

A G E N D A

COMMUNITIES CABINET ADVISORY BOARD

Wednesday 22 August 2018 at 6.30 pm
Committee Room A, Town Hall, Royal Tunbridge Wells, TN1 1RS

Members: Councillor March (Chairman), Councillors Weatherly (Vice-Chairman), Dr Basu, Elliott, Ellis, Hill, Huggett, Nuttall, Ms Palmer, Scholes and Thomson

Quorum: 3 Members

- 1 Apologies**
To receive any 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 before the meeting.
- 3 Notification of Visiting Members Wishing to Speak**
To note any members of the Council wishing to speak, of which due notice has been given in accordance with Council Meeting Procedure Rule 18, and which items they wish to speak on.
- 4 Minutes of the meeting dated 11 July 2018** (Pages 5 - 8)
To approve the minutes of a previous meeting as a correct record. The only issue relating to the minutes that can be discussed is their accuracy.
- 5 Work Programme as at 14 August 2018** (Pages 9 - 12)
- 6 Royal Tunbridge Wells Town Centre Business Improvement District** (Pages 13 - 28)
- 7 Household Recycling, Waste Collection and Street Cleansing Contract Procurement** (Pages 29 - 54)

8 Urgent Business

To consider any other items which the Chairman decides are urgent, for the reasons to be stated, in accordance with Section 100B(4) of the Local Government Act 1972.

9 Date of the Next Meeting and Scheduled Items

To note that the next scheduled meeting will be held on Wednesday 3 October 2018 at 6.30pm in Committee Room A, Town Hall, Tunbridge Wells.

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

- Cultural Hub – Update and Fundraising
- CCTV Tender
- Civil Penalties as an Alternative to Prosecution

EXEMPT ITEMS

It is proposed 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 items of business on the grounds that they involve the likely disclosure of exempt information as defined in Schedule 12A of the Act, by virtue of the particular paragraphs shown on the agenda and on the attached reports.

- **Exempt Appendices to Royal Tunbridge Wells Business Improvement District (Item 6)** (Pages 55 - 58)
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.
- **Exempt Appendices to Household Recycling, Waste Collection and Street Cleansing Contract Procurement (Item 7)** (Pages 59 - 66)
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.

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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) All meetings are open to the public except where confidential or exempt information is being discussed. The agenda will identify whether any meeting or part of a meeting is not open to the public. Meeting rooms have a maximum public capacity as follows:
Council Chamber: 100, Committee Room A: 20, Committee Room B: 10.
- (6) Please note that the public proceedings of this meeting will be recorded and made available for playback on the Tunbridge Wells Borough Council website. 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) or from Democratic Services.

If you require this information in another format, please contact us, call 01892 526121 or email committee@tunbridgewells.gov.uk

Accessibility into and within the Town Hall – 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 Committee Rooms A and B have been equipped with hearing induction loop systems. The Council Chamber also has a fully equipped audio-visual system.

COMMUNITIES CABINET ADVISORY BOARD

Wednesday, 11 July 2018

Present: Councillor Jane March (Chairman)
Councillors Weatherly (Vice-Chairman), Dr Basu, Ellis, Hill, Huggett, Nuttall,
Ms Palmer and Scholes

Officers in Attendance: Karin Grey (Sustainability Manager), Gary Stevenson (Head of Housing, Health and Environment) and Mark O'Callaghan (Democratic Services Officer)

Other Members in Attendance: None

APOLOGIES

COM11/18 Apologies were received from Councillors Elliott and Thomson.

DECLARATIONS OF INTERESTS

COM12/18 There were no disclosable pecuniary or significant other interests declared at the meeting.

NOTIFICATION OF VISITING MEMBERS WISHING TO SPEAK

COM13/18 There were no Visiting Members registered as wishing to speak.

MINUTES OF THE MEETING DATED 30 MAY 2018

COM14/18 Members reviewed the minutes. No amendments were proposed.

RESOLVED – That the minutes of the meeting dated 30 May 2018 be approved as a correct record.

WORK PROGRAMME AS AT 03 JULY 2018

COM15/18 Members reviewed the work programme. It was noted that there would be an additional item added to the work programme, for consideration at the next meeting, regarding the retendering of the new waste recycling and street cleansing contract. Also, the final report of the Air Quality Action Plan, scheduled to return after the consultation to Cabinet in October, would be put back to February. This was largely due to the scale of work being greater than initially expected, delays from competing priorities and changes in government guidance.

RESOLVED – That the work programme dated 03 July 2018, subject to the amendments mentioned in the discussion, be noted.

DRAFT AIR QUALITY ACTION PLAN

COM16/18 Councillor Dr Basu and Karin Grey, Sustainability Manager, introduced the report which included the following comments:

- The new Plan covered the period 2018 to 2023 and was in draft form seeking permission to consult.
- Preparation of the draft Plan had involved a wide range of stakeholders, including KCC Highways, Transport Planning, Arriva buses and various teams around the Council.

- Many sources of research had informed the new Plan and these were referenced in the report.
- The Plan cross-referenced to several other Council policies and strategies, these were also referenced in the report.
- Two pollutants were key, particulates of up to 10 microns and Nitrogen Dioxide, which contributed to various health issues.
- Despite being refused a grant from the government to reduce air toxicity, the Council was taking steps to do what it could.
- The Council had a statutory duty to assess air quality and had been monitoring pollution for several years. There was an issue with Nitrogen Dioxide levels and further research was underway as to the specific forms of transport which were most contributing to the problem.
- An Air Quality Management Area (AQMA) had first been declared in 2005 and reviewed in 2011.
- The first Air Quality Action Plan (AQAP) had been adopted in 2010, many of the actions had been completed so this was an opportunity to review and revise the Plan in accordance with Department for Environment, Food and Rural Affairs (DEFRA) guidance.
- It was proposed to amend the AQMA as set out at Appendix A to the report. The narrower boundary of the area was in line with new information on the dispersal of pollutants, easy of use in a Planning context and in accordance with DEFRA guidance. The shape of the AQMA would not impact on the actions to be taken.
- Good progress had been made, many of the actions from the 2010 AQAP, set out at Appendix B to the report for reference, had been completed.
- The new implementation plan of the AQAP was set out at Appendix C to the report, actions were proposed following collaborative workshops with a range of stakeholders under the headings of Transport, Planning and Public Health. These would be the basis of an eight-week public consultation including a number of statutory consultees before further workshops to finalise the Plan for Cabinet approval.
- The Plan also brought together or linked to some actions from other strategies and policies, the intention was to complement rather than to duplicate.
- Air quality was improving but it was important to improve further and maintain progress. Officers were looking to implement an Air Quality Protection Zone (AQPZ) through long term Planning policies. The AQAP was intended to reduce pollution to the point where the AQMA was no longer needed leaving the AQPZ to keep pollution at a low level.

The discussion included consideration of the following additional matters:

- Hawkhurst and Pembury were not included in the AQMA as recorded pollution was well below the statutory threshold of 40 micrograms per cubic metre. Actions taken to improve air quality in the AQMA would also benefit other areas of the Borough.
- KCC were consulting on bus services.
- The AQAP included a target on biodiversity and supporting the separate Green Infrastructure Plan which was better suited to dealing with issues around trees. Consideration to be given around the optimal type of trees and risk of a dense tree canopy

close to the road which could trap pollutants. This could be better highlighted within the report.

- Pollutants had been measured and found to disperse rapidly from the point of emission; the 80m buffer zone established in 2005 had been precautionary. Properties that were no longer within the AQMA would not be adversely affected as the pollutants did not reach them. The change would mean that in the case of planning applications for small developments there would no longer be a need to consult on the impact of air quality, however for larger developments there would still be the need to mitigate the impact of the traffic.
- The new boundary of the AQMA reflected the actual extent of where the pollutants exceeded the threshold and it would be contrary to DEFRA guidelines to extend it arbitrarily. However, the Council would continue to take actions to reduce pollution which would have benefits outside the defined area.
- There had not been any specific studies on the impact of air pollution on the schools in St. Johns, however, pollution had improved and was currently within the annual objective threshold. Public health was a KCC matter but the Council could in future measure the cost of illness using a new tool from Public Health England. Wider studies clearly highlight the health impacts of pollution, even below 40 micrograms, so the Council was committed to reducing pollution beyond the objective levels.
- Low emission vehicles would play an important role in reducing pollution but was not the sole solution. Active travel was also important and would have considerable additional benefits around physical activity including fitness and reducing obesity and diabetes.
- The pre-consultation workshops were for officers and intended to collate an initial set of actions. Following the consultation the workshops could be opened to interested Councillors provided the numbers attending did not become impractically large. There may be benefits for members to attend at an early stage and to reduce duplication; however, a Members' Briefing may be more effective.
- Planning Committee style 'short bite briefings' before Communities Cabinet Advisory Board meetings may be an effective and efficient method of involving Members. Wider consideration by the Leadership would be necessary as issues may be of interest beyond the membership of this committee.
- KCC were in the process of developing the Kent Tree Strategy which, along with the Green Infrastructure Plan, would address many of the concerns relating to a loss of trees. References to these documents could be strengthened in the report.
- Kent County Councillors through their Combined Member Grant could be a helpful source of funding for the replacement of lost trees.
- Nitrogen Dioxide diffusion tubes monitoring Nitrogen Dioxide levels were located around the borough and were checked monthly, data since 2010 was available. The Council reported annually to DEFRA an Annual Status Report, the latest report for 2017 was just about to be published and showed all the data from all the diffusion tubes. The Annual Status Report could be referenced within the report.

