

# A G E N D A

## FINANCE & GOVERNANCE CABINET ADVISORY BOARD

**Tuesday 29 May 2018 at 6.30 pm**  
**Committee Room A, Town Hall, Royal Tunbridge Wells, TN1 1RS**

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**Members:** The membership to be agreed at the Annual Meeting of the Council on 23 May.

**Quorum:** 3 Members

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**1 Apologies for Absence**

**2 Declarations of Interests**

To receive any declarations of interest by members in items on the agenda. For any advice on declarations of interest, please contact the Monitoring Officer.

**3 Notification of Visiting Members Wishing to Speak**

Members of the Council should indicate which item(s) they wish to speak on and the nature of their concern/question/request for clarification (in accordance with Council Meeting Procedure Rule 18).

**4 Minutes of the Previous Meeting**

(Pages 5 - 6)

The Chairman will move that the minutes of the previous meeting, dated 20 March 2018, be signed as a correct record. The only issue relating to the minutes that can be discussed is their accuracy.

In accordance with Council Meetings Procedure Rule 16.1, the Chairman will sign the minutes of today's proceedings at the next scheduled meeting.

**5 Finance and Governance Cabinet Advisory Board - Work Programme**

(Pages 7 - 14)

**6 Annual Report on the Use of RIPA**

(Pages 15 - 18)

- 7      **Performance Summary: Quarter 4 and End of Year**      (Pages 19 - 52)
- 8      **Complaints Summary: Quarters 3 and 4**      (Pages 53 - 64)
- 9      **Strategic Risk Register**      (Pages 65 - 82)
- 10     **Quarterly Financial Reports - Quarter 4 (to 31 March 2018)**  
The Director of Finance, Policy and Development will provide a verbal 'exception' report, explaining any significant variances in the final quarter of 2017/18 from the agreed revenue and capital budgets. He will also report on the final quarter position in respect of treasury and prudential indicator management.
- 11     **Urgent Business**  
The Democratic Services Officer will advise if there have been any urgent items of business which have arisen for the Board's consideration since publication of the agenda.
- 12     **Date of the Next Meeting and Scheduled Items**  
The date of the next meeting is Tuesday 10 July 2018, at 6.30pm in Committee Room A, at the Town Hall, Tunbridge Wells.

The following items are scheduled on the Forward Plan (which is subject to change) to be discussed:

- Property Transaction Report: January - June 2018
- Draft Council Tax Reduction Scheme 2019/20
- Budget Projection and Strategy 2019/20

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**Mike McGeary**  
**Democratic Services Officer**  
**Tel:** 01892 554105  
**Email:** [mike.mcgeary@tunbridgewells.gov.uk](mailto:mike.mcgeary@tunbridgewells.gov.uk)

**Town Hall**  
**ROYAL TUNBRIDGE WELLS**  
**Kent TN1 1RS**



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### **Options that the Cabinet Advisory Board Can Consider**

The Cabinet Advisory Board is asked to consider each report and in each case come to a consensus and advise the Cabinet which one of the three options identified below it supports:

- 1) The Cabinet Advisory Board supports the recommendation(s) in the report.

or

- 2) The Cabinet Advisory Board supports the recommendation(s) subject to the issues it has identified being taken into account by the Cabinet (any issues identified should be stated and recorded).

or

- 3) The Cabinet Advisory Board does not support the recommendation(s) on at least one of the following grounds

- 3.1 Inadequate consultation with stakeholders; and/or
- 3.2 Inadequate evidence on which to base the decision; and/or
- 3.3 Insufficient consideration of legal and financial information; and/or
- 3.4 Another reason, as decided by the meeting of the Cabinet Advisory Board.

In each case the final Cabinet report will be amended to outline the option selected by the Cabinet Advisory Board and explain why this option was selected.

All visitors wishing to attend a public meeting at the Town Hall between the hours of **9.00am and 5.00pm** should report to reception via the side entrance in Monson Way. **After 5pm**, access will be via the front door on the corner of Crescent Road and Mount Pleasant Road, except for disabled access which will continue by use of an 'out of hours' button at the entrance in Monson Way

### Notes on Procedure

- (1) A list of background papers appears at the end of each report, where appropriate, pursuant to the Local Government Act 1972, section 100D(i).
- (2) Items marked \* will be the subject of recommendations by Cabinet to full Council; in the case of other items, Cabinet may make the decision, subject to call-in (Overview and Scrutiny Procedure Rule 12).
- (3) Members seeking factual information about agenda items are requested to contact the appropriate Service Manager prior to the meeting.
- (4) Members of the public and other stakeholders are required to register with the Democratic Services Officer if they wish to speak on an agenda item at a meeting. Places are limited to a maximum of four speakers per item. The deadline for registering to speak is 4.00 pm the last working day before the meeting. Each speaker will be given a maximum of 3 minutes to address the Committee.
- (5) Please note that this meeting may be recorded or filmed by the Council for administrative purposes. Any other third party may also record or film meetings, unless exempt or confidential information is being considered, but are requested as a courtesy to others to give notice of this to the Democratic Services Officer before the meeting. The Council is not liable for any third party recordings.

Further details are available on the website ([www.tunbridgewells.gov.uk](http://www.tunbridgewells.gov.uk)) or from Democratic Services.

- ◇ If you require this information in another format, please contact us on 01892 526121
- ◇ **Accessibility into and within the Town Hall - In response to the requirements of the Disability Discrimination Act 1995, the Council has provided the following features to overcome physical barriers to access.**  
  
There is a wheelchair accessible lift by the main staircase, giving access to the first floor where the committee rooms are situated. There are a few steps leading to the Council Chamber itself but there is a platform chairlift in the foyer.
- ◇ **Hearing Loop System - The Council Chamber and all the Committee Rooms have been equipped with hearing induction loop systems. The Council Chamber also has a fully equipped audio-visual system.**

## **FINANCE & GOVERNANCE CABINET ADVISORY BOARD**

**Tuesday 20 March 2018**

**Present: Councillor David Reilly (Chairman)**  
**Councillors Chapelard, Dawlings, Heasman, Lewis-Grey, Munn and Uddin**

**Officers in Attendance:** Lee Colyer (Director of Finance, Policy and Development (Section 151 Officer)), Keith Trowell (Senior Lawyer and Deputy Monitoring Officer) and Mark O'Callaghan (Democratic Services Officer)

**Other Members in Attendance:** None

### **APOLOGIES FOR ABSENCE**

FG94/17      Apologies for absence were reported from Councillors Holden, Horwood and Jukes.

### **DECLARATIONS OF INTERESTS**

FG95/17      There were no declarations of interest made, within the provisions of the Code of Conduct for Members.

### **NOTIFICATION OF VISITING MEMBERS WISHING TO SPEAK**

FG96/17      There were no other members of the Council who had registered their wish to address the Board within the provisions of Council Meetings Procedure Rule 18.

### **MINUTES OF THE PREVIOUS MEETING**

FG97/17      The minutes of the meeting dated 6 February 2018 were submitted.

**RESOLVED** – That the minutes of the Board meeting dated 6 February 2018 be agreed.

### **FINANCE AND GOVERNANCE CABINET ADVISORY BOARD - WORK PROGRAMME**

FG98/17      The Board received its work programme for the period up to 31 July 2018, which was based on the issues set out in the Council's Forward Plan.

**RESOLVED** – That the work programme be noted.

### **URGENT BUSINESS**

FG99/17      The Democratic Services Officer advised that there were no additional items for the Board's consideration which had arisen since the publication of the agenda.

### **DATE OF THE NEXT MEETING AND SCHEDULED ITEMS**

FG100/17      It was noted that the next meeting of the Board was scheduled to take place on Tuesday 29 May at 6.30pm.

## EXEMPT ITEM

**RESOLVED** – That, pursuant to section 100A(4) of the Local Government Act 1972 and the Local Government (Access to Information) (Variation) Order 2006, the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Part I of Schedule 12A of the Act, by virtue of the paragraph shown below.

### ROYAL VICTORIA PLACE: VARIATION OF LEASEHOLD INTEREST

FG101/17      Exempt by virtue of paragraph 3 of Schedule 12A of the Local Government Act 1972 (as amended): Information relating to the financial or business affairs of any particular person including the authority holding that information.

Lee Colyer, the Director of Finance, Policy and Development, presented a report, which set out the details of a proposal to make a number of changes to the long leasehold interest of the Royal Victoria Place shopping centre.

Mr Colyer reminded members of the process leading to the current proposals and explained the benefits and risks involved. The changes would ultimately increase the value of the Council's freehold asset and facilitate significant investment in a critical town centre location.

Mr Colyer satisfied a number of questions from members including potential costs, sources of funding and implications arising from future investment.

**RESOLVED** – That the recommendations set out in the report be supported.

NOTE: The meeting concluded at 7.20 pm.

**FINANCE AND GOVERNANCE CABINET ADVISORY BOARD  
WORK PROGRAMME**

**June 2018 - March 2019**

This work programme sets out the decisions that will be brought to the Cabinet Advisory Board for consultation before the decision is made at the relevant Cabinet meeting. The work programme is linked to the Forward Plan which is updated on a continuous basis.

Further details regarding decisions to be made, or decisions that have been made, including information on consultations and background documents, can be obtained via the Council's website at <http://democracy.tunbridgewells.gov.uk/mgDelegatedDecisions.aspx?bcr=1>

If you have any questions regarding the Council's decision making process please contact Democratic Services at [committee@tunbridgewells.gov.uk](mailto:committee@tunbridgewells.gov.uk)

Advisory Board	Date of Decision by Cabinet	Report Title, Summary and Ward	Consultation Details	Background papers/materials	Relevant Officer	Portfolio Holder
<b>Leader of the Council – Councillor Jukes</b>						
10/07/18	02/08/18	<b>Property Transaction Report: January - June 2018</b> This report informs Cabinet of the property transactions completed under delegated authority between 1 January 2018 and 30 June 2018.  <i>Part of this meeting may be held in private by virtue of paragraph 3 of Schedule 12A of the Local Government Act 1972 (as amended). All Wards</i>	The relevant Cabinet Advisory Board will be consulted.		John Antoniadis, Acting Property and Estates Manager	Leader of the Council
21/08/18	13/09/18	<b>Performance Summary: Quarter 1</b> To review an outline of the Council's performance against key strategic indicators. Measures prescribed by central government through the Single Data List (SDL) and the progress against each of the strategic projects as at end of June 2018. <i>All Wards</i>	The relevant Cabinet Advisory Board will be consulted.		Jane Clarke, Head of Policy and Governance	Leader of the Council
13/11/18	06/12/18	<b>Performance Summary: Quarter 2</b> To review an outline of the Council's performance against key strategic indicators. Measures prescribed by central government through the Single Data List (SDL) and the progress against each of the strategic projects as at end of September 2018. <i>All Wards</i>	The relevant Cabinet Advisory Board will be consulted.		Jane Clarke, Head of Policy and Governance	Leader of the Council
13/11/18	06/12/18	<b>Complaints Summary: Quarter 1 and 2</b> A review of the complaints received under the Council's complaints procedure between 1 April	The relevant Cabinet Advisory Board will be consulted.		Jane Clarke, Head of Policy and Governance	Leader of the Council



Advisory Board	Date of Decision by Cabinet	Report Title, Summary and Ward	Consultation Details	Background papers/materials	Relevant Officer	Portfolio Holder
		2018 and 30 September 2018. <i>All Wards</i>				
13/11/18	06/12/18	<b>Draft Asset Management Plan 2019/20</b> For the Cabinet to set its recommendations for the Asset Management Plan and to consult on proposed changes. <i>All Wards</i>	Request permission for public consultation.  The relevant Cabinet Advisory Board will be consulted.		John Antoniadis, Acting Property and Estates Manager	Leader of the Council
15/01/19	07/02/19	<b>Property Transaction Report: July - December 2018</b> This report informs Cabinet of the property transactions completed under delegated authority between 1 July 2018 and 31 December 2018.  <i>Part of this meeting may be held in private by virtue of paragraph 3 of Schedule 12A of the Local Government Act 1972 (as amended).</i> <i>All Wards</i>	The relevant Cabinet Advisory Board will be consulted.		John Antoniadis, Acting Property and Estates Manager	Leader of the Council
15/01/19	07/02/19	<b>*Asset Management Plan 2019/20</b> To recommend to Full Council the revised Asset Management Plan following public consultation. <i>All Wards</i>	Public consultation January 2019.  The relevant Cabinet Advisory Board will be consulted.		John Antoniadis, Acting Property and Estates Manager	Leader of the Council
12/02/19	07/03/19	<b>Performance Summary: Quarter 3</b> To review an outline of the Council's performance against key strategic indicators. Measures prescribed by central government through the Single Data List (SDL) and the progress against each of the strategic projects as at end of December 2018. <i>All Wards</i>	The relevant Cabinet Advisory Board will be consulted.		Jane Clarke, Head of Policy and Governance	Leader of the Council

Advisory Board	Date of Decision by Cabinet	Report Title, Summary and Ward	Consultation Details	Background papers/materials	Relevant Officer	Portfolio Holder
<b>Finance and Governance Portfolio – Councillor Reilly</b>						
10/07/18	02/08/18	<b>Draft Council Tax Reduction Scheme 2019/20</b> To note the progress that has been made on the review of the scheme (jointly commissioned with other Kent authorities) and provide options for public consultation on the scheme for 2019/20. <i>All Wards</i>	Request permission for public consultation.  The relevant Cabinet Advisory Board will be consulted.		Sheila Coburn, Head of Revenues and Benefits	Portfolio Holder for Finance and Governance
10/07/18	02/08/18	<b>Budget Projection and Strategy 2019/20</b> To consider proposals for the draft budget. (Stage 1 of 4 in setting the forthcoming year's budget.) <i>All Wards</i>	The relevant Cabinet Advisory Board will be consulted.		Lee Colyer, Director of Finance, Policy and Development (Section 151 Officer)	Portfolio Holder for Finance and Governance
21/08/18	13/09/18	<b>Revenue Management Report: Quarter 1</b> To receive the financial position as at the end of June 2018. <i>All Wards</i>	The relevant Cabinet Advisory Board will be consulted.		Jane Fineman, Head of Finance and Procurement	Portfolio Holder for Finance and Governance
21/08/18	13/09/18	<b>Capital Management Report: Quarter 1</b> To receive the financial position as at the end of June 2018. <i>All Wards</i>	The relevant Cabinet Advisory Board will be consulted.		Jane Fineman, Head of Finance and Procurement	Portfolio Holder for Finance and Governance
21/08/18	13/09/18	<b>Treasury and Prudential Indicator Management Report: Quarter 1</b> To receive the financial position as at the end of June 2018. <i>All Wards</i>	The relevant Cabinet Advisory Board will be consulted.		Jane Fineman, Head of Finance and Procurement	Portfolio Holder for Finance and Governance
21/08/18	13/09/18	<b>Debt Recovery Policy</b> Policy for the recovery of Council Tax and Business Rate debts.	The relevant Cabinet Advisory Board will be consulted.		Sheila Coburn, Head of Revenues and	Portfolio Holder for Finance and Governance

