appropriate before issuing an improvement notice or considering prosecution

Action by inspectors

15. When called upon to examine standards of tree management following an incident or if they identify a matter of evident concern during a visit, inspectors should base their approach in deciding whether to investigate on HSC's general guidance on Section 3 HSW Act and HSE's operational guidance on Section 3 enforcement as well as the additional advice and guidance in this SIM. Proactive inspection of duty holders' systems for tree management is **not** envisaged. Any enforcement action should be taken in accordance with HSC's EPS.
16. A good deal of relevant guidance is produced by various organisations, including the Arboricultural Association and Forestry Commission. Their guidance provides advice to help duty holders comply with the Occupiers Liability Acts and other legislation. It is also likely to be helpful to investigating inspectors, however it should be remembered that it represents **best practice** guidance for managing trees, not the minimum standard required by Section 3 HSW Act outlined above.

Further information and contacts

Arboricultural Association, Ampfield house, Romsey, Hampshire, SO51 9PA Tel 01794 368717 Fax 01794 368 978, email admin@trees.org.uk. Website Information available includes Tree Surveys: A guide to good practice Arboricultural Association Guidance Note 7

Forestry Commission website where you can down load best practice guidance, including "Hazards from trees – a general guide".

"Managing Visitor Safety in the Countryside – principles and practice" produced by the Visitor Safety in the Countryside Group.

Annex 2**British Standards BS 8516 - Recommendations for Tree Safety Inspection**

This standard was published as a DRAFT on the BSI website 13 May 2008 and WAS NOT CURRENT BEYOND 31 July 2008.

No new publication has been produced to date to replace this draft standard.

Most relevant extracts from the draft document are quoted below.

Scope

This British Standard addresses considerations arising from the need to inspect trees in order to assess, and if necessary reduce their potential for structural failure.

It is aimed at tree owners and managers, and all those designing tree inspection regimes and undertaking tree inspections.

Tree inspection

Visual assessment to determine various attributes of trees as determined by the level of arboricultural knowledge of the person concerned.

Four different levels of inspection are defined

Lay - Rudimentary inspection by untrained persons (e.g. owners of trees at private residential addresses).

Basic - Preliminary but systematic inspection undertaken (possibly using binoculars, mallet and probe) by a person trained to observe potential hazards (e.g. tree warden, park ranger) so as to inform, where appropriate a risk control decision, including inspection by an expert.

Expert - Systematic and diagnostic process of visual inspection by a competent person (e.g. an arboriculturist) from ground level using binoculars, mallet and probe as necessary in order to gain sufficient understanding of a tree's structural condition, so as to inform, where appropriate, reinspection interval and management recommendations (risk control measures) including detailed inspection.

Detailed - Specialized examination identified as being necessary during expert inspection by a competent person (e.g. an arboriculturist), variously comprising aerial access to view upper parts of the tree, or the use of specialized (decay mapping) equipment.

Factors to consider

Timing of inspections - Successive expert inspections should, where practicable, be undertaken at differing times of year as this facilitates inspection under a range of conditions.

Prioritising inspections - A prioritized inspection schedule should be undertaken based on levels of access (i.e. exposure of people to hazard) and arboricultural advice, taking account of relevant factors where known) that affect safety such as age class, condition, size and species of trees.

Where exposure increases, for example outdoor concert held in a normally unoccupied park, the inspection regime should respond to the changed demands of the site usage, to ensure appropriate and effective risk controls are provided.

Data recording - The data to be recorded varies with the level of inspection and should reflect the findings.

Lay and basic inspections need not be as exhaustive as expert inspections, though any observations giving rise to concern over tree safety should be recorded (together with the date) and referred for expert inspection in a timely manner (i.e. as soon as can reasonably be arranged).

A list of items that should be recorded for both basic and expert inspections was included.

Basic inspection - Date of inspection; name of person undertaking the inspection; trees inspected (listed by common name, or identification number referenced to a tree tag or plan; any obvious hazards observed; any limitations preventing inspection to the required level; species (listed by common name) and location; action taken

Expert inspection - Date of inspection; name of person undertaking the inspection; trees inspected of the specific area (zone) in which the trees were inspected; identification and location of individual hazard trees; species (listed by common name and scientific name); age class; significant defects present assessed as being hazardous; any limitations preventing systematic inspections; recommended actions (if required); timescale for implementing the recommendations (based on the risk posed); interval and preferred time of year for the next expert inspection.

Climatic considerations - Consideration should be given to implementing at least basic inspections in the aftermath of storm events, especially for trees previously identified as being particularly vulnerable, and/or those standing adjacent to high-value targets (e.g. trunk roads.).

Frequency of inspections

Lay inspection - It is generally accepted that layman owners of trees should be familiar with the condition of their trees, most suitably facilitated by regular observation and/or annual inspection.

Basic inspection - In the case of basic tree inspection, the interval between inspections should be driven by site usage, though annual inspection is usually appropriate for targets such as well-used highways.

NOTE A two or three year cycle may be appropriate for less frequented sites.

Expert inspection - The maximum interval between expert inspections where a target is or foreseeably may be present should be five years.

NOTE Departure from this recommendation may be justified where there is identifiable infrequent access, recorded as such at a strategic level.

Within this maximum parameter, the interval between systematic expert inspections should be varied in order to take account of a trees condition and context, including site usage and changes in circumstances and growing conditions. The interval should also take account of the findings of each previous expert inspection, and those of any lesser inspections undertaken in the meantime.

The precise timing of inspections should reflect the nature of any defect known to be present (for example seasonally occurring fungal structures) and should also address, where possible, any limitations that formally reduced the effectiveness of a prior inspection.

The competent person (for example an arboriculturist) undertaking the expert inspection should identify the appropriate interval to, and preferred time of year for, the next scheduled expert inspection.

TONBRIDGE & MALLING BOROUGH COUNCIL

List of Priority Sites/Locations

Haysden Country Park*
Leybourne Lakes Country Park*
Swanmead Sportsground
Tonbridge Racecourse Sportsground
Tonbridge Farm Sportsground
Tonbridge Castle Grounds
Tonbridge Cemetery
Woodlands Walk Public Open Space
Car parks (listed below)

* These sites may contain areas of woodland that are either inaccessible to the public or are more remote therefore public usage is relatively low. At these sites only trees within falling distances of designated paths and open areas will be subject to a basic annual inspection.

Angel East, Tonbridge
Angel West, Tonbridge
Bailey East, Aylesford
Bailey West, Aylesford
Bow Road, Watlington
Bradford Street, Tonbridge
Curran Hall, East Peckham
Deacons Field, Tonbridge
Hilltop, Tonbridge
Larkfield Leisure Centre, Larkfield
Martin Square, Larkfield
Poult Wood main, Tonbridge
Poult Wood overflow, Tonbridge
Riding Lane, Hildenborough
Rocfort Road, Snodland
Ryarsh Lane, West Malling
Sevenoaks Road, Igtham
Sovereign Way East, Tonbridge
Sovereign Way Mid, Tonbridge
Sovereign Way North, Tonbridge
Tesco high Street, West Malling
Teston Road, Offham
The Botany, Tonbridge
Twisden Road, East Malling
Waterloo Road, Tonbridge
Western Road, Borough Green
Wrotham Hill Viewpoint, Wrotham

Basic Tree Inspection Pro-forma: Example

Annex 4

Inspectors Name:.....	Site/Location.....	Date.....
--------------------------	--------------------	-----------

Tree No. (Link to Map)	Species (if known)	Defects/Comments	Action Required	Priority (1 or 2)	Action Taken

It is important to note that Basic Tree Inspections are only designed to recognise **obvious hazards** that may lead to imminent failure of the tree and those undertaking them are not expected to have detailed knowledge in tree biology, legislation or any other arboricultural specialism. It is also important to note that Basic Tree Inspections will also be supported by an external Expert Inspection every third year.

Only trees with defects are to be recorded above though a map should be attached to each inspection form that clearly identifies the areas in which all the trees were inspected. If trees are not recorded above and are within the highlighted survey areas it can be concluded that they have shown no signs of **obvious hazards**.

Guidance Notes

Basic Tree Inspections will consist of a “from the ground based visual assessment” and record the following information:

- | | |
|---------------------|---|
| 1. Tree No. | - Provide a unique reference number related to an appropriate map in order that the tree may be re-located |
| 2. Species | - If species is unknown, please note whether it is a conifer or broadleaf |
| 3. Defects/Comments | - Please state the nature of the defect identified (see below) |
| 4. Action Required | - Please state action to be taken by Inspector; for example “refer to expert consultant” or “remove tree” |
| 5. Priority pathway | - Priority 1’s require urgent action within 6 months; for example the tree is uprooted and overhanging a pathway |
| | - Priority 2’s require action within the next 6-12 months (i.e. prior to next scheduled inspection); for example an identified fungal infection that needs referral to an expert consultant |
| 6. Action Taken | - Confirmation when action is complete to close the audit loop |

Obvious hazards or defects:

- | | |
|---------------------|--|
| 1. Altered Exposure | - Is it apparent that an adjacent tree or other structure has been removed recently that may have supported or protected the tree from prevailing winds? Whilst this alone may not necessary mean the tree is unsafe this should be recorded to inform future inspections. |
| 2. Hanging Deadwood | - Are any large severed branches hanging within the tree? |
| 3. Broken Branches | - Are any large broken branches hanging within the tree? |
| 4. Injury | - Does the tree show any sign of damage (lightning strike, vandalism etc) |
| 5. Wilting | - Does it appear that the tree is unnaturally wilting (e.g. unrelated to the existing climatic circumstances) |
| 6. Crown Decline | - Does there appear to be obvious signs of thinning of the crown? |
| 7. Severed Roots | - Have any works been undertaken in close proximity to the tree that may have affected its stability or health? Is there any soil disturbance? |
| 8. Heave | - Is there any significant cracking in the ground immediately at the base of the tree? |
| 9. Fungal Infection | - Are there any fruiting fungal bodies at the base/on the tree or any obvious signs of decay? |
| 10. Splits | - Are there any obvious cracks or splits? |

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Risk Engineering

Risk Assessment and Risk Improvement

Increasing insight, reducing risk



Date of Assessment: 31 March 2023

Date of Issue: 31 March 2023

Tonbridge & Malling Borough Council

Kings Hill
West Malling
ME19 4LZ

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Customer Data:	
Parent Company:	Tonbridge and Malling Borough Council
Location Information:	
Address:	Kings Hill, West Malling, ME19 4LZ
Scope of Assessment:	
Assignment Category:	Risk Improvement
Locale:	Remote
Service Data:	
Assessed by:	Anthony Byars
Assessment Dates:	
Date of Current Assessment:	31/03/2023
Distribution:	
Customers:	Darren Lanes – Head of Street Scene and Leisure (TMBC) James Fay - Interim Leisure Services Manager (TMBC) Dominic Reynolds - Senior Exchequer Assistant (TMBC)
Broker:	N/A
Underwriters/Zurich Employees:	N/A
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Executive summary

Scope and purpose

This report was commissioned by Tonbridge and Malling Borough Council (TMBC) to review and comment on the adequacy of the arrangements in place within TMBC for tree risk management. The main subject of this report is the effect of trees and tree roots on members of the public. This includes the adverse effect of tree root growth on property (mainly subsidence), but also direct damage by contact with property, trips over footways damaged by roots, and trees or limbs falling onto property or people. The purpose of the review was to assess TMBC's Tree Safety Policy with a subsequent grading of TMBC's tree liability to follow. This report consists of a desktop review of the corporate tree management strategy documentation.