- Perceptible pollution, which was usually the source of complaints, was a result of larger particle pollution such as soot, diesel fumes and dust, this was not monitored locally. Nitrogen Dioxide and small particulate matter up to 10 microns was not usually perceptible but was measured and were a good indicator of other pollution types. Ozone was monitored but on a regional level. The actions in the Plan would have an impact on all types of pollution.

RESOLVED – That the recommendations in the report be supported subject to the following issues being taken into consideration:

- That the report include reference to the latest DEFRA Annual Status Report;
- That the report give greater emphasis on the links with the Green Infrastructure Plan; and
- That there be Councillor involvement in compiling the final Action Plan, after the consultation, through workshops or Member Briefings.

URGENT BUSINESS

COM17/18 There was no urgent business.

DATE OF THE NEXT MEETING AND SCHEDULED ITEMS

COM18/18 It was noted that the date of the next scheduled meeting was Wednesday 22 August 2018 at 6.30pm in Committee Room A, Town Hall, Tunbridge Wells.

The following items were scheduled (subject to change) to be discussed:

- Royal Tunbridge Wells Town Centre Business Improvement District
- Cultural Hub – Update and Fundraising
- Waste Recycling and Street Cleansing Contract

NOTES:

The meeting concluded at 7.15 pm.

An audio recording of this meeting is available on the Tunbridge Wells Borough Council website.

**COMMUNITIES CABINET ADVISORY BOARD
WORK PROGRAMME**

August 2018 - May 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

Advisory Board	Date of Decision by Cabinet	Report Title, Summary and Ward	Consultation Details	Background papers/materials	Relevant Officer	Portfolio Holder
Culture, Leisure and Tourism Portfolio – Councillor March						
03/10/18	25/10/18	Cultural Hub - Update and Fundraising To update Cabinet on the progress of the Cultural Hub project, and seek approval to support a fundraising trust. <i>All Wards</i>	The relevant Cabinet Advisory Board will be consulted.		Nicky Carter, Head of HR, Customer Service and Culture	Portfolio Holder for Culture, Leisure and Tourism
Communities and Wellbeing Portfolio – Councillor Weatherly						
03/10/18	25/10/18	CCTV Tender Renewal of CCTV Tender to Supply and Management of CCTV Monitoring Staff. <i>Part of this meeting may be held in private in accordance with Section 100A(4) of the Local Government Act 1972 (as amended) by virtue of paragraph 3 of Schedule 12A of the Act.</i> <i>All Wards</i>	The relevant Cabinet Advisory Board will be consulted.		Sharon Wright, CCTV Manager	Portfolio Holder for Communities and Wellbeing
03/10/18	25/10/18	Civil Penalty as an Alternative to Prosecution The report sets out how the Council will implement new enforcement powers contained in the Housing and Planning Act (2016) which allows financial penalties to be imposed as an alternative to prosecution for certain housing offences. <i>All Wards</i>	The relevant Cabinet Advisory Board will be consulted.		Claire Pickering, Environmental Health Officer	Portfolio Holder for Communities and Wellbeing

Advisory Board	Date of Decision by Cabinet	Report Title, Summary and Ward	Consultation Details	Background papers/materials	Relevant Officer	Portfolio Holder
13/02/19	07/03/19	*Community Safety Partnership Plan 2019/20 To recommend to Full Council the annual Community Safety Partnership Plan for approval. The Plan presents data on crime and anti-social behaviour within Tunbridge Wells Borough and provides an update on solutions provided to ensure the safety of residents. <i>All Wards</i>	The relevant Cabinet Advisory Board will be consulted.		Terry Hughes, Community Safety Manager	Portfolio Holder for Communities and Wellbeing
Sustainability Portfolio – Councillor Dr Basu						
17/01/19	07/02/19	Air Quality Action Plan To approve, following consultation, a revised Air Quality Action Plan 2018 - 2023, in conjunction with some minor changes to the air quality management area order. <i>Broadwater; Culverden; Pantiles & St Mark's; Southborough & High Brooms; Southborough North; St John's</i>	Public consultation Aug-Sep 2018. The relevant Cabinet Advisory Board will be consulted.		Karin Grey, Sustainability Manager	Portfolio Holder for Sustainability

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Communities Cabinet Advisory Board

22 August 2018

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

No

Royal Tunbridge Wells Business Improvement District (BID)

Final Decision-Maker	Cabinet
Portfolio Holder(s)	Councillor Jane March – Portfolio Holder for Culture, Tourism and Leisure Councillor Tracy Moore – Portfolio Holder for Economic Development and Communication
Lead Director	Lee Colyer, Director of Finance, Policy & Development
Head of Service	David Candlin, Head of Economic Development and Property
Lead Officer/Author	Hilary Smith, Economic Development Manager
Classification	Part Exempt Exempt Appendix A: 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.
Wards affected	Park, Culverden, St James, Pantiles & St Mark's, Broadwater

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

1. To support work that is being undertaken by Royal Tunbridge Wells Together to create a Business Improvement District (BID) for Royal Tunbridge Wells town centre;
2. To delegate authority to the Director of Finance, Policy & Development (s151 Officer) to cast the Council's 16 votes in favour of the BID in the ballot;
3. To manage the BID ballot; and
4. If there is a Yes vote for the BID, to enter into an Operating Agreement and a Baseline Agreement with the BID organisation.

Explain how this report relates to the Corporate Priorities in the Five Year Plan:

The BID links directly to the overall vision set out in the Five Year Plan:

Our vision is to encourage investment and sustainable growth and enhance quality of life for all. Focusing on activities that support prosperity, wellness and inclusivity, the borough will be a more attractive place to live, work and visit.

In addition it fits with the aspirations to be:

- Working with the best-placed partners; and
- An enabling council

Timetable	
<i>Meeting</i>	<i>Date</i>
Management Board	1 August 2018
Discussion with Portfolio Holder	7 August 2018
Cabinet Advisory Board	22 August 2018
Cabinet	13 September 2018

Tunbridge Wells Committee Report, version: May 2018

Royal Tunbridge Wells Business Improvement District (BID)

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 This report provides an update on the Royal Tunbridge Wells Together (RTWT) proposal to create a Business Improvement District (BID) for Royal Tunbridge Wells town centre and seeks the Council's agreement to support the BID.
-

2. INTRODUCTION AND BACKGROUND

- 2.1 The Town Centre Partnership known as Royal Tunbridge Wells Together is a Community Interest Company formed in 2016 and is a business-led organisation. The Council has supported the organisation from the start, providing 3 years tapered funding and having 2 places on the Board. Other Board members include representatives from businesses across the town centre for example Royal Victoria Place (Chair), Cripps, Markerstudy and Trinity Theatre.
- 2.2 RTWT has made a successful start as a membership organisation, employing 2 members of staff and undertaking a range of initiatives in support of the town centre (see Appendix A). RTWT currently has 55 members across a range of sectors and business size.
- 2.3 When RTWT was set up, it was always the intention to explore the feasibility of a BID for the town centre as a more sustainable and equitable way to provide additional services/initiatives in the longer term.
- 2.4 A BID is a business-led and business funded organisation created to improve a defined commercial area. Within this area all eligible businesses pay an additional levy based on the rateable value of their property to fund services and improvements that have been identified as priorities by the businesses themselves. The BID proposer prepares a Business Plan and a ballot is held to gain approval for the BID. If a BID is approved via the ballot, then payment of the levy is mandatory for all eligible rate payers in the area.
- 2.5 There are over 300 BIDs in the UK, including Canterbury, Winchester, Chichester, Banbury and Guildford. Many BIDs are on their second or third term. Most recently, Maidstone businesses approved a town centre BID in July 2018. Appendix B provides further information about BIDs (prepared by RTWT).
- 2.6 The RTWT BID Business Plan will be published in September 2018 and it is proposed that the BID ballot will run from 15 October to 9 November 2018. The BID would start on 1 April 2019 and would run for 5 years. After this, another ballot would be needed to continue the BID.

- 2.7 Businesses get 28 days to vote in the ballot. The ballot must be won on two counts; both a majority by the number of votes and a majority by the rateable value of those that vote. No turnout threshold is required.

