

TONBRIDGE & MALLING BOROUGH COUNCIL



EXECUTIVE SERVICES

Chief Executive

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

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

27 October 2023

To: MEMBERS OF THE COMMUNITIES AND ENVIRONMENT SCRUTINY
SELECT COMMITTEE

(Copies to all Members of the Council)

Dear Sir/Madam

Your attendance is requested at a meeting of the Communities and Environment Scrutiny Select Committee to be held in the Council Chamber, Gibson Drive, Kings Hill on Monday, 6th November, 2023 commencing at 7.30 pm.

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

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

Yours faithfully

JULIE BEILBY

Chief Executive

A G E N D A

1. Guidance for the Conduct of Meetings

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PART 1 - PUBLIC

2. Apologies for absence
3. Notification of Substitute Members 9 - 10
4. 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/code-of-conduct-for-members).

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

5. Minutes 13 - 20

To confirm as a correct record the Notes of the meeting of the Communities and Environment Scrutiny Select Committee held on 21 September 2023

Matters for Recommendation to the Cabinet

6. Review of Car Parking Fees and Charges 21 - 38

This report brings forward proposals for existing on street and off street car parking fees and charges for implementation from 1st April 2024. The Committee is requested to consider the proposals and make recommendations to Cabinet.

7. Review of Fees and Charges - Miscellaneous 39 - 54

This report sets out the proposed fees and charges for the provision of services in respect of garden waste subscriptions, household bulky refuse & fridge/freezer collections, "missed" refuse collections, stray dog redemption fees, Tonbridge Allotments, Tonbridge Cemetery, events, billboards and banners, pest control, food certificates, contaminated land monitoring and private water supplies from 1 April 2024.

8. Tackling Graffiti 55 - 66

This report gives details of the Council's work in tackling graffiti, including the current reporting mechanisms, the cleaning and removal of graffiti and work with the Community Payback scheme.

Matters submitted for Information

9. Key Performance Indicators 67 - 72

Following on from the adoption of the Corporate Strategy 2023-2027, a new set of Key Performance Indicators (KPIs) have been adopted that enable the Council to measure progress on its priorities. In order to improve their effectiveness, trend analysis and targets have also been included. This covering report and appendix provides data on KPIs relating to the period up to the end of September 2023.

10. Work Programme 2023/24 73 - 74

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

11. Urgent Items 75 - 76

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

Matters for consideration in Private

12. Exclusion of Press and Public 77 - 78

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

PART 2 - PRIVATE

13. Urgent Items 79 - 80

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

MEMBERSHIP

Cllr S A Hudson (Chair)
Cllr Mrs S Bell (Vice-Chair)

Cllr A G Bennison
Cllr S Crisp
Cllr G B Hines
Cllr F A Hoskins
Cllr J R S Lark
Cllr A McDermott

Cllr Mrs A S Oakley
Cllr W E Palmer
Cllr M R Rhodes
Cllr Mrs M Tatton
Cllr K S Tunstall

GUIDANCE ON HOW MEETINGS WILL BE CONDUCTED

- (1) Most of the Borough Council meetings are livestreamed, unless there is exempt or confidential business being discussed, giving residents the opportunity to see decision making in action. These can be watched via our YouTube channel. When it is not possible to livestream meetings they are recorded and uploaded as soon as possible:

<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 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 Chair, 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 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 should attend in person. However, arrangements to participate online can be considered in certain circumstances. 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.

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Community and Environment Scrutiny Select Committee – Substitute Members (if required)

	Conservative	Liberal Democratic	Green	Ind. Kent Alliance	Labour
1	Chris Brown	David Thornewell	Lee Athwal		Paul Hickmott
2	Roger Dalton	Roger Roud	Kath Barton		Wayne Mallard
3	Dave Davis	Garry Bridge	Mark Hood		
4	Dennis King	Tim Bishop	Robert Oliver		
5	Colin Williams	Paul Boxall	Bethan Parry		

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

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Declarations of interest

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TONBRIDGE AND MALLING BOROUGH COUNCIL

COMMUNITIES AND ENVIRONMENT SCRUTINY SELECT COMMITTEE

MINUTES

Thursday, 21st September, 2023

Present: Cllr S A Hudson (Chair), Cllr Mrs S Bell (Vice-Chair), Cllr A G Bennison, Cllr S Crisp, Cllr G B Hines, Cllr F A Hoskins, Cllr A McDermott, Cllr W E Palmer, Cllr Mrs M Tatton, Cllr K S Tunstall, Cllr D W King (substitute), Cllr D Thornewell (substitute) and Cllr C J Williams (substitute)

In attendance: Cllrs T Bishop, Mrs T Dean, M A J Hood, R P Betts, M D Boughton and D Keers were also present pursuant to Council Procedure Rule 15.21.

Virtual Councillors R I B Cannon, R V Roud and K B Tanner participated via MS Teams in accordance with Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors J R S Lark, Mrs A S Oakley and M R Rhodes

CE 23/32 NOTIFICATION OF SUBSTITUTE MEMBERS

Notification of substitute members were recorded as set out below:

- Cllr King substituted for Cllr Rhodes
- Cllr Thornewell substituted for Cllr Oakley
- Cllr Williams substituted for Cllr Lark

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

CE 23/33 DECLARATIONS OF INTEREST

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

CE 23/34 MINUTES

RESOLVED: That the notes of the meeting of the Communities and Environment Scrutiny Select Committee held on 19 July 2023 be approved as a correct record and signed by the Chair.

MATTERS FOR RECOMMENDATION TO THE CABINET

CE 23/35 CAR PARKING PROPOSALS

Consideration was given to a number of proposed changes to the Borough Council's car parking service. The aim was to balance the management of the car parks to meet the needs of all users, optimise the availability of parking, maximise income subject to market conditions and provide consistency across the borough in a fair commercial and efficient manner. It was also intended to resolve some existing parking issues reported to the Borough Council in specific areas.

In addition, it was proposed that formal public consultation on the proposed changes be undertaken and the outcomes reported to a future meeting of Cabinet.

The significant annual costs associated with the operation of the parking service were outlined. It was noted that these had increased on average by 10% over the last 2 years. A number of proposals were detailed in the report and included the extension of car parking charging periods to Sundays, evenings and Bank Holidays, introduction of new charges in Aylesford, Larkfield and West Malling, changes to charging in Avebury Avenue, Tonbridge, extension of charging at Tonbridge Castle and the introduction of Automatic Number Plate Recognition (ANPR) at trial locations. Proposed charges were set out in Annex 1.

Particular reference was made to the potential extension of Upper Castle Field in Tonbridge to provide additional parking to support the use of a well-used car park, which was often at full occupancy.

The financial implications of the suggested proposals were detailed in the report, which emphasised that income generation was essential given the context of the Medium Term Financial Strategy, and that the Borough Council sought to ensure that its assets were managed in the most efficient way and costs were recovered and optimised.

Members were advised that proposals in respect of Rocfort Road car park in Snodland would follow once a parking review had been completed to consider a number of complex issues in the town.

Whilst there was overall support of the proposals outlined to be consulted upon, there was some concern expressed at the lack of evidence provided to support the introduction of charging in Martin Square and West Malling High Street and Swan Street and the potential impacts on local businesses in those areas. The Leader of the Council agreed to meet with any local organisations including the local Chambers of Commerce and traders organisations.

Local Members supported the removal of the on-street parking machines in Avebury Avenue, Tonbridge and the move to permit parking only but Councillor Hines proposed, seconded by Councillor Crisp, that permits should be limited to 3 per business in this area. This proposal was supported by the Committee.

RECOMMENDED*: That

- (1) the proposals below be taken forward to public consultation and the outcomes reported to future meetings of the Cabinet:
 - a) parking charges be extended to include Sundays, evenings up to 8pm and Bank Holidays;
 - b) the on-street parking machines in Avebury Avenue, Tonbridge (west of Holford Street) be removed, the area changed to parking permit only to add capacity to the D1 parking area and that the issue of Business On-Street Parking Permits in the D1 area be revised to a maximum of 3 per business to allow more residential parking opportunities;
 - c) parking charges be introduced at Martin Square, Larkfield (as set out in Annex 1);
 - d) parking charges be introduced at both Bailey Bridge car parks in Aylesford (as set out in Annex 1);
 - e) parking charges be introduced to on street parking bays in West Malling High Street and Swan Street (as set out in Annex 1);
 - f) parking charges be introduced to the existing Gateway Visitor parking bays in Tonbridge Castle Grounds (as set out in Annex 1);
- (2) a project to improve the Bailey Bridge East car park be brought forward in the forthcoming Capital Plan Review;
- (3) a scheme to introduce ANPR systems at selected car parks on a trial basis be brought forward in the forthcoming Capital Plan Review;
- (4) a scheme to enable these proposals to be implemented including CCTV, parking machines and signage be brought forward in the forthcoming Capital Plan Review; and

- (5) a scheme to extend the existing Upper Castle Field car park to provide additional parking be brought forward in the forthcoming Capital Plan Review.

***Recommended to Cabinet**

CE 23/36 GROUND MAINTENANCE CONTRACT

The report of the Director of Street Scene, Leisure and Technical Services advised on the retender of the Borough Council's Ground Maintenance Contract for Public Open Spaces and sought comments and recommendations in regard to the procurement process and timeframe, length of contract, standards and level of service and the proposed evaluation of tenders and award of contract.

Attention was drawn to the proposed levels of service and potential savings presented to Members at the previous meeting of the Committee (attached at Annex 1). No requests for further alterations had been received. However, proposals for the removal of flower beds had been rejected and Officers would work with the incoming successful contractor to increase the use of perennials in the future design of flower bed displays.

An outline tender timescale had been developed in accordance with the Borough Council's Contract Procedure Rules and took into account programmed meetings of this Committee, Cabinet and Council. Details of the timescale were set out in Annex 2.

With regard to external procurement the Kent Commercial Services framework provided the opportunity to seek tenders from a list of contractors which had already undergone thorough financial and quality appraisals. The use of this framework met the authority's procurement rules and there was no additional cost.

Consideration was given to the type of contract to be awarded, the length of contract and the proposed criteria for tender assessment (outlined at Annex 3).

Particular reference was made to the use of pesticides and Members welcomed the proposal that contractors offer alternative costed methods through the tender process for consideration.

RECOMMENDED*: That

- (1) Kent Commercial Services Framework be used for external procurement;
- (2) the length of the contract be five years plus five years;

- (3) the Contract be awarded based on the most economically advantageous tender and be evaluated on 50% price and 50% quality;
- (4) the proposed levels of service and potential savings (as set out in Annex 1) be noted, and incorporated in the contract documentation;
- (5) the quality assessment criteria be agreed (as set out in Annex 3); and
- (6) a lease of the Maintenance Buildings be granted to the successful contractor as per the terms detailed in the report.

***Recommended to Cabinet**

CE 23/37 KCC COMMUNITY WARDEN CONSULTATION RESPONSE

(Decision Notice D230081MEM)

Consideration was given to a proposed response from Tonbridge and Malling Borough Council in respect of the KCC Community Warden review, which was out for consultation until 3 October 2023.