The overall approach taken by Zurich Risk Engineering (ZRE) was to assess the existing system against the principles for effective asset management, ZRE's standards for risk management and relevant good practice such as the National Tree Safety Group 'Common sense risk management of trees.'

Understanding the risks

Serious injury caused by trees is rare in comparison to the number of trees growing in the UK, however such incidents often attract the eyes of the media. For example, in July 2020 Wirral Borough Council was fined £100,000 by the HSE when a falling tree branch injured an expectant mother, tragically killing her unborn baby. In addition to fines, councils may face the costs of investigating and defending an HSE prosecution, as well as any civil claim that may follow.

Witley Parish Council v Cavanagh (2018) is an example of a prominent civil claim which recently went to the court of appeal. In this case, the claimant was injured when a tree adjacent to the Highway fell onto the bus he was driving. The council was held liable as they were unable to demonstrate a risk-based approach to their frequency of inspections.

Damage caused by tree roots can result in extremely large claims payments. Zurich Municipal receives some claims that cost several hundreds of thousands of pounds for individual incidents of damage, and one claim a number of years ago cost over £1 million. These claims can also stay open for a long time and require detailed investigation, which means there are the hidden costs of officer time that aren't covered by insurance.

The importance of effective management of trees is further emphasised by the threat to the country's tree stock posed by the arrival in 2012 of Ash Dieback (*Chalara fraxinea*). There are, of course, other causes for concern in the form of the Asian Longhorn Beetle, *Phytophthora ramorum*, Chestnut Blight and the Oak Processionary Moth (OPM). Climate change in the UK is forecast to expect hotter, drier summers. This is likely to have a negative impact on the health of many tree species as well as increasing soil desiccation resulting in the potential for worsening safety and subsidence risks.

The Council's statutory duties to third parties in respect of trees will mostly fall under the Highways Act 1980, the Occupiers' Liability Acts, the Health and Safety at Work etc. Act 1974 and the Management of Health and Safety at Work Regulations 1999. There are also common law duties that arise through nuisance in respect of encroachment of tree roots and through contract law.

The timescales and claims response protocols for the processing of liability claims are governed by the Court Procedure Rules (CPR) and are also important considerations in the risk management of trees for which TMBC is responsible. Failure to meet timescales may result in the defendant being liable to pay a penalty (fine) for failing to comply. Restricted timescales mean that organisations must be able to gather evidence efficiently and respond. Therefore, it is vital that relevant documentation in relation to tree risk management such as policies, procedures, risk assessments, training records and inspection and maintenance records are retained and are readily accessible.

Notwithstanding public liability exposure, an inconsistent approach does not allow the Council to establish the value of the asset and future financial and climate change planning requirements and opportunities. Relevant examples of good practice include the National Tree Safety Group's (NTSG) "Common sense risk management of trees" and Well-Managed Highway's Infrastructure Code of Practice (WMHI). Whilst WMHI doesn't directly relate to trees away from the Highway, a risk-based approach is suitable for the management of all trees across the council.

Responsibility for the management of trees is devolved to individual departments and teams. These assets are managed by specialist technical employees with assistance from other departments within the council. Their remit includes parks and open spaces and other properties. The tree risk policy document that was under review within this report formalises TMBC's strategy taking a holistic view of the risks faced by the assets whilst detailing the appropriate levels of inspection, maintenance and reactive actions when required.

The review of the corporate tree management strategy and the policy therein demonstrates there is well-documented evidence of a risk-based approach that TMBC have adopted in relation to their management of their tree liability risks. This report has found no major faults in the documentation that has been presented however does make some recommendations to improve how the document can be relied upon from a claim's defensibility perspective.

A scored grading of TMBC's holistic approach to managing this risk may be conducted at a later stage to confirm that the best practice detailed in this document is being supported and adhered to.

Overview of risk recommendations

To improve the risk management and claims defensibility of this policy the following recommendations have been made:

Numbered

1. Inclusion of the Highways Act 1980 when discussing relevant legislation that the policy considers.
2. Provide an explanation of the various levels of inspection depending on the tree type should be presented before Policy 2.
3. Removal of the comparison of strategies adopted by neighbouring councils.
4. Basic inspections should be discussed before moving onto expert inspections.
5. Include an explanation of the actions the council will take following a report of a hazardous tree damaged by a storm.
6. Include a caveat to the tapping of trees following a storm incident "if safe to do so".
7. Include a third category that stipulates if no further action is required.
8. Inclusion of a categorisation detail in the expert inspection form.
9. Inclusion of a categorisation detail in the basic inspection form.
10. Removal of the strategic objective to digitise records from the policy document.

Miscellaneous

- There should be a specific policy that sets out TMBC's stance on complaints from third parties regarding trees and what the response timescales for these should be
- "Lay" and "Detailed" inspections should be detailed as numbered policies with greater explanation given to when they should be adopted as is done with "basic" and "expert" inspections.

Participants

The assistance of the following participants is acknowledged, with thanks:

Darren Lanes – Head of Street Scene and Leisure (TMBC)
James Fay - Interim Leisure Services Manager (TMBC)
Dominic Reynolds - Senior Exchequer Assistant (TMBC)

Risk factor information and assessment

Asset Management and Liability - Risk Grading

Location	Remote
Scope	Primary
Description	Asset Management and Liability Management System
Introduction and Best Practice	
Recommendation - 001	
<p><u>Comments</u></p> <p>The policy document is introduced with a synopsis on the importance of trees to TMBC noting their value to the organisation before giving a background of risk management in relation to trees. It highlights that the frequency of incidents that occur that would cause damage and/or injury are deemed as being “extremely low” and acknowledges that there is no research that suggests the overall risk presented by trees has not increased in recent times. There is no set standard way in which a policy must be written however this report finds the introduction to this risk is a good summarisation of the risk presented by trees and therefore sets a good context for the policy about to be discussed.</p> <p>The document then moves to discuss the history of claims relating to TMBC noting that since 2002 there have been a total of thirty-three claims resulting in £40,000.00 in claims pay out and noting that these all relate to property damage rather than any injuries. The inclusion of this can be helpful to internal stakeholders however this can be used as a guide to potential claimants as well for setting an understanding of the type of claims typically dealt with.</p> <p>The scope of the policy looks specifically at the areas of responsibility that are covered by TMBC, this is an essential requirement as it identifies what areas and tree’s TMBC may be liable for. This sub-section identifies these areas adequately.</p> <p>The aims presented by this policy identifies the scope of the policy itself in its intention to create a safe, attractive, and sustainable environment and to provide formal direction in the best methods for achieving this.</p> <p>The legal implications are highlighted under responsibilities pertaining to the Occupiers Liability Act 1957 confirming this policy complies with the common duty of care. Other relevant legislation is highlighted as being relevant to tree risk management policy including:</p> <ul style="list-style-type: none"> • Occupiers Liability Acts 1984 • Local Government (Miscellaneous Provisions) Act 1976 • Countryside and Rights of Way Act 2000 (CRoW) • Wildlife and Countryside Act 1981 • Management of Health and Safety Regulations 1999 <p>All legislation mentioned is considered part of best practice however it would be recommended to mention the Highways Act 1980 at this point as many incidents involving trees happen near or on highways.</p> <p><u>Recommendation</u></p> <p>Include mention of the Highways Act 1980 when listing the legal obligations, if there is a separate policy that relates to Tree’s and Highways, then this should be at least signposted within this subsection of the policy.</p>	

Policy 1 – Monitoring and Inspection**Recommendation - Nil**Comments

The document clearly states that the Council is responsible for monitoring the health and safety of all mature trees by way of inspection. This policy is expanded on by following guidance set out by HSE in regards to “Zoning” (HSE, 2013) , two categories of zones are identified that are determined by the frequency of visitation each site would receive. This follows best practice set out by HSE. There is a clear stipulation that mature trees (which is referred to in other parts of the policy) are defined as trees being over 6 meters tall.

Recommendation

Nil

Policy 2 – Expert Inspection Frequency**Recommendation – 002, 003**Comments

This policy deals specifically with the inspection of “mature” trees as previously defined in the first policy. The stipulation of this policy is that the council will carry our “expert” inspections within a three year period. This is stipulated before the explanation is given of the requirements of an “expert” inspection.

The policy itself is a sound explanation on the frequency of expert inspections however and is therefore fit for purpose.

Recommendation

1. Explanation of the levels of inspection should be defined before Policy 2 makes mention of their requirement for a specific categorisation of tree.
2. Preceding the “Policy 2” being raised, there is a comparison of the neighbouring councils attitudes to tree inspection. Albeit this comparison is useful information, it is more useful to internal stakeholders at TMBC and therefore should not form part of the policy document that could be disclosed to third parties if requested under a Freedom of Information Act (FOI2000) Request. This comparison gives potential claimants ammunition to cross examine other councils and dispute the actions of TMBC. This policy document should relate to the policy of TMBC alone.

Policy 3 – Basic Inspection Frequency**Recommendation - 004**Comments

As with Policy 2, this policy speaks of about basic inspections and their requirement to be undertaken annually on all mature trees that have been identified at priority sites. The frequency identified complies with the recommended frequency of inspection.

Recommendation

If expert inspection requirements are identified from basic inspections, basic inspections should be detailed first to assist the flow of reading the policy document.