Tunbridge Wells Borough Council Role

- 2.8 **Levy** - Within the draft proposed BID area (shown in Appendix C) the Council owns 16 properties that would be eligible for the levy. The annual levy payment for the Council based on these 16 properties is expected to be that shown in Exempt Appendix A.
- 2.9 TWBC has previously paid contributions over three years to RTWT on a tapering scale (Year 1 £40K, Year 2 £30K and Year 3 £20K) and these payments would cease if the BID is successfully established.
- 2.10 **Ballot** - TWBC has responsibility for managing the ballot which it can either undertake in house or out-source to a suitable contractor. Following discussion with the Democratic Services team it is proposed that this work is out-sourced due to the existing workload of the team at the time of the proposed BID ballot. The cost of the ballot is approximately £2000 and would be covered from within the existing Economic Development budget.
- 2.11 **Operating and Baseline Agreement** - An Operating Agreement and Baseline Agreement is required between the Council and the BID organisation. The Operational Agreement sets out TWBC's administrative role in on-going levy collection (the cost of which will be paid for by the BID). It will also identify the role of TWBC on the BID Board. It is proposed that TWBC will have two seats on the BID Board, for an Officer and a Member (this is currently the case with RTWT). The Baseline Agreement will set out the existing level of service provided by the local authority and other parties in the town centre to ensure that the BID is providing additional services.
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3. AVAILABLE OPTIONS

- 3.1 There are a number of actions that a local authority must undertake if a BID is proposed for the town centre including managing the ballot. In addition, if there is a successful Yes vote, TWBC will (like all other eligible businesses) have to pay the BID levy even if the Council decided to vote No at ballot.
- 3.2 TWBC could choose not to support the BID at the ballot.
- 3.3 TWBC could continue to support the BID process and vote Yes at the ballot across its property portfolio.
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4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 The preferred option is for the Council to support the BID ballot and vote Yes at the ballot.

- 4.2 Unlike the current membership model for RTWT, the BID model is sustainable and equitable.
 - 4.3 The BID would bring significant additional investment into the town centre to build on existing services provided by the Council.
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5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 5.1 Royal Tunbridge Wells Together has undertaken initial feasibility work, including consultation to understand the priorities of businesses within the town centre and to see if these priorities could be delivered via a BID. The consultation feedback has suggested that this is the case, and that the BID should focus on the following (which will be described in more detail in the RTWT BID Business Plan):
 - Events (both new and building on existing)
 - Stronger marketing and promotion of Royal Tunbridge Wells
 - Parking initiatives
 - Improved employee initiatives for staff in Royal Tunbridge Wells
 - 5.2 A further, more detailed consultation is now underway with the business community and will provide the detail required to feed into the BID Business Plan. The aim for this consultation stage is to get responses from at least 50% of businesses within the proposed BID area.
 - 5.3 A TWBC Members Briefing was held on 19 July to provide more details of BIDs and the preparatory work that RTWT is undertaking. The BID is also described in the adopted Economic Development Strategy 2018 - 21.
 - 5.4 RTWT has held a number of business networking meetings to explain BIDs to local businesses and to assess the initial level of support. In addition, a BID campaign launch event is planned for early September.
 - 5.5 There will be a series of press releases/articles during August and September and use will also be made of social media to promote the BID and the ballot.
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6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 6.1 Publication of the BID business plan by RTWT is anticipated in the week commencing 3 September 2018. It is then proposed that a ballot will be held in 15 October – 9 November 2018 (28 days in total), managed by TWBC but outsourced to an appropriate contractor.
- 6.2 TWBC will use its 16 votes to vote Yes in the ballot.
- 6.3 TWBC will act as the billing body if there is a Yes vote and the cost of this will be covered by the BID.

- 6.4 TWBC will enter into an Operating Agreement and Baseline Agreement with the BID organisation if there is a Yes vote.

7. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Legal including Human Rights Act	<p><i>Business improvement districts are business led partnerships which are created through a ballot process to deliver additional services to local businesses.</i></p> <p><i>The Local Government and Housing Act 1989, section 150 enables charges to be imposed on permitted grounds.</i></p> <p><i>Charges can be imposed for the additional services under the Act and in accordance with the requirements of the Business Improvement Districts (England) Regulations 2004. The process outlined in the regulations must be followed in administering the ballot and the Council's participation in the BID. The recommendations are in accordance with the Act and the Regulations.</i></p> <p><i>Acting on the recommendations is within the Council's powers within the Constitution and the executive functions of Cabinet.</i></p>	<p>Patricia Narebor Head of Legal Partnership August 2018</p>
Finance and other resources	<p><i>The BID ballot cost is covered by existing budgets. Actual operational costs will be recharged to the BID. The current grant will cease in 2018/19 and instead the Council will support the BID via the Levy.</i></p>	<p>Jane Fineman Head of Finance & Procurement August 2018</p>
Staffing establishment	<p><i>The recommendations of the report do not have an effect on staffing and there is no requirement for additional resources.</i></p>	<p>Nicky Carter Head of HR August 2018</p>
Risk management	<p><i>There are risks associated with the proposed recommendations. However, RTWT is working with a BID consultant who is advising on the process and this will mitigate the risks.</i></p> <p><i>Consultation with businesses in the town centre will ensure that the priorities in the Business Plan are those identified by the businesses themselves.</i></p>	<p>Hilary Smith Economic Development Manager August 2018</p>

Data Protection	<p><i>As this project concentrates on the development of a Business Improvement District, much of the information collected and used would be considered as business information, which is not subject to data protection laws. Overall therefore, the project is likely to have a low impact on data protection and privacy issues for individuals.</i></p> <p><i>Alongside this, Tunbridge Wells Together (RTWT) has undertaken its own data protection analysis to understand the risks to personal data that they may be storing, and this, together with mitigating actions, has been reported to Board meetings of the organisation.</i></p> <p><i>The ballot process is one area where the Borough Council (rather than RTWT) is responsible for collecting and processing a limited amount of personal information, in particular if there are named individual representatives for companies who take part in the voting process. It is anticipated that ballot process will be outsourced to an external company with expertise in this field. It is therefore important that the processor contract contains suitable data protection clauses to sufficiently protect any personal data. Counting of the ballots will also be outsourced, and so contractual clauses with the processor will need to be used to ensure that the count is conducted using standard Electoral Commission statutory guidance and protocols for ballot counting, which protects the secrecy of the vote and prevents the processor and/or the Borough Council as a corporate body and controller, being able to use voting information to understand individual political preferences and/or philosophical beliefs.</i></p>	<p>Jane Clark Head of Policy & Governance August 2018</p>
Environment and sustainability	<p><i>The recommendations of the report do not have a sustainability impact but if a BID is introduced the Council would want to work with the BID management.</i></p>	<p>Gary Stevenson Head of Housing, Health & Environment August 2018</p>
Community safety	<p><i>The BID will work to support initiatives to reduce crime and anti-social behaviour in the town centre in partnership with the Council, Police and Safe Town Partnership.</i></p>	<p>Terry Hughes Community Safety Manager August 2018</p>

Health and Safety	<i>The recommendations of the report have no specific Health & Safety implications. The BID company will be responsible for Health & Safety considerations including relevant risk assessments.</i>	Hilary Smith Economic Development Manager August 2018
Health and wellbeing	<i>The BID would undertake initiatives that would promote the health & wellbeing of businesses and their employees in the town centre as well as visitors to the town centre. The Council would seek to work with the BID company on such projects.</i>	Stuart Smith Healthy Lifestyles Co-ordinator August 2018
Equalities	<i>We have completed an equality impact assessment on the Economic Development Strategy and not identified any issues in relation to the protected characteristics with regards to exploration of a Business Improvement District.</i>	Sarah Lavallie August 2018

8. REPORT APPENDICES

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

- Appendix A: Royal Tunbridge Wells Together Initiatives/Projects
- Appendix B: Business Improvement District Factsheet
- Appendix C: Proposed BID area map
- Exempt Appendix A – BID Financial Information

9. BACKGROUND PAPERS

None



RTWT Achievements – 2017

- Continued set up of company, office and procedures
- Establishment of website and social media channels – growing followers and platforms
- Increase in Membership – from 20 to 50 since April
- Developed members benefits package (see below) – further growing and developing benefits

A Great Town for Business

- Quarterly Business Intelligence Report for Members – 4th issue being worked on now
- Small Business Saturday seminar events – 35 attended One Warwick Park advice event
- 13 small business pop ups on 2 December and Greg Clark advice surgery too
- Business networking events – 45 attended breakfast at Woods Restaurant
- Business training events – TSE digital, SEO and analytics training – 12 confirmed attendees
- Promotion and co-ordination of September Food Festival
- Town centre and car park signing audit completed
- Provided assistance to small businesses for Business Rate Appeals
- Lobbying of local and national government on behalf of businesses (e.g. loss of office space, parking issues)
- Start of BID Feasibility work

A Connected Town

- Monthly newsletter – database grown from 27 in March to 480 now
- Encouraged 12 businesses to participate in food events in September
- Set up of Town Centre Tourism Group steering group – ongoing collaborative group
- Guest speaking slot at Kent Invicta Chamber's Winter event in West Kent
- Convened meeting of Camden Road Traders to plan expenditure of Portas funds
- Christmas Gift Guide – 47 businesses participated
- Christmas Window Competition – 19 entries
- Liaised with businesses to promote their vacancies at West Kent Partnership Jobsfair
- Participated in and recruited businesses for TWBC's Seal Trail (for ice rink)
- Provision of office space for The Mason Mile and stewarding for inaugural run in Dunorlan Park – ongoing into 2018
- Recruited new businesses for The Poppy Appeal collection in October/November

