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TONBRIDGE & MALLING BOROUGH COUNCIL

EXECUTIVE SERVICES

Chief Executive Julie Beilby BSc (Hons) MBA Gibson Building Gibson Drive Kings Hill, West Malling Kent ME19 4LZ West Malling (01732) 844522

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

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

8 November 2023

To: MEMBERS OF THE OVERVIEW AND SCRUTINY COMMITTEE

(Copies to all Members of the Council)

Dear Sir/Madam

Your attendance is requested at a meeting of the Overview and Scrutiny Committee to be held in the Council Chamber, Gibson Drive, Kings Hill on Thursday, 16th 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

AGENDA

1. Guidance on the Conduct of Meetings

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).

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

5. Minutes 13 - 18

To confirm as a correct record the Minutes of the meeting of the Overview and Scrutiny Committee held on 14 September 2023

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

7. Presentation: Internal Drainage Boards Verbal Report

Representatives from Lower Medway and Upper Medway Internal Drainage Boards are invited to address the Committee about the role of their organisations.

Matters for Recommendation to the Cabinet

8. Review of Outside Bodies 21 - 30

The report provides an update on the review of Appointments to Outside Bodies following consultation with organisations.

Matters for Information

9. Key Performance Indicators 31 - 36

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

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

The record of executive decisions taken during the period October – November 2023 is attached for information.

11. Notice of Forthcoming Key Decisions

39 - 44

The draft Notice for the period January to February 2024 is attached for information. This may be subject to change in advance of the Notice publication date.

12. Work Programme

45 - 46

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.

13. Urgent Items

47 - 48

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

14. Exclusion of Press and Public

49 - 50

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

15. Urgent Items

51 - 52

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

MEMBERSHIP

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

Cllr T Bishop
Cllr C Brown
Cllr A Cope
Cllr S A Hudson
Cllr D W King
Cllr D A S Davis
Cllr D Harman
Cllr D M Hickmott
Cllr D Thornewell

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

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

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Agenda Item 4

Declarations of interest



TONBRIDGE AND MALLING BOROUGH COUNCIL

OVERVIEW AND SCRUTINY COMMITTEE

MINUTES

Thursday, 14th September, 2023

Present: Cllr Mrs A S Oakley (Chair), Cllr R I B Cannon (Vice-Chair),

Cllr M A J Hood (Vice-Chair), Cllr T Bishop, Cllr C Brown, Cllr A Cope, Cllr R W Dalton, Cllr D A S Davis, Cllr D Harman, Cllr P M Hickmott, Cllr G B Hines, Cllr F A Hoskins, Cllr S A Hudson, Cllr D W King, Cllr W E Palmer,

Cllr D Thornewell and Cllr A Mehmet (substitute)

In Councillors A G Bennison, M Taylor, Mrs S Bell, M D Boughton, attendance: D Keers, K B Tanner and Mrs M Tatton listened and participated

in the discussion via MS Teams in accordance with Council

Virtual: Procedure Rule No 15.21.

An apology for absence was received from Councillor J R S Lark

PART 1 - PUBLIC

OS 23/37 NOTIFICATION OF SUBSTITUTE MEMBERS

Notification of substitute members were recorded as set out below:

Councillor Mehmet substitute for Councillor 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.

OS 23/38 DECLARATIONS OF INTEREST

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

OS 23/39 MINUTES

RESOLVED: That the Minutes of the ordinary and extraordinary meetings of the Overview and Scrutiny Committee held on 29 June 2023 and 1 August 2023 be approved as a correct record and signed by the Chair; subject to

(1) The following correction in respect of attendance at the extraordinary meeting of 1 August 2023:

 An apology for absence was received from Cllr F A Hoskins who was substituted by Cllr G Bridge.

OS 23/40 PERFORMANCE OF HOUSING ASSOCIATIONS

Representatives of Clarion Housing provided a comprehensive explanation of the organisation's operations in the Borough and detailed its performance on repairs, changes to service, casework processes, estate management and voids turnaround. There was also information on how anti-social behaviour was addressed.

Members sought clarity on a number of issues and those of a ward specific nature would be addressed out of meeting. There was in depth discussion on a range of issues and the following points were highlighted:

- The lack of direct telephone numbers and email addresses for points of contact;
- The ongoing problems with poor communication and lack of effective engagement with local Councillors. The Housing Association's commitment to improving and streamlining this process was noted;
- The positive steps being taken to address damp, mould and condensation were welcomed;
- The poor performance in addressing complaints. However, the implications of the cyber attack experienced by Clarion in 2022 were also noted;
- The confusion around land ownership and taking ownership of problems such as fly tipping. It was noted that Clarion were committed to investigating reports and taking action where possible;
- The pop-up community events were welcomed and greatly appreciated by tenants. However, the Committee asked that these were given better promotion and for local ward Members to be advised; and
- The Investment Programme was welcomed and the Committee suggested that sound insulation be considered as part of this initiative.