Policy 4 – Post Storm Condition Inspections**Recommendation – 005, 006**Comments

Policy 4 states that basic inspections will be conducted at priority sites “as soon as conditions permit and as staffing allows.” It also notes that this will only be conducted following Metrological Office ‘named’ storms. By leaving a certain level of ambiguity regarding the call out times for these inspections, this aids in claims defensibility as well as assisting in the operational management of this policy requirement.

Recommendation

1. Post storm reports are most likely to be called in to the council with the third party requesting an inspection, within Policy 4 it is recommended that there is mention of requests for reactive inspections following complaint that still allows for reasonable management of these inspections.
2. Within the Policy 10 there is mention that trees that pose an immediate threat should be taped off. The act of taping off a tree should mention specifically that this should be done when it is safe to do so or following an expert inspection. This removes the unreasonable expectation that council employees would be going to trees that have been identified during hazardous weather conditions to immediately carry out this action.

Policy 5 – Qualifications (Expert Inspection)**Recommendation - Nil**Comments

The levels of qualification required for “Expert” inspections is clearly demonstrated.

Recommendation

Nil

Policy 6 – Qualifications (Basic Inspection)Comments

The levels of qualification required for “Basic” inspections is clearly demonstrated.

Recommendation

Nil

Policy 7 – Expert Inspection Scope**Recommendation - Nil**

Comments

There are expert forms of inspection in place. These inspections would be used to address the structural condition of the tree will be focused on with re-inspection recommendation and/or management recommendations being given at this point. This is viewed as good practice.

Recommendation

Nil

Policy 8 – Basic Inspection Scope**Recommendation - Nil**Comments

There are basic forms of inspection in place. This inspection would be a ground based visual inspection to check for obvious potential hazards, a link to the potential hazards is identified.

Recommendation

Nil

Policy 9 – Successive inspections**Recommendation - Nil**Comments

This policy addresses the approach that TMBC have adopted to successive inspections on the same tree. The recommendation that is set out in this policy is that the trees should be inspected during different seasons in successive years to give a multi-seasonal view of the overall health of the tree. This demonstrates a good risk management practice to determine the overall health of a living and seasonally affected asset. This also reflects the decision in *Cavanagh v Witley* which advises that inspections should be carried out in and out of leaf.

Recommendation

Nil

Policy 10 – Remedial Action Categorisation (Post Expert)**Recommendation - Nil**Comments

The categorisation of remedial action timescales laid out in this part of the policy reflect the best practice (Smiley et al, 2017). There is a note attached to this policy that suggests that a tree that is an immediate danger to the public will be “taped off” until a time that the necessary works can be completed to make the tree safe.

Recommendation

Nil

Policy 11 - Remedial Action Categorisation (Post Basic)**Recommendation - 007**

Comments

The categorisation of remedial action timescales laid out in this part of the policy reflect the good practice (Smiley et al, 2017). This policy also notes a risk-based approach to the basic inspections with works being deemed necessary for safety reasons will take priority. This conforms to best practice (Ball, 2011). The inclusion however of only two categories (High priority and urgent) however means that there is no category given for “no action required until next scheduled inspection” as per policy 10.

Recommendation

Include a third category that details if no further action is required until the next inspection.

Policy 12 – Recording of Inspections (Expert)**Recommendation - 008**Comments

The information that is gathered as part of the expert inspection covers most of the relevant information that would be required from an insurance standpoint if the tree was to be involved in a claim. The only other addition that would be required for this would be the response category that the inspection has identified. Although this could be detailed in the “Recommended Remedial Action” question, having a specific requirement to fill this in offers the best available information to aid claims defensibility.

Recommendation

Specifically ask for the categorisation of response that the inspection requires on the basic inspection sheet.

Policy 13 – Recording of Inspections (Basic)**Recommendation - 009**Comments

The information that is gathered as part of the basic inspection covers most of the relevant information that would be required from an insurance standpoint if the tree was to be involved in a claim. The only other addition that would be required for this would be the response category that the inspection has identified. Although this could be detailed in the “Recommended Remedial Action” question, having a specific requirement to fill this in offers the best available information to aid claims defensibility.

Recommendation

Specifically ask for the categorisation of response that the inspection requires on the basic inspection sheet.

Recommendation - 010Comments

The policy document concludes with the commitment that tree safety will be delivered ahead of environmental improvements. This statement clearly demonstrates a strong commitment to the risk-based approach laid out in this policy.

There is a commitment to the continued training of individuals responsible for the management of tree assets within their organisation.

There is a commitment to further develop the way that information relating to tree asset management is recorded by way of developing a digital record system, although this statement is reasonable and laudable, it may not be required to be included in the tree risk policy specifically as this forms part of a strategy rather than policy.

The policy is then finalised with a commitment to be reviewed annually as part of the Councils Operation Risk Register. This forms part of best practice in risk management as it demonstrates there is a cyclical review process of this risk.

Annexes to the policy are appropriate and support the policy objectives well.

Recommendation

Remove the strategic objective for an upgrade to digital record systems from the policy document.

References

Ball, D., 2011. Common sense risk management of trees: guidance on trees and public safety in the UK for owners, managers and advisers. Common sense risk management of trees: guidance on trees and public safety in the UK for owners, managers and advisers.

HSE (2013), Management of the risk from falling trees or branches, Series: Sector information minutes SIM 01/2007/05, viewed 30/03/2023

Smiley, E.T., Matheny, N.P. and Lilly, S.J., 2017. Tree risk assessment. In Routledge Handbook of Urban Forestry (pp. 478-488). Routledge.

Final remarks

I would like to thank those who participated in this assessment for their assistance and co-operation. If there are any questions arising from this report, or further details are needed, please let Zurich know as soon as possible.

Zurich Risk Engineering aims to continually improve its service to customers. In support of this, please could you kindly take a few moments to complete the brief online Customer Response Survey for which there is a link at the start of this report.

Anthony Byars MSc, Cert CII, GradIRM
Risk Consultant - Liability Team
anthony.byars@uk.zurich.com



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Recommendations and Comments arising from Tree Safety Policy Review

Recommendation/Comment	TMBC Health and Safety Officer Comments	Proposed amendments
Include mention of the Highways Act 1980 when listing the legal obligations, if there is a separate policy that relates to Tree's and Highways, then this should be at least signposted within this subsection of the policy.	Agree with recommendation to include reference to Highways Act 1980 to list of legal obligations.	Add reference to Highways Act to Section 4.
Explanation of the levels of inspection should be defined before Policy 2 makes mention of their requirement for a specific categorisation of tree.	N/A	Explain categorisation of trees within section 7.2.
Preceding the "Policy 2" being raised, there is a comparison of the neighbouring councils attitudes to tree inspection. Albeit this comparison is useful information, it is more useful to internal stakeholders at TMBC and therefore should not form part of the policy document that could be disclosed to third parties if requested under a Freedom of Information Act (FOI2000) Request. This comparison gives potential claimants ammunition to cross examine other councils and dispute the actions of TMBC. This policy document should relate to the policy of TMBC alone.	HSO - Agree with recommendation to remove reference to other Local Authorities approach to tree safety.	Remove references to the approach of other Local Authorities.
If expert inspection requirements are identified from basic inspections, basic inspections should be detailed first to assist the flow of reading the policy document.	N/A	Detail basic inspections before expert inspections.
Post storm reports are most likely to be called in to the council with the third party requesting an inspection, within Policy 4 it is recommended that there is mention of requests for reactive inspections following complaint that still allows for reasonable management of these inspections.	Agree with Zurich Recommendation. Reword this section.	Reword section as recommended.

<p>Within the Policy 10 there is mention that trees that pose an immediate threat should be taped off. The act of taping off a tree should mention specifically that this should be done when it is safe to do so or following an expert inspection. This removes the unreasonable expectation that council employees would be going to trees that have been identified during hazardous weather conditions to immediately carry out this action.</p>	<p>N/A</p>	<p>Add wording as recommended.</p>
<p>Policy 11 - Include a third category that details if no further action is required until the next inspection.</p>	<p>N/A</p>	<p>This could be added for use if there are no works required across an entire site, but as the inspections use negative reporting, it would not be used for individual trees that do not require any works.</p>
<p>Specifically ask for the categorisation of response that the inspection requires on the basic inspection sheet.</p>	<p>N/A</p>	<p>Inspection sheet already includes a priority column. No amendment required.</p>
<p>Specifically ask for the categorisation of response that the inspection requires on the expert inspection sheet.</p>	<p>N/A</p>	<p>Inspection sheet already includes a priority column. No amendment required.</p>
<p>Remove the strategic objective for an upgrade to digital record systems from the policy document.</p>	<p>N/A</p>	<p>Remove the strategic objective as recommended.</p>

Additional comments from Health and Safety Officer

Section	Comment	Leisure Services Response
3.0 History of claims	Claim figures need to be updated.	Claim figures to be updated.
4.0 Scope	Change date of Zurich Review to 2023.	Date to be changed following adoption of recommendations.
7.1 Which trees need inspecting	Check that Annex 1 is most recent version of guidance.	Check most recent guidance and update if necessary.
Policy 1	Are level and frequency of tree inspections recorded in a spreadsheet?	Tree Safety Policy contains this information and is provided to inspectors on annual basis.
Policy 1	Are actions arising from inspections recorded?	Inspections are filed on H:/ and works arising from inspections are collated and provided to arb contractors during tender process.
Policy 2	Is this listed and recorded on a spreadsheet and are copies of inspections available?	Site lists and categorisations are stored in spreadsheet in H:/, could be added to this document as an annex.
Policy 3	Is this listed and recorded on a spreadsheet and are copies of inspections available?	Listed within Annex 3 of Tree Safety Policy.
7.3 What level of competence should the inspector have?	Will there be a spreadsheet detailing this information and frequency of inspections?	Tree Safety Policy contains this information and is provided to inspectors on annual basis.
Policy 12	Add a column for 'no defects identified'.	This could be added for use if there are no works required across an entire site, but as the inspections use negative reporting, it would not be used for individual trees that do not require any works.

Policy 13	Add a column for 'no defects identified'.	This could be added for use if there are no works required across an entire site, but as the inspections use negative reporting, it would not be used for individual trees that do not require any works.
Annex 2	Check that this is the most recent version.	Check most recent guidance and update if necessary.
Annex 4	Add in option for no defects.	This could be added for use if there are no works required across an entire site, but as the inspections use negative reporting, it would not be used for individual trees that do not require any works.
	Amend guidance notes to record if there are no defects.	This could be added for use if there are no works required across an entire site, but as the inspections use negative reporting, it would not be used for individual trees that do not require any works.
	Mention risk assessments for basic tree inspections and tools that may be used.	Insert reference to risk assessment.