A Superb Destination

- Funded a Visit Tunbridge Wells Stand at Excursions Tourism Show (Tourism South East)
- Purchase of exhibition stand for all future tourism related events
- Promotion of town in national press via TSE and Visit Kent



- Production of hand drawn Town map – will be distributed free of charge to TIC and businesses
- Provided & funded Gospel Choir for The Pantiles Christmas Market
- Provided and funded entertainment act for opening night of ice rink (Snow Queen)

A Strong and Unique Brand

- Station Mural project – judging, office space and grant funding provided
- Grant funded town centre events e.g. Lantern Parade, Puppetry Festival, Belgian Week, Local & Live – working with Cultural Consortia on 2018 season events
- Secured permission from freeholders of property for Refresh Water in the Wells public artwork at Fiveways
- Secured sponsorship offer from South Eastern Water for drinking fountains for 2018

List of Member Benefits

- Reach Tunbridge Wells businesses through our database
- Listing on Royal Tunbridge Wells Together website
- Listing on the visittunbridgewells visitor website (if appropriate to business) worth £120
- Training from Tourism South East in SEO/digital and analytics worth £125
- One point of contact to liaise/lobby TWBC and others on town centre issues
- Opportunity to promote your business via monthly town centre e-newsletters
- Quarterly town centre Business Intelligence Reports
- Promotion via social media
- 15% off any design work or 15% off any web advertising on www.indexdigital.co.uk
- 10% discount for any new advertisers for the Index Magazine or Planning Your Wedding Magazine
- 10% discount on all our advertising, design and print rates across One Media.
- From the rest of Markerstudy Leisure, a 10% discount on all meeting or event space hire at any of their three venues. One Warwick Park, Bewl Water and Salomons
- An opportunity to be profiled in the Times of Tunbridge Wells



What is a BID?

A BID is a Business Improvement District. It is a defined geographical area – in this case the whole town centre of Royal Tunbridge Wells from the Lower Pantiles up to the top of Mount Ephraim and the end of Camden Road. It would encompass the entire town centre.

A Business Improvement District is a business-led, business-funded partnership, formed via a ballot to improve a defined area to benefit its members. A BID lasts for 5 years and then businesses are consulted again about whether they want to continue as a BID for a further 5 year period. BID projects are always in addition to local authority services, not replacements for them. The aims of a BID are:

- To allow businesses to decide and direct what they want for the area
- To allow businesses to be represented and have a voice in issues affecting the area
- Invest BID levy funds to benefit businesses in the BID area
- Deliver tangible benefits to local businesses
- To be equitable and sustainable

History of BIDs

The first UK BID was Kingston upon Thames in Surrey nearly 20 years ago. Since then, more than 300 other towns and areas have gone through the BID process. There is no blueprint or 'one size fits all' specification. BIDs are very individual, taking direction from the business community in their own area.

More than 70% of BIDs are successful at their first ballot. At the end of their 5 year period, more than 90% get voted in again for a second period – BIDs have a successful track record of delivering exactly what their local businesses want. Other UK towns that have achieved BID status are: Guildford, Winchester, Canterbury, Hastings, Bournemouth, Southampton, and Nottingham.

What Would A BID deliver for Royal Tunbridge Wells?

The answer is very simple – businesses tell the BID what the priorities are. An initial Feasibility Study found that events, tourism, footfall, parking and safety and security were all highlighted



as core priorities for Royal Tunbridge Wells. We are now consulting more widely to confirm the initial findings and dig deeper into these subjects. This second phase consultation will involve 50% of the towns' businesses. You can participate in that survey by [clicking here](#)

Why Does Royal Tunbridge Wells Need a BID?

Royal Tunbridge Wells Together is currently funded by a small number of businesses who agreed to fund a town centre management partnership for 3 years. Their generosity and vision for the town's future is appreciated.

The 3 year period comes to an end in April 2019 and if Royal Tunbridge Wells wants to continue to have a town centre partnership to service businesses, promote the town and drive business initiatives forwards, then it needs to be sustainably funded. The only model that can do this is a Business Improvement District.

How Would a Royal Tunbridge Wells BID Work?

A group of businesses came together in 2016 to form Royal Tunbridge Wells Together, a Community Interest Company. If a BID Ballot is successful and a Yes vote is secured, Royal Tunbridge Wells Together would become the BID company in Tunbridge Wells.

The Board of the BID company would consist of business people and would be elected by businesses. The Business Plan that will be launched in September 2018 will outline the scope and plans for the next 5 years in Royal Tunbridge Wells. Total transparency is essential so all minutes would be published (as happens now) the BID company would be meeting targets and benchmarks that the Board would set and annual reporting would take place. Accountability, transparency, responsibility and value for money is vital.

The Process

When the second survey is complete, we will use the findings to create a fully costed Business Plan, showing businesses exactly how the BID levy income will be spent throughout the 5 year period. We will launch this Business Plan in September 2018 and have conversations with businesses across the town centre area, explaining how a BID will work. We really do want our local business community to engage in this process, take an interest in the future of our lovely town and work towards having a thriving, vibrant and busy regional centre.



The Levy

A BID levy is calculated on the rateable value of a business's premises. In technical parlance, each individual business premises is called a hereditament. We will aim not to use any technical jargon at all so this is the last time you will see the word hereditament used!

A business's rateable value is not the sum of a rates bill, it is a rateable value of the property, assessed by the Government's Valuation Office which is clearly shown on a business rates bill. The levy in BIDs is usually between 1-2% of the rateable value.

Each individual town has flexibility over setting exclusions, caps on the amount of levy payable and the entry and top levels paid. The aim is to have a fair and equitable system. We will be publishing all this detail in our Business Plan in September but we are very clear that the level needs to be proportionate and reasonable.

The Ballot

A BID requires the businesses to vote. This means that each business will receive a ballot paper in the post, you need to tick the relevant box and then post it through a slot in a ballot box in the town hall. Postal votes will be available too. For Royal Tunbridge Wells to win a yes vote and become a Business Improvement District, we would need to win more than 50% of the turn out and also, more than 50% of votes of businesses by rateable value. This double lock is in place to ensure that the views of all businesses are represented. The view of a small business is as important as the views of a larger business. Again, it is equitable.

Any Questions

We hope that this page has answered any questions you might have but if you do have more queries, then please, ask us. Either email us by clicking [here](#) or call Royal Tunbridge Wells Together on 01892 531985.

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APPENDIX C- DRAFT PROPOSED BID AREA.



Scale: 1:10,000

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Map Dated: 10 Aug 2018

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Communities Cabinet Advisory Board

22 August 2018

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

No

Household Recycling, Waste Collection and Street Cleansing Contract Procurement

Final Decision-Maker	Cabinet
Portfolio Holder	Councillor Dr Ronen Basu – Portfolio Holder for Sustainability
Lead Director	Paul Taylor – Director of Change and Communities
Head of Service	Gary Stevenson – Head of Housing, Health and Environment
Lead Officer/Author	Gary Stevenson – Head of Housing, Health and Environment
Classification	Part Exempt Exempt Appendix A is 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)
Wards affected	All

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

1. That the recycling and waste collection and street cleansing contract is awarded to Bidder A identified in the Exempt Appendix for an initial period until 31 March 2027;
2. That The Head of Housing, Health and Environment, in consultation with the Head of the Legal Partnership and the Portfolio Holder for Sustainability, is authorised to enter in to an Inter Authority Agreement with Kent County Council and a Joint Working Agreement with Tonbridge and Malling Borough Council and Kent County Council;
3. That the initial annual charge for opt in garden waste collection service be set at £52; and
4. That capital expenditure of £680,000 for new collections is approved.

Explain how this report relates to the Corporate Priorities in the Five Year Plan:

- A Well Borough – the new service will introduce a kerbside collection service for glass bottles and jars, a separate weekly collection of food waste and an 'opt in' chargeable garden waste collection service to increase the dry material recycling rate and reduce the quantity of material being sent for final disposal.

Timetable	
<i>Meeting</i>	<i>Date</i>
Management Board	1 August 2018
Discussion with Portfolio Holder	2 August 2018
All Member Briefing	22 August 2018
Cabinet Advisory Board	23 August 2018
Cabinet	30 August 2018

Tunbridge Wells Committee Report, version: June 2018

Household Recycling, Waste Collection and Street Cleansing Contract Procurement

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 The Council's current 10 year household waste and recycling collection and street cleansing contract ends on 29 March 2019. This report sets out the process undertaken to let a new joint contract with Tonbridge and Malling Borough Council (TMBC), and working in collaboration with Kent County Council (KCC). The report recommends the award of the contract to the preferred bidder identified in the Exempt Appendix A.
- 1.2 The report also sets out the timescale for the introduction of the new recycling and waste collection service which including the collection of glass bottles and jars, the provision and financing of new containers, the charge for the new opt in garden waste collection service and the inter authority agreements.