Advisory Board	Date of Decision by Cabinet	Report Title, Summary and Ward	Consultation Details	Background papers/materials	Relevant Officer	Portfolio Holder
		<i>All Wards</i>			Benefits	
02/10/18	25/10/18	<b>Budget Update 2019/20</b> To consider an update on the Budget and the current financial position of the Council. (Stage 2 of 4 in setting the forthcoming year's budget.) <i>All Wards</i>	The relevant Cabinet Advisory Board will be consulted.		Lee Colyer, Director of Finance, Policy and Development (Section 151 Officer)	Portfolio Holder for Finance and Governance
02/10/18	25/10/18	<b>*Council Tax Reduction Scheme 2019/20</b> To recommend to Full Council potential changes to the Council Tax Reduction Scheme for 2019/20 following public consultation. <i>All Wards</i>	Public consultation July/August 2019.  The relevant Cabinet Advisory Board will be consulted.		Sheila Coburn, Head of Revenues and Benefits	Portfolio Holder for Finance and Governance
13/11/18	22/11/18	<b>Fees and Charges Setting 2019/20</b> To consider and agree the fees and charges set by the Council. <i>All Wards</i>	The relevant Cabinet Advisory Board will be consulted.		Lee Colyer, Director of Finance, Policy and Development (Section 151 Officer)	Portfolio Holder for Finance and Governance
13/11/18	06/12/18	<b>Revenue Management Report: Quarter 2</b> To receive the financial position as at the end of September 2018. <i>All Wards</i>	The relevant Cabinet Advisory Board will be consulted.		Jane Fineman, Head of Finance and Procurement	Portfolio Holder for Finance and Governance
13/11/18	06/12/18	<b>Capital Management Report: Quarter 2</b> To receive the financial position as at the end of September 2018. <i>All Wards</i>	The relevant Cabinet Advisory Board will be consulted.		Jane Fineman, Head of Finance and Procurement	Portfolio Holder for Finance and Governance
13/11/18	06/12/18	<b>Treasury and Prudential Indicator Management Report: Quarter 2</b> To receive the financial position as at the end of September 2018. <i>All Wards</i>	The relevant Cabinet Advisory Board will be consulted.		Jane Fineman, Head of Finance and Procurement	Portfolio Holder for Finance and Governance

Advisory Board	Date of Decision by Cabinet	Report Title, Summary and Ward	Consultation Details	Background papers/materials	Relevant Officer	Portfolio Holder
13/11/18	06/12/18	<b>Calculation of Council Tax Base</b> To consider proposals for setting the Council Tax and Business Rate Tax Base for 2019/20. <i>All Wards</i>	The relevant Cabinet Advisory Board will be consulted.		Lee Colyer, Director of Finance, Policy and Development (Section 151 Officer)	Portfolio Holder for Finance and Governance
13/11/18	06/12/18	<b>Draft Budget 2019/20 and Draft Medium Term Financial Strategy Update</b> To consult on proposals for the Budget 2019/20 and Medium Term Financial Strategy. (Stage 3 of 4 in setting the forthcoming year's budget.) <i>All Wards</i>	Request permission for public consultation.  The relevant Cabinet Advisory Board will be consulted.		Lee Colyer, Director of Finance, Policy and Development (Section 151 Officer)	Portfolio Holder for Finance and Governance
15/01/19	07/02/19	<b>*Budget 2019/20 and Medium Term Financial Strategy</b> To recommend to Full Council the Council's budget for 2019/20 and the revised Medium Term Financial Strategy following public consultation. (Stage 4 of 4 in setting the forthcoming year's budget.) <i>All Wards</i>	Public consultation January 2019.  The relevant Cabinet Advisory Board will be consulted.		Lee Colyer, Director of Finance, Policy and Development (Section 151 Officer)	Portfolio Holder for Finance and Governance
15/01/19	07/02/19	<b>*Treasury Management Policy and Strategy</b> To recommend to Full Council the Treasury Management Policy and Strategy to set the parameters and key information regarding the Council's treasury activity, with specific regards to investments and cash flow. <i>All Wards</i>	The relevant Cabinet Advisory Board will be consulted.		Lee Colyer, Director of Finance, Policy and Development (Section 151 Officer)	Portfolio Holder for Finance and Governance
12/02/19	07/03/19	<b>Revenue Management Report: Quarter 3</b> To receive the financial position as at the end of December 2018. <i>All Wards</i>	The relevant Cabinet Advisory Board will be consulted.		Jane Fineman, Head of Finance and Procurement	Portfolio Holder for Finance and Governance
12/02/19	07/03/19	<b>Capital Management Report: Quarter 3</b> To receive the financial position as at the end of December 2018.	The relevant Cabinet Advisory Board will be consulted.		Jane Fineman, Head of Finance and Procurement	Portfolio Holder for Finance and Governance

Advisory Board	Date of Decision by Cabinet	Report Title, Summary and Ward	Consultation Details	Background papers/materials	Relevant Officer	Portfolio Holder
		<i>All Wards</i>				
12/02/19	07/03/19	<b>Treasury and Prudential Indicator Management Report: Quarter 3</b> To receive the financial position as at the end of December 2018. <i>All Wards</i>	The relevant Cabinet Advisory Board will be consulted.		Jane Fineman, Head of Finance and Procurement	Portfolio Holder for Finance and Governance

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## Finance and Governance Cabinet Advisory Board

**29 May 2018**

Is the final decision on the recommendations in this report to be made at this meeting?

**No**

## Annual Report on the Use of the Regulation of Investigatory Powers Act (RIPA)

<b>Final Decision-Maker</b>	Cabinet
<b>Portfolio Holder(s)</b>	Portfolio Holder for Finance and Governance
<b>Lead Director</b>	Lee Colyer, Director of Finance, Policy and Development (Section 151 Officer)
<b>Head of Service</b>	Patricia Narebor, Head of Legal Partnership
<b>Lead Officer/Report Author</b>	Keith Trowell, Senior Lawyer (Corporate Governance)
<b>Classification</b>	Non-exempt
<b>Wards affected</b>	All

**This report makes the following recommendations to the final decision-maker:**

That the report be noted.

**This report relates to the following Five Year Plan Key Objectives:**

- A Confident Borough

The report contributes to providing value to our community by demonstrating that we are open, transparent and accountable.

### Timetable

<b>Meeting</b>	<b>Date</b>
Finance & Governance Cabinet Advisory Board	29 May 2018
Cabinet	21 June 2018

## Annual Report on the Use of the Regulation of Investigatory Powers Act (RIPA)

### 1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 This annual report provides details of the use of covert surveillance under the Regulation of Investigatory Powers Act by Tunbridge Wells Borough Council.
  - 1.2 The report will be published on the Council's website.
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### 2. INTRODUCTION AND BACKGROUND

- 2.1 The Regulation of Investigatory Powers Act (RIPA) was enacted in 2000 to regulate the manner in which certain public bodies may conduct surveillance and access a person's electronic communications and to ensure that the relevant investigatory powers are used in accordance with human rights. The provisions of the Act include:
  - the interception of communications;
  - the acquisition of communications data (e.g. billing data);
  - directed and intrusive surveillance (on residential premises/in private vehicles);
  - covert surveillance in the course of specific operations;
  - the use of covert human intelligence sources (agents, informants, undercover officers); and
  - access to encrypted data.
- 2.2 The revised Code of Practice for Covert Surveillance and Property Interference published by the Home Office in December 2014 states that as a general rule elected members of an authority should review the authority's use of RIPA and set the policy at least once a year.
- 2.3 The Council very rarely makes use of its RIPA powers and only in circumstances where the use is proportionate. In the last eight years, there has only been one RIPA application. This was authorised in March 2011 and related to a benefit fraud investigation that resulted in evidence leading to a conviction being passed to the Department for Work and Pensions. There have been no authorisations requested since then.
- 2.4 Prior to 2011, most authorisations were used to obtain evidence to support allegations of benefit fraud. Local RIPA authorisations (i.e. from the Council) no longer need to be sought for benefit investigations as evidence-gathering activities are now co-ordinated through a single national gateway (the National Anti-Fraud Network, or NAFN) therefore the total number of RIPA authorisations across local authorities is significantly reduced.



- 2.5 There is also increased awareness of the scope of RIPA and of the alternatives to covert surveillance as a result of training delivered to all investigating and authorising officers in recent years.
- 2.6 The Chief Executive is the person responsible for RIPA. He acts as the Senior Responsible Officer referred to in Part 3 of the revised Code of Practice. The Monitoring Officer maintains a register of authorisations applied for and granted and the Council's systems and procedures are overseen by the Head of Audit Partnership.
- 2.7 The Council receives regular inspections from the Investigatory Powers Commissioner's Office (IPCO). The most recent inspection was earlier this year with the Inspector's Report being issued on 31 January 2018. The Council takes account of the OSC's conclusions and recommendations when formulating and revising RIPA practice and policy. A RIPA policy is in the course of preparation and will be submitted to Cabinet for approval.

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### 3. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 3.1 This is an annual report for Cabinet's information, in compliance with the Code of Practice for Covert Surveillance and Property Interference published by the Home Office.

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### 4. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 4.1 The report is for noting only.

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### 5. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 5.1 If the report is approved it will be published on the Council's website.

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### 6. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off (name of officer and date)
<b>Legal</b> including Human Rights Act	This report meets the requirement to produce an annual report on the use of RIPA powers. The use of RIPA powers can result in a direct interference with a person's human rights. The Council must comply with its procedures and any authorisations must be proportionate in order to justify such interference.	Keith Trowell, Senior Lawyer (Corporate Governance) 29.03.18
<b>Finance</b> and other resources	It is necessary that a sufficient budget is available for RIPA training. There are no value-for-money considerations arising from this report other than	Jane Fineman, Head of Finance and Procurement

	to ensure that the Council is acting according to best practice.	10.05.18
<b>Staffing establishment</b>	No implications	Nicky Carter, Head of HR 10.5.18
<b>Risk management</b>	There are some risks associated with RIPA, most notably reputational risks arising from possible adverse media coverage however, use of RIPA is now minimal and the Council can minimise the risk by ensuring that the use of RIPA is proportionate and appropriate.	Rich Clarke, Shared Head of Audit 10.05.18
<b>Environment and sustainability</b>	No implications	Gary Stevenson, Head of Environment and Street Scene 10.5.18
<b>Community safety</b>	The appropriate use of RIPA can assist in the prevention and detection of crime in the Borough thereby demonstrating compliance with the duty under Section 17 of the Crime and Disorder Act 1998.	Terry Hughes, Community Safety Unit Manager 09.05.18
<b>Health and Safety</b>	No implications	Mike Catling, Health and Safety Advisor 10.05.18.
<b>Health and wellbeing</b>	No implications	
<b>Equalities</b>	No implications	

## 7. BACKGROUND PAPERS

None

## Finance and Governance Cabinet Advisory Board

**29 May 2018**

Is the final decision on the recommendations in this report to be made at this meeting?

**No**

## Performance Summary: Quarter 4

<b>Final Decision-Maker</b>	Cabinet
<b>Portfolio Holder(s)</b>	Councillor David Jukes, Leader of the Council
<b>Lead Director</b>	Lee Colyer, Director of Finance, Policy and Development
<b>Head of Service</b>	Jane Clarke, Head of Policy & Governance
<b>Lead Officer/Report Author</b>	Jane Clarke, Head of Policy & Governance
<b>Classification</b>	Non-exempt
<b>Wards affected</b>	All

### This report makes the following recommendations to the final decision-maker:

1. That Cabinet notes the progress made against each of its Corporate Priorities 2017/18 at the end of quarter four, as set out in the report and Appendix A;
2. That Cabinet notes the progress made against the Change Programme 2017/18 at the end of quarter four, as set out in the report and Appendix B;
3. That Cabinet notes the Council's performance on Council Business at the end of quarter four, as set out in the report and Appendix C; and
4. That Cabinet notes the challenges and proposed actions for each underperforming indicator within the Recovery Plans at Appendix D.

### This report relates to the following Five Year Plan key objectives:

- ❖ A Prosperous Borough
- ❖ A Green Borough
- ❖ A Confident Borough

This report monitors the effectiveness of the Council's actions and plans to meet all of the objectives within the Five Year Plan, highlights underperforming areas, and proposes actions to remedy that underperformance to ensure the key objectives are met.

<b>Timetable</b>	
<b>Meeting</b>	<b>Date</b>
Management Board	25 April 2018
Finance and Governance Cabinet Advisory Board	29 May 2018
Cabinet	21 June 2018

## Performance Summary: Quarter 4

### 1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 This report provides a summary of the Borough Council's performance at the end of quarter four, together with the end of year performance. It outlines the progress made towards the Council's Corporate Priorities 2017/18 and Change Programme projects for 2017/18, and summarises more general Council performance for the fourth quarter of 2017/18. Where underperformance is identified, explanatory notes are given for the Corporate Priorities, and for Council Business, actions are proposed to remedy this, which are attached as Recovery Plans at Appendix C.

### 2. INTRODUCTION AND BACKGROUND

- 2.1 This report reviews our progress against the 14 Corporate Priorities, our Change Programme and the 39 performance indicators that are a combination of strategic indicators, management indicators and those indicators set by central government through the Single Data List (SDL).

Measured by		Definition
Corporate Priorities	Milestones	Measures the progress we have made in achieving our Corporate Priorities by the end of the quarter
Change Programme	Projects	Measures whether corporate change projects are on track for delivery
Council Business	Strategic Indicators (SIs) and Single Data List Indicators (SDLs)	Measure our performance on the targets we have set for operating services and transactions, and our performance against the list of indicators set by central government

- 2.2 The summary is divided into three sections:

- 1. Corporate Priorities** – This summarises the progress we have made on the projects and milestones that make up the Corporate Priorities for 2017/18.
- 2. Change Programme** – This summarises the progress we have made on the projects that make up the Change Programme for 2017/18.
- 3. Council Business** – This summarises our performance against the targets for indicators that Cabinet/Management Board have set, or have been set centrally by the Government. This section also summarises the mix of indicators that measure issues that are external to the Council, but which impact on residents' lives and/or how services are delivered, such as levels of crime, homelessness and unemployment, or the income we receive from discretionary services.

- 2.3 The performance information contained in this report and the accompanying papers have undergone the following quality checks:

- Individual calculations and verification at officer level.
- Senior manager approval of performance information.
- Quality checks by the Performance Team.

- 2.4 The report has also followed the traditional report cycle which makes sure that progress is reviewed by both Management Board and Portfolio Holders to ensure that levels of performance continue to be managed effectively.

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### 3. PERFORMANCE ON CORPORATE PRIORITIES 2017/18

- 3.1 The Corporate Priorities are refreshed on an annual basis and are agreed by Cabinet and Full Council as part of their budget and strategy setting meetings in February each year.
- 3.2 For 2017/18, the Council is working towards delivery of 14 Corporate Priorities that will help it to reach the Five Year Plan key objectives of enabling Tunbridge Wells Borough to have a *prosperous, green and confident* future.
- 3.3 Within these 14 Corporate Priorities, the Council has identified 14 projects to achieve the Priorities, which are set out in Appendix A to this report.
- 3.4 Performance on the 14 projects under our Corporate Priorities by the end of quarter four is as follows:

	All Milestones passed to date	Some Milestones not passed	Projects Completed
Qtr. 1	14	0	0
Qtr. 2	9	5	0
Qtr. 3	8	6	0
Qtr. 4	6	8	0

- 3.5 For those Corporate Priorities that have not passed their milestones this quarter, updates are provided on the projects where relevant in the report at Appendix A.