EVENTS ON PUBLIC OPEN SPACES

Item CE 23/17 referred from Communities and Environment Scrutiny Select Committee of 14 June 2023

Consideration was given to a number of amendments in respect of the Borough Council's Events on Open Spaces Policy and application form. A copy of the current Policy and application form were attached at Annexes 1 and 2.

The proposed amendments related to increased financial checks of the organiser for larger scale commercial events over £2,500.00 in value; deposits to be taken from all events to repair damage and cover repair works to grassed areas and inclusion of Prevent guidance.

In addition, an introduction of a Byelaw was recommended to protect the Borough Council against event organisers using public open space without approval being granted.

The proposed introduction of additional financial checks on Events on Open Spaces for larger events, together with additional details to recharge for costs incurred offered greater financial control over the use of the Borough Council's land.

Members felt that it would be beneficial for a timeframe for payment of deposits and hire fees and the terms and conditions for cancellation and refund to be set out in the Charging section of the Policy.

RECOMMENDED*: That

- (1) the proposed amendments to the Events on Open Spaces Policy and application form, as detailed in Annexes 1 and 2, be approved, subject to a sliding scale schedule for payment of deposits, lawn hire fees and administration fees and the terms and conditions for cancellation and refund being investigated, agreed, and added to section 6 (Charging) of the Policy; and
- (2) a byelaw to address unauthorised use of the Borough Council's public open space be progressed.

* Referred to Cabinet

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TONBRIDGE & MALLING BOROUGH COUNCIL

COMMUNITY AND ENVIRONMENT SCRUTINY SELECT COMMITTEE

14 June 2023

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

Part 1- Public

Matters for Recommendation to Cabinet - Non-Key Decision

1 EVENTS ON PUBLIC OPEN SPACES

Summary

This report brings forward suggested amendments for consideration in regard to the Councils Events on Open Spaces Policy and Events on Open Spaces application form. The Committee is requested to consider the suggested amendments and make recommendations to Cabinet.

1.1 Background

1.1.1 Members of this Committee may be aware that the Council welcomes the hire of its public open spaces for events. Each applicant is required to complete an Events on Open Spaces form and pay an admin fee and hire charge based on agreed criteria.

1.1.2 A significant number of events take place on Council land, in particular Tonbridge Castle Lawn, ranging from community events such as fetes and festivals to commercial events such as music festivals, food and drink festivals and outdoor cinemas. Approximately 94 events took place in the last financial year generating an income of £39,000.

1.2 Events on Public Open Spaces Applications

All event organisers are required to complete an Events on Open Spaces (EOS) application form and pay an admin fee and hire charge. At the meeting of Cabinet on 8 November 2022, the application form and scale of charges were agreed for 2023/2024 and have subsequently been applied. A copy of the application form and policy are attached at **[Annexes 1 and 2]**. Members of the Committee will note that the form requires all users to provide supporting documentation including, Public Liability Insurance, Risk Assessments and Event Management Plans. The charges as outlined, take into account the scale and nature of the event.

1.3 Suggested Amendments

- 1.3.1 The suggested amendments to the EOS application form and policy have been identified as follows: -
- 1.3.2 **Financial checks** – It is suggested that for larger scale commercial events over £2,500.00 in value a financial check is undertaken of the organiser. The proposed addition to the current information required is included in blue text on **[Annexes 1 and 2]**. Members will note that a copy of a business plan for the event must be supplied, and lawn hire fees and admin fees must be paid in full prior to the start of the event. The organiser is also required to supply the Company Registration Number, Charity Number, VAT Number and names of the Directors / Principal Officers.
- 1.3.3 The first event that will potentially be subject to these checks is the Christmas event at Tonbridge Castle which has recently been advertised for expression of interest. It is hoped that this additional financial check will provide greater assurance to the Council of the financial stability of the company organising the event, but it is important to note that all events carry a financial risk and the responsibility of this will continue to rest with the organiser.
- 1.3.4 **Repair of damage** – Whilst the Council do take deposits from the larger events to cover repair works to the grass areas, deposits are not taken for all events. Should damage occur during, or as a consequence of the event, this will be recharged to the event organiser. The wording in the policy and EOS form at **[Annexes 1 and 2]** has been proposed in blue text to reflect this.
- 1.3.5 **Prevent** – Following recent changes in legislation local authorities have been encouraged to incorporate Prevent guidance into their EOS Application forms and Policies. Proposed wording is included in blue text on the form attached at **[Annexes 1 and 2]**.
- 1.3.6 The Prevent Duty Guidance states; Section 45. *“In complying with the duty we expect local authorities to ensure that publicly-owned venues and resources do not provide a platform for extremists and are not used to disseminate extremist views.”*. Information will be requested from the event organiser and the Council will complete due diligence checks.

1.4 Non-Compliance

- 1.4.1 At the present time the policy and EOS form does not include any reference to what action may be taken by the Council if the organiser uses an area of public open space without approval being granted. This currently represents a risk to the Council and public as appropriate checks will not have been undertaken and the event can therefore not be considered safe or fit for purpose. Following liaison with legal services it is suggested that this could be addressed by the Council introducing a Byelaw for its Open Spaces.

- 1.4.2 A Byelaw will make it illegal to proceed with certain events or activities without the Council's prior approval/Consent.
- 1.4.3 Police and Community Support Officers (PCSOs) and council officers check parks and green spaces. If they see someone breaking a byelaw that person will be asked to stop. If they continue, they might be removed from the area and can be fined up to £500.
- 1.4.4 The introduction of Byelaws will take time and resource to introduce so the Committee is requested to consider whether they would wish to see this approach progressed.

1.5 Legal Implication

- 1.5.1 Whilst this is a discretionary service there is a legislative requirement for the Council to approve events taking place on Council owned land.
- 1.5.2 Should Members agree with the suggested introduction of a Byelaw for its Open Spaces, this will make it illegal to proceed with certain events or activities without the Council's prior approval/consent.

1.6 Financial and Value for Money Considerations

- 1.6.1 The proposed introduction of additional financial checks on Events on Open Spaces for larger events, together with additional details to recharge for costs incurred by the Council from Events, will offer greater financial control over the use of the Council's land.

1.7 Risk Assessment

- 1.7.1 All applicants for use of Council owned land are required to provide safety plans, risk assessments and insurance as detailed in the Policy.

1.8 Equality Impact Assessment

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

1.9 Policy Considerations

- 1.9.1 Community

1.10 Recommendations

- 1.10.1 Members of the Committee are requested to consider the suggested amendments to the Events on Open Spaces form and Policy at **[Annexes 1 and 2]**, the potential introduction of Byelaws to address unauthorised use and make recommendations to Cabinet.

The Director of Street Scene, Leisure & Technical Services confirms that the proposals contained in the recommendation(s), if approved, will fall within the Council's Budget and Policy Framework.

Background papers:

contact: Stephen Gregg

Nil

Darren Lanes
Head of Street Scene and Leisure



Event Application Form

Public Open Spaces

The Council has a duty to ensure that anyone using its land for an event does so in a competent and safe manner. Please complete the information requested below which will be used to assess your application.

1. Ensure you have read our **policy on the use of council owned public open spaces** which includes our scale of charges. Visit - <https://www.tmbc.gov.uk/downloads/file/1863/tmbc-policy-on-the-use-of-council-owned-public-open-spaces>
2. Please submit this application form a **minimum of two months** prior to your event, to the address detailed on page 7.
3. You will need to provide **risk assessments** for all your activities.
4. You will need to provide a copy of your **public liability insurance** with a minimum cover of £5 million (large and high-risk events may require a higher indemnity).
5. **For all events with fees in excess of £2,500.00.**
A copy of the business plan for the event must be supplied and lawn hire fees and admin fees must be paid in full prior to the start of the event.

Event details

1. **Event location/s** (Please specify exact location/area and provide a map if necessary)
.....
If considering use of inside Tonbridge Castle please email: tonbridge.castle@tmbc.gov.uk where your booking will be dealt with and charged independently to your event application.
2. **Event name**.....
 a) **Activities during the event**.....
 b) **This will be a private / public event** (please delete as appropriate).
3. **Name of organiser running event**
- Contact name of event organiser**
- Address**.....
.....
- Daytime telephone number**.....
- Telephone number during event (mobile number)**

Email address
 Company Registration Number (if applicable)
 Charity Number (if applicable)
 VAT Number (if applicable)
 Directors / Principle Officers.....

- 4. Date(s) of event.....
- 5. Times of event
 Arrive on site..... Vacate the site
- Event start time..... Event finish time.....
- 6. Number of event staff.....
- 7. Estimated number of participants / visitors expected.....

Parking & Vehicle management

8. Number of vehicles expected

1-100 101 – 200 201 – 300 Other

An event Parking Plan must be submitted to indicate where all vehicles, including those of staff / volunteers, support vehicles such as catering units, ambulances and mobile toilets and spectators / participants, are expected to park.

If your potential event proposes to use **any** part of a public car park, including parking associated to Tonbridge Castle, you will need to specifically highlight this on a separate plan highlighting any use of a public car park and this will need to specifically show the following:

1. The full area proposed to be used shown on a map.
2. The intended use of this space.
3. The total number of parking bays required.
4. The days and times required for use (to include set up and take down)

Please be advised that it is Council’s Policy to recover lost income from event organisers, associated with their exclusive use of public car parks and, therefore, **a fee will be sought** relative to the proposed use and based on the information provided above. Please be advised that in accordance with current parking charges, Sundays and Bank Holidays are free.

Details of the Councils Car Parks are available on its web site www.tmbc.gov.uk/carparks.

The Council needs to ensure that regular users of its car parks have access to suitable parking and it may therefore be necessary to influence any parking plans. Please advise the Parking Manager of any planned advice to participants or spectators.

Please note that it is the responsibility of the Event Organisers to manage parking and in particular any pre-agreed dedicated or specific areas. The Council is unable to provide any staff to assist in car park management. Please also note that any departure from the confirmed arrangements or, parking regulations will result in normal enforcement taking place.

Parking Plan (Please detail below or attached a separate sheet as necessary)-

.....

9. Traffic Control

A large event may require the control of traffic on roads approaching the event or in the parking areas themselves. You will need to contact the Local Highway Authority directly regarding an event that requires road closure, or the Police for advice on managing or controlling traffic on street. Please be advised that the Council is unable to assist in parking management for events.

Event provisions

10. Will catering / refreshments be provided? Yes No

If yes, will these be sold to members of the public? Yes No

Please provide details of your catering arrangements including where they are registered

.....