2. INTRODUCTION AND BACKGROUND

- 2.1 The development of a new recycling and waste collection service and a partnership approach to working with TMBC and KCC has evolved over a number of years and has been considered by Cabinet at its meetings in April 2017, in response to the Overview and Scrutiny Committee's task and Finish Group report, and in November 2017.
- 2.2 At its November 2017 Cabinet approved the procurement of a new contract to include the collection of glass jars and bottles together with plastics and cans for recycling, paper and cardboard, a separate weekly collection of food waste, a fortnightly residual waste collection and an "opt in" fortnightly chargeable garden waste collection service to meet residents' expectations, achieve improved performance and secure shared benefits from a reduction in disposal costs.
- 2.3 This method is described by the partner authorities as "The NOM" – the nominal optimum method of collection or the most cost effective service arrangement to balance performance and the overall costs associated with the collection, treatment and disposal of the material collected. It is also one of the three service configurations in the WRAP national guidance "A framework for greater consistency in household recycling in England". It is also considered to meet the requirements of The Waste (England and Wales) Regulations 2011 to provide separate collections where necessary to achieve high quality recycling
- 2.4 Cabinet also noted in November the intention for the procurement to be undertaken collectively with TMBC and Dartford BC and work commenced between the three authorities on the production of a specification and conditions of contract to reflect the Cabinet decision. In the event, DBC withdrew from the procurement process in January 2018 prior to the publication of the tender

documentation. DBC did however continue to assist with the management of the procurement process. TWBC and TMBC officers finalised the specification and contract documentation which were then incorporated within tender documentation produced by DBC's Procurement Team.

- 2.5 The Open Procurement Process started on 31 January 2018 with the publication of an Invitation To Tender (ITT) in accordance with the Public Contract Regulations and European Procurement Directives. The ITT confirmed that the basis for the award of the contract would be the "most economically advantageous tender", with equal weighting given to both price and the responses to the quality questions within the ITT.
- 2.6 The tender incorporated a combined contract package of recycling and waste collection and street cleansing services across both boroughs. In addition, a number of provisional items and different service options were requested by each authority. For TWBC this included the weekend Civic Amenity Vehicle service.
- 2.7 The Bills of Quantity required each bidder to price the elements of the service individually for each council with the exception of the overheads in Bill 1 which will be apportioned to each council using a methodology agreed by the respective finance officers.
- 2.8 The ITT set out that the two partner authorities would award one contract for the above services for an initial term of 8 years with two possible options to extend the contract to give the authorities the maximum flexibility possible in accordance with procurement regulations. Any extension requires the mutual agreement of the two partner authorities. The first extension is for either up to a further 2 years or another term of 8 years. The second possible extension is available if the contract has already been extended for 8 years and will allow up to a further two years to be added to the contract. The overall maximum length of the contract will therefore be 18 years, if both of the extensions are exercised.
- 2.9 A significant number of clarification questions were posed during the bidding process which led to an extension to the closing deadline to 8 May to enable detailed responses to be provided and then considered by the bidders in the preparation of their submissions.
- 2.10 Five tenders were received by the deadline and were opened in the presence of TMBC and TWBC Portfolio Holders and officers.
- 2.11 A two stage tender evaluation process was used to assess the bids. Stage One included a series of mandatory and discretionary threshold criteria which are pass/fail questions so that if the mandatory questions are not met by the tenderers their tender will not be assessed further. The mandatory questions are required to be included by legislation and relate to matters such as convictions for fraud, bribery or money laundering etc. The discretionary questions are set by the partner authorities and are those set out in the Crown Commercial Services standard selection questionnaire. These include minimum standards for financial standing and technical and professional ability and other

contract requirements such as compliance with the Modern Slavery Act and the requirement to have or obtain adequate insurances. Stage One also included a check for compliance in terms of the documents and process undertaken by the Contractors and checking for any arithmetic issues on the bills of quantities completed by each contractor. This compliance check was undertaken by Dartford Borough Council's Procurement Unit. The District Partner Authorities applied the mandatory questions and all tenderers passed these.

- 2.12 Four tenders were taken forward to Stage 2 Evaluation. The bids were evaluated in detail by the Evaluation Panel of officers from TWBC and TMBC in terms of both price and quality. The ITT set out the matters which were taken into account and in respect of the quality submission they were service delivery arrangements, management and staffing structures, planned resources, proposed technologies, business continuity, performance measurement, customer care protocols and Added Value incorporating Social Value.
- 2.13 Clarification meetings to seek confirmation on the detail of the bids submitted were held with all four of the tenderers reaching Stage Two of the evaluation. The meetings were recorded and minuted and a record of clarifications agreed. No tenderer was able to improve their bid or add new information in order to improve their bid submission.
- 2.14 The formula which was used to assess the relative prices was also set out in the ITT with the lowest price submitted received the full percentage allocation; all other prices submitted were scored proportionally to the lowest price.
- 2.15 Combining the scoring for price and quality for each bidder gives the comparison in the table below:

Bidder	Final Overall Evaluation Score
A	89.50%
B	79.90%
C	75.88%
D	75.70%

- 2.16 Based on the overall evaluation, Bidder A is the recommended preferred bidder.

Inter Authority Agreement

- 2.17 The configuration of the collection method has been developed taking in to account the overall costs associated with the collection, sorting, treatment and disposal of material that TWBC and KCC are responsible for. The NOM will increase recycling and divert material to lower cost forms of onward processing which will create a disposal cost saving benefit that is shared equally between KCC and TWBC. This provides an incentive to maximise kerbside recycling, directly reducing the waste disposal costs for KCC.

2.18 An Inter Authority Agreement has been developed between KCC and Borough Councils setting out the principles for the sharing of disposal cost savings and the payment of performance payments from KCC to TWBC. The key elements are:-

- the IAA shall commence on the date the new contract is awarded until 31st March 2027 and can be extended by KCC in mutual agreement with this Council for up to a further 10 years in successive extensions (as the case may be) to match any extensions agreed for the new contract;
- for the duration of the IAA TWBC will maintain the Nominal Optimal Model of Service, and deliver recyclables to transfer points and facilities specified by KCC
- KCC will retain responsibility for the haulage and disposal of all materials and will endeavour to maximise the value of income from the sale of materials
- KCC will invest in the provision of food waste facilities at North Farm Transfer Station
- TWBC will purchase necessary containers to facilitate the new collection arrangements
- The performance payments are based on disposal cost savings achieved against the 2016/17 baseline tonnages of materials collected and treatment costs, and replace recycling credits.
- Transitional payment arrangements to cover the period before the NOM is fully rolled out

Joint Working Agreement

2.19 A Joint Working Agreement (JWA) has been developed between TWBC, TMBC and KCC. The purpose of the Agreement is to commit all the parties to the most beneficial, economically advantageous and closest consideration possible in the delivery of the recycling, waste and street cleansing services across the two boroughs. The Agreement enables cross border co-operation to improve efficiency and encourage increased recycling

2.20 As the contract will be a joint contract with TMBC the JWA will assist the contractor by providing a joined up approach to dealing with strategic contract management issues in a consistent way between the Councils. The Agreement contains the role of Contract Partnership Manager which will be taken on by the Borough Partner Authorities. This role will be responsible for the administration of the contract and the production of an annual Service Plan for Member approval. The role of Partnership Manager will rotate between TMBC & TWBC on an annual basis. Following discussions with TMBC it is the intention that the role of Contract Partnership Manager will be undertaken by TMBC in the first year of the new contract.

Garden Waste

- 2.21 The introduction of an opt in garden waste collection service frees up resources to assist in the delivery of the improved recycling and separate food waste collection elements of the service. An annual charge for the collection of garden waste is permitted by law, applies the principle of the user pays rather than all Council Tax payers, and provides a new source of income. Other forms of household waste, such as glass, paper and residual waste are not designated as chargeable.
- 2.22 The majority of councils now charge for the collection of garden waste as part of recycling and waste service. Annual charges of up to £86 in West Sussex and £96 in Essex have been identified as part of a review of the approaches that other councils have adopted. In Kent the average charge is £43.50 per year with only, TMBC and TWBC are currently not making any charge for garden waste, (Canterbury City Council charge for the garden waste container).The current average charge in East Sussex is £54.25.
- 2.23 An initial fee of £52 per annum for an all year round fortnightly kerbside collection of garden waste collection is proposed for this council. As part of the opt in service a new 240 litre bin or hessian sacks, where there is limited space, will be provided to householders joining the scheme for their garden waste. The initial target for uptake of the service is 30% of households (14,700).

Weekend Civic Amenity Vehicle

- 2.24 The current CAV service operates with a funding contribution from the participating Parish and Town Councils. As part of the tender process bidders were required to provide prices to continue the service in its current configuration and alternative options. There has been insufficient time during the evaluation to consult on the future service configuration taking account of the future costs.
- 2.25 It is proposed that the CAV service is retained under the new contract and that arrangements are explored with the appointed contractor, in consultation with the Parish and Town Councils, to determine the way in which the service is delivered.