Members were reminded of the 6 weekly councillor surgeries and were encouraged to attend these to raise specific issues, although any immediate problems could be raised via email or the contact centre.

Finally, the Cabinet Member for Finance and Housing commented that the presentation highlighted the significant challenges faced by housing associations and local authorities, welcomed that responsibility for maintenance and repairs had been returned 'in-house', noted that resident engagement was appreciated by tenants and reminded that 1,000s of tenants were living happily in Clarion properties.

MATTERS FOR DECISION UNDER DELEGATED POWERS

OS 23/41 REVIEW OF GOVERNANCE ARRANGEMENTS

Members reviewed the governance changes introduced in May 2022 and considered whether the existing arrangements could be amended and/or improved. The scope of the review had been agreed by the Overview and Scrutiny Committee in April 2023 and these areas of discussion were detailed in 1.3 of the report.

The increase in the number of scrutiny committees was generally regarded as positive, although it was recognised that the system required further time to become familiar before it was possible to identify if any further, or significant, changes were required.

However, there were some concerns raised about the lack of collaboration and engagement from Members on issues, the difficulty in getting business onto agendas and insufficient matters being identified for the work programmes. There was also concern expressed that the move away from Advisory Boards meant that all Councillors were not fully appraised on all aspects of business.

Whilst the scrutiny committees were able to set their own agendas and work programmes there was still confusion around the process for agreeing topics for future meetings. The Committee supported the formalisation of the process of submitting requests for agenda items to the Chair for liaison with key officers to ensure that the work programme remained balanced throughout the year.

Attention was drawn to the Terms of Reference (TOR) for the 3 Scrutiny Select and the Overview and Scrutiny Committees (attached at Annex 2) and Members supported the introduction of regular agenda setting meetings between the Chair of the Overview and Scrutiny Committee and the Chairs of the 3 Scrutiny Select Committees in order to minimise issues of overlapping of business. The Chair committed to meeting regularly with Cabinet Members, as set out in the Cabinet-Scrutiny Protocol.

There was heated debate on the call-in process and Cllr Hoskins proposed, seconded by Cllr Cope that the number of members of the Overview and Scrutiny Committee required to call-in a decision should be reduced to 3 (down from 5). Following a formal vote this proposal was supported by the Committee.

Consideration was given to the guidance issued by the Local Government Association on the setting of scrutiny work programmes. The Committee supported the inclusion of this guidance into the Cabinet-Scrutiny Protocol for easy reference. It was also suggested that the Protocol be published as an Annex to the Constitution so that it was easily available on the website.

Members agreed that regular agenda setting meetings between the Chair of the Overview and Scrutiny Committee and the Chairs of the 3 Scrutiny Select Committees be introduced to minimise issues of overlapping of business.

RECOMMENDED*: That

- (1) the number of members of the Overview and Scrutiny Committee required to call-in a decision be reduced to 3;
- (2) the formalisation of the process of submitting requests for agenda items to the Chair for liaison with key officers to ensure that the work programme remained balanced throughout the year be approved;
- (3) the Overview and Scrutiny and Cabinet Protocol be amended as follows:
 - (i) inclusion of the Local Government Association guidance on the setting of scrutiny work programmes (as set out in 1.3.10);
- (4) the amended Cabinet-Overview & Scrutiny Protocol be published to the website as an Annex to the Constitution.

*Recommended to Executive

OS 23/42 REVIEW OF OUTSIDE BODIES - SCOPING REPORT

The report of the Chief Executive set out potential areas to review in respect of the Borough Council appointments to 'outside bodies' and the role of these appointees on these groups. The list of current appointments was set out in Annex 1.

It was reported that the majority of the organisations on the list were based in the borough. However, some were located outside of the borough but provided either support or services to residents in Tonbridge and Malling.

Consideration was given to the suggested focus for the review (as outlined in 1.2 of the report) which included gaining a better understanding of the aims and priorities of the organisations, exploring the role of the appointed Borough Councillors and whether non-Councillors should continue to serve on outside bodies.

Members welcomed the opportunity to review these appointments and gain a better understanding of what might be expected from Councillors in terms of time commitment and responsibility. The value of experienced appointees was recognised although it was felt that there should be some succession planning and development of new

appointees and councillors. It was also recognised that there should be some mechanism for appointees to report back to the Borough Council, especially in respect of those organisations receiving grant funding or receiving levies.

Finally, the Committee felt there was some merit in allocating specific outside bodies to individual Scrutiny Select Committees to streamline any annual reporting to the Borough Council.

RESOLVED: That the approach outlined in 1.2 of the report be endorsed to undertake further evaluation of the issues raised.