For more information, contact the Council’s Food & Safety Manager on 01732 876192.

11. Will additional toilets be provided? Yes No

If yes, please state what additional toilet facilities you will be providing and where you intend to place these

.....

Male – One WC for 50 – 100 people, Two WCs for 101–500 people, Three WCs for 501-1000 people, plus 1 additional WC for each additional 500 people. 4 ½ metres of urinals is required for every 1,000 people.

Female – One WC is required for every 100 people.

Wash/hand basins - One for every sanitary fitting with hot and cold water.

Consent must be given by the Council for the location of any additional toilet facilities.

12. What first aid provision will be provided?

.....

13. Will you have any temporary structures / enclosures? Yes No

If yes, will flooring be laid? Yes No

Please provide a fire risk assessment / action plan for the precautions to be taken in case of a fire.

The location of temporary structures, including marquees, tiered seating and stages, must be agreed in advance. The Council’s Building Control Services can provide advice on 01732 876251. The Fire Safety Officer may need to be contacted on 01622 212451, for larger structures / enclosures. It is your responsibility to liaise with the Fire Authority. For more information and advice on fire risk assessments visit www.communities.gov.uk/fire/firesafety/firesafetylaw

14. What arrangements will be made for the removal of refuse?

All event refuse must be cleared and removed from site. No event refuse can be placed in or next to the public litter bins. Arrangements for the supply, emptying and removal of wheelie bins can be made via the Council’s Waste Services on 01732 876147. Provisions for temporary recycling facilities can also be arranged. Charges apply for the above litter, refuse and recycling services. The release of Sky Lanterns and Balloons is prohibited from Council owned land.

Any litter/refuse not removed, will be removed by the Council, with the costs and administration charge passed onto the event organiser.

Collections and charges

15. Will a collection be taken? Yes No

If yes, please give name of charity.....

A collection is any collection of money or articles in lieu of money.

To apply for a permit for a collection, please visit www.tbmc.gov.uk/licensing/get-permission-charity-collection-1

16. Will there be an admission charge? Yes No

If yes, please state the charge.....

Under Section 53 of the Public Health Act 1961, parks and pleasure grounds must remain open to the public on Sundays and Bank Holidays. Members of the public must not be prevented from enjoying free access. An admission charge will not normally be permitted on any day of the week.

17. Will there be items on sale? Yes No

If yes, please provide a description of all items on sale including details on stands / stall holders.....

NOTE: The use of animals as prizes is prohibited on Council owned land at any time.

Health & safety and insurance

18. Please enclose a copy of your risk assessment(s) for *all* your activities including any tents/gazebos and catering you intend providing. If your risk assessment refers to other documentation, please ensure you supply this with the application. A risk assessment template and guidance notes are available on request.

Large events and those which attract significant crowds will require an Event Management Plan in addition to individual risk assessments.

19. Public liability insurance must be provided with an indemnity limit of no less than £5 million. **Please provide a copy of your public liability insurance certificate** with this application. Please note that if you have arranged for other organisations to contribute to your event, they must also provide a copy of their public liability insurance certificate with an indemnity limit of no less than £5 million. Larger events or those with a higher level of risk may require a higher indemnity limit.

For more information, please email insurance@tmbc.gov.uk

Other event information

20. Will an electricity supply be required? Yes No

You will be required to provide your own generator(s) which must comply with the safety requirements of the Electricity at Work Regulations 1989. Any portable electrical equipment used must be suitable for the purpose and have been subject to a recent PAT test. Please contact a qualified electrician, if required.

A 32 amp single phase electricity supply can be made available at Tonbridge Castle for a £5 charge. Please provide a cheque for £5 with a list of equipment and loading for the Tonbridge Castle electricity supply, if required.

21. Will you be using a public address system? Yes No

If yes, what will the public address system be for?
.....

Contact the Council's Environmental Protection Team on 01732 876184 for advice and to discuss the potential noise impact of the PA system on the nearest noise sensitive properties.

22. Will the event include music, singing and/or dancing? Yes No

If yes, please provide details
.....

If yes, your event may require a Temporary Event Notice (TEN) by law. Contact the Council's Licensing Officer on 01732 876368 for advice. Contact the Council's Environmental Protection Team on 01732 876184 for advice and to discuss the potential noise impact of the event on the nearest noise sensitive properties.

23. Does your event include a parade? Yes No
 If yes, is it on the public open space or a street parade?
 What is the proposed route of the parade?
24. Will banners / other advertising be displayed? Yes No
 If yes, please provide details
 Banners or notices must not be attached to Tonbridge Castle.
25. Will alcohol be consumed as part of the event? Yes No
 If yes, please give details.....
 The consumption or sale of alcohol will only be permitted if felt appropriate for the event and only at Tonbridge Racecourse Sports Ground and Tonbridge Castle. A Temporary Event Notice (TEN) maybe required, please contact the Council's Licensing Officer on 01732 876368.
26. Will there be any inflatable items at the event? Yes No
 If yes, please give details and PIPA registration number.....
27. Will there be Fireworks at the event? Yes No
 If fireworks are being used as part of the event please ensure you have written to all local residents to advise them of the timings and highlighted this through social media channels.

Terms and conditions

Additional charges

In addition to normal hire there will be an extra caretaking fee if appropriate. This is normal for large events to enforce the Conditions of Acceptance of the Hire.

Should parking charges apply these must be paid in full prior to the start of the event.

Should any damage occur to the grounds / facilities as a consequence of the event, a quotation will be sought to repair this and the costs passed on to the event organiser.

Conditions for acceptance of the hire

Organisers are reminded of their legal duty to ensure the safety of members of the public attending the event. Organisers are invited to consult with the Council's Health & Safety Officer –Tel: 01732 876195 during the events planning stage. A full Event Safety Management Plan will be expected for larger events and/or those which will attract significant crowds.

The hirer is not to use local authority publicly-owned venues or resources to espouse violent and/or non-violent extremist views. The council will complete due diligence checks as stated within our Policy on the use of council owned public open spaces.

Public Liability Insurance cover must be provided with an indemnity limit of not less than £5 million. Use of the facilities is permitted entirely at the organiser's own risk, and Tonbridge & Malling Borough Council will not be liable for any injury, damage or loss of property.

Vehicles may not be driven on any grassed areas unless otherwise stated. If any parts of the grounds are left in a damaged condition, these will be repaired by the Council and as the Organiser you will be held liable for payment. Tonbridge & Malling Borough Council reserves the right to cancel and/or relocate any planned events with immediate effect. It reserves the right to close or prohibit the use of the facilities at its discretion. Tonbridge & Malling Borough Council will not be liable for any loss or expenditure incurred by or on behalf of the organiser arising from the exercise of this discretion. Discretion will be used with regard to ground conditions on the day.

An on-site meeting may be arranged to confirm any details in this application (for example position of marquee), before approving your application. If a 'licence to occupy' agreement is required for your event, you will be contacted by the Council's Property Services.

The site must be left in a clean and tidy condition.

Applicants are advised that the local Inspector of Police and local Fire Officer may be notified of all forthcoming events.

Signed _____

Please sign and return your completed Events Form, together with supporting paperwork to:

Gemma Record, Development Assistant

e: gemma.record@tmbc.gov.uk

t: 01732 876177

Tonbridge & Malling Borough Council will not be held liable for any cost incurred by the organisers prior to formal approval of the application by the Council. You will be notified of approval by receipt of a confirmation email.

We collect and store your data in accordance with the General Data Protection regulations 2018. To see what we store and how we use and share your information visit www.tmbc.gov.uk/leisure

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Annex 2

TONBRIDGE AND MALLING BOROUGH COUNCIL

POLICY FOR USE OF COUNCIL OWNED PUBLIC OPEN SPACES

1.0 THE REQUIREMENT FOR A POLICY

- 1.1 Tonbridge and Malling Borough Council (the Council) own and manage a range of open spaces across the borough, ranging from small amenity areas within housing estates through to country parks. These open spaces are utilised by a wide range of different users all year round and it is important that the Council ensures they remain safe and available to access.
- 1.2 Requests are often received from organisations to utilise areas of Council open space for a variety of uses. The Council has an established Events on Public Open Spaces procedure for applications relating to one-off events, however there is currently no policy framework underpinning the process and it does not deal with regular events / activities.
- 1.3 Such is the number of requests now being received, especially for regular use, it is felt a policy setting out the criteria against which each request will be assessed against is required to establish a fair and transparent system.

2.0 AIMS OF THE POLICY

- 2.1 The overarching aim of the policy will be to ensure the Council's open spaces remain a safe place for members of the public to use, while also allowing organisations to benefit from them where it is deemed appropriate and not to the significant detriment of the general public use. In addition, the policy will aim to protect the Council's existing income streams and/or third-party arrangements as well as to identify additional income streams.
- 2.2 The policy will set out the framework against which applications to use the Council's open spaces will be made.

3.0 SCOPE

AREAS

- 3.1 Council owned areas which will be considered to fall within the scope of this policy include (but are not limited to):
 - Grassed areas

- Woodland
- Play areas
- Sportsgrounds
- Country parks
- Tonbridge Castle grounds
- Car parks

3.2 Any part of a Council owned open space which has been leased to, or is managed by, another organisation will be out of scope on the basis those organisations will have control over those areas and any applications to use them should be made to those organisations.

ACTIVITIES

3.3 The policy will be used whenever an application is received to use an area of Council owned open space that would be considered not to fall within the broad parameters of 'normal' use of a public open space, whether that be for a one-off event or regular activity.

3.4 These events will include those run by individuals, voluntary and charitable organisations as well as commercial organisations. Examples may include (but are not limited to):

- Fitness classes or events
- Dog walking and training for more than 1 household
- Sports events or classes
- Markets
- Entertainment events
- The sale of food and beverage
- Boat hire
- Fun fairs
- Fund raising events

3.5 The following activities are not permitted on Council Land:

- The release of Sky Lanterns and Balloons
- The use of live animals as prizes

4.0 ASSESSMENT CRITERIA

4.1 When an application is received it shall be assessed against the following criteria.

SAFETY

4.2 Officers will need to determine the impact of the proposed event on the potential safety of those attending the event and/or members of the public using the open space at the same time. This will be achieved through the requirement to submit relevant safety documentation to demonstrate the organiser has considered all relevant safety matters to the full satisfaction of the Council.

4.3 The Council will provide comments and advice on the applicant's plans but will not 'approve' them in a formal sense as the responsibility for managing health and safety will be that of the applicant.