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### 4. PERFORMANCE ON THE CHANGE PROGRAMME 2017/18

- 4.1 The Change Programme is a selection of projects that services are currently running across the Council to improve operational delivery, or transform the way that services are provided. These projects are large scale and receive support from the Digital and Transformation Service, which includes the Business Delivery Unit.
- 4.2 The Change Programme is currently made up of the following workstreams:
- Bespoke transformation projects
  - Transformation Challenge Award
  - Kent Customer Services Group Project
- 4.3 The Digital and Transformation Service also supports the delivery of the Digital First Programme of works, which is reported separately to Cabinet under the Digital First Strategy and Action Plan.

- 4.4 Since the start of the change programme, the Digital Services and Transformation Service has supported the completion of 32 projects, and is currently working on five live projects (that are not monitored as part of the Digital First Action Plan). Of the five projects that are currently live, three are on track, and two are not on track.

	On Track	Not on Track	Completed
Qtr. 1	8	0	0
Qtr. 2	7	0	1
Qtr. 3	3	2	2
Qtr. 4	3	2	0

- 4.5 The full list of projects within the programme, and their status updates, is available at Appendix B.

## 5. PERFORMANCE ON COUNCIL BUSINESS

- 5.1 The Council collects 39 indicators to reflect how well it is performing on day-to-day service delivery and operations. Of these, 10 indicators do not have targets and are therefore not measured for performance. The list of indicators and quarter one outturns is set out in detail at Appendix C.
- 5.2 When an indicator underperforms and misses its target for the reporting quarter, it is marked as 'red' status and a Recovery Plan is produced to set out the actions that will be taken by the service to ensure the indicator does not continue to underperform.
- 5.3 Performance on the 29 indicators that have targets for Council Business at the end of quarter four is as follows:

	Performing	Underperforming
Qtr. 1*	25	3
Qtr. 2**	22	5
Qtr. 3***	22	4
Qtr. 4****	25	2

\*Data for one PI was not collected (1).

\*\*Data for two PIs was not collected (2).

\*\*\*Data for three PIs was not collected (3).

\*\*\*\*Data for two PIs are currently unavailable (2).

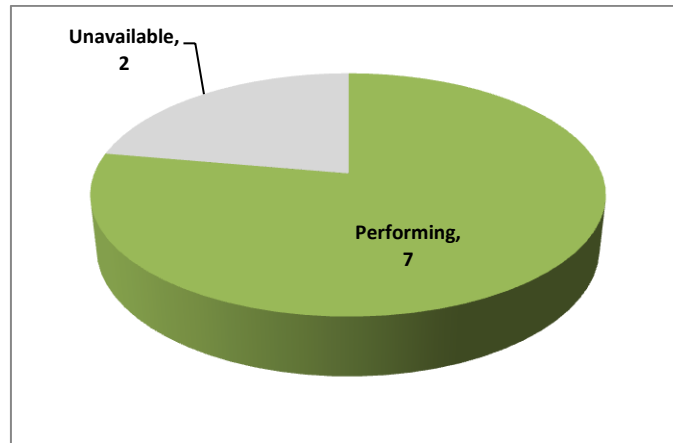
- 5.4 The Recovery Plans for the two underperforming indicators are included at Appendix D for approval.

### **Council Business by Directorate**

- 5.5 There are three directorates within the Council and each is responsible for performance on a number of indicators. The following sections show performance by directorate, and provide more details on the indicators that are underperforming.

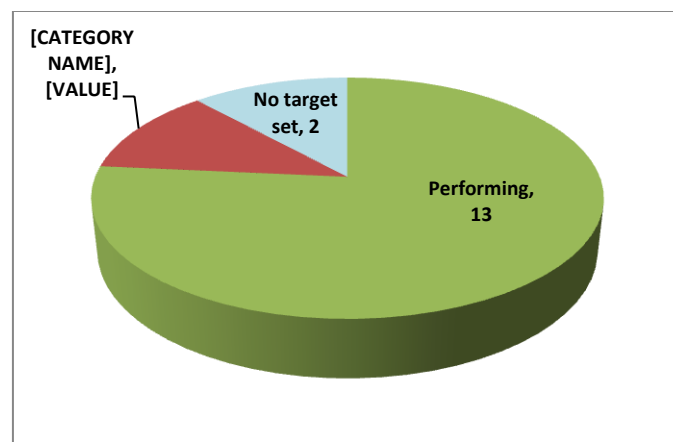
#### ***Director of Change and Communities***

- 5.6 There are nine indicators for this directorate, of which seven are performing, and two are unavailable at the time of reporting.



## ***Director of Finance, Policy and Development***

- 5.7 There are 17 indicators which are measured quarterly for this directorate, two of which do not have targets.
- 5.8 Of the 15 indicators that have targets, 13 are performing, two of which are underperforming.



- 5.9 The underperforming indicators and the actions to improve them are:

### ***Number of Tourist Information Centre Counter Enquiries***

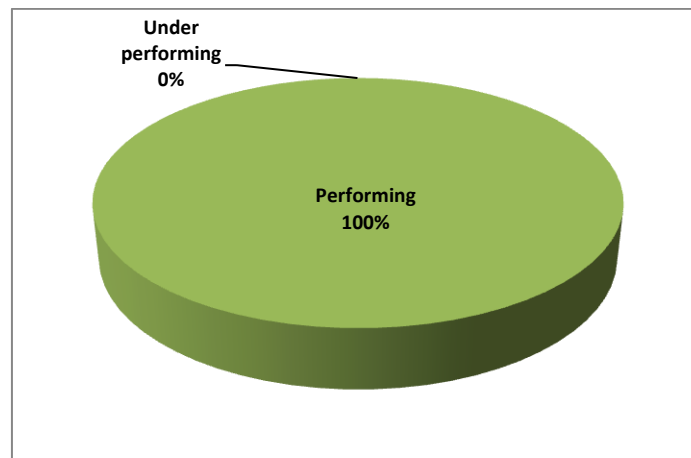
Poor weather was experienced in quarter four, with a noticeable reduction in the number of visitors. Normal numbers are expected to resume in quarter one of 2018/19.

### ***Off Street Parking Income***

This will be addressed in the quarter 4 Revenue Report being presented to Cabinet on the same date.

## **Mid Kent Services Director**

- 5.10 There are three indicators which are measured quarterly for this directorate, all of which are performing.



## **6. STATE OF THE BOROUGH**

- 6.1 Information is also collected on a range of indicators that reflect the levels of crime, homelessness and economic performance within the Borough, which give a sense of the 'state' of standards of living for residents.
- 6.2 There are ten indicators, of which two have targets. These relate to homelessness within the Borough.

Performance on the two indicators at the end of quarter four is as follows:

	Performing	Underperforming
Qtr. 1	2	0
Qtr. 2	2	0
Qtr. 3	2	0
Qtr. 4	2	0

- 6.3 Whilst the eight other indicators are for information only and do not have targets, performance is tracked on a quarterly basis.
- 6.4 Of note are the two new indicators relating to homelessness in the Borough, included following a request from the Finance and Governance Cabinet Advisory Board at the beginning of the year.
- 6.5 The number of homelessness preventions has increased since the last quarter. This is in line with the number of homelessness acceptances, which has also increased.
- 6.6 The number of people approaching the Council for homelessness advice and assistance has again risen since the last quarter, by 6%.
- 6.7 Unemployment within the Borough, which is measured by the number of people claiming Job Seekers Allowance (JSA) remains at 0.9%.



## **7. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK**

- 7.1 Consultation has been undertaken with Portfolio Holders, Directors and Heads of Service regarding the indicators that should be included within the quarterly performance report. This is done to ensure that performance is reflective of the priorities of the Council, and the objectives within the Five Year Plan.

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## **8. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION**

- 8.1 The quarterly Performance Summary will be published online as part of the agenda papers for the Cabinet meeting. Whilst there are no decisions to take as part of this report, the information will be used to inform future decisions.

## 9. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off (name of officer and date)
<b>Legal</b> including Human Rights Act	<p>There is no statutory duty to report regularly to Cabinet on the Council's performance. However, under Section 3 of the Local Government Act 1999 (as amended) a best value authority has a statutory duty to secure continuous improvement in the way in which its functions are exercised having regard to a combination of economy, efficiency and effectiveness.</p> <p>One of the purposes of the Council's Corporate Priorities is to provide clear strategic direction in order to facilitate the improvement of the economy, efficiency and effectiveness of Council Services. Regular reports on the Council's performance assist in demonstrating best value and compliance with the statutory duty.</p> <p>There are no consequences arising from the recommendation that adversely affect or interfere with individuals' rights and freedoms as set out in the Human Rights Act 1998.</p>	Keith Trowell, Senior Lawyer
<b>Finance</b> and other resources	A number of these performance indicators have financial implications and where appropriate these are covered in the Capital, Revenue and Treasury Monitoring Reports that accompany this report.	Lee Colyer, Director of Finance, Policy and Development
<b>Staffing establishment</b>	This report demonstrates the vast proportion of work being undertaken by the Council's staff to provide services for the Borough. Performance is monitored on a monthly basis by Management Team, and is assessed against current staffing trends and issues to ensure staff resources are aligned with the Council's priorities.	Nicky Carter, Head of HR
<b>Risk management</b>	All risks associated with this report are within the Council's current risk appetite and managed in accordance with its risk management strategy.	Jane Clarke, Head of Policy and Governance
<b>Environment</b> and sustainability	This report and the action plans will have considered this aspect to ensure that the service areas and projects deliver the desired outcomes for Environment and Sustainability.	Gary Stevenson, Head of Environment and Street Scene
<b>Community safety</b>	There are no consequences arising from the recommendation that adversely affect community safety.	Terry Hughes, Community Safety Manager

<p><b>Health and wellbeing</b></p>	<p>Health inequalities are differences in health status and health outcomes within and between communities and are the result of a complex interaction of various factors, including but not limited to: housing conditions, neighbourhood planning, employment, air quality, access to good quality green space and provision of leisure facilities.</p> <p>Marmot (2010) recognised that the role that local authorities play in improving these wider determinants of health. This led to the transfer of public health budgets to local authorities on 1<sup>st</sup> April 2013. This enables health priorities to be determined locally and improves integration of preventative public health measures with statutory services.</p> <p>In our role as place shaper, the Borough Council is responsible for a number of decisions and policies that will have a direct impact on health inequalities. Examples include our plans for future growth and investment, the local plan, housing development and associated community infrastructure, reducing emissions and national carbon targets.</p>	<p>Gary Stevenson, Head of Environment and Street Scene</p>
<p><b>Equalities</b></p>	<p>The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no apparent equality impact on end users.</p>	<p>Sarah Lavallie, Corporate Governance Officer</p>

## 10. REPORT APPENDICES

10.1 The following documents are to be published with this report and form part of the report:

- Appendix A: Corporate Priorities 2017/18
- Appendix B: Change Programme Update 2017/18
- Appendix C: Council Business
- Appendix D: Underperforming Recovery Plans



## 11. BACKGROUND PAPERS


11.1 The Five Year Plan




[http://www.tunbridgewells.gov.uk/\\_data/assets/pdf\\_file/0020/53291/Five-Year-Plan-2017-2022.pdf](http://www.tunbridgewells.gov.uk/_data/assets/pdf_file/0020/53291/Five-Year-Plan-2017-2022.pdf)



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## Corporate Priorities End of Year 2017/18




Project	Description	Milestone Description	Milestone Due Date	Milestones passed at end of quarter	% of milestones completed	Status Icon	Latest Update	Portfolio Holder	Lead Directorate
<b>Project 01 Devolution and Partnership Working</b>	Work with KCC and neighbouring authorities to secure the best deal for local people by devolving and joining up services across the West Kent Partnership, such as public health, waste and recycling.	Implementation of 'One You' West Kent public health service.	30-Sep-2017	Yes	100%			Ronen Basu	Paul Taylor
		Work with KCC to agree the preferred recycling service collection methodology.	30-Sep-2017	Yes					
		Implementation of a single point of contact and database for the 'One You' service with Tonbridge & Malling and Sevenoaks councils.	31-Mar-2018	Yes					
		Review waste disposal cost benefits and agree an Inter-Authority Agreement with KCC.	31-Mar-2018	Yes					
<b>Project 02 Provide Business Space</b>	Continue to develop opportunities for business to locate and grow in Tunbridge Wells borough by making employment land available, as identified in the new Local Plan.	Carry out Issues and Options public consultation.	30-Jun-2017	Yes	80%		The draft of the new Local Plan is likely to be delayed due to the need for further evidence gathering and engagement with infrastructure providers. However, good progress has been made in terms of identifying sites for employment provision, with progress being made in relation to the drafting of retail, office, employment etc. policies	Alan McDermott	Lee Colyer
		Complete Local Plan Issues and Options document and brief Parish/Town Councils ahead of consultation.	30-Jun-2017	Yes					
		Complete preparation of Strategic Housing and Economic Land Availability Assessment (SHELAA).	30-Sep-2017	Yes					
		Complete preparation of Strategic Housing and Economic Land Availability Assessment (SHELAA).	31-Dec-2017	Yes					




Project	Description	Milestone Description	Milestone Due Date	Milestones passed at end of quarter	% of milestones completed	Status Icon	Latest Update	Portfolio Holder	Lead Directorate
		Prepare draft of new Local Plan including economic allocations and revised policies.	31-Mar-2018	No					
<b>Project 03</b> <b>Secure suitable housing sites through development of the Local Plan</b>	Continue to develop our Local Plan and to work with Town and Parish Councils and developers to secure suitable sites to meet our housing requirements and to ensure they are supported by the necessary infrastructure.	Carry out Issues and Options public consultation.	30-Jun-2017	Yes	83%		The SHELAA has been largely completed, with only a small number of sites (many submitted after the closure of the "call for sites") to be included.  The draft of the new Local Plan is likely to be delayed due to the need for further evidence gathering and engagement with infrastructure providers. However, progress is being made in terms of a possible development strategy, including discussions at the PPWG. The Council continues to give support to those parishes undertaking preparation of Neighbourhood Plans and holds regular liaison meetings at key stages of process.	Alan McDermott	Lee Colyer
		Complete Local Plan Issues and Options document and brief Parish/Town Councils ahead of consultation.	30-Jun-2017	Yes					
		Continue to support those Parish / Town Councils preparing Neighbourhood Plans.	30-Sep-2017	Yes					
		Complete preparation of Strategic Housing and Economic Land Availability Assessment (SHELAA).	31-Dec-2017	Yes					
		Continue to support those Parish / Town Councils preparing Neighbourhood Plans.	31-Dec-2017	Yes					
		Prepare draft of new Local Plan included housing allocations.	31-Mar-2018	No					