The proposals presented as part of the Consultation had been developed with information from service users and input from staff and partners and were intended to redesign the service to achieve savings of £1million by 2024/25.

The work of the Community Wardens across Kent and within Tonbridge and Malling and the proposed cuts to the service were detailed at 1.2 and 1.3 of the report.

Members expressed concern that cutting, or reducing, the Community Warden service would lead to increased costs in other organisations and a lack of support for vulnerable residents. There were also concerns that Local Authorities would be expected to provide and/or support services in those areas where the service would be withdrawn. It was recognised that Tonbridge and Malling Borough Council did not have the resources, capacity or experience to fill these gaps.

The Committee had regard to the legal implications, financial and value for money considerations and the risk assessment set out in the report and expressed significant concern that the proposed reduction to one Team Leader and three wardens covering Maidstone and Tonbridge and Malling would severely stretch resources. The role of the Community Wardens in supporting residents in their own homes and addressing safeguarding concerns was valued.

RECOMMENDED*: That:

- (1) the summary of the consultation document and the potential implications for the Borough Council of the review of the KCC Community Wardens service be noted;
- (2) the Borough Council's response to the consultation should be to strongly object to the proposals, recommend that there should be no change to the service and the significant concerns regarding the impact on other agencies and vulnerable residents should be highlighted; and
- (3) delegated authority be given to the Director of Central Services and Deputy Chief Executive, in liaison with the Cabinet Member for Community Services, to submit a final consultation response by the deadline of 3 October 2023.

***Decision Taken by Cabinet Member**

MATTERS SUBMITTED FOR INFORMATION

CE 23/38 KEY PERFORMANCE INDICATORS

Members received a list of Key Performance Indicators (KPIs) that were relevant to the committee. A baseline covering April to June 2022 had been used, with the data for January to March 2023 representing the most up-to-date available statistics. The KPIs would be monitored on a quarterly-annual basis and would be made available on an ongoing basis.

CE 23/39 WASTE CONTRACT - KEY PERFORMANCE INDICATORS

Members noted the performance of the Waste Contract against a suite of Key Performance Indicators (KPIs) for the period April to July 2023. Comparative data for April to July 2022 and the percentage variance when compared with the previous performance was also included.

CE 23/40 WORK PROGRAMME 2023/24

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

MATTERS FOR CONSIDERATION IN PRIVATE

CE 23/41 EXCLUSION OF PRESS AND PUBLIC

There were no matters considered in private.

The meeting ended at 9.20 pm

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TONBRIDGE & MALLING BOROUGH COUNCIL

COMMUNITIES AND ENVIRONMENT SCRUTINY SELECT COMMITTEE

06 November 2023

Report of the Director of Street Scene, Leisure & Technical Services, the Director of Finance and the Cabinet Member for Transformation and Infrastructure

Part 1- Public

Matters for Recommendation to Cabinet - Key Decision

1 REVIEW OF CAR PARKING FEES & CHARGES

Summary

This report brings forward proposals for existing on street and off street car parking fees and charges for implementation from 1st April 2024. The Committee is requested to consider the proposals and make recommendations to Cabinet.

1.1 Introduction

- 1.1.1 Fees and charges for parking in the Borough are regularly reviewed in the context of current and planned service improvements and the operational management of the parking service with the exception of Haysden Country Park, the last full review was last undertaken in November 2021.
- 1.1.2 In bringing forward the proposals in this report, consideration has been given to the set of guiding principles for the setting of fees and charges established by the Council. The guiding principles can be summarised as follows:-
- Fees and charges should have due regard to the Council's Medium Term Financial Strategy and should reflect the Council's key priorities.
 - If there is to be a subsidy from the Council taxpayer to the service user this should be a conscious choice.
 - The Council should look to maximise income subject to market conditions, opportunities and comparable charges elsewhere, in the context of its key priorities and other corporate aims and priorities.
 - Fees and charges should be reviewed at least annually (unless fixed by statute or some other body).
 - Fees and charges should not be used to provide a subsidy from the Council taxpayer to commercial operators.
 - There should be consistency between charges for similar services.

In addition to the above, consideration also needs to be given to a number of specific principles relating to the provision of a successful car parking service. In summary the Council should:-

- Seek to optimise the availability of parking.
- Manage assets in a fair commercial and efficient manner.
- Implement an appropriate charging regime taking into account the cost of the parking service
- Balance the management of the car parks to meet the needs of all users
- Have in place suitable inspection and maintenance regimes to ensure it provides safe and well-maintained opportunities for the public to park their vehicles.

At the recent meeting of Cabinet it was agreed to consult on proposed evening, Sunday and Bank holiday charges and charges in previous free for use car parks and on street parking bays. These charges are subject to formal public consultation prior to further consideration by Cabinet.

1.1.3 The report considers current and future fees and charges for parking, and following careful consideration of the aforementioned principles, brings forward a number of proposals. In summary the proposals are as follows:

- Short stay parking charges in Tonbridge for parking longer than 1 hour to increase in a linear fashion in line with an hourly charge of £1.60. A penalty tariff is in place for parking longer than 4 hours. Long stay parking charges in Tonbridge to increase by 20p per tariff band.
- Residential preferential parking permits to increase from £52 to £57 per annum across the whole borough, with a rising scale of charges based on the number of cars per household increasing by proportionate amounts. New applicants to continue to receive 10 visitor permits free of charge.
- Visitor permits to be increased to £14 for 10 permits.
- Country parks – an increase from £2 to £2.20 for the first 4 hours. Season tickets for regular users to increase from £65 to £70.
- West Malling High Street car park – an increase in short stay parking charges in the High Street car park as shown in Table 5. Season tickets for the Ryarsh Lane car park to increase from £255 to £290 and the Saturday phone payment charges to reflect the same rate as the High Street car park.
- Borough Green – charges in the Western Road car park to increase by 10p per hour.
- Peak and Off-Peak Season tickets – increases to reflect market conditions/demand.

- Business permits/dispensations for on-street – increases applied with the exception of permits for carers.
- Carers permits to remain free of charge

1.1.4 It is relevant for Members to note that the last annual review of car parking charges was in 2021 with implementation of the new charges in April 2022. Since those charges were implemented inflation has been running at a high level which has impacted on the cost of providing the parking service.

1.2 Investment in the Parking Service

1.2.1 The review seeks to achieve a balance between proactively managing parking on behalf of residents and businesses and an appropriate charging regime taking into account the cost of the parking service. Many items contribute to this cost, such as maintenance of the car parks, enforcement, business rates, lighting, security measures, renewal of signs and lines and a considerable investment in the Parking Action Plan to improve the management and convenience of parking throughout the Borough. Members will also note that off-street car parking charges paid by users are subject to VAT. It is also true to say that many of the Council's car parks are potentially valuable land assets were they not to be given over for parking purposes, representing an 'opportunity cost' to the Council.

1.2.2 Over the period since the previous review report in November 2021, the Council has implemented a significant number of parking management initiatives. In the context of this review of fees and charges, it is worth setting these out so that Members as well as local residents and businesses can understand the totality of the parking service beyond the purely financial considerations, and obtain a better perspective on the positive impacts that the parking service has on local parking conditions:-

- Improvement works to the value of £55,000 have been carried out in a number of car parks including Martin Square, Bradford Street, Teston Road, Sovereign Way Mid & North, Ryarsh Lane and Angel West
- In addition to these works approximately £335,000 has been spent in Angel East resurfacing large areas of the car park with replacement drainage channels added. As part of the contract agreement with Sainsburys, the value of these works are re-charged back to Sainsburys.
- The improvement work is underpinned by a continuing and consistent programme of maintenance work to keep the car parks safe, clean, well presented and convenient for our customers. This programme also includes work on-street to keep all the signs and lines in the Borough clear and legible to support the enforcement work of the Civil Enforcement Officers (CEO). Annual provision for this programme of maintenance work is £30,000 and it is

notable that there is a nationwide increase in materials costs for civil engineering works, that affects the Council's maintenance work.

- Business Rates are around £294,000 per annum and to round off this section on maintenance and safety, CCTV provision amounts to £188,500 each year to keep the car parks safe and secure.
- The enforcement service includes 10 full time CEO's. Staff are patrolling until 8pm at locations across the whole Borough, and the team are critical to promoting a well-ordered parking environment in the Borough that is responsive to local needs and pressures. It is also relevant to note that the expectations from the public in terms of levels of enforcement continue grow. In addition, an external contractor is employed to empty the ticket machines at an annual cost of £71,500.
- In addition, there is also a staff cost associated with implementing Local Parking Plans and the phased programme of more ad-hoc parking interactions. Whilst this is integrated with other parking related work, the average annual cost is iro. £30,000

1.2.3 Taking all these elements together, they amount to a significant investment by the Borough Council in seeking to provide a comprehensive and integrated parking service on behalf of residents and businesses and provide an important context for the review of parking fees and charges that follows. Further investment may also be required in the future to meet initiatives brought forward in the context of the Council's Digital and Climate Change Strategies.

1.3 Comparative Charges

1.3.1 Comparison with the parking fees and charges of other Kent districts and private sector operators should not be the main driver of what might be appropriate in this Borough, since local circumstances, such as the availability of short and long-stay parking, the convenience of the car park locations, and any "through the till" refunds offered by businesses in Tonbridge (Sainsburys, Waitrose, Iceland and TM Active) are critical in such considerations. Ticket refunds from the aforementioned businesses in Tonbridge amount to £451,000 per annum. Comparative charges do, however, act as a guide and can be viewed by the public as to what might be considered the 'going rate' for parking. For these and other local reasons comparisons of charges outside the Borough and even within must be carefully qualified.

1.3.2 The scope of the review exercise covers consideration of all existing services and charges and includes an assessment of whether current circumstances justify them being maintained as they are or increased. In overview, a comparison of parking charges levied by neighbouring authorities would indicate the proposals

are generally in line with others, and it is anticipated that most other Councils will be bringing forward their own increases in advance of the next financial year.

1.4 Current Income Levels

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

1.4.2 After the first 6 months of the current financial year, income is close to profile.

1.4.3 Parking income for Haysden Country Park is monitored separately. Income after the first 6 months is above/below profile, with a year-end forecast of £89,000.

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

1.5.1 Detailed in Table 1 below are the current and proposed charges for daily short and long stay car parking charges in Tonbridge. It is proposed, subject to public consultation, to extend the Tonbridge car park charging period from 8am-6pm to 8am-8pm, Monday to Saturday and to introduce charges on Sundays or Bank Holidays. The proposed charges shown in the table below will apply to these proposals.

TABLE 1		
Short Stay		
Period – Hours	Current Charge	Proposed Charge
30 minutes	£0.70	£0.80
1 hour	£1.40	£1.60
2 hours	£2.80	£3.20
3 hours	£4.20	£4.80
4 hours	£5.60	£6.40
Additional hours	£2.80	£3.20
Long Stay		
1 hour	£1.40	£1.60
2 hours	£2.60	£3.00
3 hours	£3.50	£4.10
6 hours	£5.40	£6.20
All day (23 hours)	£6.80	£7.00

- 1.5.2 The proposed all-day tariff of £7.00 does not exceed the current all-day rate of £7.90 in the privately operated Tonbridge railway station car park. It operates for 23 hours to prevent the long-term storage of vehicles.
- 1.5.3 Upper Castle Field and Castle Grounds car parks were changed from long stay to short stay as part of the car parking charges last review. This has proved successful, and it is proposed this be retained.