4.4 For larger events, attracting a significant crowd, an Event Management Plan may also be required.

INSURANCE

4.5 The requirement for public liability insurance will be assessed on a case-by-case basis, which may involve seeking the advice from the Council's insurers. Where it is determined insurance is required then minimum cover of £5m should be in place and adequate proof provided, although some events may require a higher indemnity limit.

ACCREDITATION

4.6 Officers will determine whether the proposed event or activity requires the organiser to be a member of a relevant professional association or similar to ensure standards or matters of safety are adhered to.

TYPE OF ACTIVITY

4.7 Officers will determine whether the proposed event is in keeping with the specific area of open space on which it is to be held. This will include an assessment of the following:

4.7.1 The purpose of the event. Is it in any way controversial or not in keeping with the Council's Corporate Strategy?

4.7.2 The number of people attending. Can the area of open space cope with the proposed number of people whereby irreparable damage will not be caused?

4.7.3 Duration and/or frequency of the event. On what day(s) will the event take place and at what time(s)? Will the duration or frequency of the event have an adverse impact on the location or other users?

4.7.4 Infrastructure support for the event. Is the organiser providing enough facilities to manage the event, for example toilets, bins, barriers, marshalling, lighting, power generation etc.

4.7.5 Proposed equipment to be used. Is the type of equipment appropriate for the particular open space and event? Are there any safety issues which may arise as a result of its use? In certain circumstances documents will be needed to demonstrate the piece of equipment is safe to use, such as electrical testing certification or testing and tagging for inflatable play equipment (PIPA).

PREVENT

- 4.8 The Prevent Duty Guidance states; Section 45. “In complying with the duty we expect local authorities to ensure that publicly-owned venues and resources do not provide a platform for extremists and are not used to disseminate extremist views.”

The below information will be requested from the event organiser:

- Names, associated names they operate under, addresses and contact details.
- Details of the individuals or organisation’s website and associated websites.
- The purpose of the booking, including details of the title, agenda, content, speakers and expected audience of the event.
- If the booking is being arranged by an event management or another company then the client’s details will be requested.

The Council will complete the below due diligence checks:

- Review advertising for the event/booking.
- If enquiries are made about internet use and bandwidth, investigations will be made as to whether any speakers are participating in the event remotely.
- Enquire if the organiser implements a policy that promotes equality and diversity and challenges all forms of discrimination or if they will agree to their event subscribing to the Council’s equality and diversity policy.
- Investigate if the hirer has policies, reference or media that can be checked, such as websites, articles or speeches to consider what is being said about them.
- Obtain a reference from a venue provider previously used by the individual or organisation should the Council feel this is necessary.
- If the booking is for a charity, the charity number of the organisation will be checked with the Charity Commission at charitycommission.gov.uk
- Investigate if the IT equipment in the venue is up to date with software protection and filters to reduce potential extremist material being accessed.

In the event of suspected suspicious activity the anti-terrorist hotline will be contacted on 0800 789 321 or on 999 in an emergency.

TRAFFIC MANAGEMENT

- 4.9 If the proposed event is likely to impact on the movement of traffic in the surrounding area, then details will be required detailing what the impact will be and what mitigation measures will be put in place by the organiser. This will include as assessment of the following:

- 4.9.1 Will any proposed road closures and diversion routes cause unacceptable traffic issues elsewhere in the vicinity? Application for any road closures would need to be made to Kent County Council as the Highway Authority.
- 4.9.2 Are traffic marshals required and, if so, have an adequate number been provided with appropriate experience? Has their health and safety been taking into consideration?

- 4.9.3 Are there adequate car parking arrangements in place for both visitors and organisers/volunteers?
- 4.9.4 Organisers will be responsible for closing any car parks, including advance warning signs and manning the closure
- 4.9.5 Car parks should not be used to store equipment or facilities in unless they are closed

IMPACT ON EXISTING USER/USE

- 4.10 If an application is received which would impact upon an existing event for which the Council has already granted permission, Officers will determine which should take precedence. In arriving at a decision, the following factors will be considered:

- 4.10.1 Is there a contractual or legal requirement which means a particular event has to occur?
- 4.10.2 Is there an existing contractual or legal requirement which means another similar event cannot take place? For example, where an existing agreement or permission has an exclusivity clause.
- 4.10.3 Is it more economically advantageous to the Council to cancel or offer an alternative location for an existing event to accommodate a new application, if contractual conditions allow?
- 4.10.4 Would the proposed event have a negative impact on an existing event or user for which the Council has already granted permission?
- 4.10.5 Would the proposed event have an unacceptable effect on members of the public using the open space?
- 4.10.6 Where events have already been given permission, can the Council agree with those organisers to change dates to allow concurrent uses, if deemed appropriate?

LOCATION

- 4.11 When assessing applications, Officers will have regard to the location of the proposed event and whether it is appropriate. This will include an assessment of the following:
 - 4.11.1 Will the event cause an unreasonable nuisance or disturbance to adjacent sites or residents?
 - 4.11.2 Is there sufficient space at the proposed location to support the event?
 - 4.11.3 Is there a more appropriate location for the event?

4.11.4 Are there any existing restrictions or controls at the proposed location which would mean the event could not take place?

4.11.5 Is the proposed location not in keeping with the event and/or will have a negative impact on the location? Consideration will be made as to whether the site has any special designation (listed, ancient monument for example) or has any specific safety issues (water course/bodies for example)

5.0 LAND USE AGREEMENTS

5.1 When assessing applications, Officers will consider whether a land use agreement is required in order to protect the Council's land interests, as well as to set out standard terms and conditions for events taking place on the Council's open spaces. It is anticipated that in the majority of cases a licence agreement will be put in place for one-off events. A pro-forma licence agreement can be found at **Appendix A** which will be completed for one-off events.

5.2 Where a regular or re-occurring event is proposed, the views of Administrative & Property Services and/or Legal Services will be sought as to whether a lease agreement is required. Each case will be assessed on its merits, although it is anticipated where an activity takes place regularly (on the same day at the same time, for example) and at the same location or space then a lease will be required in order to ensure no tenant rights are established.

5.3 Any leases granted will be 'contracted out' of the Landlord and Tenant Act 1954.

6.0 CHARGING (1 April 2023 – 31 March 2024)*

ADMINISTRATION FEE

6.1 When inviting applications for events to take place on Council owned land, it is important to consider the Officer time involved in assessing the applications. An administration fee will be charged based on particular criteria which is set out below for one-off events:

Type of event	Maximum attendees (at once)	Administration fee
Commercial	Less than 100	£55
	Less than 500	£55
	Between 500 and 1,499	£330
	More than 1,500	£660
Charity or community	Less than 100	£27.50
	Less than 500	£27.50
	Between 500 and 1,499	£55
	More than 1,500	£110

Where events or activities require the production of bespoke legal agreements the Council will charge legal fees based on a rate of £217 per hour. [Should any damage occur to the grounds /](#)

facilities as a consequence of the event, a quotation will be sought to repair this and the costs passed on to the event organiser.

CHARGES

- 6.2 In addition to the administration fee, the following charges will apply to one-off events taking place on Council owned land:

Type of event	Maximum attendees (at once)	Charge
Commercial	Less than 100	£550
	Less than 500	£550
	Between 500 and 1,499	£1,100
	More than 1500	£1,650
Charity or community	Less than 100	£0
	Less than 500	£110
	Between 500 and 1,499	£110
	More than 1,500	£110

- 6.3 Additional charges may apply where events require use of Council equipment, car parks or buildings. These charges will be determined on a case-by-case basis. In the event of a car park needing to be closed, the charge would equate to the loss of car parking income.
- 6.4 The charges, or rent, for regular activities will be determined on a case-by-case basis and will be specified in the legal agreement. In arriving at a charge or rent, Officers will take into account the following criteria:
- 6.4.1 The requirement for the Council to obtain best value. This assessment may result in the opportunity being tendered to provide other operators a chance to apply
 - 6.4.2 The nature of the proposed activity, for example whether it is being run for commercial gain. The Council will assess the anticipated income/profit being generated and may seek comparable evidence from similar activities taking place in similar areas to arrive at a charge or rent
 - 6.4.3 The frequency and duration of use. Activities which take place more frequently or for a longer duration will attract a higher charge than those taking place for short durations
 - 6.4.4 The physical area on which the activity will take place. For example, the proposed location may result in additional income being generated
- 6.5 Charges for some areas may attract VAT.
- 6.6 For all events with fees in excess of £2,500.00 a copy of the business plan for the event must be supplied and lawn hire fees and admin fees must be paid in full prior to the start of the event.

6.7 Additional financial assessment and review will be undertaken on larger events.

*Charges are reviewed annually.

PROCESS, CONSULTATION AND DECISION

ONE-OFF EVENTS

6.8 Applications to use an area of Council owned open space for a one-off event should be made to Leisure Services using the Event on Public Open Spaces Application Form, which can be found at **Appendix B**, available on the Council's website. Applications should be submitted at least 2 months prior to the event.

6.9 Upon receipt of a completed application form internal Council services shall be consulted depending on the application and the nature of the event. However, it should be made clear to the applicant that additional permissions may be required from other Council departments to hold the event, including (but not limited to):

- 6.9.1 Planning permission
- 6.9.2 Food safety
- 6.9.3 Noise
- 6.9.4 Drinks licence
- 6.9.5 Temporary events licence

6.10 By the Council granting permission as landowner, it does not mean additional permissions will be forthcoming. Operators will need to ensure compliance with all relevant statutory regulations and requirements.

REGULAR ACTIVITIES

6.11 Applications to use an area of Council owned open space for a regular or re-occurring activity should be made to Administrative & Property Services using the application form found at **Appendix C**, available on the Council's website.

6.12 Upon receipt of a completed application form internal Council services shall be consulted, depending on the application and the nature of the activity, and consideration given to whether a lease is required and what rent should be charged. Where an agreement over 5 years is proposed, Member approval will be required via the Finance, Innovation and Property Advisory Board.

6.13 Where the application concerns a regular commercial activity, Administrative & Property Services, in consultation with other relevant Council services, will assess whether the opportunity should be tendered to allow other potential operators to apply and so that the Council can demonstrate it is achieving best value.

6.14 Again, as outlined at 7.2, the application may require additional permissions from other Council departments to operate the activity.