MATTERS FOR INFORMATION

OS 23/43 LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN - ANNUAL REVIEW LETTER

The Local Government and Social Care Ombudsman annual review letter was presented for information. Members noted the number of complaints dealt with for the period April 2022 to 31 March 2023 and the outcome of those complaints.

It was also noted that neighbouring authorities had a similar number of complaints and comparative data could be viewed on an interactive map at: https://www.lgo.org.uk/your-councils-performance

OS 23/44 KEY PERFORMANCE INDICATORS

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

It was noted that there had been no questions or queries raised in advance of the meeting.

OS 23/45 RECORD OF DECISIONS TAKEN BY THE EXECUTIVE

The decisions taken by the Cabinet and Cabinet Members during July and August 2023 were presented for information and noted by the Committee.

OS 23/46 NOTICE OF FORTHCOMING KEY DECISIONS - OCTOBER TO DECEMBER 2023

The Notice advised of key decisions to be taken during the period October to December 2023. In accordance with the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 at least 28 days before a key decision was

expected to be taken a Notice of Forthcoming Key Decisions should be published.

Members were advised that the Notice was required to set out the matter in respect of which a key decision was to be made, details of the decision taker and the date on which the decision would be made; a list of documents (usually an officer report) to be submitted to the decision taker for consideration in relation to the matter and the address from which, subject to any prohibition or restriction on their disclosure, copies of or extracts from any document listed was available. In response to a query raised about the lack of detail provided in the Notice, the Director of Central Services offered to explore whether more could be included.

The process for publishing a Notice of Forthcoming Key Decisions was also set out in Part 4 – Access to Information Rules of the Borough Councils Constitution

OS 23/47 WORK PROGRAMME

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

A number of suggestions raised from the floor would be reviewed by the Scrutiny Officer, in liaison with the relevant Chairs and Officers. These included revisiting the review of governance arrangements and a review of the planning establishment following recent recruitment incentives.

MATTERS FOR CONSIDERATION IN PRIVATE

OS 23/48 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 10.20 pm

Agenda Item 6

Any Executive Decisions which have been "called in"



TONBRIDGE & MALLING BOROUGH COUNCIL

OVERVIEW AND SCRUTINY COMMITTEE

16 November 2023

Report of the Chief Executive

Part 1- Public

Matters for Recommendation to Cabinet

1 REVIEW OF OUTSIDE BODIES

1.1 Background

- 1.1.1 On 14 September 2023 the Committee received a scoping report to review the Council's list of Appointments to Outside Bodies (attached at Annex 1). A summary of the scope of the review is as follows:
 - Gain a better understanding of the aims and objectives of the organisations.
 - Explore the role of the nominated Borough Councillor/representative.
 - To hear from some of the organisations on the list, to ask questions and consider any value for money issues.
- 1.1.2 A short survey was distributed to the organisations on the list, with 9 organisations responding. Whilst this is a relatively low response rate, those that did reply all felt that the representatives were beneficial to their organisation. When asked: "What form should feedback from the organisation to the Council take?" the responses were as follows:

We provide updates and reports and have meetings but it would be helpful if a local councillor could attend our board meetings on a regular basis if possible. Thank you

N/A

The Council should request reports from appointed Board member after each full meeting to stay abreast of the Boards dealings.

n/a

Tonbridge and Malling benefits from collective voice and joint action for a very small subscription. Current feedback is through Officers in the form of a Quarterly Update Report (QUR) and monthly strategic meetings. The QUR is shared with the Leader and relevant Cabinet Member. No mechanism appears to exist for direct feedback via the LA Board members.

The council would be placed on the circulation of the meeting minutes.

Through the Council's representative.

Through the Councillor representative or relevant officers.

1.1.3 The respondents summarised the perceived benefits of local authority representation as follows:

We are very grateful for the funding that we receive from the Local Authority. This helps us to provide advice to those who need help. It is really helpful for the Council appointee to give us feedback and advice about issues in the community but also for them to hear about the work that we are doing and how we are spending the funds we receive.

Councillor nomination to the JC is mandatory as per the Memorandum of Participation/Agreement entered into by your authority that allows the operation of civil parking / moving traffic enforcement schemes

The Land Drainage Act requires that collecting authorities have a seat on the board equivalent to the amount they collect on our behalf.

There are no council appointees to the ICB Board.

However, there are four elected members on the Integrated Care Partnership (1 from each of the four local health and care partnerships);

and there are also officers on each of the health and care partnerships (numbers vary depending on HCP - I think there is one district CEO on the West Kent HCP)

To provide a representative cross party cohort of elected representatives of communities from across the region to engage government, parliament, media and others on matters of common interest and/or shared concern.