1.6 Season Tickets, Tonbridge

- 1.6.1 The Council currently offers Season Tickets focussed primarily on commuters and workers in the town to park all-day in the Sovereign complex (Sovereign Way East, Sovereign Way North and Vale Road) and Lower Castle Fields car parks. Season tickets are available on a monthly and yearly basis. In addition, as part of the last review of car parking charges, the Council introduced a Town Centre Residents Season Ticket covering a designated area within the town centre. It is suggested that the designated area be extended further to include areas north of the river. A plan of the proposal is shown at **Annex 1** to include residential properties in the area shown in orange to the north of the Medway, west of Cannon Lane, south of Bordyke and east of The Slade.
- 1.6.2 The annual take-up of Season Tickets is currently 57 at the annual rate and 317 at the monthly rate. 38 of the new Residents Season tickets have been sold. Uptake of the season tickets has increased in the recovery period from Covid.
- 1.6.3 The proposed Season Ticket charges at Table 2 takes into consideration the charges applied at the Railway Station car park which has the advantage for commuters of being located immediately next to the Station. The current price of a Tonbridge Station season ticket is £1,415.50.

TABLE 2

Season Tickets, Tonbridge		
	Current Charge	Proposed Charge
Monthly	£120	£132
Annual	£1050	£1150

- 1.6.4 The existing charge for the Town Centre Residents season ticket is £87.50 for 3 months or £350 for a year. Taking into account the aim to increase take up and extend availability it is suggested a modest increase to £90 and £360 respectively is applied.

1.7 Off-Peak Season Ticket, Tonbridge

- 1.7.1 The Council offers an “Off-Peak Season Ticket” in Tonbridge that allows anyone to park between 4pm and 9am the next day (and all-day Saturdays) for £320 per year in any of the Council’s car parks in central Tonbridge. There are currently 7 off peak annual season tickets as demand has reduced since the introduction of the Residents Season tickets. Members will note from Table 3 below that it is the intention to increase the charge to £360 per year.

TABLE 3

Off Peak Season Ticket, Tonbridge		
	Current Annual Charge	Proposed Annual Charge
Off-peak season ticket (4pm-9am & Saturdays)	£320	£360

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

- 1.8.1 The current Season Ticket for the Ryarsh Lane car park is set at £255 per year or £26 per month. The car park is primarily used by businesses and retailers in the week for their staff. The car park is also free of charge after 3pm on weekdays to enable parents to collect their children from the local primary school. At the last review of charges, charges were introduced for Saturday at the same level as the High Street short stay car park subject to a public consultation exercise, it is suggested these charges will be extended to also apply on Sundays and bank holidays in the future.
- 1.8.2 Privately managed, alternate long-stay parking is available at West Malling railway station. Although it is recognised that this is less convenient for the town, the comparative cost of the parking is shown below in Table 4.

TABLE 4

West Malling Long Stay Parking				
Parking provider	Daily Charge	Off peak Charge	Saturday Charges	Annual Charge
South-eastern (West Malling Station)	£5.60	£5.10	£3.80	£976.00
Ryarsh Lane car park	Not available	Not available	Short stay charges apply as shown below at Table 5	£255 (annually) £26 per month

- 1.8.3 Despite successive increases demand for season tickets in Ryarsh Lane continues to exceed supply and there still remains a tendency for season ticket holders to retain their tickets even when not always required. The car park has 114 spaces and the allocation of tickets is currently limited to 127. At the last review of charges a monthly Season Ticket at £26 per month was introduced. This has proved to be quite popular with 106 monthly tickets sold last year.
- 1.8.4 It is proposed to increase the annual season ticket to £290. The Saturday charges will increase in line with the short stay charges shown below in Table 5.
- 1.8.5 Detailed in Table 5 below are the current and proposed charges for daily short stay car parking charges in West Malling High Street car park.

TABLE 5

West Malling Short Stay		
Period	Current Charge	Proposed Charge
30 minutes	£0.50	£0.60
1 hour	£1.10	£1.20
2 hours	£1.80	£2.00
3 hours	£2.60	£2.90
4 hours	£3.40	£3.80

- 1.8.6 Resident Season tickets are also available for the car park but these are restricted to local residents. There are currently 13 annual resident season tickets issued.

TABLE 6

Borough Green Western Road Car Park		
	Current Charge	Proposed charge
Up to 30 minutes	£0.20	£0.30
30 minutes to 1 hour	£0.50	£0.60
1 to 2 hours	£0.80	£1.00
2 to 4 hours	£1.50	£1.80
4 to 6 hours	£2.20	£2.60
6 to 9 hours	£3.10	£3.50
All day	£5.30	£5.50
Residents Season Ticket	£350	£385

1.9 Residents Permit Parking Scheme

- 1.9.1 Residents permits across the Borough are shown below in Table 7 and are based on a rising scale of charges with those who park more cars on the road, paying more for their permits. The rising scale is designed to help manage road space demand where parking is at a premium. In essence, it seeks to discourage people from parking more cars in the road, unless absolutely necessary. 3147 residents permits are currently issued. 3056 relate to a 1st or 2nd car, 76 for a third car and 15 for a 4th.

TABLE 7	Current Annual Charge	Proposed Annual Charge
1 st car	£52	£58
2 nd car	£52	£58
3 rd car	£104	£115
4 th car	£156	£175

- 1.9.2 Foreign registered vehicles are required to be exported or re-registered in the UK via DVLA after 6 months. With this in mind, we offer 6 month permits to non-UK registered vehicles belonging to residents, at the pro-rata rate for comparable resident parking permits. The proposed change to the cost of resident permits will require a change from £26 to £28.50 for 6 months,

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

TABLE 8

Business/Carers Permits		
Permit type	Current charge per annum	Proposed charge per annum
Business permit (for businesses located within a permit scheme)	£200	£250
Carers permit	£0	£0
Dispensations		
Property Maintenance	£200	£250
On-street dispensation (for building works etc.)	£15 per day £60 per week	£18 per day £75 per week

- 1.9.4 Members will note that it is the intention to increase the cost of the permits/dispensations with the exception of the Carers Permit which it is felt should remain free of charges.

1.10 Visitor Permits

- 1.10.1 The Council has a system of issuing Visitor Permits to holders of Residents Permits to enable their visitors to park within the restricted area. The Visitor Permits effectively operate as a one-day parking permit.

- 1.10.2 Visitor Permits currently cost £12 per sheet of 10 permits, and every permit holder is given a free sheet of 10 permits when they first take out their permit. Currently iro. 2,500 permit sheets are sold each year. The charge per sheet of £12 has not been increased for 4 year and it is therefore proposed that it be increased to £14.

1.11 Haysden Country Park

- 1.11.1 The last increase in charges for parking at the country park was applied in July 2023 with charges rising to £2.00 for up to four hours and 4.50 for over four hours.

- 1.11.2 To reflect the popularity of the Park and the cost of providing the facility it is proposed that the current “up to 4 hour” rate of £2.00 be revised to £2.20. It is not proposed to amend the “over 4 hour” rate to £5.00.

1.11.3 Annual season tickets can also be purchased for regular users of the Park and is. The season ticket was introduced in 2008 and is currently £65 for the whole year. It is suggested that the charge be increased to £70 per annum. There are currently 268 season tickets.

1.11.4 Members may be interested to note that the current charging structure in relation to Kent County Council's Manor Country Parks in West Malling is:

- £2.00 Monday to Friday
- £3.00 Weekend and Bank Holidays
- £62 season ticket (valid at all 9 KCC Country Parks)

1.11.5 The existing charges, together with the proposed charges, are detailed below in Table 9. The proposals take into account the charges at the KCC Country Parks, the value of the season ticket for regular users and current demand.

TABLE 9

Haysden Country Park		
Period	Current Tariff	Proposed Tariff
0-4 Hours	£2.00	£2.20
4+ Hours	£4.50	£5.00
Annual Season Ticket	£65.00	£70.00

1.11.6 With regard to Leybourne Lakes Country Park the management of the site has now transferred to the Tonbridge and Malling Leisure Trust.

1.12 Tonbridge On-Street Pay and Display

1.12.1 The Council currently operates some limited on-street pay and display parking in Tonbridge, the majority operating for up to a maximum stay of either 2 or 3 hours. The purpose of on-street pay and display is to provide short stay parking that is convenient to customers of local businesses, with a regular turn-over of spaces. In addition, the Council offers long stay on street parking in Morley Road, Tonbridge.

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

TABLE 10

On-Street Pay & Display		
	Current Charge	Proposed charge
Up to 30 minutes	£0.70	£0.80
Up to 1 hour	£1.40	£1.60
Up to 2 hours	£2.80	£3.20
Up to 3 hours (where allowed)	£4.20	£4.80
All day (Morley Road only)	£1.80	£2.00

1.13 Timescale

1.13.1 Changes to the On and Off-street charges will be progressed and reported as required to the appropriate Member meetings. The Local Authorities Traffic Orders (Procedure) (England & Wales) Regulations 1996 requires a statutory consultation of at least 21 days for the invitation of objections, which will then be considered by Cabinet for off street charges and the Joint Transportation Board for on street charges. This will result in any Member endorsed proposals being introduced later next year.

1.14 Legal Implications

1.14.1 The powers allowing the Borough Council to carry out parking management activity are contained in the Road Traffic Regulation Act 1984, supplemented by formal agreement with Kent County Council as the Local Highway Authority, in respect of its powers under the Traffic Management Act 2004. In particular, section 122 of the Road Traffic Regulation 1984 Act imposes a general duty on local authorities exercising functions under the Act to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of safe and adequate parking facilities on and off the highway.

1.14.2 Changes to parking charges should be made via an Amendment Order to the Council's on and off-street parking Traffic Regulation Orders, using the procedures set out in the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996.

1.14.3 Part 2 of The Civil Enforcement of Parking Contraventions (England) General (Amendment) Regulations 2015 introduced a statutory requirement for a 10 minute “grace” period to time limited parking, whether on-street or off-street, including Pay and Display, regardless of the intended duration of stay, effectively adding the facility to park for an additional 10 minutes to all parking periods.

1.15 Financial and Value for Money Considerations

1.15.1 This review has examined parking fees and charges within the context of a set of guiding principles, the cost of parking service to the Council and ongoing investment in the parking management service. It is anticipated that the proposals outlined in this report will generate estimated additional income of £364,011. This estimate is based on the assumption that current usage and refund levels remains constant, that ticket sales remain uninfluenced by price increases and that there is a similar distribution of tickets in each pricing bracket.

1.17 Asset Management

1.17.1 It is worthy of note that many of the Council’s car parks represent a significant asset in terms of resale and for development. It is essential given the context of the Medium Term Financial Strategy that the Council seeks to ensure that the assets are managed in the most economically advantageous way and may in some cases include disposal of the asset.