Project	Description	Milestone Description	Milestone Due Date	Milestones passed at end of quarter	% of milestones completed	Status Icon	Latest Update	Portfolio Holder	Lead Directorate
<b>Project 04 Manage Council assets</b>	Continue to dispose of non-performing assets and invest the proceeds in income-generating projects or schemes.	Completion of transfers of a number of LADs assets with Parish Councils.	30-Jun-2017	Yes	75%		Liaison with Diocese is being undertaken. Tenders for site clearance work have been received. This will enable site the site to be cleared and detailed site investigations to be completed.	David Jukes	Lee Colyer
		Local Plan Review - Disposal of four Assets at auction.	30-Jun-2017	Yes					
		Site preparation and ground testing at Benhall Mill Depot.	30-Sep-2017	Yes					
		Initial feasibility completed at Benhall Mill.	31-Dec-2017	No					
<b>Project 05 Cultural and Learning Hub</b>	Submit a Stage 2 HLF and Arts Council bid for the Cultural & Learning Hub and submit a planning application.	Agree RIBA stage 2 concept designs.	30-Jun-2017	Yes	100%			Jane March	Paul Taylor
		Finalise options for interim accommodation for services.	31-Dec-2017	Yes					
		Submit final bids to HLF and Arts Council.	31-Dec-2017	Yes					
		Assess outcomes of funding bids and planning application.	31-Mar-2018	Yes					
<b>Project 06 Assembly Hall Theatre</b>	Report process is progressing through RIBA stages. The next stage is RIBA stage 3. The theatre business plan will be produced as part of this process. Procurement options considered & interim design prepared. More	Procurement of development.	30-Jun-2017	Yes	100%		Planning application was validated on the 12 January with determination anticipated in April 2018.	David Jukes; Jane March	Paul Taylor
		Council receives developed designs (stage 3) for Civic Development.	30-Sep-2017	Yes					
		Planning Framework adopted.	30-Sep-2017	Yes					
		Produce a business plan for the new theatre.	30-Sep-2017	Yes					
		Council decision on project progressing – budget and delivery.	31-Dec-2017	Yes					

Project	Description	Milestone Description	Milestone Due Date	Milestones passed at end of quarter	% of milestones completed	Status Icon	Latest Update	Portfolio Holder	Lead Directorate
	detailed engagement with show producers underway.	Planning Application Submitted.	31-Mar-2018	Yes					
<b>Project 07 Car Parking</b>	Improve Car Parking provision in the town of Tunbridge Wells.	Engage with landowners regarding opportunity.	30-Jun-2017	Yes	100%		The refurbishment works to the car park commenced on 19 March 2018. Crescent Road Car Park Extension planning application was validated on 3 April	Alan McDermott	Lee Colyer
		Initial Feasibility of selected town centre site.	30-Jun-2017	Yes					
		Crescent Road Car Park refurbishment commences.	30-Sep-2017	Yes					
		Second phase feasibility considered.	30-Sep-2017	Yes					
		Planning Application submitted for extension at Crescent Road car park.	31-Dec-2017	Yes					
		Stage 3 report on extension of Crescent Road car park considered.	31-Dec-2017	Yes					
<b>Project 08 Deliver projects set out in the Local Plan</b>	Work with KCC to deliver the projects set out in our Local Transport Plan, to secure further funding to alleviate congestion and to promote 20mph schemes and reduce pollution.	Liaising with KCC regarding surfacing.	30-Jun-2017	Yes	75%		Consultation on the TROs has been undertaken. Ongoing discussion on delivery of scheme with KCC Highways.	Alan McDermott	Lee Colyer
		LEP accountability.	30-Sep-2017	Yes					
		Board agreement of A26 scheme.	31-Dec-2017	Yes					
		A26 scheme on site.	31-Mar-2018	No					



Project	Description	Milestone Description	Milestone Due Date	Milestones passed at end of quarter	% of milestones completed	Status Icon	Latest Update	Portfolio Holder	Lead Directorate
<b>Project 09 Higher education facility or campus</b>	Explore the potential to deliver a higher education facility or campus within or around the town.	Outline brief agreed.	30-Jun-2017	Yes	33%		Alternatives uses report considered the range and balance of uses the current buildings could be brought into. Report was part of the main Civic report at Full Council on 6 December. Offer of Health feasibility remains although detailed work has yet to commence. Will be considered as part of new Local Plan site allocations during 2018.	David Jukes	Lee Colyer
		Feasibility completed.	30-Sep-2017	Yes					
		Site identified in Local Plan consultation.	31-Mar-2018	No					
<b>Proj 10 Deliver a new primary School in Hawkenbury</b>	Work with KCC and the developer to deliver a new primary school in Hawkenbury.	Planning Permission granted for Hawkenbury residential development.	30-Jun-2017	Yes	100%		KCC and St Peters School consultation on proposed new school undertaken. KCC to respond to concerns regarding proposed 1-form entry school with a 2-form core.	David Jukes	Lee Colyer
		Decontamination and levels work commenced.	30-Sep-2017	Yes					
		KCC consultation on planning application for new School.	31-Mar-2018	Yes					
<b>Proj 11 Public Realm phase two</b>	Develop and deliver Phase 2 of the Public Realm works around the civic centre using external Local Growth Fund money.	Produce indicative scheme design for costing.	30-Jun-2017	Yes	100%			Ronen Basu	Paul Taylor
		Design concepts confirmed.	30-Sep-2017	Yes					
		Consultation in progress.	31-Dec-2017	Yes					
		Detailed design in progress.	31-Dec-2017	Yes					

Project	Description	Milestone Description	Milestone Due Date	Milestones passed at end of quarter	% of milestones completed	Status Icon	Latest Update	Portfolio Holder	Lead Directorate
<b>Proj 12 Enable the delivery of community facilities</b>	Continue to enable and assist Town Councils, Parish Councils and community groups to develop their own plans to provide amenities within their local areas.	Complete demolition works at the Southborough Hub.	30-Jun-2017	Yes	80%		Southborough – design & build tender issued by KCC. Paddock Wood – initial architect outlines agreed. Cranbrook – access issue nearing resolution.	Lynne Weatherly	Lee Colyer; Paul Taylor
		Appoint architects for Paddock Wood Community Centre.	30-Sep-2017	Yes					
		Agree specification for Design & Build contractor for Southborough Hub.	31-Dec-2017	Yes					
		Resolve land ownership and access issues for the Cranbrook Community Centre.	31-Dec-2017	No					
		Agree concept designs for Paddock Wood Community Centre.	31-Mar-2018	Yes					
<b>Proj 13 Provide Sport &amp; Recreation opportunities</b>	Support the health of residents by improving sport and active recreation opportunities, and contribute towards the Health Inequalities Action Plan.	Assess the outcomes of the sports pitch survey.	30-Jun-2017	Yes	50%		Sports pitch survey discussions ongoing, change of use planning applications submitted for all 3 potential new sports pitch sites. CPO powers will now be considered late 2018, after negotiations to acquire the sites by agreement are undertaken.	Jane March	Paul Taylor
		Consider the use of compulsory purchase powers to acquire new sports sites.	31-Dec-2017	No					
<b>Proj 14 Address social deprivation and health inequalities in the borough and support</b>	Work with Town and Country Housing Group and our partners to address the pockets of social deprivation and	Produce project plan for Dowding House.	30-Jun-2017	Yes	25%		Refurbishment of Dowding House is underway and due to be completed by the end of February, with homeless households moving in by the end	Lynne Weatherly	Paul Taylor
		Secure funding.	30-Jun-2017	Yes					
		Assess data for wards.	30-Sep-2017	Yes					
		Design programme of work.	30-Sep-2017	Yes					


Project	Description	Milestone Description	Milestone Due Date	Milestones passed at end of quarter	% of milestones completed	Status Icon	Latest Update	Portfolio Holder	Lead Directorate
<b>vulnerable families</b>	health inequalities across some Wards in the borough, and provide a new solution for vulnerable homeless families in the borough.	Complete internal and external work.	31-Dec-2017	No			of March. A management company has been appointed and they have recruited a manager for the Scheme. A borough wide Housing Needs Survey has been carried out; results are due by the end of March.		
		Implement programme.	31-Dec-2017	No					
		Test building.	31-Dec-2017	No					
		Open facility.	31-Mar-2018	No					


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## Quarter 4 Business Delivery Unit Change Programme 2017/18

### Transformation Projects



Projects that the BDU supports to improve services or transform operational delivery.

Project Title	Project Description	Latest Status Update	Status Icon	Portfolio Holder	Lead Director
Public Realm 2	To provide project management support for the delivery of phase 2 of the Public Realm works	<p>The Feasibility design is complete. Amey are required to finalise this prior to the contract expiring at the end of March. The provision of a contractor to undertake Detailed Design is an immediate priority.</p> <p>Options considered were contracting directly with Amey Design, KCC to commission the project directly or to directly procure a supplier via ESCO Framework. (Based upon KCC steerage). The timescale now does not allow a tender process to be undertaken.</p> <p>Management Board and Leadership Board have now agreed that the option for KCC to commission the project directly should be pursued. This approach was ratified at CAB on 21st March and will be presented to Cabinet on 12th April.</p> <p>A meeting has been set up with KCC on 13th April 2018 to determine project structure, governance and TWBC oversight requirements.</p> <p>The Project is reporting Red as a project plan does not exist currently. However a way forward is being agreed that will lead to clarity and a plan emerging.</p> <p>Additionally a known risk for this Project has been the balance of the spend profile across financial years to ensure KCCs LEP funding continued to be available (i.e. £1m needs to be fully spent by end 2018/19). Again until a project plan emerges the spend profile can not be validated.</p>		Cllr Alan McDermott	Paul Taylor

Project Title	Project Description	Latest Status Update	Status Icon	Portfolio Holder	Lead Director
Waste Contract	To provide project management support for the delivery of a tender process to support a new Waste Disposal Contract	<p>The Project published its OJEU notice and Invitation to Tender material as planned (31st Jan 18).</p> <p>Priority focus is currently on answering potential bidders' questions via the formalities of the Procurement Portal. Indicative volume of questions: Tally is rapidly approaching 100 individual submissions – but many of those submissions carry multiple questions. Service officers from both TMBC + TWBC are jointly providing clarifications as required + progress is good (despite the interruption of the snow conditions).</p> <p>One potential bidder has requested an extension to the Tender deadline of 2 weeks to allow them additional time to complete their submission. The Partnership will concede to a one week extension, with this time being absorbed within the schedule rather than extending the entire timetable. Closing date for the tender submissions is now 9<sup>th</sup> May.</p> <p>Contract Mobilisation planning will need to draw resources from across the organisation (incl Digital, IT, Comms &amp; Marketing, Finance and Gateway). A TWells workshop took place on 27th March prior to a wider meeting with Tonbridge &amp; Malling BC. The Project is looking to identify issues / risks / opportunities associated with mobilisation, prior to the Evaluation exercise (where bidders' Mobilisation plans will come under scrutiny).</p>		Cllr Dr Ronen Basu	Paul Taylor


## Transformation Challenge Award

The BDU are providing project management support to the MKIP partnership project, funded by £569,000 of the DCLG's Transformation Challenge Award.

Project Title	Project Description	Latest Status Update	Status Icon	Portfolio Holder	Lead Director
Single Customer Account (SCA)	Single Customer Account is the introduction of an online account for residents and businesses to use for transacting with the Council online, leading to the reduction of telephone and face-to-face contact.	<ul style="list-style-type: none"><li>• New live services this quarter include: Reporting graffiti, dead animals, missed recycling site collections, refuse complaints, ordering black sacks, street cleaning as well as a series of parking, environmental health and housing forms.</li><li>• Abandoned vehicles, bulky waste, lost/found dogs, fly tipping, fly posting and clinical waste services are all in development and scheduled to go live at the end of April, which will enable us to retire our old CRM.</li><li>• IDOX integration is nearing completion and testing is underway.</li><li>• Continue to experience delays with the Civica payment integration. Work is ongoing.</li></ul>		Cllr David Reilly	Paul Taylor
Unified Communications (UC)	Unified Communications is the replacement of our existing telephony system with a modern, digital communications platform incorporating telephony, video conferencing and instant messaging.	<ul style="list-style-type: none"><li>• TW went fully live with Skype for Business on 4 August. This means that staff are now using the system to handle internal and external calls.</li><li>• Swale Borough Council went live on 11<sup>th</sup> October, Maidstone Borough Council on 10<sup>th</sup> November.</li></ul>		Cllr David Reilly	Paul Taylor

## Kent Customer Services Group Project

At the request of the Kent Chief Executive's Customer Services Group, the Business Delivery Unit is leading a partnership-funded project team, with the mandate to increase the amount of customer transactions completed online in order to realise efficiency savings through reduced telephone and face-to-face contact.





Project Title	Project Description	Latest Status Update	Status Icon	Portfolio Holder	Lead Director
Smarter Digital Services - Kent Customer Services Group Project	<p>To offer external challenge, expert advice and valuable resources to help our partners achieve their digital ambitions.</p> <p>SDS operate as a responsive, independent, not for profit consultancy helping local authority partners to improve and increase their digital and online services, realising efficiency savings and enhancing customer experience.</p> <p>Funded by contributions from:</p> <p>Gravesham BC Kent CC Maidstone BC Sevenoaks DC Swale BC Tunbridge Wells BC Ashford BC Shepway DC Medway Council Tonbridge and Malling BC Tandridge DC Cambridge CC</p>	<p>The team have agreed a three year business plan exploring ways to generate more income from the services they provide.</p> <p>Funding of £20k from the LGA has been secured to roll out online housing and homelessness software to 5 local authorities in the UK.</p> <p>Current projects include:</p> <ul style="list-style-type: none"> <li>• User testing of Swale Borough Council's new website.</li> <li>• New homelessness legislation workshops with Ashford Borough Council</li> <li>• Research into Single Customer Accounts in use at local authorities</li> <li>• Customer demand analysis at Shepway District Council, Tandridge District Council</li> <li>• Taxi licensing process review for Swale Borough Council</li> <li>• Taktix review for KCC</li> <li>• Information architecture studies for TWBC.</li> </ul>		Cllr David Reilly	Paul Taylor



## Quarter 4 2017/18 Indicators reflecting council business

### Director of Change and Communities

#### Gary Stevenson - Head of Environment and Street Scene

Description	Annual		Q4 2017/18				Portfolio Owners
	Value	Target	Value	Target	Status	Note	
kg of residual household waste per household	TBC	510.0	TBC	129.0		Q4 data will not be available in time for agenda publication; information to be made available in July 2018	Ronen Basu
Percentage of household waste sent for reuse, recycling and composting	TBC	48%	TBC	48%		Q4 data will not be available in time for agenda publication; information to be made available in July 2018	Ronen Basu
Standard of performance of street cleansing	98.5%	95%	98.7%	95%			Ronen Basu
Number of people engaged in healthy living services	345.0	210.0	131.0	52.5			Lynne Weatherly

## Kevin Hetherington - Project Executive

Description	Annual		Q4 2017/18				Portfolio Owners
	Value	Target	Value	Target	Status	Note	
Number of young people visiting Tunbridge Wells Museum and Cranbrook Museum or having outreach visits in school groups or settings	4,958	3,500	1,549	1,300	✓		Jane March
Number of visitors to Tunbridge Wells Museum & Art Gallery	65,523	60,000	22,571	13,500	✓		Jane March
Number of digital enquiries made at the Museum	39,580	11,000	9,153	2,750	✓		Jane March

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## Nicky Carter - Head of HR and Customer Contact

Description	Annual		Q4 2017/18				Portfolio Owners
	Value	Target	Value	Target	Status	Note	
Working days lost due to sickness absence	5.03	7.50	1.38	1.87	✓		David Jukes
Percentage of online ticket sales - income at the Assembly Hall Theatre	83%	60%	76%	60%	✓		Jane March