To provide Council representation on the Board of Trustees that govern the Trust in accordance with the Trust's Articles of Association. Representation has to be below 20% to ensure the Trust may not be considered a connected entity.

To represent the local community at this forum which sits on the boundary between T&MBC and MBC.

The PCP is established as a formal joint committee of KCC, Medway Council and all 12 District Councils in Kent. IT will also include two independent members.

The County Council may arrange Borough/District Council representatives

1.1.4 As the groups all operate very differently, with varied requirements from their nominated representative, it is difficult to draw any fixed conclusions from the responses above. There was consensus that the perceived benefits of local authority representation are being achieved, but it is apparent that there is a lack of any consistent reporting method back to the Council.

1.2 Feedback from Outside Bodies

- 1.2.1 As suggested in the scoping report, two organisations have been invited to present to this Committee (the Upper Medway Internal Drainage Board and the Lower Medway Internal Drainage Board). This will allow members to gain a greater understanding of the organisations and to ask any questions.
- 1.2.2 It is impractical to invite all outside bodies to provide presentations in this way, but one suggested way forward would be for the list of annual appointments to outside bodies be distributed between Overview and Scrutiny Committee and the relevant Scrutiny Select Committees. Each individual Committee can then decide on the

- best way to gain feedback from the organisations. This could be via an annual report or a presentation from the organisation.
- 1.2.3 If Members agree with the approach of dividing up the list of outside bodies, then the table below indicates what this distribution could look like, the list focuses on the list of outside bodies with annual appointments:

OVERVIEW & SCRUTINY COMMITTEE	Communities & Environment SSC	Finance, Regeneration & Property SSC	Housing & Planning SSC
Citizens Advice in North and West Kent	Allington Community Liaison Group	Lower Medway IDB	Gatwick Airport Noise Management Board Community Forum
KCC Health Overview and Scrutiny	Kent and Medway Police and Crime Panel	Rochester Airport Delivery Board	Kent Flood Risk Management Committee
LGA General Assembly	Maidstone Mediation Scheme	Upper Medway IDB	High Weald AONB
South East England Councils (Leaders Forum)	Parking and Traffic Regulations Outside London Adjudication Joint Committee	West Kent Partnership	Kent Downs AONB Joint Advisory Committee
WK Health Integrated Care Partnership Elected Members Forum	Snodland Partnership		
	Tonbridge and Malling Leisure Trust		
	Youth and Community Centres/Project Management Committees		

- 1.2.4 The above table is a suggestion only and Members who represent these groups may feel that the group would be better suited to a different Committee. Due to the nature of many of the groups, there was a disproportionate amount that fitted with CESSC, however, where possible groups have been divided across the Committees.
- 1.2.5 The Policy, Scrutiny and Communities Manager will liaise with the Chair of each Committee, to establish the best method to receive feedback from the organisation and will contact each group accordingly to explain how feedback will be sought going forward.

1.3 Legal Implications

1.3.1 None

1.4 Financial and Value for Money Considerations

1.4.1 As set out in the Scoping Report on 14 September 2023

1.5 Risk Assessment

1.5.1 Partnerships are included on the Council's Strategic Risk Register. Where outside bodies are appointed to deliver services, formal agreements or Service Level Agreements are in Place.

1.6 Equality Impact Assessment

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

1.7 Policy Considerations

- 1.7.1 Business Continuity/Resilience
- 1.7.2 Communications
- 1.7.3 Community

1.8 Recommendations

- 1.8.1 That Members **ENDORSE** the approach of distributing the annual appointments to outside bodies list between Overview and Scrutiny Committee and the Scrutiny Select Committee's (as set out in 1.2.3) and;
- 1.8.2 Each Committee to **CONSIDER**, how they would like to receive feedback from the outside body.

Background papers: contact: Gill Fox

Nil

Julie Beilby Chief Executive

TONBRIDGE & MALLING BOROUGH COUNCIL OVERVIEW AND SCRUTINY COMMITTEE

14 September 2023

Report of the Chief Executive

Part 1- Public

Delegated

1 SCOPING REPORT: TO REVIEW OUTSIDE BODIES

To review the Council's list of Appointments to Outside Bodies

1.1 Background

- 1.1.1 At the annual meeting of Council held on 17 May 2023 several appointments to outside bodies were confirmed and agreed. Following notification of these appointments, the Borough Council were advised of some inaccuracies in respect of the number of representatives required and the status of some of the organisations.
- 1.1.2 The necessary changes were brought to the meeting of Council on 11 July 2023 where it was also agreed that the Overview and Scrutiny Committee undertake a review of appointments to outside bodies. This Scoping Report looks to consider the revised list of Appointments to Outside Bodies (attached at Annex 1) and the role of the Borough Councillors on these groups.
- 1.1.3 The majority of organisations on the list are based in the borough. Some organisations are located outside the borough but provide either support or services to borough residents.