Contract start

- 2.26 The new contract will start on 1 March 2019 to take account of the earlier date required for TMBC services. Service commencement for the TWBC elements of the specification will be 30 March 2019.
- 2.27 For an initial period, the successful contractor will operate the existing services across the two boroughs as is. To achieve best value, the specification provide the bidders with the flexibility to introduce the new recycling and waste collection service arrangements between 1 July 2019 and 30 November 2019 together with a requirement to price the roll out of the service separately. The mobilisation of the new service will be a significant logistics project, including the delivery of new containers to residents and changes to collection days and recycling weeks as the successful contractor optimises the collection rounds across the two council areas.

- 2.28 Officers from both councils will work closely with the successful contractor to ensure a robust mobilisation plan, which includes communication with residents, is in place and executed effectively to minimise the level of service disruption during the roll out period.

Financial Implications

- 2.29 Details of the preferred contractor's costs for Year 1, which include, as did all the bidders, additional expenditure to undertake the roll of the new service, are set out in the Exempt Appendix A. Non-indexed costs for Years 2-8 are also included.
- 2.30 The table below sets out the Council's cost and projected income. The new service represents a significant change and to ensure that residents are fully aware of what can be recycled in which container and any changes to their collection day/week a communications budget is proposed, in line with the WRAP guidance.
- 2.31 The new service requires internal and external food waste caddies and new garden waste bins to be purchased in Year 1. A capital allocation of £680,000 is proposed and the financing costs included below.
- 2.32 A revenue budget of £75,000 is in the base budget to replace existing bins and recycling containers. A new bin replacement reserve is proposed in addition as part of the new contract finances, with contributions starting in Year 2.
- 2.33 The garden waste income for Year 1 is shown at half the projected level for 12,000 properties in Year 1 level as although full payment will be received within the year, part of this will relate to the next financial year and therefore, under proper accounting practice, will need to be carried forward.
- 2.34 The disposal cost saving for Year 1 is lower than projected for futures years to also reflect the impact of introducing the new service part way through the first year.

	Year 1	Years 2-8
Client side costs		
Marketing of new service	100,000	-
Mobilisation support	35,000	-
Finance System upgrade	30,000	
Borrowing cost - new containers	6,000	74,000
New Bin reserve contribution	-	30,000
Existing replacement bin costs	75,000	75,000
Income		
Garden	- 312,000	- 764,972
Share of disposal cost savings – Performance Payment	- 480,000	- 613,405

3. AVAILABLE OPTIONS

- 3.1 To appoint a contractor jointly with TMBC to provide a recycling and waste collection and street cleansing service.
 - 3.2 To withdraw from the procurement process.
 - 3.3 There is no “Do Nothing” option.
-

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 The preferred option is to appoint Bidder A the preferred contractor identified in the Exempt Appendix.
 - 4.2 The Council is required to provide a recycling and waste collection and street cleansing service. Bidder A achieved the highest combine price and quality score for its bid as set out in paragraph 2.15 above and is therefore the preferred option.
 - 4.3 Withdrawing from the procurement process would leave both councils without the provision to continue their statutory duties.
-

5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 5.1 The changes to the household recycling service were part of the 2017 consultation on the Council's Five Year Plan (2017 -2022) and now form a commitment in the Plan.
 - 5.2 The 2015 Residents' Survey identified a high degree of satisfaction with the recycling collection services. The introduction of a kerbside collection for bottles and jars is a further enhancement to the service that is often requested by residents and will improve satisfaction and recycling performance.
 - 5.3 The 2018/19 Budget Report and Medium Term Financial Strategy Update approved by Full Council reiterated the position that it will be necessary to recover costs from the users services rather than all council tax payers. The Council has used feedback over the years to keep council tax low and to pass on costs to the users of optional services through higher fees and charges.
-

6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 6.1 In terms of procurement process, on the expiry of the Call In period the outcome of the tender process will be notified to all of the five bidders in a Contract Award Notice posted via the Procurement Portal. The Public Procurement Regulations 2015 provide a standstill period of 10 clear working days between the Award Notice and Contract Award.

- 6.2 In terms of communicating the changes to the recycling and waste collection service, following an initial announcement, a detailed comprehensive communications plan will be put in to place, with the assistance of the successful bidder and TMBC, to ensure that residents are fully aware of the details and timings of the forthcoming service changes and the recycling benefits.
- 6.3 TMBC has advised that it will report to its Street Scene and Environment Advisory Board and Cabinet meetings, both to be held on 4 September 2018

7. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Legal including Human Rights Act	<p>The procurement must comply with the Public Contracts Regulations 2015 and in carrying out the procurement the Council must have regard to the economic, social and environmental well-being if its area, Public Services (Social Value) Act 2012.</p> <p>Any necessary agreements or contracts entered into must be in accordance with the Council's Contract Procedure Rules.</p> <p>Agreements and contracts should be in a form approved by the Legal Services Manager and should identify key activities and outputs so that performance can be properly and regularly monitored.</p> <p>The Environmental Protection Act 1990 and The Controlled Waste (England and Wales) Regulations 2012 designates garden waste as a type of waste for which the authority may recover a reasonable charge for the collection of the waste from the person who made the request for it to be collected.</p>	<p>Bronwyn Morgan-Giles, Contracts and Procurement Lawyer 13 August 2018</p>
Finance and other resources	<p>The financial implications of this contract are set out within the report and Exempt Appendix A.</p> <p>The contract has been tendered in order to ensure that the council is obtaining best value from the market. It is also an opportunity to enhance the service and amend processes to take advantage of new developments in the waste removal and recycling market that may reduce the overall</p>	<p>Clare Hazard, Accountancy Manager 14 August 2018</p>

	cost. It is very important that the council pursues new revenue streams in order to support the annual challenge of balancing the budget with ever decreasing government funding, and that the principle of user pays is maintained.	
Staffing establishment	<p>The award of the contract does not impact on the Council's staffing establishment numbers.</p> <p>The initial roll out of the new service arrangements will generate additional contacts from residents and a need for additional temporary staff in 2019. The timing and scale of the need will be considered in discussion with the appointed contractor as part of the mobilisation plan.</p>	<p>Nicky Carter, Head of Human Resources and Customer Services 13 August 2018</p>
Risk management	<p>The work stream is being overseen by the South West Kent Waste Project Group which brings together Finance, Legal and Procurement Officer together with the respective Heads of Service for recycling/waste/street cleansing at TMBC and TWBC and KCC's Head of Waste Management</p> <p>The project is supported by a TWBC Project Manager Resource from the Business Development Unit and reports in to the Programme Board</p>	<p>Gary Stevenson, Head of Housing, Health and Environment 8 August 2018</p>
Data Protection	<p>Residents' data will be shared with the successful contractor to enable the delivery of elements of the service, including clinical waste collections. The data shared varies depending on element of the service but would include name, address, contact details and type of collection required. No special category data would be shared.</p> <p>The detailed integration between the Council's and contractor's systems will be developed during the mobilisation period prior to contract start. A detailed Data Protection Impact assessment will be carried out during this period and appropriate control measures established.</p> <p>The contract contains conditions that set out the contractor's responsibilities under GDPR and measures to enforce them</p>	<p>Jane Clarke, Head of Policy and Governance 9 August 2018</p>

Environment and sustainability	The enhanced recycling and waste collection service will increase the amount of dry material that is sent for recycling and reduce the amount of waste sent for final disposal in accordance with the waste hierarchy.	Gary Stevenson, Head of Housing, Health and Environment 8 August 2018
Community safety	There are no relevant issues in relation to the prevention of crime and disorder.	Gary Stevenson, Head of Housing, Health and Environment 8 August 2018
Health and Safety	<p>The Council is responsible for effectively managing its contractors, including health and safety, and has arrangements contained within its Safety Management Plan. The service generates risks from activities that include manual handling, working on the highway, vehicle maintenance and handling hazardous substances.</p> <p>As part of the tender process the health and safety performance of the bidders was assessed and scored, including a mandatory threshold evaluation questions</p> <p>Up to date and suitable RAMS will be provided by the appointed contractor prior to service commencement.</p>	Gary Stevenson, Head of Housing, Health and Environment 8 August 2018
Health and wellbeing	There are no relevant issues in relation to the prevention of crime and disorder.	Gary Stevenson, Head of Housing, Health and Environment 8 August 2018
Equalities	<p>Decision-makers are reminded of the requirement under the Public Sector Equality Duty (s149 of the Equality Act 2010) to have due regard to (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act, (ii) advance equality of opportunity between people from different groups, and (iii) foster good relations between people from different groups.</p> <p>The decisions recommended through this paper could directly impact on end users. The impact has been analysed and varies between groups of people. The results of this analysis are immediately below. Further information is also available in the equality impact assessment attached at Appendix A.</p>	Sarah Lavallie, Corporate Governance Officer 14 August 2018