Appendix C

## Director of Finance, Policy and Development

### David Candlin - Head of Property & Economic Development

Description	Annual		Q4 2017/18				Portfolio Owners
	Value	Target	Value	Target	Status	Note	
Number of Tourist Information Centre counter enquiries	26,616	20,900	3,676	4,200		The winter weather affected the number of visitors to the Tourist Information Centre	Jane March
Number of customers advised remotely by Tourist Information Centre	12,713	11,000	3,266	2,198			Jane March
Total number of businesses contacting Economic Development Team for advice	152	120	38	30			Jane March

### Jane Fineman - Head of Finance & Procurement




Description	Annual		Q4 2017/18				Portfolio Owners
	Value	Target	Value	Target	Status	Note	
Percentage of invoices paid on time	99.41%	99.80%	99.17%	99.80%			David Reilly
Percentage of self service transactions and payments as a proportion of total transactions	96.43%	93%	95.69%	92%			David Reilly
Parking Enforcement: Number of Penalty Charge Notices issued	38,614	N/A	9,452	N/A			Alan McDermott
Parking Enforcement: Penalty Charge Notice income	£1,302,269	N/A	£367,870	N/A			Alan McDermott
Parking: Off street Car Park income	£5,463,632.00	£5,689,110.00	£1,193,031.00	£1,258,411.00			Alan McDermott

## Karen Fossett - Head of Planning

Description	Annual		Q4 2017/18				Portfolio Owners
	Value	Target	Value	Target	Status	Note	
Processing of planning applications: Major applications	52%	65%	65%	65%	✓		Alan McDermott
Processing of planning applications: Minor applications	85%	70%	92%	70%	✓		Alan McDermott
Processing of planning applications: Other applications	90%	85%	89%	85%	✓		Alan McDermott
Processing of planning applications: Major applications with extension of time	92%	75%	96%	75%	✓		Alan McDermott
Processing of planning applications: Minor applications with extension of time	97%	80%	100%	80%	✓		Alan McDermott
Processing of planning applications: Other applications with extension of time	98%	90%	98%	90%	✓		Alan McDermott
Performance on appeal: Major applications	75%	65%	100%	65%	✓		Alan McDermott
Performance on appeal: Minor applications	84%	65%	100%	65%	✓		Alan McDermott
Performance on appeal: Other applications	65%	65%	67%	65%	✓		Alan McDermott

## Mid Kent Services Director

### Sheila Coburn – Head of Revenues and Benefits

Description	Annual		Q4 2017/18				Portfolio Owners
	Value	Target	Value	Target	Status	Note	
Time taken to process Housing Benefit/Council Tax Benefit new claims and change events (QUARTERLY) (NI 181) (SDL 146b)	7.5	10.0	3.2	10.0			David Reilly
Percentage of Council Tax collected	98.3%	98.6%	98.3%	98.6%		Just under target by 0.30%. No recovery plan to be put in place.	David Reilly
Percentage of Non-domestic Rates Collected	98.5%	98.6%	98.5%	98.6%		Just under target by 0.30%. No recovery plan to be put in place.	David Reilly

## State of the Borough


### Community Safety

Short Name	Annual		Q4 2017/18			Portfolio Owners	Head of Service
	Value	Target	Value	Target	Status		
All crime per 1000 population	TBC	N/A	TBC	N/A	?	Lynne Weatherly	Gary Stevenson
Number of residential burglary offences in the borough	TBC	N/A	TBC	N/A	?	Lynne Weatherly	Gary Stevenson
Number of police-recorded incidents of anti-social behaviour borough wide	TBC	N/A	TBC	N/A	?	Lynne Weatherly	Gary Stevenson
Number of violence against the person crimes	TBC	N/A	TBC	N/A	?	Lynne Weatherly	Gary Stevenson
Repeat incidents of domestic violence	TBC	N/A	TBC	N/A	?	Lynne Weatherly	Gary Stevenson

### Homelessness

Short Name	Annual		Q4 2017/18			Portfolio Owners	Head of Service
	Value	Target	Value	Target	Status		
Number of Homeless acceptances	44	70	12	18	✓	Lynne Weatherly	Kevin Hetherington
Number of homelessness preventions	239	N/A	71	N/A	📊	Lynne Weatherly	Kevin Hetherington
Number of households in temporary accommodation	47	70	47	70	✓	Lynne Weatherly	Kevin Hetherington
Number of people approaching the Council for housing advice and assistance – reported quarterly	861	N/A	237	N/A	📊	Lynne Weatherly	Kevin Hetherington

## Local Economy

Short Name	Annual		Q4 2017/18			Portfolio Owners	Head of Service
	Value	Target	Value	Target	Status		
Unemployment in Tunbridge Wells borough	0.9%	N/A	0.9%	N/A		David Jukes	David Candlin

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**UNDERPERFORMING INDICATOR RECOVERY PLAN**

**Indicator Title**     **Number of Tourist Information Centre counter enquiries**

**Definition:**

**Measurement:**     Quarterly

**Historical Performance**

	2012/13	2013/14	2014/2015	2015/16	2016/17
Year Target	13,160	10,000	15,000	20,900	20,900
Actual	19,813	22,299	21,988	25,358	25,833

**Action Plan**

<b>Current challenges</b>	<p>Target 4,200 – 3,676 achieved for Q4</p> <p>The weather was very poor in Q4 and it was noticeable that there were fewer visitors around in the town.</p>
<b>Proposed re-evaluation</b>	<p>We will continue to monitor the number of counter enquiries but anticipate normal figures over the summer season.</p> <p>The annual target was met for 17/18 with the target of 20,900 and 26,616 achieved.</p>
<b>Is there any additional support required?</b>	No

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**UNDERPERFORMING INDICATOR RECOVERY PLAN**

**Indicator Title**     **Processing of planning applications: Major applications**

**Definition:**         Determining Major applications within 13 weeks

**Measurement:**     Quarterly

**Historical  
Performance**

	2012/13	2013/14	2014/2015	2015/16	2016/17
Year Target	65%	60%	60%	60%	65%
Actual	48%	70%	50%	31%	56%

**Action Plan**

<b>Current challenges</b>	<p>Target 65% - 52% achieved for the year 17/18</p> <p>There was a considerable backlog of major applications that were over 13 weeks. The priority for 17/18 was to reduce this level, which has been successful. Unfortunately that has meant that by determining these, in particular during the middle of the year it has impacted on the overall percentage success. In Q4 the result was 65% in line with the target. In addition one of the Principal Planning Officers was on maternity leave for the majority of the performance year.</p>
<b>Proposed re-evaluation</b>	<p>The overall aim is to ensure that the target is met for 18/19. Various measures have been implemented to achieve this including a major application monitoring spreadsheet and a major application surgery to ensure issues are dealt with early on.</p>
<b>Is there any additional support required?</b>	<p>No. The key will be ensuring the throughput of major applications and hopefully maintaining a fully staffed structure at the experienced level.</p>

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## Finance and Governance Cabinet Advisory Board

29 May 2018

Is the final decision on the recommendations in this report to be made at this meeting?

**No**

## Complaints Summary: Q3 & Q4

<b>Final Decision-Maker</b>	Cabinet
<b>Portfolio Holder(s)</b>	David Jukes, Leader of the Council
<b>Lead Director</b>	Lee Colyer, Director of Finance, Policy and Development
<b>Head of Service</b>	Jane Clarke, Head of Policy and Governance
<b>Lead Officer/Report Author</b>	Jane Clarke, Head of Policy and Governance
<b>Classification</b>	Non-exempt
<b>Wards affected</b>	All

**This report makes the following recommendations to the final decision-maker:**

1. That Cabinet notes the contents of this report.

**This report relates to the following Five Year Plan Key Objectives:**

- A Prosperous Borough
- A Green Borough
- A Confident Borough

This report is for information to enable Cabinet to understand the Council's current performance in relation to complaints handling, to receive an overview on the types of complaints received and the outcome of those which were escalated to the Local Government Ombudsman. The information also sets out any lessons learnt from handling complaints which will ultimately lead to improved service delivery.

### Timetable

<b>Meeting</b>	<b>Date</b>
Management Board	9 May 2018
Finance and Governance Cabinet Advisory Board	29 May 2018
Cabinet	21 June 2018

## Complaints Summary: Q3 & Q4

### 1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 This report provides an overview of complaints received by Tunbridge Wells Borough Council under the Council's Complaints Procedure during quarters 3 and 4 (1 October 2017 to 31 March 2018).
- 1.2 The report examines how complaints are received, and looks at any learning, feedback or trends that can be gained from the information presented.

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### 2. INTRODUCTION AND BACKGROUND

- 2.1 Tunbridge Wells Borough Council operates a two stage Corporate Complaints Procedure and logs these complaints through a centralised complaints management system.
- 2.2 At the first stage, the complaint is responded to by the relevant Head of Service within 15 working days of receipt of the complaint. At the second stage, the complaint is responded to by the Chief Executive, or one of his Directors, within 20 working days. Once the Corporate Complaints Procedure has been completed, if the complainant remains unhappy they are able to escalate their complaint to the Local Government Ombudsman (LGO).

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### 3. COMPLAINTS OVERVIEW

#### *Number of complaints*

- 3.1 The Council recorded a total of 176 complaints during quarters 3 and 4 of 2017/18. This figure is a slight increase in the number of complaints recorded for the previous quarter (172 complaints) and a reduction for the same period in 2016/17 (201 complaints).

Quarters	Total complaints
2017/18 (Q3 & Q4)	176
2017/18 (Q1 & Q2)	172
2016/17 (Q3 & Q4)	201
2016/17 (Q1 & Q2)	235

- 3.2 Of those complaints, 160 were recorded at stage one of the Complaints Procedure and 16 were recorded at stage two of the procedure.

Quarters	Stage one	Stage two
2017/18 (Q3 & Q4)	160	16
2017/18 (Q1 & Q2)	152	20

## **Response times**

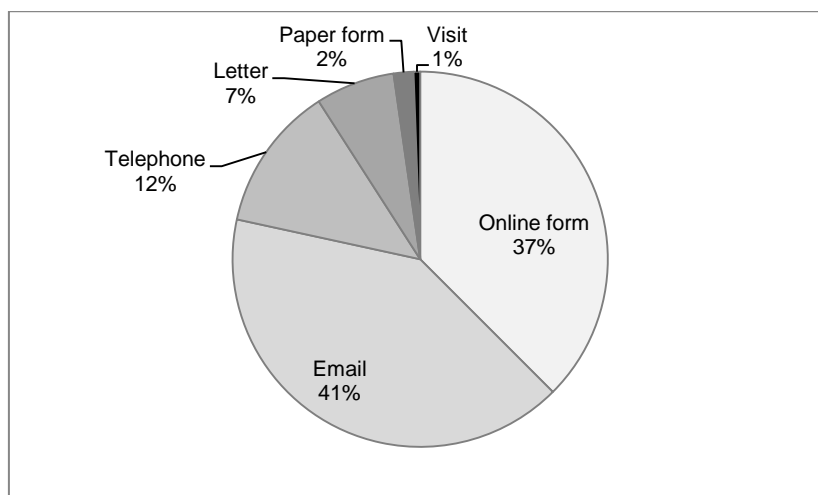
- 3.3 Responding to complaints within a reasonable time is a key performance target for the Council, and is a feature of a well performing complaints handling system that adheres to best practice. Performance indicators are used to monitor the speed of the Council's response to complaints dealt with through the procedure.
- 3.4 Complaints dealt with at stage one should be responded to within 15 working days, and complaints dealt with at stage two should be responded to within 20 working days. The Council has set a target of responding to 90% of all complaints within these timescales.
- 3.5 For quarters 3 and 4 of 2017/18 this target was not met at either stage. An analysis of the reasons for this has shown that for those complaints that have not met the performance indicator target, 32 per cent (32%) of stage one responses missed the deadline by one day. Thirty-one per cent (31%) of stage one responses missed the deadline by two to four days, and 37 per cent (37%) of stage one responses missed the deadline by more than four days.
- 3.6 Response times for stage two complaints have improved slightly. Processes were put in place for quarters 3 and 4 to ensure that the investigation is started more quickly following submission of the complaint, and meetings with relevant senior officers are scheduled promptly, however more work needs to be done to ensure response times are improved. Delays to responses were encountered due to the complexity of some of the complaints and further information required regarding the complaint.

Quarters	% stage one in time	% stage two in time
2017/18 (Q3 & Q4)	58%	75%
2017/18 (Q1 & Q2)	82%	70%

- 3.7 The Council will introduce two additional performance targets for the year 2018/19 to reflect where extensions of time have been agreed with the complainant due to the complex nature of the complaint.

## **Complaint channel**

- 3.8 The Council records the channel through which complaints are received, which helps us to understand customer preferences and how these might change over time, and also ensures that we operate a complaints' handling system that is accessible and free of barriers.

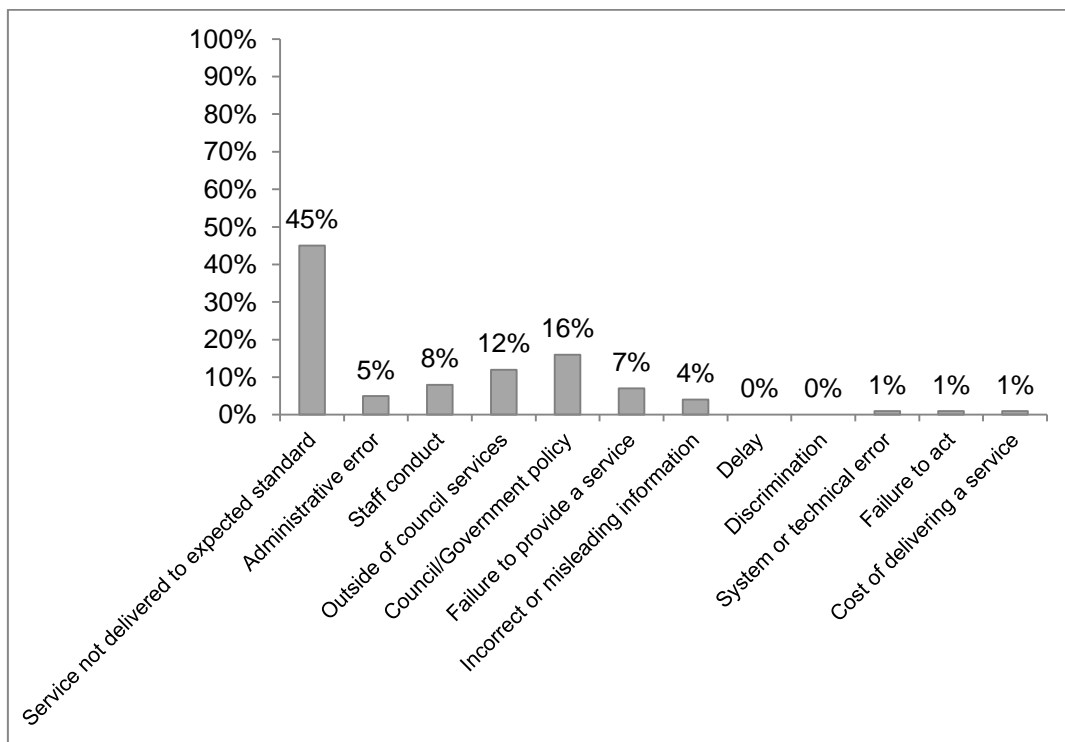


- 3.9 During quarters three and four for 2017/18, the majority of complaints received were made through electronic means. Email was the most popular method of complaining, followed by the online form. These two channels account for 78% of all complaints received.
- 3.10 Whilst the preference for digital contact has remained largely the same over the last year, the online form has slightly increased in popularity. In Q1 and Q2 for 2017/18, 33% of complainants chose to use the online form, compared with 37% in Q3 and Q4.