1.2 Suggested focus for the review

- 1.2.1 Members may wish to review the role of the outside bodies to gain a better understanding of the aims and priorities of the organisations. A request could be made to each organisation to provide a short overview of their aims and objectives. This could be presented at the next meeting.
- 1.2.2 It may also be useful to further explore the role of the nominated Borough Councillors and how information can be brought back to the Council. Representatives could also be asked to provide a short update if this would be helpful?
- 1.2.3 Members will note that there are also several non-Councillors on the list. It has been accepted that these representatives have usually got local knowledge/experience and/or a previous relationship with the Council. Members

- may wish to consider if this remains valuable and if feedback has been provided to the Council. There isn't currently a formal mechanism for these representatives to update the Council, which may be something that should be considered?
- 1.2.4 Most of the organisations do not receive any financial assistance from the Borough Council, however a small number on the list receive either a grant or request a payment for their services. Whilst it is not practical to invite all organisations into the meeting, it may be helpful to focus on those that receive either grants or payments to attend the next meeting. This would allow Members of the Overview and Scrutiny Committee to ask any questions regarding their operation and consider any value for money issues.
- 1.2.5 There may be other outside bodies who have approached the Council for nominated Borough Council representatives, which Members may want to consider. In addition, the Mayor is invited to some, but not all of the organisations AGM's. Members may wish to consider the merits of this.

1.3 Legal Implications

1.3.1 None

1.4 Financial and Value for Money Considerations

- 1.4.1 Levies made by the two drainage boards in our area under the Land Drainage Act,1991 and the Internal Drainage Boards (Finance) Regulations are as follows:
 - Lower Medway Internal Drainage Board 2023-24 levy of £227,059.67
 - Upper Medway Internal Drainage Board 2023-24 levy of £257,006.97
- 1.4.2 Organisations on the list who currently receive financial support from the Council via a grant or payment for services, are as follows:
 - Citizens Advice in North and West Kent Grant of £95,000 for 2023-24 Service Level Agreement
 - High Weald AONB £1451 for 2023-24 formal agreement in place
 - Kent Downs AONB £4138 for 2022-23 (2023-24 invoice yet to be received) formal agreement in place
 - Maidstone Mediation Scheme Grant of £4,320 per year for 2020-2024 Service Level Agreement. (£2,500 is also provided via the Community Safety Partnership, with funding from the Police and Crime Commissioner)
 - Tonbridge & Malling Leisure Trust No management fee, but there are financial responsibilities for the Council in relation to energy increases, pension fund increases (for staff who TUPE transferred) above a threshold.

 West Kent Partnership - £10,000 per annum staffing costs towards the West Kent Partnership Manager

1.5 Risk Assessment

1.5.1 Partnerships are included on the Council's Strategic Risk Register. Where outside bodies are appointed to deliver services, formal agreements or Service Level Agreements are in place.

1.6 Equality Impact Assessment

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

1.7 Policy Considerations

- 1.7.1 Business Continuity/Resilience
- 1.7.2 Communications
- 1.7.3 Community

1.8 Recommendations

1.8.1 That Members **ENDORSE** the approach as suggested in 1.2 of the report, to undertake further evaluation of the issues raised.

Background papers:

Nil

contact: Gill Fox Policy, Scrutiny & Communities Manager

Julie Beilby Chief Executive



REPRESENTATIVES ON OUTSIDE BODIES 2023/24										
Annual Appointments										
Allington Community Liaison Group	Councillor Steve Hammond									
Citizens Advice in North and West Kent	Councillor Matt Boughton									
Gatwick Airport Noise Management Board Community Forum	Councillor Matt Boughton									
High Weald Area of Natural Beauty	Councillor Mike Taylor									
KCC Health Overview and Scrutiny	Councillor Kim Tanner									
Kent and Medway Police and Crime Panel	Councillor Des Keers									
Kent Downs AONB Joint Advisory Committee	Councillor Mike Taylor									
Kent Flood Risk Management Committee	Councillor Matt Boughton									
Internal Drainage Boards: Lower Medway	Councillor Dave Davis									
Upper Medway	Councillor Dennis King Mr Howard Rogers Mr Mark Davis Mr Owen Baldock									
LGA General Assembly	Councillor Matt Boughton Councillor Martin Coffin (substitute)									
Maidstone Mediation Scheme	Mrs Ann Kemp									
Parking and Traffic Regulations Outside London Adjudication Joint Committee	Councillor Dave Davis Councillor Dennis King (substitute)									
Rochester Airport Consultative Committee	Councillor Des Keers									
Rochester Airport Delivery Board	Councillor Robin Betts									
Snodland Partnership	Councillor Paul Hickmott + 1 Town Council appointment (Sue Bell)									
South East England Councils (Leaders' Forum)	Councillor Matt Boughton Councillor Martin Coffin (substitue)									
Tonbridge and Malling Leisure Trust	Councillor Tim Bishop Councillor Keith Tunstall									