1.18 Risk Assessment

1.18.1 The estimated additional income is modelled on predicted future parking patterns and demand matching what currently takes place. It does not reflect any potential adverse customer reaction or the possibility of increased take up. The proposed charges will be subject to formal public consultation early in the New Year, with the outcome reported to Cabinet.

1.19 Equality Impact Assessment

1.19.1 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.

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

1.20 Policy Considerations

1.20.1 Asset Management

1.20.2 Community

1.20.3 Customer Contact

1.20.4 Climate Change

1.21 Recommendations

1.21.1 It is RECOMMENDED that the Committee considers the following car parking proposals for formal public consultation early in the New Year, implementation from 1st April 2024 ,and makes recommendations to Cabinet-

- 1) Introduce the schedule of charges for short and long stay parking in Tonbridge shown in Table 1;
- 2) Adopt the schedules of Peak and Off-Peak Season ticket charges in Tonbridge shown in Tables 2 and 3;
- 3) Increase the Tonbridge Town Centre annual Residents Season ticket from £350 to £360;
- 4) Extend the designated Tonbridge Town Centre Residents Season ticket to the area shown in orange in **Annex 1** to the report.
- 5) Introduce the schedules of charges for long stay and short stay parking in West Malling as shown in Tables 4 & 5;
- 6) Introduce the schedule of charges for parking in Borough Green Western Road car park shown in Table 6;
- 7) Increase Residents Permits as shown in Table 7;
- 8) Introduce the schedule of charges for Business Carers Permits and Dispensations shown in Table 8;
- 9) Visitor permits be increased to at £14 for a book of 10 permits, with the current offer of 10 free permits to new applicants retained;
- 10) Introduce the schedule of charges for Haysden Country Park shown in Table 9; and
- 11) Introduce the schedule of charges for on-street pay & display parking in Tonbridge shown in Table 10.

Background papers:

Annex 1 – Tonbridge Town Centre Residents Season
Ticket area

contact:
Andy Bracey

Robert Styles
Director of Street Scene, Leisure & Technical Services

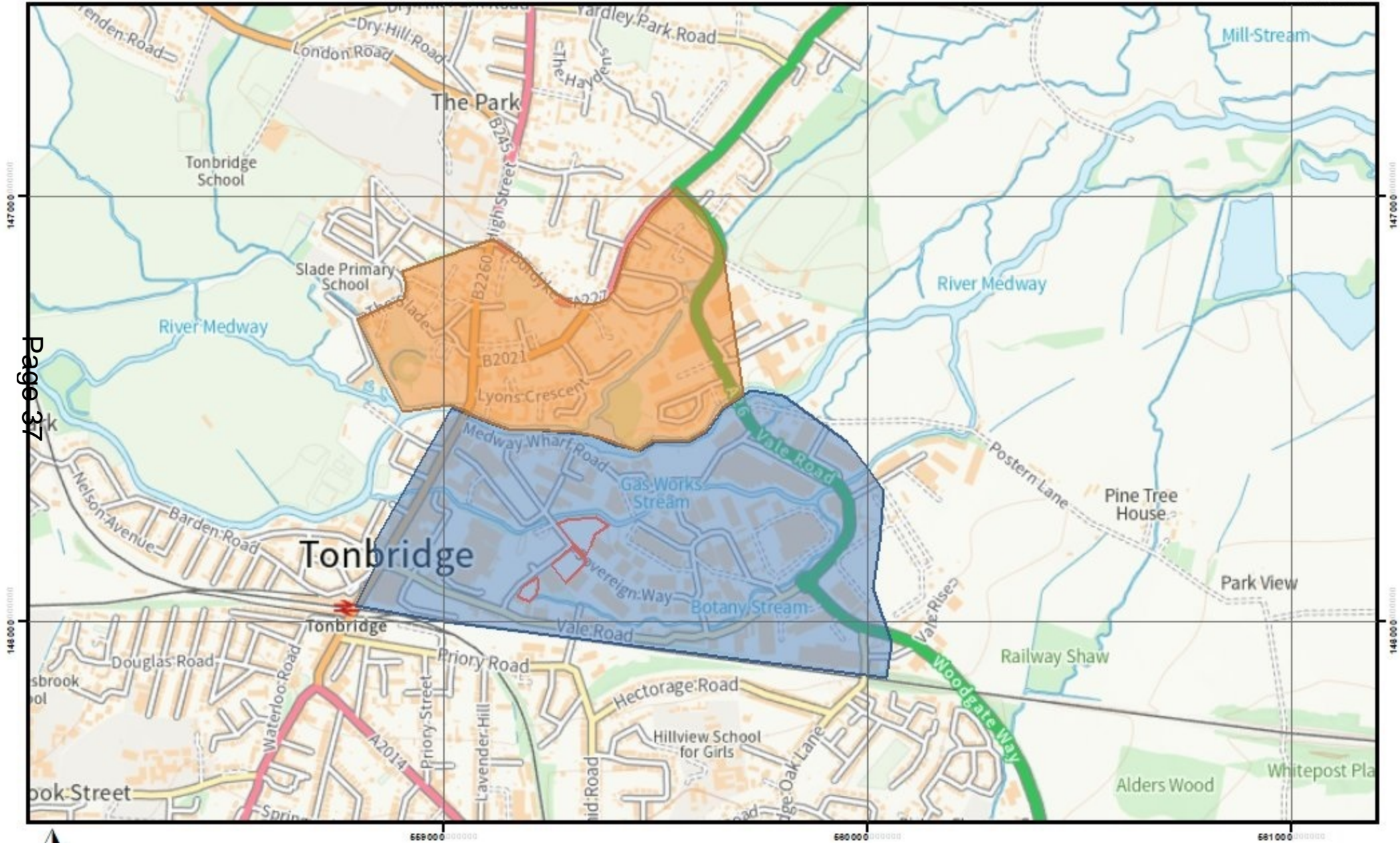
Sharon Shelton
Director of Finance & Transformation

Martin Coffin
Cabinet Member for Transformation and Infrastructure

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KEY

- Proposed extension to Town Centre Residents Season Ticket area
- Existing Town Centre Residents Season Ticket area



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TONBRIDGE & MALLING BOROUGH COUNCIL

COMMUNITIES AND ENVIRONMENT SCRUTINY SELECT COMMITTEE

06 November 2023

Report of the Directors of Street Scene, Leisure & Technical Services, Planning, Housing & Environmental Health and Finance and Transformation

Part 1- Public

Matters for Recommendation to Cabinet - Key Decision

1 REVIEW OF FEES AND CHARGES

This report sets out the proposed fees and charges for the provision of services in respect of garden waste subscriptions, household bulky refuse & fridge/freezer collections, “missed” refuse collections, stray dog redemption fees, Tonbridge Allotments, Tonbridge Cemetery, events, billboards and banners, pest control, food certificates, contaminated land monitoring and private water supplies from 1 April 2024.

1.1 Introduction

1.1.1 In bringing forward the charging proposals for 2024/25 consideration has been given to a range of factors, including the Council’s overall financial position, market position, trading patterns, the current rate of inflation and customer feedback.

1.1.2 The proposed charges for 2024/25 have also taken into account a set of guiding principles for the setting of fees and charges reproduced below for the benefit of this Committee:

- Fees and charges should reflect the Council's key priorities and other corporate aims and priorities recognising there may be trade-offs as these are not mutually exclusive;
- Fees and charges should have due regard to the Council's Medium Term Financial Strategy;
- If there is to be a subsidy from the Council tax payer to the service user this should be a conscious choice;
- The Council should look to maximise income subject to market conditions, opportunities and comparable charges elsewhere, in the context of its key priorities and other corporate aims and priorities;

- Fees and charges should normally be reviewed at least annually (unless fixed by statute or some other body);
- Fees and charges should not be used to provide a subsidy from the Council tax payer to commercial operators;
- There should be consistency between charges for similar services;
- Concessions for services should follow a logical pattern so as not to preclude, where appropriate, access to Council services on the grounds of ability to pay.

1.1.3 It is essential in light of the Council's overall financial position that opportunities are taken to maximise income, as it is becoming increasingly difficult to achieve further expenditure savings to meet the targets in the Savings and Transformation Strategy. Attention has been given to the fees and charges applied by neighbouring Council's, and averages across the County, and these comparisons are included in relevant sections of the report for Member consideration.

1.2 Garden Waste Subscriptions

1.2.1 The current charge for an annual garden waste subscription is £49.50 with a second or third bin discounted to £32.50. 28,400 residents have now signed up for the service representing a take up of 55%. This level of take up is one of the highest in Kent and is very encouraging.

1.2.2 Current charges for garden waste subscription across local authorities in Kent are as follows:

Ashford BC - £45.00
 Canterbury CC - £47.25
 Dartford BC - £46.25
 Dover DC - n/a as provide a sack service
 Folkestone and Hythe DC - £53.00
 Gravesham BC - £54.00
 Maidstone BC - £45.00
 Sevenoaks DC - £50.00
 Swale BC - £55.00
 Thanet DC - £65.00
 Tonbridge & Malling BC - £49.50
 Tunbridge Wells BC - £56.00

It can be seen that charges range from £45 to £65 with an average County charge of £51.45.

- 1.2.3 Income to the Council from the garden waste subscription scheme is significant - second only to income from parking - and uptake across the borough since its introduction has been extremely good. This has been assisted by a number of marketing campaigns which will be continued in the future.
- 1.2.4 Within the Council's Medium Term Financial Strategy an increase of £2 has been included annually which would take the annual charge to £51.50 with a second or third bin discounted to £34.50. It should be noted however that the recent price indexation for the contract was 16%, increasing the cost to the Council of collecting the bins. It is, therefore, suggested that a price increase to £53 and £36 for a second or third bin would be appropriate. This places the charge marginally above the current county average, but it should be noted that the other authorities are likely to be increasing their charges for the next financial year. Based on current levels of uptake it is estimated that the proposed charges will generate additional income of £120,000 above the revised estimate of £1,270,000 for 2023/24.

1.3 Household Bulky Refuse & Fridge/Freezer Collection Service

- 1.3.1 In April 2016, a two-tier fee was introduced with a price for up to six items of bulky refuse and a lower price for up to two fridge/freezer only collections. The new fee structure also included a concessionary charge for those receiving Council Tax Support.
- 1.3.2 At the Cabinet meeting on the 7 September 2022 Bulky Collections charges were reviewed with the following recommendations being approved: 'the concessionary fee for those in receipt of Council Tax Reduction be reduced to £12 and the level of concessionary collections be reduced to two per year and implemented within 2022/23; and the subsidy fee levied should be increased in line with the projected contract indexation, as per inflation, levels from 1 April 2023.
- 1.3.3 While Councils are not able to make a profit from the collection of a "prescribed" household waste (such as a bulky collection service), the legislation does allow Council's to recover the associated collection costs together with reasonable administration costs.
- 1.3.4 The current fee structure of our neighbouring authorities is outlined below, with each authority having different arrangements in place. Only Tunbridge Wells BC offer any form of concession: -

Gravesham B.C.	Maidstone B.C.	Sevenoaks D.C.	Tun. Wells B.C.
1-4 items - £30 5-8 items - £60	1-4 Items - £29 5 - 8 items - £39 Fridge Freezer - £21	1 item - £18 2 items - £30 3 to 4 items - 40 5 to 10 items - £52 White goods - £18 each Large American-style fridge freezers - £42 each	1-4 items - £53 (max. 1 fridge or freezer) 5-8 items - £106
No concessions	No Concessions	No Concessions	1 free collection per quarter for residents receiving certain benefits.