Quarters	Digital contact	Email	Online form
2017/18 (Q3 & Q4)	78%	41%	37%
2017/18 (Q1 & Q2)	83%	50%	33%

## ***Reasons and decisions***

- 3.11 The Council records the reasons why a complaint has been made, in line with a list of categories that have been developed, and the decisions made on complaints.
- 3.12 For quarters 3 and 4 for 2017/18, the majority of complaints were recorded as the service not being delivered to expected standards, which can cover a wide range of different issues around service delivery.

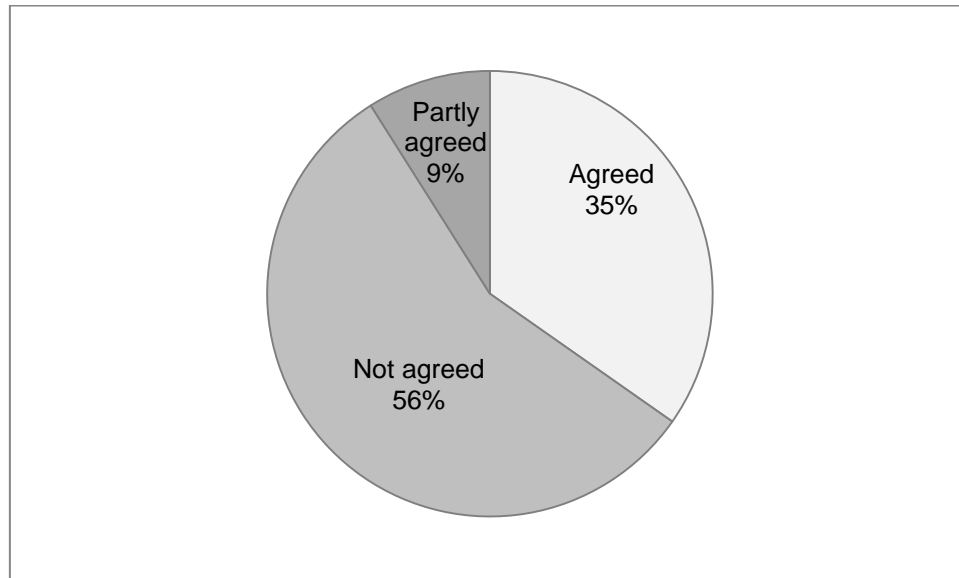


- 3.13 The Council also records its decisions on complaints, and this is done in three ways: 'agreed', where the Council agrees with the complaint made by the complainant; 'partly agreed', where the Council agrees with some aspects of the complaint that has



been made, but not with the entire complaint; and 'not agreed', where the Council does not agree with the complainant about the complaint that has been made.

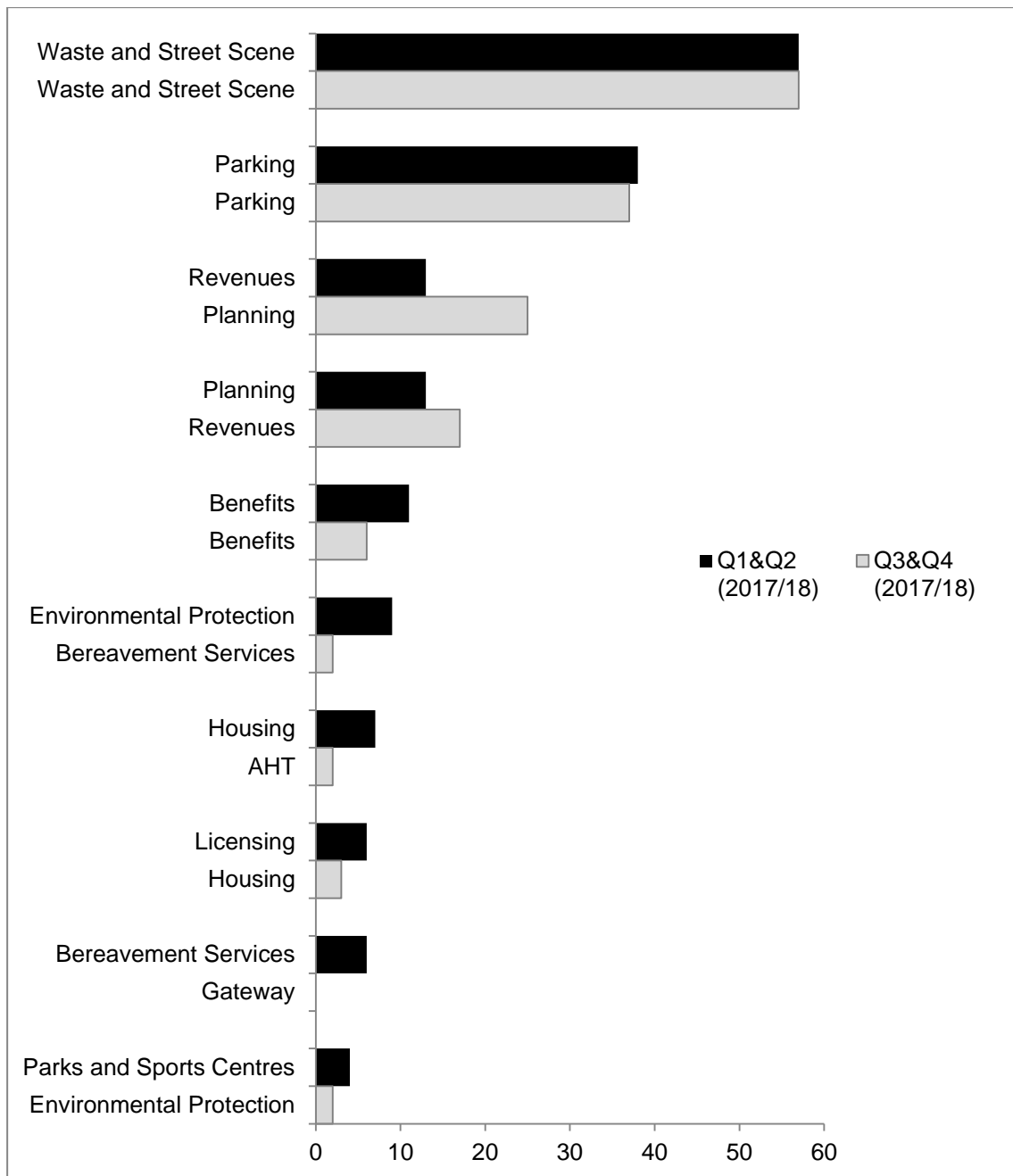
- 3.14 For those complaints that received a decision in quarters 3 and 4 for 2017/18, the Council agreed with the complainant in 35% of cases, and partly agreed in 9% of cases. This is a reduction from quarters 1 and 2 whereby the Council agreed with the complainant in 42% of cases, and partly agreed in 12 % of cases.



- 3.15 The Council expects to see a fairly even distribution in the number of complaints agreed with and the number of complaints not agreed with over time. If a high proportion of complaints are agreed with quarter on quarter, this can indicate that problems or issues are not being picked up and dealt with effectively at service level. If a high proportion of complaints are not agreed with quarter on quarter, this can indicate a lack of understanding and willingness to accept feedback on service improvements by the Council.

### ***Complaints by service***

- 3.16 The Council records the number of complaints, broken down by service areas, as a way of monitoring service levels and standards, and to act as an early warning sign for significant service failure or disruption.
- 3.17 Whilst this can be done by comparing quarter on quarter figures within each service, it is difficult to compare across services, given the diverse nature of business across the Council. Some services, such as waste collection and planning services, will always feature towards the top of the list, due to the high levels of customer contact they receive, and this needs to be taken into account when analysing complaints received by service.



- 3.18 For quarters 3 and 4 for 2017/18, Waste and Street Scene services and Parking services remained the services with the highest numbers of complaints.
- 3.19 The level of complaints for Waste and Street Scene and Parking Services has remained at the same level, whilst the number of complaints for Planning Services has increased by almost 100% (25 complaints for Quarters 3 and 4 compared with 13 for Quarters 1 and 2). This increase was in the main as a result of complaints from residents regarding the handling of a planning application for a telecommunications mast in Hawkhurst and a planning application for Bethany School in Goudhurst.

## ***Compensation paid***

- 3.20 Compensation payments are recommended when it is considered there are no other appropriate remedies to resolve a complaint. The Council has offered the following compensation payment or refunds during quarters 3 and 4 for 2017/18.

Service area	Amount	Issue
Waste and Street Scene	£100	Time and trouble payment recommended by the Local Government Ombudsman.
Waste and Street Scene	£30	Time and trouble payment offered to complainant.

## ***Learning from complaints***

- 3.21 The Council aims to learn from all of the complaints and feedback it receives from residents and customers about its services, and a well run complaints system is able to capture the learning from each complaint and ensure it is communicated across the organisation in order to develop services and prevent the same mistake from happening again.
- 3.22 Key issues and themes drawn out from the recommendations made to services regarding complaints resolutions for quarters 3 and 4 are as follows:

Service Area	Outcome/Learning area from complaint	Action Taken
Assembly Hall Theatre	Introduce revised hire agreements for the Assembly Hall Theatre.	New agreements in place.
Business Support	Monitor feedback from visitors to establish level of demand for public conveniences in Pantiles.	Ongoing.
Housing Services	Review the housing allocations policy to reflect the importance of therapy pets.	A pet agreement is now in place for households in temporary accommodation who have a medical need for a pet.
Planning	Ensure the Landscape and Biodiversity Officer is consulted for all applications and notifications for telecommunications masts to ensure a consistent approach.	Planning Technical Team advised. Consultation matrix updated to reflect the clarification.
Planning	Review and update the information on website relating to high hedges.	Updated information available on website.
Planning	Review procedures for recording the placement of site notices.	Procedures reviewed and communicated to Planning Team.
Planning	Officers reminded to only provide advice to customers from their own specialist/professional area.	Communicated to Planning Team.
Waste and Street	Review of monitoring of assisted	Improved monitoring and

Scene	collections.	recording of assisted collections and hot-spot list created to assist with contracts monitoring.
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## 4. OMBUDSMAN DECISIONS

- 4.1 Where a complainant has been through the corporate complaints procedure at the Council, but remains unhappy with the outcome, they are able to progress their complaint to the Local Government Ombudsman.
- 4.2 The Ombudsman will only consider complaints where they have exhausted the Council's own resolution processes. Where complaints are submitted too early (i.e. the complainant has not contacted the Council to resolve the complaint in the first instance), the complaint will be referred back to the Council without investigation.
- 4.3 Some complaints are made to the Ombudsmans about issues or services that are not in the Council's control. Where this is the case, the Ombudsman will record these as 'out of jurisdiction'. This is also used where the complaint has another avenue of redress – such as a Judicial Inquiry for planning application decisions.
- 4.4 For quarters 3 and 4 for 2017/18, seven Ombudsman decisions were recorded for the Council.

Quarters	Service Area	Complaint Summary	Decision
Q4	Planning	Complaint regarding the way the Council granted planning permission to demolish and redevelop an asset of community value for residential use.	The Ombudsman found the Council <b>was not at fault</b> in the way the Council granted planning permission to demolish and redevelop an asset of community value for residential use.
Q3	Waste and Street Scene	Complaint regarding missed refuse collections and assisted collection service.	The Ombudsman concluded that the Council <b>was at fault</b> when it missed bin collections and did not return bins in line with its assisted collection service for disabled service users. The Council's response was appropriate. The Council has agreed to the recommendation that it takes further action to prevent the issues continuing including a time and trouble payment of £100.
Q3	Waste and Street Scene	Complaint regarding a missed refuse collection.	The Ombudsman <b>will not investigate</b> this complaint because the Council has provided a proportionate response and the Ombudsman cannot

			achieve the outcome the complainant wants.
Q3	Planning	Complaint about the Council's handling of a planning application for development at a neighbouring property and about its decision to grant planning permission.	The Ombudsman proposed to close this complaint because they found the Council <b>was not at fault</b> .
Q3	Planning	Complaint regarding the Council granting the complainant's neighbour planning permission for a rear extension without properly considering the impact it would have on his family.	The Council <b>was not at fault</b> when it considered the impact of a neighbour's planning application on the complainant. It properly considered all the evidence and followed official guidance and policy in reaching its decision to grant planning permission.
Q3	Parking	Complaint regarding the issuing of a penalty charge notice for a parking contravention.	The Ombudsman <b>will not investigate</b> this complaint because the complainant has a right of appeal to a tribunal.
Q3	Parking	Complaint regarding the Council sending letters to the complainant's home; addressed to an unknown person. Complainant stated that the letters amounted to harassment and the Council should make proper enquiries to find the correct address.	The Ombudsman <b>will not investigate</b> this complaint because the DVLA provide the details of registered keepers of vehicles for traffic enforcement purposes. If the letters are not addressed to the complainant then he should return them to the Council.

## 5. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 5.1 That Cabinet note the contents of this report.
- 5.2 This report is for information to enable Cabinet and the Council to understand the Council's current performance in relation to complaints' handling, to receive an overview on the types of complaints received and the outcome of those which were escalated to the Local Government Ombudsman.

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## 6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 6.1 This report does not require further consultation as the report is for information only.
-

## 7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 7.1 This report is for information only and enables Cabinet to understand the Council's current performance in relation to complaints' handling and to receive an overview of the types of complaints received and the outcome of those which are escalated to the Local Government Ombudsman. This report will be published on the Council's website within the Committee reports.

## 8. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off (name of officer and date)
<b>Legal</b> including Human Rights Act	This report provides a review of complaints received and an update on the Council's complaint handling. If any complaint raises issues that may have legal implications or consequences, the Head of Legal Partnership should be consulted.  There are no consequences arising from the recommendation that adversely affect or interfere with individuals' rights and freedoms as set out in the Human Rights Act 1998.	Keith Trowell, Senior Legal Officer
<b>Finance</b> and other resources	Whilst the amounts of compensation are relatively small it is important to review the cause of the complaint and to identify prevention processes, as the cost of administering a complaint and the correction of any mistakes is often significant.	Jane Fineman, Head of Finance and Procurement
<b>Staffing establishment</b>	There are no implications for staffing within this report.	Nicky Carter, Head of HR and Customer Services
<b>Risk management</b> and health & safety	Complaints about services can indicate instances where identified operational risks have materialised. This should be monitored through individual departmental risk registers. Learning from complaints can help to mitigate the same risks occurring in the future.	Jane Clarke, Head of Policy and Governance
<b>Environment</b> and sustainability	There are no environment and sustainability issues raised within this report.	Karin Gray, Sustainability Manager
<b>Community safety</b>	There are no consequences arising from the recommendation that adversely affect community safety.	Terry Hughes, Community Safety Manager
<b>Health and wellbeing</b>	There are no health and wellbeing implications identified in the report.	Gary Stevenson, Head of Environment and Street Scene

<b>Equalities</b>	The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no apparent equality impact on end users.	Ingrid Weatherup, Corporate Governance Officer
<b>Data Protection</b>	<p>The corporate complaints process uses personal information to assess the validity of a complaint, which can sometimes include financial and special category information.</p> <p>The online system has been designed so that only those officers who need the information to assess or manage the complaint can access the data, and a privacy notice is available at the point of collection, and on the council's website to inform residents of their rights under data protection legislation.</p>	Jane Clarke, Data Protection Officer

## **9. REPORT APPENDICES**

9.1 None.

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## **10. BACKGROUND PAPERS**

10.1 None.

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## Finance and Governance Cabinet Advisory Board

**29 May 2018**

Is the final decision on the recommendations in this report to be made at this meeting?