Annual Appointments								
West Kent Health Integrated Care Partnership Elected Members Forum	Councillor Kim Tanner							
West Kent Partnership	Councillor Robin Betts							
Youth and Community Centres/ Project Management Committees	Councillor Des Keers							
Non-Annual A	Appointments							
Armed Forces Champions	Cllr Dave Davis Cllr Steve Hammond							
Haysden Country Park User Panel (3 year appointment)	Councillor Mark Hood Councillor Dennis King (Extended until May 2025)							
Hospital of the Holy Trinity, Aylesford	Mr David Lettington Councillor Colin Williams							
Leybourne Lakes Country Park User Panel (3 year appointment)	Councillor Timothy Bishop Mr Brian Luker (Extended until May 2025)							
Petley & Deakins Almshouse Charity	Ms April Clark Councillor Frani Hoskins							
The Berry Housing Trust	Mr Paul Gurney Mr Richard Hogbin							
Tonbridge Town Lands & Richard Mylls Charity	Mr Owen Baldock Mr David Davis Mrs Diane Huntingford Mr Eddie Prescott							
Tonbridge United Charity	Mrs Diane Huntingford							
William Strong Foundation	Mr Howard Rogers Mr David Aikman							

TONBRIDGE & MALLING BOROUGH COUNCIL OVERVIEW AND SCRUTINY COMMITTEE

16 November 2023

Report 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 Corporate KPIs are provided in **Appendix 1**, with additional KPIs provided in **Appendix 2**. 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 appendices, there are some trends that can be identified and highlighted in this report. These include:

- Social media clicks reduced significantly during this quarter to 3,029.
 However, there has been significant activity through a summer marketing campaign in partnership with Visit Kent which has been picked up on third party social media channels rather on our own. This has also driven a considerable increase in hits to our web pages.
- My Account registrations and My TMBC App downloads both increased during July-September 2023 and are on track to meet targets.
- Staff numbers (FTE) have remained relatively static, however recent recruitment campaigns have helped to reduce vacant posts down to 14 the lowest level since September 2022.
- Short-term sickness absence has also dropped markedly to 1.61 days by the end of September 2023.
- There has been a drop in the % handled rate (customer services) to 87%. This
 has been caused by a number of vacant posts and a high level of housing
 calls.
- The number of licenced drivers and vehicle licences continues to rebound post-covid, with an increase to 615 licenced drivers and 565 vehicle licences.

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: contact: Jeremy Whittaker,
Strategic Economic
Nil Regeneration Manager

Appendix 1: Overview and Scrutiny Corporate KPIs (July-Sept 2023)

				BASELINE					2023/24			Data	
-	Priorities	Actions	Aligned KPI	Value	Date	Frequency	Source	Apr-Jun	Jul-Sept	2023/24	TREND	Assurance	Comments
Page 33	J ents	Make our services and advice available to residents 24	Social media clicks/enga gement	5,200	Jan-Mar 2023	Quarterly	Orlo	7,462	3,029	25,000 pa	→	Yes	Summer marketing campaign with Visit Kent and partners meant clicks recorded on third party social media channels rather than TMBC. Hits to TMBC events web pages up from 4k to 24k.
	our Residents	hours a day through digital innovation. WMA My Reg S My down	Website Myaccount Registration s (total)	31,387	Jan-Mar 2023	Quarterly	Jadu	31,161	32,506	35,000 by end of March 2024	↑	Yes	
	CC `		My TMBC app downloads (total)	6,474	Jan-Mar 2023	Quarterly	One Signal	7,306	8,017	8,500 by end of March 2024	↑	Yes	
	:fficient S	Further move the borough	Staff Numbers (FTE)	224	Jan-Mar 2023	Quarterly	Chris 21 Reports	221.78	220.77	225 by end of March 2024	→		
	_	borough council forward so its services are delivered innovatively and in the most cost-	Vacant Posts (FTE)	17	Jan-Mar 2023	Quarterly	Chris 21 Reports	19	14	Under 12 by end of March 2024	^		Recent recruitment campaigns have helped to reduce vacant posts across the authority (most notably in planning).

effective an efficient way.	Sickness absence (days) - short term	3.5	Jan-Mar 2023	Annually	Chris 21 Reports	2.07	1.61	Under 3.0	↑		Significant reduction since baseline.
	Sickness absence (days) - medically signed off	2.89	Jan-Mar 2023	Annually	Chris 21 Reports	4.01	3.93	Under 2.75	→		Trend going in the right direction albeit still higher than the baseline.
	Gender Pay Gap - Median	30.60%	2022	Annually	Chris 21 Reports	29.89%	29.89%	Under 25%	→	Yes	Reported Annually