1.3.5 It is proposed to increase this authorities existing full and concessionary prices as set out below. Demand for this service has been steady over the last few years which is expected to continue in 2024/25 which is reflected in the estimated income.

1.3.6 Based on current levels of uptake it is estimated that the proposed charges will generate additional income of £10,300 above the 2023/24 revised estimate of £147,000

Service	Current Full Charge	Proposed Full Charge 2024/25	Current Concession Charge	Proposed Concession Charge 2024/25	Est. Annual Income 2024/25
Household Bulky Refuse Collection (up to six items)	£65.00	£69.50	£13.50	£14.50	£136,000
Household Fridge/ Freezer Collection (up to two items)	£40.00	£42.50	£13.50	£14.50	£21,300

1.4 Refuse collection charge

1.4.1 On occasion the Waste Services Team receive requests from customers to empty wheeled bins where the customer has not placed their bin out and has missed the collection. On these occasions the Team are occasionally asked by the customer if they can pay for a “one off” return collection.

1.4.2 A collection charge to cover these circumstances was introduced in April 2015. It covers the contract cost of returning and includes a small administration fee. To date there have been no concerns raised by customers. Although the number of requests is low, it does allow our Waste Services staff to offer an alternative solution.

1.4.3 It is proposed to increase this charge to £25.00 for 2024/25 as outline below.

Service	Current Charge	Proposed Charge 2024/25	Est. Annual Income 2024/25
Refuse Collection Charge	£22.00	£25.00	£250

1.5 Stray Dog Redemption fee

1.5.1 The Environmental Protection Act 1990 prescribes that a person claiming to be the owner of a dog seized as a stray by the Council shall not be entitled to the return of the dog unless all the expenses incurred by reason of its detention, and such further amount as is for the time being prescribed, are met. The Environmental Protection (Stray Dogs) Regulations 1992 set down a prescribed redemption fee of £25 and provides for local authorities to recover its other reasonable expenses, in addition to any other expenses incurred, such as kennelling costs.

1.5.2 Where a dog is taken to kennels the Council charges the owner for the other reasonable expenses, associated with the costs of providing the Dog Warden contract and admin costs. This is presently set at £82.50. The total fee charged by the Council is therefore £107.50.

1.5.3 It is proposed that the contract & administration fee be increased to £87.50 with no formal waiver or discount, but the Council will continue to exercise discretion to allow payment by instalments. Daily kennelling costs are paid direct to the kennels by the owner when collecting their dog.

1.5.4 The number of stray dogs being claimed by their owners has been declining in recent years and this is reflected in the estimated income for 2024/25.

Service	Current Charge	Proposed Charge 2024/25	Est. Annual Income 2024/25
Stray Dog Redemption Fee - Return Direct to owner	£25 (Statutory fee)	£25 (Statutory fee)	£100
Stray Dog Redemption Fee - Kennelling required	£107.50 (including statutory fee, but not including daily kennelling costs).	£112.50 (including statutory fee, but not including daily kennelling costs).	£4,950

1.5.5 The proposed total charge of £112.50 is comparable to charges applied by neighbouring Councils. At present, where the Dog Warden returns a stray dog to the owner without the need for kennelling, a charge is made at the prescribed fee of £25. No change is proposed to this charge as it is a statutory fee set in legislation.

1.5.6 Members may wish to note that next spring the dog warden contract will be retendered and a more detailed review of the above charges may be required.

1.6 Tonbridge Allotment Charges

1.6.1 Allotments in Tonbridge are managed on the Council's behalf by the Tonbridge Allotments and Gardens Association. The Council was previously advised that the Association had considered a future charging structure that was approved at their own annual general meeting in October 2021. The proposed future charging structure raises annual rents per rod by one pound through to 2024/25.

1.6.2 The proposed charging structure was considered and approved by Members of the former Communities and Housing Advisory Board on the 16 February 2021. A typical full allotment plot is measured at 10 rods, with half plots (5 rods) also available. The table below shows the agreed charging structure through to 2024/25.

Approved Annual Charges (10 rod plot)	
2021/22	£60
2022/23	£70
2023/24	£80
2024/25	£90

- 1.6.3 Whilst no direct income is received by the Council, it is expected that there will be no increase in management fee paid by the Council to the Association, rather that the Association will offset their increased costs (including utilities) through the proposed increases highlighted above.

1.7 Tonbridge Cemetery Charges

- 1.7.1 On the 9 November 2021 Members of the former Communities and Housing Advisory Board undertook a strategic and comprehensive review of charges at the Cemetery. The review specifically took into consideration the significant subsidy applied in relation to site management and maintenance costs. The Board, and subsequently Cabinet, approved charges for 2021/22 to reflect and address the above.
- 1.7.2 In addition to the above, a 10% increase in charges was applied in April 2023 to reflect inflationary and contract increases at that time. It is proposed that an increase of 5.25% is applied to charges from the 1 April 2024 again to take into account inflation and relevant contract indexation. Proposed charges are shown at **Annex 1**.
- 1.7.3 Members will note that there are no fees for burials of under 18's. This policy decision was recommended to and approved by Cabinet through a Supplementary Report considered on the 14 February 2019. Cabinet resolved that: "the existing charges for child burials at Tonbridge Cemetery be amended, with future burials for all under 18-year-olds being free of charge with immediate effect". Members may wish to note that on average only one to two burials for under 18s have been undertaken in recent years, and the Council is able to seek reimbursement of an element of the costs for these burials.
- 1.7.4 Based on current levels of uptake it is estimated that the proposed charges will generate additional income of £6,400 above revised estimate for 2023/24 of £122,150. It should be noted that the estimate for 2024/25 remains lower than the initial MTFs by £12,900. This is due to a reduction in the uptake of services particularly burials.

1.8 Events on Public Open Spaces/Hire of Billboards and Banners

- 1.8.1 In line with the Policy for events undertaken on Council owned land charges were implemented on the 1 April 2022. An inflationary increase of 5.25% is proposed. The proposed increases are shown at **Annex 2**. Some figures have been rounded up.
- 1.8.2 The proposed charges for the hire of billboards and banners are shown at **Annex 2**. The charges include the cost of installation and removal of the materials.

1.9 Condemned Food Certificates

- 1.9.1 This is a service available to food businesses in the borough which properly controls the safe surrender and disposal of food deemed by Environmental Health staff as unfit for human consumption. The service continues to reflect legislative requirements for stricter controls and is based on total cost recovery. The proposed charges, as set out below, continue to reflect this approach.
- 1.9.2 Recent years have seen no requests for these certificates. The lower income rate is reflected in estimated full year income.

Service	Current Charge	Proposed Charge 2024/25	Income Full Year 2024/25
For each Condemned Food Certificate Issued	£205 for first hour plus £205 for each additional hour plus VAT	£220 for first hour plus £220 for each additional hour plus VAT	£220

1.10 Exported Food Certificates

- 1.10.1 This is a service provided by the Council for food exporters who export food not of animal origin. In this instance, Authorised Officers from the Borough Council certify that the food products being exported have been manufactured and held under hygienic conditions in accordance with the requirements of Regulation (EC) 852/2004 and The Food Safety & Hygiene (England) Regulations 2013. The premises are subject to regular inspection by Food and Safety Officers.
- 1.10.2 The level of demand for Exported Food Certificates has slowly declined over the last few years to about 19 per year.
- 1.10.3 There is some variance across the County in fees charged for this service in 2022/23:
- Dartford BC – Price on Application
Maidstone BC - £135
Sevenoaks DC - £82.00
Swale BC - £135
Tunbridge Wells BC - £135.00
- 1.10.4 We propose to apply a small increase to the current charge to reflect costs in responding to these certificate requests.

Service	Current Charge	Proposed Charge 2024/25	Income Full Year 2024/25
For each Exported Food Certificate issued	£85 plus VAT per certificate	£89.25 plus VAT per certificate.	£1,700

1.11 Food Hygiene Requests for Re-visits

1.11.1 Food business operators that have made improvement to hygiene standards following their inspection can request a re-visit with a view to giving them a new and higher food hygiene rating. There is currently a charge of £215 for this service, which is based on cost recovery. Neighbouring authorities are currently charging as follows:

- Ashford £105
- Mid Kent Environmental Health Partnership £183,
- Sevenoaks £205
- Dartford £200
- Gravesham £196 and
- Dover £170.

1.11.2 The proposal is not to increase the fee for 2024/25.

1.12 Food Safety Training

1.12.1 The Food and Safety team have not been required to run inhouse food training courses since 2019/20 as the commercial market now meets the needs for providing the training. We have no plans in place to run future in-house courses. This will lead to a loss of income of £3,000 per annum.

1.13 Contaminated Land

1.13.1 The Environmental Protection Act 1990 Part 2A requires local authorities to implement a system for the identification and remediation of land where contamination is causing a risk to human health or the wider environment because of historic or current uses.

1.13.2 The Environmental Protection Team provides a contaminated land information service or assessment of risk for which it currently makes a charge of £90 per hour in responding to these requests for information.

- 1.13.3 Guidance from the Information Commissioner advises that local authorities can make a reasonable charge. We have assumed that a reasonable charge includes the hourly rate of the Officer responsible for providing information, on-costs and an administration charge.
- 1.13.4 The fee has been derived based upon comparison with other Kent local authorities. For example while Ashford charge £25 per hour, Gravesham charge £95. Some Authorities such as Folkestone & Hythe, and Medway charge flat rates of £153 and £150 respectively. There is no maximum fee under the legislation.
- 1.13.5 We propose to apply a small increase to the current charge to reflect costs in responding to these requests for information.

Service	Current Charge	Proposed Charge 2024/25	Income Full Year 2024/25
Responding to requests for information relating to contaminated land	£90.00 per hour (1 hour minimum charge)	£100.00 per hour (1 hour minimum charge)	£1,650

1.14 Private Water Supplies

- 1.14.1 The Private Water Supplies Regulations 2009 introduced a statutory and more onerous regime for the risk assessment and sampling of private water supplies.
- 1.14.2 In a report to this Board on 28 February 2011 it was agreed to introduce a charge to recover the cost of Officer's time. In addition, owners of private water supplies and private distribution networks will be charged for the cost of sample analysis.
- 1.14.3 We have reviewed the cost of providing this service and propose to apply a small increase to £90 per hour, plus the cost of sample analysis.
- 1.14.4 The fee has been derived based upon comparison with other Kent local authorities. Medway charge £51 per hour. Dover charge a flat fee of £100 for sampling and £500 for a risk assessment, with sample analysis costs on top. These charges are no longer subject to a maximum limit by virtue of the Private Water Supplies (England) (Amendment) Regulations 2018. However, there is an expectation that charges should only cover costs incurred.
- 1.14.5 As each private water supply is very different, the Officer time for each visit/ risk assessment is difficult to quantify. We have seen a decline in this service over recent years which is reflected in the estimated full year income.