**No**

## Strategic Risk Register

<b>Final Decision-Maker</b>	Cabinet
<b>Portfolio Holder(s)</b>	All
<b>Lead Director</b>	Lee Colyer – Director of Finance, Policy and Development
<b>Head of Service</b>	Jane Clarke – Head of Policy & Governance
<b>Lead Officer/Report Author</b>	Lee Colyer – Director of Finance, Policy and Development
<b>Classification</b>	Non-Exempt
<b>Wards affected</b>	All

### This report makes the following recommendations to the final decision-maker:

1. That the Strategic Risk Register and arrangements for managing strategic risk, as set out at Appendix A to the report, be noted.

### This report relates to the following Five Year Plan Key Objectives:

- A Prosperous Borough
- A Green Borough
- A Confident Borough

This report is concerned with the internal control and governance of the Council. Successful controls and effective governance are a crucial underpinning for all corporate priorities.

### Timetable

<b><i>Meeting</i></b>	<b><i>Date</i></b>
Audit and Governance Committee	3 April 2018
Management Board	9 May 2018
Finance & Governance Cabinet Advisory Board	29 May 2018
Cabinet	21 June 2018

## Strategic Risk Register

### 1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 The report sets out the strategic risks identified by the Council and currently being managed and tracked by senior management. The report provides a current update on the evaluated threat level and controls in place for each risk issue.

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### 2. INTRODUCTION AND BACKGROUND

- 2.1 The risks included in the report were initially developed in a risk management workshop facilitated by Zurich Management Services on 10 December 2013, with the risks being formally adopted by Cabinet on 16 May 2014. Since that time, risk owners have kept the risks and controls under review with periodic reporting both to the Cabinet and the Audit & Governance Committee.
- 2.2 Following the award of a new insurance contract a strategic risk management review will be undertaken.
- 2.3 The Council's Management Board periodically reviews the risks identified along with the risk owners.
- 2.4 All risk owners (managers) attended at least one of the Audit and Governance Committee meetings during the past year to outline the Council's approach to managing particular risk(s).

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### 3. AVAILABLE OPTIONS

- 3.1 There is no legal requirement on the authority formally to monitor its risks, still less is there a defined framework to do so. Although failing to monitor and record risks will leave the Council vulnerable to external criticism – for example by its external auditors who are required to assess the effectiveness of risk management when considering their annual Value For Money conclusion – the Council could decide that is a price worth paying against using some of its resources to identify and monitor risk.
- 3.2 Even accepting the utility in gathering systematic monitoring information on the risks it faces, there is a wide range of different approaches the Council might adopt. Even if one looks solely at the local government sector, there are myriad formats, structures and arrangements adopted to record and present information to senior officers and members.

## 4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 The report sets out the risks using the methodology and format previously agreed by the Council, which is essentially the method advocated by Zurich from the 2013 risk workshop.

## 5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 5.1 The Strategic Risk Register has undergone periodic review and examination by the Council's Management Board, the Cabinet and the Audit & Governance Committee. This stands in addition to ongoing monitoring by the identified risk owners. This report incorporates feedback and updates from all sources.

## 6. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off (name of officer and date)
<b>Legal</b> including Human Rights Act	None identified at this stage.	Lee Colyer, Director of Finance, Policy and Development
<b>Finance</b> and other resources	None identified at this stage.	
<b>Staffing establishment</b>	None identified at this stage.	
<b>Risk management</b>	Risk management is the subject of the report but it does not of itself raise new risk issues for consideration.	
<b>Environment</b> and sustainability	None identified at this stage.	
<b>Community safety</b>	None identified at this stage.	
<b>Health and Safety</b>	None identified at this stage.	
<b>Health and wellbeing</b>	None identified at this stage.	
<b>Equalities</b>	None identified at this stage.	

## 7. REPORT APPENDICES

The following document is to be published with this report and forms part of the report:

- Appendix A: Strategic Risk Register Update March 2018

## 8. BACKGROUND PAPERS

None

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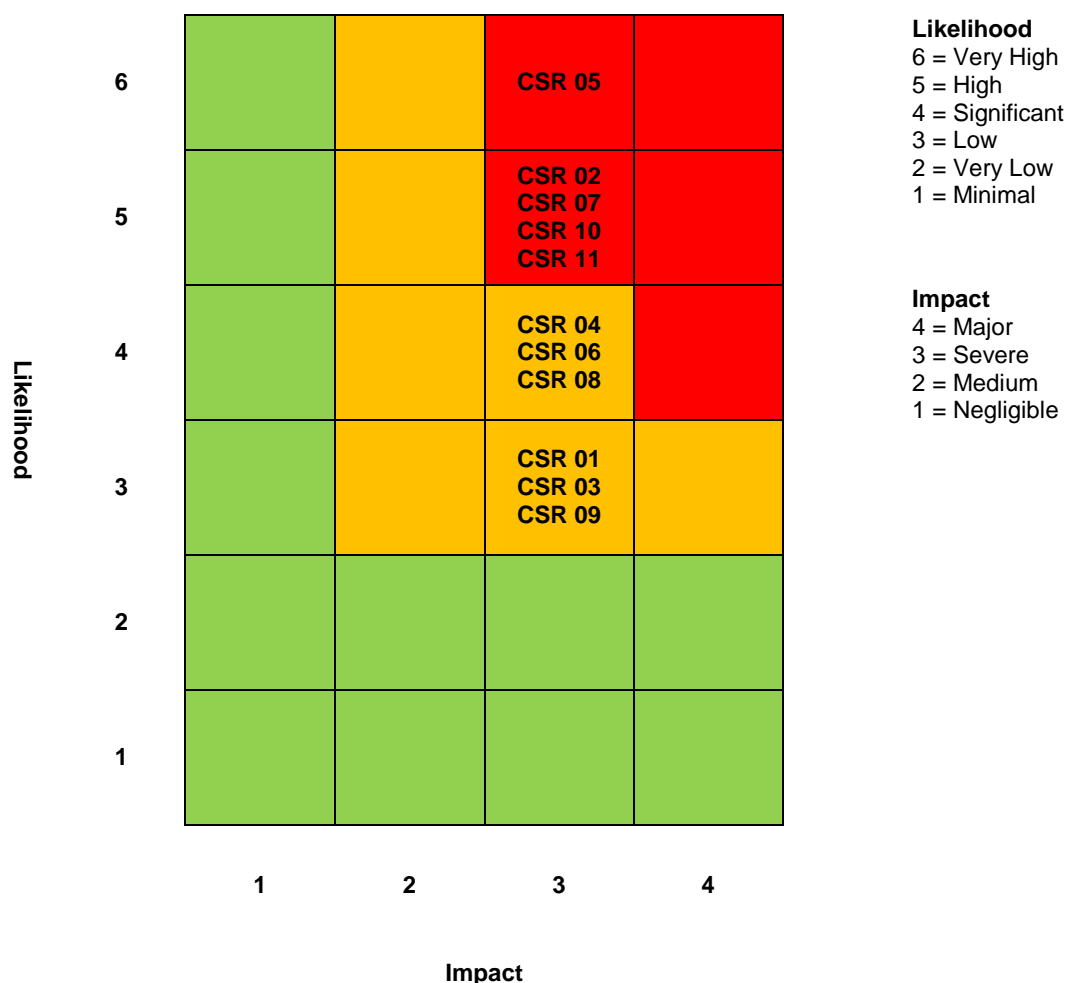
## Strategic Risks March 2018

The Strategic Risk Profile chart below shows each risk scored onto the risk matrix graph. The further towards the top right hand corner the greater the risk to the Council. The chart below provides only a snapshot on a particular date.

The risk scenarios are:

- CSR01: Cinema site remains undeveloped
- CSR02: Unable to maximise economic opportunities and resolve infrastructure issues
- CSR03: Resident engagement
- CSR04: Unable to plan financially over the longer term
- CSR05: National policy changes in short term impact negatively on TWBC
- CSR06: Service interruption
- CSR07: Unable to meet expectations within resources
- CSR08: Inspector decision which challenges housing targets versus housing supply
- CSR09: Not managing control and change effectively
- CSR10: Development programme
- CSR 11: Civic Development

### Tunbridge Wells Borough Council Strategic Risk Profile March 2018



The table below tracks movement in the identified strategic risk areas since initial approval by Cabinet in April 2014.

Risk Ref	Title	July 2017	September 2017	November 2017	March 2018	Trend
CSR 01	Cinema site remains undeveloped	9 (3 x Lk, 3 x lm)	9 (3 x Lk, 3 x lm)	9 (3 x Lk, 3 x lm)	9 (3 x Lk, 3 x lm)	↔
CSR 02	Unable to maximise economic opportunities and resolve infrastructure issues	15 (5 x Lk, 3 x lm)	15 (5 x Lk, 3 x lm)	15 (5 x Lk, 3 x lm)	15 (5 x Lk, 3 x lm)	↔
CSR 03	Resident engagement.	9 (3 x Lk, 3 x lm)	9 (3 x Lk, 3 x lm)	9 (3 x Lk, 3 x lm)	9 (3 x Lk, 3 x lm)	↔
CSR 04	Unable to plan financially over the longer term	12 (4 x Lk, 3 x lm)	12 (4 x Lk, 3 x lm)	12 (4 x Lk, 3 x lm)	12 (4 x Lk, 3 x lm)	↔
CSR 05	National policy changes in short term impact negatively on TWBC and direction	18 (6 x Lk, 3 x lm)	18 (6 x Lk, 3 x lm)	18 (6 x Lk, 3 x lm)	18 (6 x Lk, 3 x lm)	↔
CSR 06	Service Interruption	12 (4 x Lk, 3 x lm)	12 (4 x Lk, 3 x lm)	12 (4 x Lk, 3 x lm)	12 (4 x Lk, 3 x lm)	↔
CSR 07	Unable to meet expectations within resources	15 (5 x Lk, 3 x lm)	15 (5 x Lk, 3 x lm)	15 (5 x Lk, 3 x lm)	15 (5 x Lk, 3 x lm)	↔
CSR 08	Inspector decision which challenges housing targets vs housing supply	12 (4 x Lk, 3 x lm)	12 (4 x Lk, 3 x lm)	12 (4 x Lk, 3 x lm)	12 (4 x Lk, 3 x lm)	↔
CSR 09	Not managing control and change effectively	9 (3 x Lk, 3 x lm)	9 (3 x Lk, 3 x lm)	9 (3 x Lk, 3 x lm)	9 (3 x Lk, 3 x lm)	↔
CSR 10	Development programme	15 (5 x Lk, 3 x lm)	15 (5 x Lk, 3 x lm)	15 (5 x Lk, 3 x lm)	15 (5 x Lk, 3 x lm)	↔
CSR 11	Civic Development				15 (5 x Lk, 3 x lm)	New

## Risk Scenario 1: Cinema site remains undeveloped

Risk Description:		Likelihood/Impact	Low(3) / Severe(3)
Cinema Site			
Member Risk Owner	David Jukes	Officer Risk Owner	Karen Fossett
Vulnerability/ Contributing factors		Potential Impact/ Consequences	Current Controls/ Mitigations in place
<div>Page 71</div> <ul style="list-style-type: none"><li>The Cinema site has a significant impact on the overall perception and reputation of Tunbridge Wells. Resolving the lack of progress on this site is not wholly within the Council’s control.</li></ul>		<ul style="list-style-type: none"><li>Damage to reputation</li><li>Curtails attractiveness and discourages new investment in the town centre</li></ul>	<ul style="list-style-type: none"><li>Planning permission granted 2.2.18 for redevelopment of site with a Section 106 agreement and planning conditions (including pre-commencement conditions)</li><li>Applicant progressing with Network Rail Asset Protection Agreement</li><li>Footpath diversion order and Walkway Agreement processes underway</li><li>Further ground investigations undertaken by applicant</li><li>Suggested start on site at end 2018/early 2019.</li></ul>

## Risk Scenario 2: Being unable to maximise economic opportunities and resolve infrastructure issues

Risk Description:		Likelihood/Impact	High (5) / Severe (3)
Economic development and infrastructure			
Member Risk Owner	Jane March/Alan McDermott	Officer Risk Owner	David Candlin
Vulnerability/ Contributing factors		Potential Impact/ Consequences	Current Controls/ Mitigations in place
<div>Page 72</div> <ul style="list-style-type: none"><li>• There are economic opportunities but other areas are also chasing these.</li><li>• The local economic offer and reputation is strong and improving with latent demand, particularly in retail and ‘in town’ while the Council has developed wider Borough opportunities, e.g. North Farm.</li><li>• There are issues around cost of housing and infrastructure, particularly traffic congestion which could affect ability to make the most of opportunities.</li><li>• Referendum (‘Brexit’) decision to leave the European Union. The implications of this decision have the potential to have a significant impact on the local economy.</li></ul>		<ul style="list-style-type: none"><li>• Lose out to other areas</li><li>• Unable to secure sufficient opportunities</li><li>• Local area and people lose out</li><li>• Insufficient inward investment</li><li>• Impact on economic vitality of area</li><li>• Curtails attractiveness</li><li>• Impact on revenue streams and income</li><li>• Suffer in comparison to others</li><li>• Damage to reputation</li></ul>	<ul style="list-style-type: none"><li>• Delivery by Highways Agency of A21 Tonbridge to Pembury dualling</li><li>• Delivery of North Farm infrastructure improvements</li><li>• Secure KMEP and SELEP support for delivery of key infrastructure improvements</li><li>• Maintain and develop working relationships with key partners, landowners &amp; developers</li><li>• Establishment of Royal Tunbridge Wells Together town centre partnership</li><li>• Ensure Local Plan and Transport Strategy address economic &amp; transport issues</li><li>• Professional advice secured to establish viability of transport schemes</li><li>• Monitor Brexit negotiations and terms impacting on the local economy and business sectors in the Borough</li><li>• Lobby with partners and stakeholders (including SELEP) to minimise negative impact of Brexit terms</li><li>• Development programme and support for community facilities in the rural towns</li></ul>