DECISION

- 6.15 The applicant will be advised of the Council's decision to either permit the event or reject the application. If an application is rejected the applicant may appeal the decision, which will be considered by the Cabinet Members for Finance, Innovation & Property and Community Services, who's decision will be final.
- 6.16 The Council reserves the right to amend or cancel an event in the event of particular circumstances which may include (but are not limited to):
- 6.16.1 The Council or other public body requiring urgent use of the space
 - 6.16.2 The Council becoming aware of new information which may have affected its decision to approve the event
 - 6.16.3 Direction from the Police or other public authority that the event should be cancelled

7.0 UNAUTHORISED EVENTS

- 7.1 Where the Council becomes aware of an event or activity taking place on Council owned land which has not been approved, the organisers will be told to shut down the event. Should any substantial damage be caused as a result of the unauthorised event the Council may seek damages from the event organisers.
- 7.2 If the organisers of an unauthorised event make any future applications for additional events, the Council will factor into their decision making the fact an unauthorised event took place.

8.0 APPROVAL AND REVIEW OF THIS POLICY

- 8.1 This policy shall be considered by Members at an appropriate Advisory Board, Cabinet and then Full Council. The policy shall be formally reviewed every 4 years, with the charges being reviewed annually

Last reviewed:

Feb 2023

APPENDIX A – PRO-FORMA LICENCE AGREEMENT

APPENDIX B – EVENTS ON PUBLIC OPEN SPACES APPLICATION FORM

APPENDIX C – RE-OCCURRING EVENTS ON PUBLIC OPEN SPACES APPLICATION FORM

LITTER AND FLY TIPPING ENFORCEMENT PILOT - 6 MONTH REVIEW

Item CE 23/18 referred from Communities and Environment Scrutiny Select Committee of 14 June 2023

Following a review of the Litter and Fly Tipping Enforcement pilot with the National Enforcement Solutions (NES) which started on 17 October 2022, Members were updated on its performance for the first six months and were requested to consider the future option for the litter and fly tipping enforcement approaches.

In general, it was considered that the pilot had gone well so far, in terms of both the expectations of the Borough Council and those of the NES, and the pilot had been proved financially viable for the NES' business model, although significant officer resource had been required to support the pilot. It had also been proved effective in terms of the results experienced through the use of a third-party resource to deal with many more litter and fly tipping offences than could had been tackled within the existing resources of the Borough Council.

During discussion, clarification was sought on the possibility to extend the working hours of the Enforcement Officers to carry out evening 'hot spot' checks under the pilot. Furthermore, concerns were expressed by Members over litter and fly tipping at certain areas over particular times. It was explained that changes to the inspection hours were not possible within the scope of the current arrangement, however, there would be flexibility for the inspection schedule to be considered as part of the specifications if Members were minded to support investigating the option to procure a contract for the provision of litter and fly tipping enforcement through a third party.

RECOMMENDED*: That

- (1) a contract for the third-party provision of litter and fly tipping enforcement be procured through a formal tender procedure (option 3 as set out in 1.4.1 of the report).

* Referred to Cabinet

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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 Recommendation to Cabinet

1 LITTER & FLY TIPPING ENFORCEMENT PILOT – SIX MONTH REVIEW

To report on the performance of the Litter & Fly Tipping Enforcement pilot with National Enforcement Solutions after the first six months. The report identifies options for the future and asks the Committee to make recommendations to Cabinet.

1.1 Background

- 1.1.1 The Council does not currently have a dedicated enforcement team to deal with offences such as littering & fly tipping. Enforcement duties have previously been incorporated into the roles of officers with broader remits, primarily the three Waste & Enforcement Officers (WEOs) and the Senior WEO. However, following the introduction of new waste collection services in 2019, greater focus has been required on monitoring & management of the Waste & Street Cleaning contract; health & safety inspections; dealing with service requests & complaints; liaising with third parties such as Housing Associations, Kent Highways, Parish Councils, etc. This has resulted in a reduction in litter & fly tipping enforcement activity.
- 1.1.2 In order to maintain levels of cleanliness standards expected by residents, the Council has adopted a range of approaches that include physical cleansing to an agreed schedule, education & promotional initiatives, and the investigation & enforcement of littering & fly tipping offences. It has been acknowledged that the latter could not be sufficiently delivered within existing resources. External assistance with enforcement has been an approach widely adopted by councils, to varying degrees of success. In order to assess the feasibility of long-term success with such enforcement activities, a 12-month pilot was agreed to be undertaken taken with an experienced enforcement third-party, National Enforcement Solutions (NES).
- 1.1.3 The Cabinet Member for Technical & Waste Services endorsed this pilot on 10 August 2022. Officers subsequently engaged with NES to establish a service level agreement for the pilot, and to put the necessary measures in place for reporting incidents, establishing agreed procedures, staffing support requirements, etc. The pilot started on 17 October 2022, with an initial training & induction week for NES

staff. Officers committed to updating Members on the performance of the pilot at an appropriate point, so that Members could consider future options.

1.2 Review of pilot

- 1.2.1 For the pilot, NES aimed to provide at least two Enforcement Officers, ideally four, plus a team leader and additional Operational Support to administer the FPN issuing & case management system, take payments, deal with enquiries, challenges and complaints and manage the pilot. The working hours of the Enforcement Officers for the pilot are from 08:00 to 18:00 on a 5-day working week. Their duties are to patrol and issue FPNs for littering (up to a single rubbish sack) and inspect & investigate fly tips. This has meant that the Council's own WEOs could focus their enforcement activities on more complex areas such as abandoned vehicles, waste carrier offences, waste accumulations, joint operations with the Police to disrupt illegal waste activities, cross-boundary investigations, and liaison with the Community Safety Unit, Kent County Council's (KCC) Intelligence Unit and other third parties such as the housing associations, the Police, British Transport Police, Environment Agency, etc.
- 1.2.2 NES' Enforcement Officers have been authorised individually by the Council to issue FPNs and carry out investigations only once NES have provided evidence that appropriate training in the relevant legislation and working practices have been provided. This training consists of four weeks in total, with an initial two days of office-based training, eight days shadowing an on-site trainer, and a further two weeks under the team leader's supervision. The training modules include:
- Relevant legislation & guidance
 - Local enforcement policies & procedures
 - Litter & fly tipping FPN guidance
 - Safeguarding
 - Health & safety
 - Conflict management
 - Customer service
 - Obstructive offenders
 - Data Protection & GDPR
 - Scenario training
- 1.2.3 NES' litter foot patrols focus on 'hot spot' areas within the Borough, generally high streets, shopping areas, areas around fast-food outlets, commuter hubs, etc. They are tasked with covering all suitable areas within the Borough, and during the reporting period, 49% of FPNs were issued in Tonbridge wards and 51% in the remainder of the Borough. The level for littering FPNs is set at £150 reducing to £100 if paid within 10 days of issue.
- 1.2.4 Regarding fly tips, NES are sent any reports of fly tips where it is considered that there may be evidence available. Their officers attend and go through the dumped rubbish to try to find any evidence relating to where the waste has come from or who may have disposed of it. They then notify Waste Services that the fly tip can

be cleared. Any evidence they find is then followed up by NES so that appropriate enforcement action may be taken. The level for fly tipping FPNs is set at £400 with no early payment reduction.

- 1.2.5 As this is a pilot project, no income is currently received by the Council from the FPNs issued. Where companies such as NES enter into formal contracts with councils, the usual arrangement is for them to provide the council with an agreed percentage of income generated by FPNs. However, should Members wish to continue with such third-party support, the Council would be required to go through a formal procurement process to comply with financial procedures and mitigate the risk of challenge from other service providers.
- 1.2.6 From October 2022 to the end of April 2023, NES Enforcement Officers have issued 1,519 Fixed Penalty Notices (FPNs). Of those, 55 have been written off for a variety of reasons including being cancelled at the request of the Council; incorrect details being given; medical issue or vulnerable individual; replaced by formal warning.
- 1.2.7 Of the remaining 1,464 FPNs, 1,139 were paid resulting in a payment rate of 78%. This compares favourably with the level of payment for FPNs issued by the Council when more resource was available for issuing FPNs, as well as with other councils using third part support. This has resulted in income to NES of £131,650 in the first six months of the pilot.
- 1.2.8 Of the 1,519 FPNs issued, 95 were for fly tipping offences and the remainder for littering. Of the littering FPNs, 95% were issued for smoking-related items and 5% for other types of litter including fast food packaging, confectionary wrappers, snack packaging, drinks cans and other packaging. 91% were issued on the spot, with the remainder sent by post, usually when the littering was linked to a vehicle, but the offender failed to give their details. In addition, there were 126 “walk off” offenders whose details could not be obtained.
- 1.2.9 Staff retention and continuity has proven to be an issue for NES, with sixteen Enforcement Officers having been employed for varying lengths of time on the pilot in the first six months (including some training staff). When this issue has been raised with NES, they have emphasised their policy of only employing the right people on this pilot and not risk filling vacancies with the wrong people.
- 1.2.10 At the start of the pilot, NES’ officers experienced an amount of hostility from members of the public and from a small number of local businesses. The Council helped overcome the inaccurate perceptions that NES were not authorised to act on behalf of the Council and that their staff were on a bonus scheme or subject to target setting for the number of FPNs issued. The situation has subsequently improved.
- 1.2.11 There was also an issue early on in the pilot where NES officers brought in from other council areas started issuing FPNs for bins & boxes being presented outside of the usual collection day. This was due to them having this policy in the area

they normally worked in. This was quickly brought to our attention, NES Officers advised and any FPNs issued rescinded, as this is not a policy that this Council has adopted.

- 1.2.12 All representation and challenges to FPNs issued are made to NES by the alleged offender. Where they remain unhappy with NES' response, complaints are dealt with through the Council's Corporate Complaints Procedure. A number of complaints were received via local MPs. So far, any complaints received by the Council were investigated and resolved with the assistance of NES' Operational Support team. Where Council officers felt that an FPN should be rescinded, NES acted promptly and made refunds where necessary, the latter being in five cases so far.
- 1.2.13 Given the adverse publicity that such third-party activities have generated elsewhere, it is worth noting that only one case so far has resulted in adverse media coverage for the Council, when a new NES officer issued an FPN for throwing bread for ducks. NES immediately rescinded the FPN.