Service	Current Charge	Proposed Charge 2024/25	Income Full Year 2024/25
Carrying out sampling and risk assessment of private water supplies	£85.00 per hour (1 hour minimum charge) plus VAT	£90.00 per hour (1 hour minimum charge) plus VAT	£950

1.15 Financial and Value for Money Considerations

1.15.1 The fees and charges have been considered in accordance with a set of guiding principles and the opportunity to maximise income has been taken into account where possible.

1.16 Legal Implications

1.16.1 Section 93 of the 2003 Local Government Act allows authorities to charge for services that they have a power [but not a duty] to provide.

1.17 Financial and Value for Money Considerations

1.17.1 The fees and charges proposed have been considered in accordance with a set of guiding principles and the opportunity to maximise income has been taken where possible.

1.18 Risk Assessment

1.18.1 A decision is required now on the proposed fee structure for these activities to ensure that the Council has timely and up-to-date arrangements in place to administer service requests when received.

1.19 Equality Impact Assessment

1.19.1 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.

1.20 Recommendations

1.20.1 It is suggested that the Committee **RECOMMENDED** the following to Cabinet:-

- 1) The proposed scale of charges for garden waste subscriptions, household bulky refuse & fridge/freezer collections, "missed" refuse collections, stray dog redemption fees, Tonbridge Allotments, Tonbridge Cemetery, events, billboards and banners pest control, food certificates, contaminated land

monitoring and private water supplies as detailed in the report be approved;
and

- 2) The proposed scale of charges be implemented from 1st April 2024.

The Directors confirm that the proposals contained in the recommendation(s), if approved, will fall within the Council's Budget and Policy Framework.

Background papers:

Nil

Robert Styles
Director of Street Scene, Leisure & Technical Services

Eleanor Hoyle
Director of Planning, Housing & Environmental Health

Sharon Shelton
Director of Finance & Transformation

TONBRIDGE CEMETERY CHARGES
WITH EFFECT FROM 1 APRIL 2024

- Please Note:**
1. For burials in graves at Tonbridge Cemetery the fee payable will normally be both Section 1 and Section 2 charges.
 2. All charges apply where the person to be buried or the person leasing the grave, etc., are residents of the Borough. Residents of the Borough who have moved into a home or hospital outside the Borough prior to death are charged as residents.
 3. **All charges are doubled for non-residents.**

Section 1:	Exclusive right of burial in a grave for 60 years	
	(a) Stillborn – 1 year (inclusive) Children’s Plot only	1.00
	(b) 2 – 18 years (inclusive) – Children’s Plot / adult plot	1.00
	(c) Over 18 years	2255.00
	(d) Plot 15 – single graves	1182.00
Section 2:	Interment (including digging of grave)	
	(a) Stillborn – 18 years (inclusive)	NIL
	(b) Over 18 years	1500.00
	(c) Ashes (Memorial Wall or Grave, where exclusive right has been granted)	361.00

Please note: These charges apply to interments taking place between 0900 hours – 1500 hours (Monday – Thursday) and 0900 hours – 1300 hours (Friday). In other cases, the Council’s additional costs may be payable. A fee of £50 per hour may be charged for late arrivals.

Section 3:	Permits for Monuments, Memorials & Inscriptions	
	(i) Memorial not exceeding 1 metre in height and occupying an area not exceeding 2’ x 4’	328.00
	(ii) Memorial larger than specifications in (i)	657.00
	(iii) For each additional inscription after the first	219.00

Please note: Permits will only be approved in accordance with the Cemetery Regulations.

Section 4:	Memorial Garden	
	(i) Memorial tablet and vase block (to include plaque, inscription, 20 year lease and scattering of ashes if required)	1247.00
	(ii) Double Underground Vault, Memorial Tablet and Vase Block. (To include plaque, inscription, 20 year lease and interment of up to 2 urns)	2407.00
	(iii) Double Overground Vault, Memorial Tablet and Vase Block (To include plaque, inscription up to 80 letters, 20 year lease and interment of up to 2 urns)	2341.00
	(iv) Additional Inscriptions	438.00
	(v) Sanctum Panorama Vault and Memorial Tablet (To include plaque, inscription up to 80 letters, 20 year lease and interment of up to 3 urns)	2341.00
	Optional bronze vase container	81.00
	(vi) Photo plaque or design on plaque for Sanctum 2000 Overground Vault or Sanctum Panorama	Individually priced
	(vii) Additional cost for inscriptions for Sanctum 2000 and Panorama over 80 letters	£3.30 per gilded letter

Section 5:	Chapel Area – Memorial Wall	
	(i) Memorial Plaque. (Includes supply and installation of plaque, 20 year lease and scattering of ashes if required)	361.00
	(ii) Additional Inscription. (Includes new plaque, installation and scattering of ashes, if required)	361.00

Section 6:	Miscellaneous	
	(i) Use of Chapel	339.00
	(ii) Transfer of Burial Rights/admin fee	197.00
	(iii) Entry in Book of Remembrance	At Cost + Admin Fee
	(iv) For up to and including five searches for names by one applicant	120.00

- Notes:**
- (i) Other services/options may be available and charged on an “at cost” basis plus an administration fee. Please discuss any items with the Cemetery Registrar
 - (ii) A copy of the Cemetery Regulations is available free of charge from the Cemetery Registrar
 - (iii) For the repurchase of burial rights for unused graves by T&MBC the Council will pay:
The current purchase price times the remaining duration of the exclusive right less the Council’s administration fee ruling at the time

All charges shown are exempt of VAT

Events on Public Open Spaces - Proposed charges 2024/25

ADMINISTRATION FEE Type of event	Maximum attendees (at once)	Administration fee
Commercial	Less than 100	£58.00
	Less than 500	£58.00
	Between 500 and 1,499	£350
	More than 1,500	£695
Charity or community	Less than 100	£29.00
	Less than 500	£29.00
	Between 500 and 1,499	£58.00
	More than 1,500	£116

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.

VENUE HIRE:

Type of event	Maximum attendees (at once)	Charge
Commercial	Less than 100	£580
	Less than 500	£580
	Between 500 and 1,499	£1,158
	More than 1500	£1,737
Charity or community	Less than 100	£0
	Less than 500	£116
	Between 500 and 1,499	£116
	More than 1,500	£116

BILLBOARDS AND BANNERS

Type of event	Hire Duration 2 weeks	Charge
Commercial	Billboards (A0) – 3no. Max	£250
	Notice boards (A2 size) – 6no. Max	£150
	Banners (2m x 3m) – up to 3no.	£200

	Banners (2m x 3m) up to 6no. Max	£350
Type of event	Billboards – Duration 2 weeks	Administration fee
Community	Billboards (A0) – 3no. Max	£25
	Notice boards (A2 size) – 6no. Max	£20
	Banners (2m x 3m) – up to 3no.	£25
	Banners (2m x 3m) up to 6no. Max	£40
Type of event	Billboards – Duration 2 weeks	Administration fee
Charity	Billboards (A0) – 3no. Max	£0
	Notice boards (A2 size) – 6no. Max	£0
	Banners (2m x 3m) – up to 3no.	£0
	Banners (2m x 3m) up to 6no. Max	£0

TONBRIDGE & MALLING BOROUGH COUNCIL

COMMUNITIES AND ENVIRONMENT SCRUTINY SELECT COMMITTEE

06 November 2023

Report of the Director of Central Services and Deputy Chief Executive

Part 1- Public

Matters for Recommendation to Cabinet - Non-Key Decision (Decision may be taken by the Cabinet Member)

1 GRAFFITI REPORT

This report gives details of the Council's work in tackling graffiti, including the current reporting mechanisms, the cleaning and removal of graffiti and work with the Community Payback scheme.

1.1 Definition of graffiti

- 1.1.1 Graffiti is regarded by most as a form of criminal damage and can be defined as 'any inscription, marking, writing, painting or drawing, illicitly scratched, scribbled, drawn, cut, carved, posted, pasted sprayed or painted on any surface'.
- 1.1.2 Graffiti takes many forms including tags, slogans and political messages, advertising, cartoons, and highly colourful and complex artistic creations. Graffiti is sometimes regarded as an art form by those doing it, but by members of the general public it is often seen as a nuisance and frequently associated with anti-social behaviour. It is also costly to get rid of and recent estimates put the clean-up costs for graffiti in the UK at more than £1billion.
- 1.1.3 The 'broken windows' theory is a criminological theory that states that visible signs of crime, anti-social behaviour, and civil disorder create an urban environment that encourages further crime and disorder, including serious crimes.
- 1.1.4 Graffiti can be considered an act of criminal damage. Under the Criminal Damage Act 1971, anyone caught doing graffiti can face a prison sentence of up to ten years or fined if the damage costs more than £5,000. If the damage caused is less than £5,000, an offender could face three months in prison or a fine of £2,500. Spray paint was also made illegal to under-16s. Any shopkeeper who sells it to an under-16 can be fined up to £2,500.
- 1.1.5 Within the Council, Waste Services receive reports of graffiti from Members and residents, and they are responsible for removing/cleaning graffiti from council owned property. The work to tackle graffiti also links in with Community Safety

through the work to tackle anti-social behaviour and recently the Safer & Stronger Communities Manager has become involved in order to secure the services of the Community Payback scheme to help remove graffiti from privately owned premises. It should be noted that tackling crime and anti-social behaviour is not solely the responsibility of the Community Safety department, but that all council services/departments are required to consider this through their work (as part of Section 17 in the Crime and Disorder Act 1998).

1.2 What is the scale of the problem?

- 1.2.1 Tonbridge Town Centre and surrounding areas have recently experienced an increase in ‘tags’ and this has been noted by Members and discussed by residents on social media. However, Waste Services have only received 35 reports from residents in relation to graffiti from the beginning of the year to the 18 October 2023. The amount of graffiti reported to the police is also low (although exact figures are not available). It is therefore difficult to know the extent of the problem and whether there has in fact been an increase.
- 1.2.2 We do know however, that having graffiti in an area can make residents feel unsafe and can make an area seem unattractive.

1.3 How is the Council tackling graffiti?

- 1.3.1 The Council’s current approach, as stated on our website, is that we will remove graffiti from council-owned land and public property. We aim to remove all offensive, racist and abusive graffiti on our land within 48 hours of it being reported to us. Areas on or close to main roads, main town areas and schools will be given priority. We will not remove graffiti from privately owned property, railway structures or telephone boxes and we will encourage residents to report this graffiti to the police or directly to the landowners.
- 1.3.2 Residents can report graffiti via the TMBC website, and these reports go directly to Waste Services. From January until the 18 October this year Waste Services had received 35 reports of graffiti via the website from across the borough, 19 of these were on private property and 16 on areas which Waste Services removed. Of these, the locations vary from residential properties, bus stops and play equipment, as well as other locations.
- 1.3.3 Waste Services use Urbaser to remove graffiti and they have a contract with them to remove graffiti on an ad hoc basis. The contract specification for the ad hoc graffiti removal refers specifically only to “street furniture” such as bus stops, benches, fences and walls in public car parks, street name plates etc. This is not a separate contract but is included in the overall contract Waste Services have with them.
- 1.3.4 Some Borough Council staff including staff in Technical services and Leisure Services have also been provided with removal kits so in their day-to-day jobs they can address/remove minor/easy graffiti immediately on site. This means that

graffiti can be removed easily and quickly and without the need to involve Urbaser, which could be more time consuming.