	<p>The operation of the existing service has the potential to impact on end users and varies between some groups of people with protected characteristics. Suitable mitigating measures, such as the assisted bin collection (pull and return) service are already in place and retained in the new contract specification.</p> <p>The introduction of an opt in garden waste collection service has the potential to impact on those in receipt of benefits or who are unable to work, who may be more likely to have the protected characteristics of Age and Disability. Appropriate mitigating measures are in place with the level of the charge set at £1 per week, the availability of free domestic garden waste disposal at KCC's Household Waste and Recycling Centres and the opportunity to compost waste in the garden. Although composters are not essential, the Council will investigate the opportunity to work in partnership to obtain discounted prices for residents. We will keep the opt-in garden waste service, and the proposed mitigating measures, under review.</p> <p>It has been identified that the provision of information about the new service arrangements and the highly likely need to change in residents' collection day/week is a key issue.</p> <p>It will be necessary to consider how information about changes to the service is communicated to residents with disabilities in an accessible format, including those who receive assisted collections.</p> <p>The communications strategy for the new contract and the NOM service will allow for information to be provided in a variety of media and print material will be made available in alternative formats on request.</p>	
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8. REPORT APPENDICES

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

- Appendix A: Equalities Impact Assessment
 - Exempt Appendix A: Household recycling and waste collection and street cleansing contract procurement
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9. BACKGROUND PAPERS

- None

Equality Impact Assessment

Summary of decision to be made:	To agree a new contract for the provision of refuse, recycling and street cleansing for Tunbridge Wells Borough Council and Tonbridge and Malling Borough Council.		
Lead Officer (job title):	Corporate Governance Officer (Tunbridge Wells Borough Council)		
Date the final decision is due to be made:	17/09/2018	Date this assessment commenced:	19/10/2017
Sign off by Tunbridge Wells B.C.	Name / electronic signature	Date:	Click here to enter a date.
Sign off by Tonbridge & Malling B.C.	Name / electronic signature	Date:	Click here to enter a date.
Is the decision relevant to the aims of the Public Sector Equality Duty to:			
Eliminate discrimination, harassment and victimisation			No
Advance equality of opportunity			Yes
Foster good relations			No
Background: The current waste services contract for refuse, recycling & street cleansing is due to end in 2019 and is being retendered on a partnership basis. This will provide waste collection services to: 52,736 Households in the borough of Tonbridge and Malling 49,038 households in the borough of Tunbridge Wells Source: Partner Authorities Waste Data as at 31 October 2017			
Scope of this equality impact assessment:			

100003

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This equality impact assessment will consider the Nominal Optimal Method as the preferred collection system, and is summarised as:

Refuse and Recycling Collection Services:

- A weekly food waste collection
- An alternating fortnightly collection of mixed dry recyclables
 - Plastic, metals, cartons and glass (in wheeled bin)
 - Paper and card (separate container)
- An alternating fortnightly collection of residual waste (majority wheeled bin; plus exemptions via sacks and communal/bulk bins)
- A separate fortnightly “opt in” collection of garden waste (wheeled bin)

Street Cleansing Services:

- Cleansing of public highways
- Car park cleansing
- Cleansing of miscellaneous council owned land and other related land
- Emptying of litter and dog bins
- Removal of fly tipping

The table below indicates whether the Nominal Optimal Method will change the frequency of collection or type of material collected at each authority:

Tonbridge and Malling Borough Council	Tunbridge Wells Borough Council
<ul style="list-style-type: none"> – Plastic, glass and cartons to be included in fortnightly recycling collection (paper and card currently collected) – Fortnightly garden waste collection to become opt in – Food waste to be collected weekly (was fortnightly) 	<ul style="list-style-type: none"> – Glass and cartons to be included in fortnightly recycling collection (plastic and cans currently collected) – Fortnightly garden waste collection to become opt in – Food waste to be collected weekly (was fortnightly)

This equality impact assessment will focus on those aspects of the service where there is a potential for change, including:

- The principle of charging for the collection of garden waste
- The possibility of an increase in the quantity or weight of containers that residents will need to use
- Provision of a Weekend Civic Amenity Refuse Collection Service in Tunbridge Wells to collect bulky domestic waste items (excluding garden waste) from those who live in some Parish and Town Council areas.
- Provision of a Saturday Freighter Service in Tonbridge & Malling to collect bulky domestic waste items (excluding garden waste)

This equality impact assessment focuses on the contract specifications for refuse, recycling and street cleansing services. It does not consider

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operational issues in relation to how the service will be delivered in each local authority.

Data and information:

Census (2011)

Average Household Size is in line with the Kent (2.4) and national average (2.4):

Tonbridge & Malling: 2.5

Tunbridge Wells 2.4

Performance and complaints

Tonbridge & Malling:

- Recycling performance is 42%
- Complaints include reports of bins not being returned correctly, outstanding replacements or repairs and repeated missed bins and figures show an increase from 1048 in 2015/16 to 1404 in 2016/17.

Tunbridge Wells:

- Recycling performance is 48%
- The average number of missed bins per collection day increased from 7.83 in 2016/17 to 18.37 in 2017/18.
- The average number of days to remove fly tips reported to the Council increased from 1.67 in 2016/17 to 2.33 in 2017/18.
- Standard of performance of street cleansing improved from 98.03% in 2016/17 to 100% in 2017/18.
- Complaints received through the complaints procedure only (does not include service requests such as missed collections or requests for replacement bins) show there has been an increase of complaints in relation to the refuse and recycling collection service from 53 in 2015/16 to 66 in 2016/17. The number of fly tipping complaints has increased from 1 to 3 in the same period. The number of complaints relating to litter has increased from 7 in 2015/16 to 14 in 2017/18. There has been a decrease of complaints relating to street cleansing from 4 in 2015/16 to 3 in 2016/17.

Conclusions: the definition of a complaint and the way these are recorded differ across authorities so direct comparisons between authorities cannot be made. However, overall figures indicate a trend of an increase in complaints or a decrease in performance in the last two financial years.

Consultations

Tonbridge & Malling: no consultation data available.

Tunbridge Wells: for refuse and recycling services, the Residents' Survey 2015 found that:

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- 94% of respondents used kerbside collection of household rubbish
- 84% used kerbside collection of green waste and food waste for composting
- 81% used kerbside collection of paper & cardboard recycling
- 76% used kerbside collection of plastic pots, tubs, bottle and cans
- 47% used local recycling sites
- Satisfaction with kerbside collections and recycling services was high with 8 in 10 indicating they were satisfied.
- Satisfaction was highest for the weekend civic amenity vehicle waste collection service (90%) kerbside collection of paper and cardboard recycling (89%) local recycling sites (89%) and kerbside collection of plastic pots, tubs, bottle and cans (89%).
- 53% of respondents indicated that they would support a £5 increase across the year to the Council Tax they pay to preserve some services such as bin collection. 39% indicated that they would not support it and 8% were unsure. There were significant differences by working status as follows:
 - Working residents: 56% would support it
 - Residents looking after the home: 57% would support it
 - Unemployed residents: 36% would support it
- The Overview and Scrutiny Committee appointed a Task and Finish Group to review the process leading up to the renewal of the Council's Recycling and Household Waste Collection Contract. The Group spoke with a number of stakeholders and gained information from a number of sources on how waste and recyclables are currently managed and formed a view of how a recycling/household waste service may operate over the next 8-10 years with increased recycling and better cost effectiveness. The Group noted that:
 - Following implementation of changes to the frequency of the Civic Amenity Refuse Collection Service, the tonnage collected by vehicles has reduced significantly, from 750 tonnes between August 2015 and December 2015 to less than 240 tonnes, with 62 tonnes of compostable material being recycled.
 - All Councils in Kent, with two exceptions, offer a chargeable opt in garden waste collection service.
 - An ongoing programme of messages and education around recycling and waste minimisation is necessary.

Relevance to the three aims of the Public Sector Equality Duty:

1. The provision of refuse and recycling collection services and street cleansing services is not relevant to the first aim of the duty to eliminate discrimination, harassment and victimisation.
2. The need to consider how we can take steps to meet the needs of people with protected characteristics, who receive refuse and recycling collection services and street cleansing services, is relevant to the second aim of the duty to advance equality of opportunity.
3. The provision of refuse and recycling collection services and street cleansing services is not relevant to fostering good relations.

For each of the following characteristics:

- Summarise available data, statistics or consultation findings.
- State how the proposal will impact on people.
- What action will be taken to reduce or mitigate any potential negative impacts.

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<p>Disability</p>	<p>Data and information</p> <p>Census (2011): the percentage of the population in receipt of disability benefits (individuals not households) is lower than the Kent (8%) and national average (8.2%): Tonbridge & Malling: 6.4% Tunbridge Wells: 5.7%</p> <p>The percentage of households with one or more people with a long-term health problem or disability: Tonbridge & Malling: one person - 23%; two or more people - 6%. Tunbridge Wells: one person - 22%; two or more people - 5%.</p> <p>Number of assisted collections: Tonbridge & Malling: 977 (2%) Tunbridge Wells: 1731 (approximate) (3.7%)</p> <p>Complaints and service requests relating to assisted collections are not consistently monitored across the two authorities. Tonbridge & Malling recorded 12 missed assisted collections in 2016/17 (0.85% of all complaints). Tunbridge Wells recorded one complaint relating to assisted collections in 2016/17.</p> <p>Consultations: The Residents' Survey (2015) for Tunbridge Wells found that 35% of respondents who are permanently sick or disabled would support a £5 increase across the year to the Council Tax they pay to preserve services some services such as bin collection, compared with 54% of respondents overall.</p> <p>Assessment of impacts</p> <p>Charging for services Residents with a disability who are in receipt of benefits or unable to work may not be able to afford to opt in to the new garden waste collection service.</p> <p>Domestic garden waste can be disposed of free of charge at KCC's Household Waste Recycling. Home composting is an alternative means of disposal. Although not necessary,</p>
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composting bins can be purchased for significantly less than the annual collection charge. The Council will investigate the opportunity to work in partnership to obtain discounted prices for residents.