Appendix 2: O&S Other Key Performance Indicators – July-September 2023

					Apr-Jun	Jul-Sept	Target/		Data	
Indicator	Baseline	Date	Frequency	Source	2023	2023	Aspiration	Trend	Assurance	Comments
% Handled rate										Currently three vacant posts, and high level of housing calls.
(Customer		Jan-Mar								
Services)	93%	2023	Quarterly	AW365	88%	87%		lack lack		
% emails										
responded to										
within 24 hours								\rightarrow		
(Customer		Jan-Mar								Castle team are picking up emails on
Services)	100%	2023	Quarterly	Outlook	100%	100%				the weekend when service allows.
% webchat answer										
rate (Customer		Jan-Mar		Webchat				\rightarrow		
Services)	99%	2023	Quarterly	Tool	99%	98%				
Total number of		Jan-Mar		IDOX				•		
licenced drivers	596	2023	Quarterly	Uniform	601	615		<u> </u>		
Total number of		Jan-Mar		IDOX				•		
vehicle licences	538	2023	Quarterly	Uniform	558	565		个		
Total number of				Home						
		Jan-Mar		Office						
premises licences	398	2023	Quarterly	Return	403	402		\rightarrow		

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Executive Decisions Record - October 2023

Decision Number	Title	Cabinet Member	Date of Decision	Date Published	Call-in period ends		Scrutiny Committee Consideration	Referred back to Cabinet	Referred back to Council	Council referred to Cabinet	Date Decision Effective
D230084CAB	Car Parking Proposals	Cabinet	03.10.23	05.10.23	12.10.23						13.10.23
D230085CAB	Biodiversity Net Gain	_									_
D230086CAB	Financial Planning and Control										-
D230087CAB	Revised Safeguarding Policy and Reporting Procedure										_
D230088CAB	Digital and IT Strategy 2023-27	_									-
D230089CAB	Review of Governance Arrangements	_									-
D230090CAB	Ground Maintenace Contract	_									-
D230091CAB	Risk Management	_									-
D230092MEM	Community Worker for the Trench Ward in Tonbridge	Community Services	9.10.23	10.10.23	17.10.23						18.10.23
D230093MEM	Extension of Pest Control Contract	Climate Change, Regeneration and Property	13.10.23	17.10.23	24.10.23						25.10.23
D230094MEM	Medway Local Plan - Regulation 18 Consultation	Planning	13.10.23	17.10.23	24.10.23						25.10.23
D230095MEM	Taddington Valley - Draft Management Plan for Public Consultation	Community Services	25.10.23	31.10.23	7.11.23						
D230096MEM	Disability and Equalities Champion	Leader	31.10.23	1.11.23	8.11.12						
D230097MEM	Cabinet Member portfolios	Leader	31.10.23	1.11.23	8.11.23						
D230097MEM	<u> </u>	1	l	<u>I</u>	I	<u> </u>	1	1	I	I	
Decision pending	Call in period	Key Decision	Private	Urgent	l						

Key Decision Subject to call in

URG - outside of budget and policy framework

*reflects Bank Holiday

Executive Decisions Record - November 2023

Decision Number	Title	Cabinet Member	Date of Decision	Date Published	Call-in period ends	Called in	Scrutiny Committee Consideration	Referred back to Cabinet	Referred back to Council	Council referred to Cabinet	Date Decision Effective
D230098MEM	Tackling Graffiti	Cabinet Member for Transformation and Infrastructure	6.11.23	TBC							
D2300xxCAB	Review of Car Parking fees and charges	Cabinet	8.11.23	TBC							
D2300xxCAB	Review of Fees and Charges (miscelleanous	Cabinet	8.11.23	TBC							

Private

Urgent

U			
Ø	Decision pending	Call in period	Key Decision
Õ	z colololi poliulig		, 200.0.0
Ф		Subject to call in	
ယ			
∞	URG - outside of b	oudget and policy framework	_

*reflects Bank Holiday

TONBRIDGE AND MALLING BOROUGH COUNCIL NOTICE OF FORTHCOMING KEY DECISIONS

In accordance with the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, at least 28 days before a key decision is expected to be taken a Notice of Forthcoming Key Decisions will be published. A 'key decision' is an executive decision which is likely either

(a) to result in the local authority incurring expenditure which is, or the making of savings which are, significant having regard to the local authority's budget for the service or functions to which the decision relates.

'Significant' when applied to expenditure or savings shall mean a sum in excess of £100,000 or such other sum as may be specified in any enactment or other statutory provision.

<u>or</u>

(b) to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the area of the local authority.