- 1.3.5 As mentioned, the Borough Council will remove graffiti on our property and to the 18 October this year Waste Services had removed 16 incidents (via Urbaser), Technical services had removed 11 incidents and Leisure Services had removed 18 incidents of graffiti.
- 1.3.6 Privately owned premises, including residential properties are responsible for removing their graffiti themselves. In order to assist with this, the Safer & Stronger Communities Manager has been able to secure the use of the Community Payback scheme to paint over graffiti on private businesses (where appropriate). She has also secured external funding from the Police and Crime Commissioner to purchase the items required by Community Payback and liaised with the businesses to take this forward.
- 1.3.7 At the time of writing this report, one business in Tonbridge had confirmed that they would like Community Payback to do this work for them and we are in the process of arranging an appropriate time for this to be completed.
- 1.3.8 Previously Waste Services were able to secure Welcome Back Funding to remove graffiti from privately owned property (during the Covid Pandemic). This funding is no longer available. The Safer & Stronger Communities Manager did submit a bid to the UK Shared Prosperity Fund for graffiti removal, but unfortunately due to the number of bids submitted and criteria for the funding, this was not able to be taken forward. If the Council were to remove graffiti from privately owned premises, this would incur a cost, which is not currently within the Council's budget.
- 1.3.9 The Community Safety Team also link in with the Police, who try to catch and identify graffiti offenders. This is difficult as many of the incidents take place at night, and it is difficult to catch the offenders or use CCTV to identify them. However, if the police are able to identify anyone then they will take the appropriate action. The police are also developing a graffiti database of tags so that they can record these and then potentially link these to individuals.
- 1.3.10 Following a meeting between Cllr Keers, Cllr Hood and representatives from the Council, the Safer & Stronger Communities Manager has put together a flow chart to show the process for reporting graffiti. This is attached at Annex 1.
- 1.3.11 Cllr Mark Hood has been able to secure funding to allow an artist to put a mural on a privately owned property in Avebury Drive in Tonbridge (this has been authorised by the owner of the property). We also discussed the use of graffiti walls, and we are also looking at consulting with the public regarding this and whether the public would be supportive of this in principle. A copy of a potential survey for residents is attached at Annex 2. If this survey was to take place it would be run using the Borough Council's website and could help to inform the work to tackle graffiti going forward.

1.3.12 Graffiti walls are an area where graffiti street art can be done legally and may help to reduce the number of complaints of graffiti on other sites. There would need to be careful consideration as to how these might be implemented and monitored.

1.4 Best practice from other Local Authorities

1.4.1 In order to consider whether the approach from the Council is similar to other districts, the Safer & Stronger Communities Manager carried out an information gathering exercise and approached her colleagues across Kent, although not all responded to the request. Different Local Authorities tackle graffiti in different ways and the table at Annex 3 gives examples of how this subject is tackled across different districts.

1.4.2 It can be noted that the response to tackling graffiti varies across the county, with some providing free graffiti removal to residential properties and privately owned properties, whilst others (similar to TMBC) only removing graffiti from their own land/premises.

1.5 Is there anything further that the Council could do to tackle graffiti?

1.5.1 The Council will remove graffiti as quickly as possible on council owned land. To remove any further graffiti would mean an increase in costs/resources. Whilst it is the responsibility of privately owned land to remove graffiti, we are able to offer them the use of Community Payback to assist with this. However, Community Payback can only paint over the graffiti, so are not appropriate to use on all surfaces (e.g. brick work).

1.5.2 There is a reporting mechanism on the Borough Council's website and Members may wish for this to be publicised further so that residents know how they can report incidents of graffiti and then what can be done around this. It would need to be clearly explained to residents the graffiti that the Council can remove and what we cannot.

1.5.3 The graffiti response across the Council is currently spread across a number of Services/Directorates. All reports of graffiti are directed to Waste Services, whilst the Community Safety department lead on the work with Community Payback. No changes are proposed to this approach.

1.5.4 TMBC do not currently have a graffiti policy or any strategic documents setting out their approach to tackling graffiti, although we do give information on our website for residents. Some other Councils do have a policy in place which helps to set out how they will respond to and tackle graffiti. Members may therefore wish for a policy to be written, which will set out how the Council intends to work together to address this problem.

1.5.5 Waste Services currently record the graffiti being reported to the Council through the website and will record when this is removed by the Urbaser Hit Squad. However, Members may wish to strengthen this work and ensure that there is a

database in place which is available across all Council departments. This would then allow the amount of graffiti reported to be easily recorded and would show what graffiti has been removed and how this correlates to the reports received on the website. The work of the Community Payback scheme could be added to this database.

- 1.5.6 Members may also wish to consider whether they would like to pursue the use of 'graffiti walls'. We would need to carefully consider the location of this, how we would prevent offensive material and any costs involved with this. However, this could ensure that there was an appropriate place for people to do their graffiti (including tags) which might reduce graffiti on other premises.

1.6 Legal Implications

- 1.6.1 There is no legal requirement for the Council to remove graffiti, however Section 17 of the Crime and Disorder Act 1998 states that it is a legal duty for all local authorities to consider the impact of their functions and decisions on crime and disorder in their area. This means that Local Authorities have to do all that they reasonably can to prevent crime, disorder and anti-social behaviour.

1.7 Financial and Value for Money Considerations

- 1.7.1 Any changes to the removal or clearance of graffiti through the Council could lead to increased costs for services. Waste Services have a contract with Urbaser and graffiti removal is included as part of this contract.

1.8 Risk Assessment

- 1.8.1 Any appropriate risk assessments would be carried out. If a graffiti wall(s) was to be implemented then this would require its own risk assessment(s) to be completed.

1.9 Equality Impact Assessment

- 1.9.1 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.

1.10 Policy Considerations

- 1.10.1 Waste Services, Community Safety,

1.11 Recommendations

- 1.11.1 It is recommended that Members of this Committee consider the proposed approach to tackling graffiti as detailed in this report and agree to the following actions:

- Further publicise the graffiti reporting page on the website to residents

- Develop a Graffiti policy setting out how the Borough Council intends to tackle graffiti.
- Develop a single database to record reports of graffiti across Council Services, and record when the graffiti has been removed.
- Run a resident's survey to gather information on views for 'graffiti walls' within the borough.

The Director of Central Services and Deputy Chief Executive confirms that the proposals contained in the recommendation(s), if approved, will fall within the Council's Budget and Policy Framework.

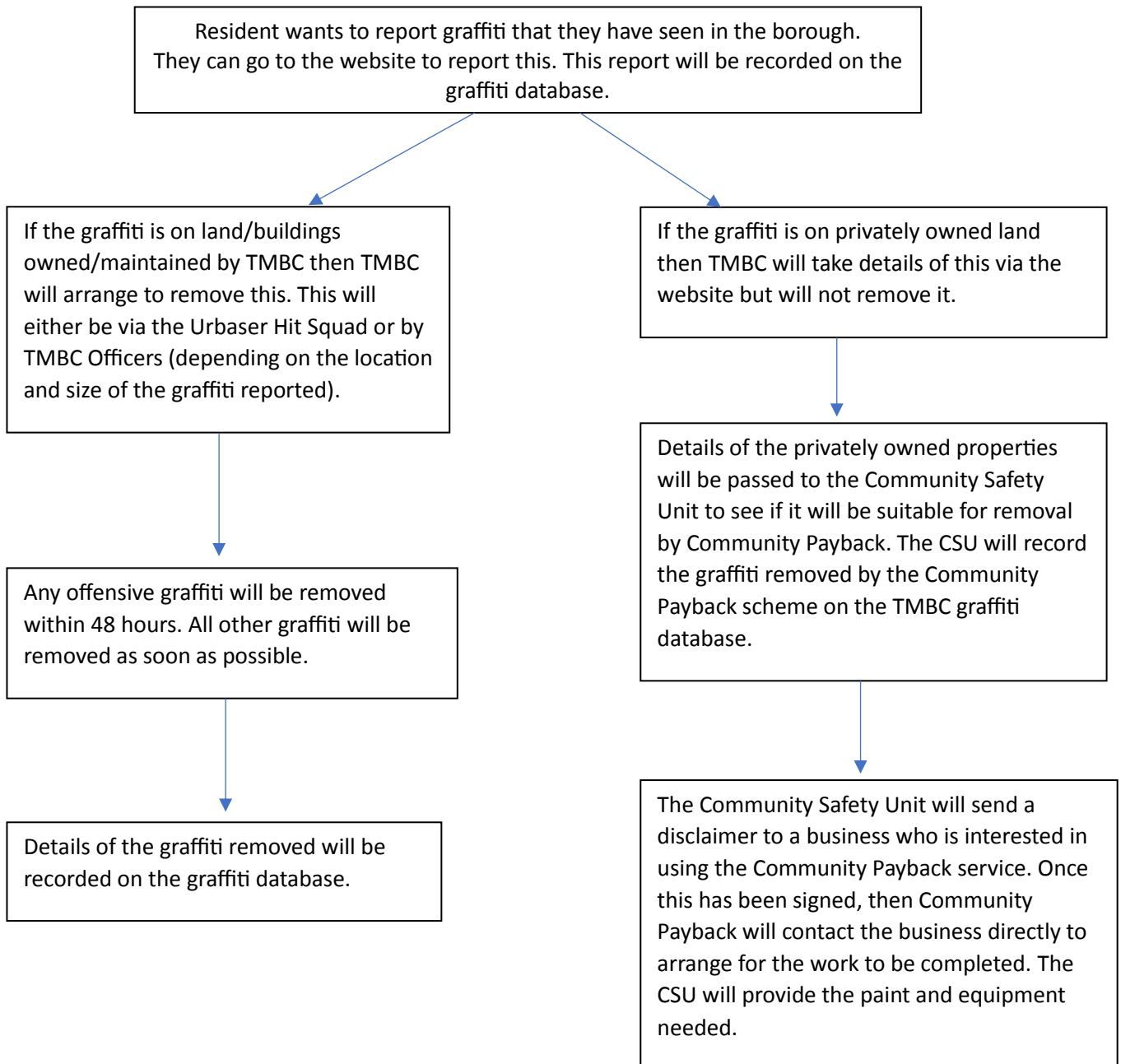
Background papers:

Nil

contact: Alison Finch
Safer & Stronger Communities
Manager

Adrian Stanfield
Director of Central Services and Deputy Chief Executive

Reporting graffiti – a flowchart for officers and Members



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Graffiti survey

Graffiti is defined as writing or drawings scribbled, scratched, or sprayed illicitly on a wall or other surface in a public place. This can be seen in many towns and villages across the country but unfortunately we are also seeing an increase in Tonbridge & Malling.