1.3 Summary

- 1.3.1 In general officers consider that the pilot has gone well so far, in terms of both the expectations of the Council and those of NES. Following various visits to the Borough to assess the size and nature of the areas within it and levels of littering at identified 'hot spots', and comparisons of their experience in other council areas, NES indicated that they anticipated issuing around 3,000 FPNs for litter & fly tipping offences within the twelve-month pilot period. As such the first six months have proved the pilot to be financially viable for NES' business model.
- 1.3.2 There has been no cost to the Council from implementing the pilot except for the provision of some office space at the Council's Kings Hill offices to act as a base for NES' officers. It is important to note that there has been significant Officer time required to support the pilot which has included regular liaison with NES' team leader and management throughout; managing the pilot to ensure that the service is being delivered as agreed; dealing with enquiries from NES' Operational Support team to clarify the Council's position on certain cases; running DVLA checks on behalf of NES in cases relating to litter from vehicles; authorising NES Enforcement Officers, issuing ID & authorisation cards, and getting them returned as NES officers start & leave; referring representations & challenges to NES; responding to complaints; and dealing with enquiries from offenders, landowners & other third parties. This is an additional duty of the Senior WEO and will need to be considered carefully within any future review.
- 1.3.3 The pilot has proved to be effective in terms of the results experienced through the use of a third-party resource to deal with many more litter & fly tipping offences than could be tackled within the Council's current resources. The pilot has also freed up more time for the Waste Services team to develop more effective working relationships with internal & external partners such as the

Tonbridge & Malling Community Safety Unit, the Police and KCC's Intelligence Unit, as well as other Kent districts.

- 1.3.4 The pilot generated £131,650 in the first six months from the FPNs issued and paid. Should a third-party enforcement solution be continued, a formal procurement exercise would be undertaken, which in itself would 'cost' Council staff time. However, in other council areas, such a contract has resulted in some form of 'shared income' arrangement whereby the council would either receive a percentage from each FPN paid or a payment over and above an agreed income.
- 1.3.5 The levels of complaints and adverse publicity have been lower than originally expected – given the experience of other councils using similar service providers - particularly once the causes of the issues experienced within the first few weeks of the pilot had been identified & resolved. NES staff & management have proven to be pragmatic in their approach to representations from offenders and prompt & efficient in their response to any complaints and the Council's enquiries & requests for information.

1.4 Future options

1.4.1 Having considered the outcome of the pilot there are a number of options available to Members:

- 1) Wait until the pilot has progressed further before any decision is taken.
- 2) Not to continue with the third-party provision of litter & fly tipping enforcement once the pilot ends in October 2023 and use the existing staffing resources within Waste Services to deliver some enforcement albeit at a greatly reduced level.
- 3) Procure a contract for the third-party provision of litter & fly tipping enforcement through a formal tender procedure.
- 4) Increase the staffing resource levels within the Council in order to maintain a similar level of activity as the current pilot arrangements.
- 5) Not continue with litter & fly tipping enforcement.

1.4.2 Taking into account the success of the pilot to date it is the view of Officers that option 3 should be pursued with the introduction of an income share arrangement within the contract. If the Committee supports this view a further report will be submitted to Cabinet on the procurement exercise.

1.4.3 As part of any procurement exercise, Members may also wish to consider extending the scope of the services being tendered to include enforcement of complementary elements of the adopted public space protection order e.g., no unauthorised barbeques, fishing etc.

1.5 Legal Implications

- 1.5.1 Legal advice was sought prior to the current pilot agreement being entered into and the Director of Central Services endorsed the terms of the 12-month pilot agreement. It was highlighted that the pilot would allow the Council to obtain statistical data and evidence to then determine the level of any future tender and route of procurement.
- 1.5.2 If Members wish officers to formally procure a contract for the provision of the services currently received from the pilot, a formal tender process would need to be undertaken in compliance with the Council's adopted contract procedure rules. In order to allow sufficient time for the decision-making process and the tender process to take place, it is likely that the current end date of the pilot would need to be extended by a few months. NES have indicated that this would be acceptable to them without any change to the current service level agreement.

1.6 Financial and Value for Money Considerations

- 1.6.1 The 12-month pilot is being undertaken at no cost to the Council and will allow the Council to assess any potential options for income through a future procurement process.

1.7 Risk Assessment

- 1.7.1 Any potential options for future enforcement provision will need to be fully risk assessed.
- 1.7.2 The current pilot is for a fixed period of 12 months which could be extended if a formal procurement process is adopted as the way forward. The terms of the current agreement allow either party to terminate with one month's notice.
- 1.7.3 The procurement of a contract for third-party enforcement could offer options for expanding the remit of the contractor to include other types of enforcement, such as investigating breaches of Public Space Protection Orders; commercial waste offences; duty of care waste offences; scrap metal licensing enforcement; etc. However, the current business modelling for companies such as NES may not be suitable for taking on these additional activities, so the market may be limited and/or additional costs may be incurred by the Council.

1.8 Policy Considerations

- 1.8.1 Community, Procurement and Crime & Disorder Reduction.
- 1.8.2 The activities carried out by NES, and their associated procedures are compliant with the Council's Corporate Enforcement Policy and with the Waste & Street Scene Enforcement Policy, as well as with Government guidance on litter & fly tipping investigation & enforcement.

1.9 Recommendations

- 1.9.1 The Committee is requested to consider the outcome of the pilot outlined in the report and make recommendations to Cabinet on the options for the future.

Background papers:

Nil

contact: David Campbell-
Lenaghan

Robert Styles

Director of Street Scene, Leisure and Technical Services

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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						24.06.23
D230054MEM	Catering Lease Variation - Haysden Country Park	Climate Change, Regeneration and Property	14.06.23	15.06.23	22.06.23						23.06.23

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

URG - outside of budget and policy framework

*reflects Easter Holiday

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Agenda Item 16

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

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TONBRIDGE AND MALLING BOROUGH COUNCIL

JOINT TRANSPORTATION BOARD

Monday, 5th June, 2023

Present: Cllr M A Coffin (Chair), County Cllr H Rayner (Vice-Chair), Cllr A Cope, Cllr S Crisp, Cllr D A S Davis, Cllr F A Hoskins, Cllr A Mehmet, Cllr D Thornewell, County Cllr M Hood, County Cllr S Hudson and County Cllr P Stepto.

In attendance: Councillor M D Boughton was also present pursuant to present pursuant to Council Procedure Rule No. 15.21.

Virtual: Councillors D Keers, B A Parry and K B Tanner participated via MS Teams and joined the discussion when invited to do so by the Chair in accordance with Council Procedure Rule 15.21.

Apologies for absence were received from County Councillors County Cllr Mrs T Dean, County Cllr Mrs S Hohler and County Cllr A Kennedy.

PART 1 - PUBLIC

JTB 23/8 NOTIFICATION OF SUBSTITUTE MEMBERS

There were no substitute members.

JTB 23/9 DECLARATIONS OF INTEREST

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

JTB 23/10 MINUTES

RESOLVED: That the Minutes of the meeting of the Joint Transportation Board held on 6 March 2023 be approved as a correct record and signed by the Chairman.

JTB 23/11 PETITION - OFF ROAD CYCLE PATH FOR THE A26 HADLOW ROAD TO HADLOW

In accordance with Rule 6.1 of the Joint Transportation Board agreement, a petition in respect of Off Road Cycle Path for the A26 Hadlow Road to Hadlow was received by Members.

MATTERS FOR THE BOROUGH COUNCIL**JTB 23/12 PARKING UPDATE**

(Decision Notice D230046MEM)

The report of the Director of Street Scene, Leisure and Technical Services covered the progress of the current Phase (Phase 14), the content of the next Phase (Phase 15) of the Action Plan and an update on the Borough's parking reviews.

Those sites within Phase 14 which had already been assessed and progressed to an initial design were listed at Annex 1 to the report. A list of locations recommended for consideration in Phase 15 of the Parking Action Plan was attached at Annex 2 to the report. A further list was attached at Annex 3 and would be held on a 'holding list' for consideration in future phases of the Plan. It was recommended that the locations and proposals in Annex 2 be taken forward for investigation and then to informal consultation; and that the response to the informal consultation be reported to a future meeting of the Board.

RECOMMENDED: That

- (1) the proposals for each location listed in Phase 15 of the Parking Action Plan, as set out at Annex 2 to the report, be taken forward for investigation and informal consultation; and
- (2) the list of requests, as set out at Annex 3 to the report, be held for future consideration in future phases of the Parking Action Plan.

JTB 23/13 HADLOW PARKING REVIEW - OUTCOMES OF INFORMAL CONSULTATION

(Decision Number D230047MEM)

As part of the Borough's Parking Action Plan, an informal consultation had been undertaken in respect of the parking review of Hadlow. The report of the Director of Street Scene, Leisure and Technical Services presented the outcome of the informal consultation carried out in respect of the proposals set out at Annex 1 to the report. Details of the responses were set out at Annex 2 and a response from the Parish Council at Annex 3 to the report.

RECOMMENDED: That the revisions discussed in Section 5 of the report be taken forward to formal consultation, and the results reported to a future meeting of the Joint Transportation Board for further consideration.

JTB 23/14 HILDENBOROUGH PARKING REVIEW - OUTCOME OF INFORMAL CONSULTATION

(Decision Number D230048MEM)

As part of the Borough's Parking Action Plan, an informal consultation had been undertaken in respect of the parking review of Hildenborough. The report of the Director of Street Scene, Leisure and Technical Services presented the outcome of the informal consultation carried out in respect of the proposals set out at Annex 1 to the report. Details of the responses were set out at Annex 2 and a response from the Parish Council at Annex 3 to the report.

RECOMMENDED: That the revisions discussed in Section 4 of the report be taken forward to formal consultation, and the results reported to a future meeting of the Joint Transportation Board for further consideration.

MATTERS SUBMITTED FOR INFORMATION**JTB 23/15 KENT STREET JUNCTION IMPROVEMENT UPDATE**

The report of Kent County Highways and Transportation provided an update on the Kent Street/Malling Road highway improvements. S106 funding had been secured from Kings Hill Phase 2 development and carried through to the S106 for the Phase 3 development. Kent County Council was currently consulting on proposals for local traffic management and calming.

JTB 23/16 HIGHWAY FORWARD WORKS PROGRAMME - 2022/23 AND 2023/24

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

Representatives from Kent County Council Highways responded to questions relating to the footway and carriageway improvement scheme at A20 London Road between roundabouts with A227 Gravesend Road and Old Coach Road and the drainage repairs and improvements at Blackmans Lane.

Members sought an update on the street lighting at Wrotham Road and the installation of speed camera signs on the A26 Tonbridge Road following the stage 3 safety audit.

MATTERS FOR CONSIDERATION IN PRIVATE

JTB 23/17 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 8.17 pm

Agenda Item 17

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

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Agenda Item 18

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

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

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Agenda Item 19

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

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