### Risk Scenario 3: Resident engagement

Risk Description:		Likelihood/Impact	Low (3) / Severe (3)
Local engagement			
Member Risk Owner	David Jukes	Officer Risk Owner	William Benson
Vulnerability/ Contributing factors		Potential Impact/ Consequences	Current Controls/ Mitigations in place
<div>69</div> <ul style="list-style-type: none"><li>As a result of the significant financial pressures it is experiencing, the Council has discontinued a number of the mechanisms it has used to engage with residents including Ward Walks and annual residents’ surveys.</li><li>Local engagement is crucial in place-shaping and future direction. There is a need to have mechanisms in place to ensure that decisions are grounded in empirical evidence.</li></ul>		<ul style="list-style-type: none"><li>Direction and decisions out of line with public opinion</li><li>Impact on key areas, e.g. growth or economic development</li><li>Directing resources to wrong areas, potentially away from areas of most need</li></ul>	<ul style="list-style-type: none"><li>The Council has set up a number of forums/advisory groups representing parish councils, residents, retailers and businesses.</li><li>The Council has undertaken a Borough-wide survey.</li><li>The Council makes proactive use of social media both to listen and to engage with residents.</li><li>The Council has engaged comprehensively as part of the process of updating the Five Year Plan and will continue to engage on the various significant projects contained within it.</li><li>Specifically in respect of the Civic Development project, the Council has launched a major programme of public engagement using local newspapers, the Borough-wide ‘Local’ magazine and numerous briefings for businesses, residents, stakeholders, schools and community and interest groups.</li></ul>

## Risk Scenario 4: Unable to plan financially over the longer term

Risk Description:		Likelihood/Impact	Significant (4) /Severe (3)
Longer Term Financial Planning			
Member Risk Owner	Cllr David Reilly	Officer Risk Owner	Lee Colyer
Vulnerability/ Contributing factors		Potential Impact/ Consequences	Current Controls/ Mitigations in place
<ul style="list-style-type: none"> <li>Core Government funding has reduced significantly in favour of incentive based schemes reliant on growth.</li> <li>The Government have offered a four year funding settlement from 2016/17 which would result in all Revenue Support Grant (£1.6 million) disappearing. Negative grant is still a possibility in 2019/20.</li> <li>A comprehensive spending review will be needed to set out government funding plans from 2020/21.</li> <li>The New Homes Bonus scheme has been significantly diluted with the first 150 homes not being eligible.</li> <li>The Infrastructure Bill transferred the statutory responsibility for Land Charges to the Land Registry. This will substantially reduce the Council's income and write-off the investment in technology and performance in this area.</li> <li>The Local Government Finance Bill 'fell' with the snap election and has not been reintroduced as part of the Queen's Speech. This prevented the introduction of 100 per cent retention; however areas were able to bid to become 100 per cent pilots for 2018/19.</li> <li>As part of the 2018/19 settlement the Secretary of State announced that business rates retention would move from 50 per cent to 75 per cent in 2020/21.</li> </ul>		<ul style="list-style-type: none"> <li>Reactive decision-making and budgeting rather than planning</li> <li>Short term perspective reinforced</li> <li>Central control of fees, burdens the Council Tax payer rather than the user of the service</li> <li>Impact on decisions</li> <li>Unpredictability and trust</li> <li>Resources and staffing reduced or redeployed</li> <li>Impact on staff retention</li> <li>Impact on partnership working</li> <li>Appeals wipe out any growth with no new funding flowing to the Council</li> <li>Proceeds of business rate growth may not be fully received</li> </ul>	<ul style="list-style-type: none"> <li>Revenue budget balanced without the use of general reserves</li> <li>MTFS has manageable deficits</li> <li>'User Pays' principle to recover costs where allowable</li> <li>The Council has accepted the four year funding offer</li> <li>The Council has less exposure to changes to government funding such as Revenue Support Grant and New Homes Bonus</li> <li>A Fair Funding Review is underway which will inform the allocation of resources for each council by the Government from April 2020</li> <li>Government has provided more flexibility surrounding Council Tax income but this is less than for parish councils</li> <li>The Council was part of a successful bid to become a business rate pilot in 2018/19</li> </ul>

## Risk Scenario 5: National policy changes in short term that impact negatively on TWBC

Risk Description:		Likelihood/Impact	Very High (6) / Severe (3)
Central government policy changes			
Member Risk Owner	David Jukes	Officer Risk Owner	William Benson
Vulnerability/ Contributing factors		Potential Impact/ Consequences	Current Controls/ Mitigations in place
<div>25/06/2016</div> <ul style="list-style-type: none"><li>• The past few years have been characterised by significant changes to the public sector environment and the regulations that govern it.</li><li>• The last general election and the return of a minority government has placed further uncertainty over reforms to finance (including the proposed review of needs and Business Rates) and the recent push towards 'devolution deals'.</li><li>• On 23 June 2016, the United Kingdom of Great Britain and Northern Ireland voted to leave the European Union. The impacts of this decision have the potential to be significant but at this time it is difficult to quantify how this will affect this Council's ability to plan and deliver its priorities.</li></ul>		<ul style="list-style-type: none"><li>• Changes to external environment in which TWBC operates</li><li>• Unpredictability and frequent changes required to Council operations</li><li>• Increased costs/reduced income</li></ul>	<ul style="list-style-type: none"><li>• Flexibility encouraged amongst staff</li><li>• Partnership working presents opportunities to collaborate on service delivery and address constraints on capacity</li><li>• Ongoing discussions with KCC and neighbouring councils to explore opportunities for aligning or devolving services</li><li>• Engagement with the LGA and central government</li><li>• Proactive work with representative bodies</li><li>• Working with others to seize opportunities as they arise (e.g. 100% Business Rate pilot)</li><li>• Further reports will come before members as the implications of BREXIT become clearer</li></ul>

## Risk Scenario 6: Service interruption

<b>Risk Description:</b>		<b>Likelihood/Impact</b>	High (4) / Severe (3)
<b>The ability to deliver services is disrupted</b>			
<b>Member Risk Owner</b>	David Jukes	<b>Officer Risk Owner</b>	Denise Haylett
<b>Vulnerability/ Contributing factors</b>		<b>Potential Impact/ Consequences</b>	<b>Current Controls/ Mitigations in place</b>
<div>Page 76</div> <ul style="list-style-type: none"><li>Increased threat from cyber security attacks</li><li>Increased frequency of extreme weather</li><li>Increased threats from terrorism</li><li>Fire and other major events</li></ul>		<ul style="list-style-type: none"><li>Interruption to critical services</li><li>Staff being pulled in different directions</li><li>Claims/Legal action/Compensation</li><li>Adverse publicity</li><li>National and local reputation affected</li><li>Financial loss</li><li>Exposure to fraud, ransom and denial of service</li><li>The scale of the disaster could overwhelm the Council resulting in resignations, community discord and questions on whether the Government should intervene on how the Council is run</li></ul>	<ul style="list-style-type: none"><li>Business Continuity Plan</li><li>Major Emergency Plan</li><li>Resilience through partnership working</li><li>Part of the Multi-Agency Agreement</li><li>Member of the Kent Resilience Forum</li><li>Designation of a Senior Information Risk Officer</li><li>Public Service Network accreditation</li><li>Payment Card Industry Data Security Standards (PCI DSS) compliance</li><li>Support from the National Centre for Cyber Security (part of GCHQ)</li><li>Review of Emergency Planning arrangements</li></ul>

## Risk Scenario 7: Being unable to meet expectations within resources

Risk Description:		Likelihood/Impact	High (5) / Severe (3)
Reduced resources/increased demands and expectations			
Member Risk Owner	David Jukes	Officer Risk Owner	William Benson
Vulnerability/ Contributing factors		Potential Impact/ Consequences	Current Controls/ Mitigations in place
<div>Page 77</div> <ul style="list-style-type: none"><li>• The Council has reduced staff numbers and resources but is more ambitious with more priorities and is seeking to do more than before.</li><li>• The local community is vocal, demanding and articulate with significant expectations.</li></ul>		<ul style="list-style-type: none"><li>• Increased stress and strain</li><li>• Impact on morale</li><li>• Reliance on key and fewer people</li><li>• Services/staff are stretched</li><li>• Impact on service quality</li><li>• Satisfaction diminished</li><li>• Campaigns launched by local community</li><li>• Adverse publicity</li><li>• Resources required to respond to campaigns</li><li>• Damage to reputation</li></ul>	<ul style="list-style-type: none"><li>• Reduced number of priorities in strategic plan</li><li>• Regular consideration by Management Board of resources; additional resources put in place to support priorities (including additional resources to support the Council’s property section)</li><li>• Introduction of a Programme Management Office to oversee priority projects</li><li>• Appropriate use of external capacity and expertise</li><li>• Performance monitoring helps to identify pressure points</li><li>• Regular sickness monitoring</li><li>• Quarterly analysis and reporting of complaints identifying any trends</li><li>• Improving resilience through partnerships</li><li>• Adopting an “enabling” approach to encourage community to deliver local services</li><li>• The use of external and peer reviews to provide assurance</li><li>• With approval of the civic development project there will be further review of capacity (internal and external)</li></ul>

## Risk Scenario 8: Inspector decision which challenges housing target vs housing supply

Risk Description:		Likelihood/Impact	Significant (4) / Severe (3)
Housing target/supply			
Member Risk Owner	Alan McDermott	Officer Risk Owner	Karen Fossett
Vulnerability/ Contributing factors		Potential Impact/ Consequences	Current Controls/ Mitigations in place
<div>Page 78</div> <ul style="list-style-type: none"><li>There has been a change in housing formula towards growth. There is resistance to housing growth locally with a difference between housing target and housing supply levels.</li><li>The statutory revision to the method of calculating housing need, “Objectively Assessed Need” (OAN) indicates that the Borough’s need is more than doubled. Whilst this is before consideration is given to reductions because of constraints this effectively means that policies limiting development to within the limits of built development fall away.</li><li>The risk of appeals has increased.</li></ul>		<ul style="list-style-type: none"><li>Council lose control of situation</li><li>Increase in level of housing on greenfield sites</li><li>Member and community dissatisfaction</li><li>Increased traffic congestion</li><li>Impact on infrastructure</li><li>Financial benefit of planned growth – opportunity impact</li><li>Significant new costs to support production of new Core Strategy/Local Plan</li><li>Potential significant appeal related costs following refusal of major residential development</li><li>Planning by appeal potentially leading to loss of New Homes Bonus</li><li>Potential legal fees/officer costs/loss of section 106</li></ul>	<ul style="list-style-type: none"><li>Work on a new Local Plan is progressing to a revised timescale</li><li>Regular reporting to Planning Policy Working Group/Cabinet member/ Planning Committee on risk and legislative changes</li><li>Consultation completed on Issues and Options document for new Local Plan</li><li>Two ‘Call for Sites’ exercises attracted 400 land/site submissions for assessment</li><li>Initial assessment conclusions indicate that level of identified need can be met by combination of current supply, additional allocations and windfall provision</li><li>Proposed draft of new Local Plan expected to be due for further consultation in June 2018.</li></ul>

## Risk Scenario 9: Not managing control and change effectively – Staff, Management and Political

Risk Description:		Likelihood/Impact	Low (3)/ Severe (3)
Shared Services – control and change			
Member Risk Owner	David Jukes	Officer Risk Owner	William Benson
Vulnerability/ Contributing factors		Potential Impact/ Consequences	Current Controls/ Mitigations in place
<div>69769</div> <ul style="list-style-type: none"><li>• The Council is involved in joint service arrangements around a number of service areas (most notably Mid Kent Services).</li><li>• Managerial responsibility for these services is largely within other authorities which limits control of the services and their ability to contribute towards 'corporate' initiatives (such as emergency planning).</li><li>• Opportunities for partnership working and devolution are being explored with neighbouring councils and KCC but this is on a different geographic footprint to Mid Kent Service.</li></ul>		<ul style="list-style-type: none"><li>• Staff dissatisfaction/loss of goodwill</li><li>• Service delivery affected</li><li>• Strain on people working in partnership</li><li>• Impact felt by wider organisation</li><li>• Political dissatisfaction</li></ul>	<ul style="list-style-type: none"><li>• MKS is overseen by both a Board and shared service boards</li><li>• The operation of the 'client side' has been strengthened through 'shared service boards' and regular performance reporting</li><li>• The overarching governance arrangements have been reviewed and updated as have the individual collaboration agreements for each shared service</li><li>• A Mid Kent Services Director post has been created to provide a greater sense of direction and 'esprit de corps' within Mid Kent Services</li><li>• Reviews will be undertaken of the implementation of shared services to learn lessons</li></ul>

## Risk Scenario 10: Development Programme

Risk Description:		Likelihood/Impact	High (5) / Severe(3)
Development Programme			
Member Risk Owner	David Jukes	Officer Risk Owner	David Candlin
Vulnerability/ Contributing factors		Potential Impact/ Consequences	Current Controls/ Mitigations in place
<div>Page 80</div> <ul style="list-style-type: none"><li>• The Council has identified a number of development opportunities to support the growth of the local economy.</li><li>• Development of these Council owned sites is to be led by the Council, which brings additional financial and property risks.</li><li>• Economic climate</li></ul>		<ul style="list-style-type: none"><li>• Impact on revenue streams and income</li><li>• Damage to reputation</li><li>• Insufficient professional expertise</li><li>• Procurement and issues of delay</li></ul>	<ul style="list-style-type: none"><li>• Development Advisory Panel (DAP) to review and inform all development and community programmes</li><li>• Programme Board established to oversee and monitor progress on all development and transformation projects</li><li>• Officer Groups for the development and community programmes, established to manage and control the programmes</li><li>• Professional advice sought to establish viability and support delivery of Council development and community programme schemes</li><li>• Utilisation of framework agreements where appropriate to manage procurement timetables</li><li>• Specific risk logs developed for each development site and monitored by DAP and officer groups</li><li>• Staged approvals for development progress to manage cost exposure and risk</li><li>• Appointment of additional professional staff to enhance in-house experience</li></ul>



## Risk Scenario 11: Civic Development

Risk Description:		Likelihood/Impact	High (5) / Severe(3)
Civic Development			
Member Risk Owner	David Jukes	Officer Risk Owner	David Candlin
Vulnerability/ Contributing factors		Potential Impact/ Consequences	Current Controls/ Mitigations in place
<ul style="list-style-type: none"> <li>The Civic Development being led by the Council brings additional financial and property risks.</li> <li>Planning decision and process</li> <li>Site assembly and CPO</li> <li>Judicial review</li> <li>Economic climate</li> <li>Internal capacity to deliver</li> <li>No tenant for office space</li> <li>Non-delivery of funding strategy</li> <li>Value and disposal of the current Civic Complex</li> </ul>		<ul style="list-style-type: none"> <li>Impact on revenue streams and income</li> <li>Resources and staffing reduced or redeployed</li> <li>Impact on decisions</li> <li>Time delay and cost overrun</li> <li>Damage to reputation</li> <li>Insufficient professional expertise</li> <li>Procurement and issues of delay</li> </ul>	<ul style="list-style-type: none"> <li>Staged approvals for development progress to manage cost exposure and risk</li> <li>Appointment of additional property professional staff to enhance in-house experience</li> <li>Appointment of additional legal advice to enhance in-house experience</li> <li>Professional advice sought to establish to support delivery of the Civic Development</li> <li>Utilisation of framework agreements where appropriate to manage procurement timetables</li> <li>Specific risk logs developed for each work stream and monitored by DAP and officer groups including Civic Steering Board</li> <li>Development Advisory Panel (DAP) to review the Civic Development programme</li> <li>Civic Steering Board established to oversee and monitor progress on the Civic Development work streams</li> <li>Officer Groups for the civic development established to manage and deliver the work streams</li> <li>Detailed financial funding strategy</li> <li>MTFS has manageable deficits</li> </ul>

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