We would like to get your views on graffiti and whether you have seen an increase in the borough. This will help us to develop our plans around how we tackle this subject.

1. Have you seen any graffiti within Tonbridge & Malling?
Yes/No/Don't know
2. If so, are you concerned about this?
Yes/No/Don't know
3. The Borough Council is working to tackle this issue, as part of this we are considering the use of graffiti walls. Graffiti walls are an area which can be legally used to do graffiti. Is this approach something you would agree with?
Yes/No/Don't know
4. If you answered No or Don't know why was this? Please explain below
Free text box
5. If you have any further comments on graffiti please give these below
Free text box

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How other Local Authorities tackle graffiti.

Local Authority	Graffiti policy in place?	Timescale for removing offensive graffiti	Timescale for removing all other graffiti	Do they remove graffiti from private property?	Where do reports of graffiti go to?	Other comments
Canterbury City Council	Yes	Within 24 hours	Within 4 working days	Yes, they will remove graffiti from private properties for free up to four times per year and from businesses two times per year	Waste Team but link in with CSU when offensive graffiti.	Online reporting system allows photographs to be uploaded. These are then mapped on a document. They also offer a reward for anyone reporting a graffiti offender.
Dartford Borough Council	No	Graffiti removal takes place on a weekly basis, but any offensive graffiti is removed on an ad hoc basis when needed.	Graffiti removal takes place on a weekly basis.	Yes	Waste Department	Contractor in place to remove graffiti. After each weekly removal the contractors send a report of before and after removal pictures which are circulated to the CSU, Police and Prevent team so that they can pick up any concerns and deal with these.
Dover District Council	No	Within 48 hours	Not specified	No	Waste Team but link in with CSU when offensive graffiti	Looking at new system shortly which will use GIS mapping to put graffiti reports into a heat map to

						help target patrols etc.
Folkestone & Hythe District Council	No				Waste Services	Graffiti is dealt with by our 3 Area Officers, and it is included in their waste/cleansing contract.
Gravesham Borough Council	No	By the end of the next working day	Not specified	No – they only remove from council owned property	Street Cleaning team and Environmental Enforcement Team	
Sevenoaks	No	2 working days	Within 20 working days	Yes, this is currently free to businesses and residents	Community Safety Unit	
Thanet District Council	Yes	Within 24 hours	Removed on a weekly basis	No – they only remove from council owned property.	Street Scene department	Their policy is currently under review

TONBRIDGE & MALLING BOROUGH COUNCIL
COMMUNITIES AND ENVIRONMENT SELECT COMMITTEE

06 November 2023

Report of the Director of the Chief Executive

Part 1- Public

Matters for Information

1 KEY PERFORMANCE INDICATORS

Following on from the adoption of the Corporate Strategy 2023-2027, a new set of Key Performance Indicators (KPIs) have been adopted that enable the Council to measure progress on its priorities. In order to improve their effectiveness, trend analysis and targets have also been included. This covering report and appendix provides data on KPIs relating to the period up to the end of September 2023.

1.1 Overview of KPIs and Next Steps

- 1.1.1 As reported at the last meeting, now that the Corporate Strategy 2023-2027 has been adopted, a new suite of KPIs that are aligned to our priorities come into effect. These KPIs are designed to give a good strategic overview of performance rather than providing detailed service specific indicators.
- 1.1.2 Where applicable, for each KPI a trend analysis along with some explanatory information is provided. This is aimed at giving Members a quick illustration of performance as well as providing some narrative on any external factors that are worth being aware of when considering the trends.
- 1.1.3 For the majority of KPIs, targets for the end of the financial year have also been introduced in order to demonstrate where we want our performance to be by the end of March 2024.
- 1.1.4 The KPIs are provided in **Appendix 1**. A baseline covering the period 2022/23 has for the most part been used, with some KPIs having an earlier baseline solely due to lags in certain datasets. The data for July-September 2023 represents the most up-to-date available statistics in most instances, specifically where the data is captured on a quarterly basis. The majority of data that is captured annually is normally collated during the January-March period.
- 1.1.5 From the KPI data provided in the appendix, there are some trends that can be identified and highlighted in this report. These include:

- A reduction in referrals to the One You Service – from 199 in April-June 2023 to 170 during July-September 2023.
- A slight increase in Anti-Social Behaviour cases (from 94 in April-June 2023 to 98 in July-September 2023).
- The total number of victim-based crimes has increased with 1350 victim-based crimes in the period July-August 2023 (two-month period).
- Although the July-September 2023 data on attendance numbers at our leisure facilities is not yet available, the figures for April-June 2023 have now been released and show that numbers are 16.2% higher than the same time last year.

1.1.6 Unfortunately, there are some gaps in the data as things stand due to lags with certain datasets and with a number of the KPIs being collected on an annual rather than quarterly basis.

1.2 Targets and Benchmarking

1.2.1 As referred to in 1.1.3, targets have been added as part of the changes to the aligned KPIs, which now set a clearer ambition for improvement and allow our performance to be measured. The use of targets and developing our use of benchmarking are both vital components of performance management.

1.2.2 In addition to the creation of targets, it is also important to benchmark these KPIs in order to address some of the weaknesses set out in the Auditor's Annual Report regarding performance management. Whilst there is a considerable amount of benchmarking being undertaken at a departmental level this isn't being captured as part of the new Corporate KPIs. This benchmarking is predominantly with national and countywide data.

1.2.3 It is proposed that for those KPIs that are already being benchmarked, that the inclusion of benchmarking data be added in the next cycle of reporting. As benchmarking is being introduced, further work will be undertaken to build up benchmarking for the remaining KPIs.

1.3 Questions at Scrutiny Select Committees

1.3.1 Any questions regarding the KPIs should be submitted to the relevant Director at least 2 days in advance of the scrutiny select committee meeting in order to ensure that a suitable response can be provided at the meeting. However, this does not prevent questions being raised at the scrutiny select committee meeting. Any questions raised at the meeting will be responded to within 5 working days.

Background papers:

Nil

contact: Jeremy Whittaker,
Strategic Economic
Regeneration Manager

Appendix 1: CESSC Key Performance Indicators

Priorities	Actions	Aligned KPI	BASELINE				2023/24		Target/ Aspiration 2023/24	TREND	Data Assurance	Comments
			Value	Date	Frequency	Source	Apr-Jun	Jul-Sept				
Efficient Services for all our Residents Page 69	Promote well-being and help people live healthy and active lifestyles.	% of due food safety inspections undertaken (Risk Category A-C)	33 due/47 undertaken	Jan-Mar 2023	Quarterly	SSRS Reports from IDOX Uniform	30 due/34 undertaken	37 due/45 undertaken	100% of due inspections undertaken	→	Yes	July-Sept -6 inspections are still due over this period
		% of due food safety inspections undertaken (Risk Category D-E)	49 due/85 undertaken	Jan-Mar 2023	Quarterly	SSRS Reports from IDOX Uniform	45 due/91 undertaken	83 due/74 undertaken	100% of due inspections undertaken	→	Yes	July-Sept 5 inspections are still due. Some premises had closed that fell due an inspection.
		Total attendance at LLC/AC/TSP/PWGC (cumulative for year by quarter)	1,191,704	2022/23	Quarterly	TMLT System	347,928	N/A	1.3m	↑	Yes	Trend based on newly released Apr-June figures. Jul-Sept Data from TMLT available at end of October 2023
		Number of clients referred into the One You service	214	Jan-Mar 2023	Quarterly	ReferAll OYWK	199	170	200 per quarter	↓		Reduced staffing during the quarter.
	Through key partnership	Total number of ASB cases	78	Jan-Mar 2023	Quarterly	ASB Database	94	98	Under 350 pa	↓		

	working with Kent Police and other partners, support residents and ensure safeguarding is an integral part of council activity.	Total number of victim-based crimes	1,894	Jan-Mar 2023	Quarterly	Kent Police	1,972	1,350	Under 7,500 pa	↓		Please note that Jul-Sept figure is currently only available to the end of August.
		No. of red flags on our annual safeguarding self-assessment framework (SAF) and Section 11 audit.	0	2022	Annually	Annual SAF	0	0	0	→	Yes	
Sustaining a borough which cares for the environment Page 70	Deliver climate change plans which focus on cutting emissions and increasing biodiversity.	T&M carbon dioxide emissions data (tCO2e)	816.4	2021	Annually	BEIS - CO2 Statistics	N/A	N/A	675 tCO2e		Yes	Annual figures still awaited.
		TMBC annual carbon audit emissions data (tCO2e)	3.4	2022/23	Annually	Primary Research /gov.uk	N/A	N/A	3.1		Yes	Annual figures still awaited.
		Biodiversity KPI - TBC	TBC	TBC	Annually	TBC	N/A	N/A	TBC		N/A	Still significant uncertainty regarding DEFRA Biodiversity Net Gain
	Build on our track record of recycling more than anywhere else in Kent.	% of household waste sent for recycling and composting	51.6	2020/21 (audited)	Annually	Waste Data Flow (DEFRA)	N/A	N/A	55%		Yes	
		Number of contaminated land enquiries.	6	2022/23	Annually	EP Database	N/A	N/A	Reactive to need			

	Improve environmental quality in the borough by tackling sources of pollution.	Total number of service requests leading to investigation	518	2022/23	Annually	Reports from IDOX	N/A	N/A	Reactive to need			
		Number of enforcement notices served	8	2022/23	Annually	EP Notices Register	N/A	N/A	Reactive to need			
		Number of AQMA's in the Borough (currently 6) where NO2 results exceed the National Air Quality objective for which they were declared	1	2022	Annually	Annual Status Report (ASR)	N/A	N/A	0			Annual figures still awaited
		Total number of actual missed collections (waste)	13,217	2022/23	Annually	Whitespace Analytics	N/A	N/A	Under 12,000 pa		Yes	Annual figures still awaited.
	Continue our successful management of parks, open spaces and leisure centres.	Total attendance at LLC/AC/TSP/PWGC (duplicate - see 3)	1,191,704	Apr-Jun 2022	Quarterly	TMLT Management System	347,928	N/A	1.3m	↑	Yes	Trend based on newly released Apr-June figures. Jul-Sept Data from TMLT available at end of October 2023
		No of parks with Green Flag status	3	Jun-22	Annually	Green Flag Award website	3	3	3	→		

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COMMUNITIES AND ENVIRONMENT SCRUTINY SELECT COMMITTEE

WORK PROGRAMME 2023/24

Standing items:

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

Meeting Date	Matter for Discussion	Requested by:	Director/Officer
7 February 2024	Review of Pest Control Service	MT/Cllr Betts	Linda Hibbs
	Tonbridge Castle Update (TBC)		
	Fixed Penalty Notices Charges (TBC)		Robert Styles
	Corporate Key Performance Indicators		Jeremy Whittaker
	Work Programme		Gill Fox/DS
Other potential items:			
Review of CCTV – proposed by Cllr Hines and G Fox seeking scope			

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Agenda Item 11

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

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Agenda Item 12

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 13

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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