The Notice of Forthcoming Key Decisions sets out:

- (a) the matter in respect of which a key decision is to be made;
- (b) details of the decision taker and the date on which the key decision will be made;
- (c) a list of documents to be submitted to the decision taker for consideration in relation to the matter;
- (d) the address from which, subject to any prohibition or restriction on their disclosure, copies of or extracts from any document listed is available and the procedure for requesting details.

All key decisions will be made by the Cabinet on the dates specified unless otherwise stated. The agenda and documents to be submitted to the Cabinet (unless they contain exempt information) will be available for inspection at the Council Offices and on the website 5 clear working days before the meeting. Copies or extracts are available from committee.services@tmbc.gov.uk or Democratic Services, Tonbridge & Malling Borough Council, Gibson Building, Gibson Drive, Kings Hill, West Malling ME19 4LZ.

This document also gives notice of the Council's intention to hold a private meeting (or part thereof) of the Cabinet. It indicates any items where it is likely that the public will be excluded because public discussion would disclose confidential or exempt information and the reasons in each case. Any representations against the intention to hold a private meeting may be made to committee.services@tmbc.gov.uk or Committee Services, Tonbridge & Malling Borough Council, Gibson Building, Gibson Drive, Kings Hill, West Malling ME19 4LZ.

Members of the Cabinet and their areas of responsibility:

Councillor Matt Boughton (Leader)

Councillor Robin Betts (Climate Change, Regeneration and Property)

Councillor Martin Coffin (Transformation and Infrastructure)

Councillor Des Keers (Community Services)

Councillor Kim Tanner (Finance and Housing)

Councillor Mike Taylor (Planning)

NOTICE OF FORTHCOMING KEY DECISIONS

	Description of Decision	Date of Cabinet	Who is to be consulted	Contact Officer	Documents to be submitted to Cabinet	Public or Private (reason if Private)
Page	Review of Fees and Charges 2024/25 - Legal Services, Land Charges, Street Name and Numbering, Summons Costs and Tonbridge Castle (Note: due to the thresholds involved this may be a non-key decision once considered by the Scrutiny Select Committee)	9 Jan 2024	Internal consultation via Finance, Regeneration and Property Scrutiny Select Committee of 14 November 2023 and Cabinet of 9 January 2024 as detailed in the reports to be considered by Members.	Director of Central Services	Officers report	Public
47	Review of Fees and Charges 2024/25 - HMO, Caravan Site Licensing	9 Jan 2024	Internal consultation via Housing and Planning Scrutiny Select Committee of 12 December 2023 and Cabinet of 9 January 2024 as detailed in the reports to be considered by Members.	Head of Housing and Health	Officers report	Public

age

De	scription of Decision	Date of Cabinet	Who is to be consulted	Contact Officer	Documents to be submitted to Cabinet	Public or Private (reason if Private)
202 Sei	view of Fees and Charges 24/25 – Pre-application Advice rvice, Building Control, High dges and s106 Monitoring	9 Jan 2024	Internal consultation via Housing and Planning Scrutiny Select Committee of 12 December 2023 and Cabinet of 9 January 2024 as detailed in the reports to be considered by Members.	Director of Planning, Housing and Environmental Health	via Officer report	Public
ന _{Agı}	view of Planning Performance reement Protocol and Fee hedule 2024/25	9 Jan 2024	Internal consultation via Housing and Planning Scrutiny Select Committee of 12 December 2023 and Cabinet of 9 January 2024 as detailed in the reports to be considered by Members.	Director of Planning, Housing and Environmental Health	via Officer report	Public

Description of Decision	Date of Cabinet	Who is to be consulted	Contact Officer	Documents to be submitted to Cabinet	Public or Private (reason if Private)
Recycling Bring Sites	13 Feb 2024	Internal consultation via Communities and Environment Scrutiny Select Committee of 7 February and Cabinet of 13 February 2024 as detailed in the reports to be considered by Members.	Street Scene Manager	Officers report	Public

Contact: committee.services@tmbc.gov.uk

Publication: 12 December 2023

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OVERVIEW AND SCRUTINY COMMITTEE

WORK PROGRAMME 2023-2024

Standing items:

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

Meeting D	Matter for Discussion	Requested by:	Director/Officer	
25 January	Budget Setting 24/25			
2024	Climate Change	Chair of Overview and Scrutiny Committee	Gill Fox Carrie Spencer	
2	Housing Association Performance Framework	Final report	Gill Fox/Eleanor Hoyle	
	Key Performance Indicators	Standing item	Jeremy Whittaker	
	Work Programme	Standing item		
4 April 202	Key Performance Indicators		Jeremy Whittaker	
	Work Programme 2024/25	Standing Item		

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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.



Agenda Item 14

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



Agenda Item 15

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