Possible increase in the quantity or weight of containers

Where additional recycling items will be collected, this may be an improvement in the service for people with disabilities. Residents may have previously taken these to recycling sites which could present accessibility problems for people with disabilities. However, there is also a need to be mindful of the possibility that the weight of containers could increase which may present problems in lifting these to the collection point for some people with disabilities.

The contract does include provision for assisted collections and also allows for possible increases in numbers over the duration of the contract.

Weekend Civic Amenity Vehicle (TWBC) & Saturday Freighter Service (TMBC)

We have no data to indicate what proportion of people with disabilities use these services. It is possible that residents with a disability, who are unable to travel to an HWRC, may use the services. Should any changes become apparent during evaluation of tenders, it will be necessary to consider the impact on people with disabilities, in the context of any wider changes that are introduced as part of the new contract.

The provision of the Weekend Civic Amenity Refuse Collection and Saturday Freighter Services are included in the contract specification as discretionary items. The services are likely to be maintained with garden waste excluded due to the subscription service being introduced. However the service schedules and configuration are to be reviewed in TWBC with the contractor and parish councils post contract award.

Provision of information

It will be necessary to consider how information about changes to the service are communicated to residents with disabilities in an accessible format, including those who receive assisted collections.

The communications strategy for the new contract and the NOM collection service will allow for information to be provided in a variety of media and print material will be made available in alternative formats on request.

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Race	<p>Data and information</p> <p>Census (2011) Ethnic group of household reference person:</p> <ul style="list-style-type: none"> ▪ Tonbridge & Malling: 97% White; 0.7% Mixed/Multiple ethnic group; 1.4% Asian/Asian British; 0.4% Black/African/Caribbean/Black British; 0.2% Other ethnic group. ▪ Tunbridge Wells: 96% White; 0.8% Mixed/Multiple ethnic group; 1.9% Asian/Asian British; 0.6% Black/African/Caribbean/Black British; 0.3% Other ethnic group. <p>Assessment of impacts</p> <p>Although there is a slight difference in demographics between authorities, we have no evidence to indicate that people have different needs based on their ethnic group, in relation to refuse, recycling and street cleansing services. We have not identified any needs that would need to be addressed in the contract.</p>
Sex	<p>Data and information</p> <p>We have no evidence to indicate that males would have different needs to females in relation to refuse, recycling and street cleansing services.</p> <p>Assessment of impacts</p> <p>We have not identified any needs that would need to be addressed in the contract.</p>
Age	<p>Data and information</p> <p>Census (2011) One person households over the age of 65 are in line with Kent and national averages:</p> <ul style="list-style-type: none"> ▪ Tonbridge & Malling: one person - 1%; one family - 10%; other household types all aged over 65 - 0.3%. ▪ Tunbridge Wells: one person - 12%; one family - 9%; other household types all aged over 65 - 0.2%. <p>Consultations: The Residents' Survey (2015) in Tunbridge Wells found that 54% of retired respondents would support a £5 increase across the year to the Council Tax they pay to preserve services some</p>

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services such as bin collection, compared with 54% of respondents overall.

Assessment of impacts

Charging for services

Residents of all age groups who are in receipt of benefits may not be able to afford to pay for the opt in collection of garden waste services. We have little evidence to indicate whether some age groups would be more or less able to pay for the collection of garden waste.

Domestic garden waste can be disposed of free of charge at KCC’s Household Waste Recycling. Home composting is an alternative means of disposal. Although not necessary, composting bins can be purchased for significantly less than the annual collection charge. The Council will investigate the opportunity to work in partnership to obtain discounted prices for residents.

Possible increase in the quantity or weight of containers

- We have no evidence to indicate that particular age groups will be disadvantaged, in relation to refuse, recycling and street cleansing services.
- **An assisted collection service will be available to people with disabilities, regardless of age group.**
 - **Large bins will continue to be offered for households that meet appropriate qualifying criteria. For example, households with six or more permanent residents or with children in nappies.**
 - **The new glass recycling will be collected with plastic cans using a wheelie bin rather than a recycling box to assist with handling**

Weekend Civic Amenity Vehicle (TWBC) & Saturday Freighter Service (TMBC)

We have no data to indicate what proportion of age groups use these services. It is possible that people of some age groups, who are unable to travel to an HWRC, may use the services. Should any changes become apparent during evaluation of tenders, it will be necessary to consider the impact on people with disabilities, in the context of any wider changes that are introduced as part of the new contract.

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	<p>The provision of the Weekend Civic Amenity Refuse Collection and Saturday Freighter Services are included in the contract specification as discretionary items. The services are likely to be maintained with garden waste excluded due to the subscription service being introduced. However the service schedules and configuration are to be reviewed in TWBC with the contractor and parish councils post contract award.</p> <p>Provision of information It will be necessary to consider how information about changes to the service are communicated to residents of all age groups.</p> <p>The communications strategy for the new contract and the NOM service will allow for information to be provided in a variety of media and print material will be made available in alternative formats on request. Promotional activities will be aimed at all age groups.</p>
Religion / Belief	<p>Data and information We have no evidence to indicate that people would have different needs based on their religion/belief in relation to refuse, recycling and street cleansing services.</p> <p>Assessment of impacts We have not identified any needs that would need to be addressed in the contract.</p>
Sexual Orientation	<p>Data and information We have no evidence to indicate that people would have different needs based on their sexual orientation in relation to refuse, recycling and street cleansing services.</p> <p>Assessment of impacts We have not identified any needs that would need to be addressed in the contract.</p>
Pregnancy / Maternity	<p>Data and information We have no evidence to indicate that people would have different needs based on pregnancy/maternity in relation to refuse, recycling and street cleansing services.</p>

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	<p>Assessment of impacts</p> <p>We have not identified any needs that would need to be addressed in the contract.</p> <p>Although no specific needs for pregnancy/maternity have been identified, the contract does include provision for temporary assisted collections to households on request.</p>
Marital or Civil Partnership Status	<p>We have identified that the provision of refuse and recycling collection services and street cleansing services is not relevant to the first aim of the duty to eliminate discrimination, harassment and victimisation.</p>
Gender reassignment	<p>Data and information</p> <p>We have no evidence to indicate that people would have different needs based on gender reassignment in relation to refuse, recycling and street cleansing services.</p> <p>Assessment of impacts</p> <p>We have not identified any needs that would need to be addressed in the contract.</p>
Armed Forces Community	<p>Data and information</p> <p>The needs of the armed forces community are considered as part of the commitments within the Community Covenant to encourage support for the Armed Forces community working and residing in the borough.</p> <p>Assessment of impacts</p> <p>We have not identified any needs that would need to be addressed in the contract.</p>
General	<p>Information about suppliers' track record in relation to equality legislation will be collected at the selection stage process in line with the Crown Commercial Service's Procurement Policy Note: Standard Selection Questionnaire (SQ).</p> <p>As part of the tender evaluation process, grounds for discretionary exclusion included breaches of social & labour law obligations (section 3 of the ITT), and specifically obligations under the Equality Act 2010 (Section 7.9).</p>

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Please tick the outcome of this assessment:	No impact	Adjust the policy	Continue the policy ✓	Stop and remove the policy
How will you summarise the impacts in the committee report:	<p>We have considered how we can take steps to meet the needs of people with protected characteristics, who receive refuse and recycling collection services and street cleaning services, and have identified that:</p> <ul style="list-style-type: none"> ▪ The needs of those who have a protected characteristic of disability and require assisted collections have been built into the specification for the new contract. ▪ It will be necessary to consider how information about changes to the service are communicated to residents with the protected characteristics of age and disability. ▪ The procurement of a new contract is intended to improve the level of service received by all residents, including those with protected characteristics. It will be necessary to monitor the delivery of the contract to ensure the service is delivered to an expected standard. This should include monitoring the provision of an assisted collection service to ensure it is meeting people's needs. 			
When will you review this assessment:	<p>01/10/2018</p> <p>This assessment commenced in October 2017 and has been reviewed during the development of the ITT, and during the evaluation of tenders and prior to a final decision being made on the award of the contract on 17 September 2018.</p> <p>The next assessment will form part of the mobilisation plan with the successful bidder.</p>			

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Exempt Appendices to Royal Tunbridge Wells Business Improvement District (Item 6)

It is proposed 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 on the grounds that it involves the likely disclosure of exempt information as defined Schedule 12A of the Act, by virtue of the particular paragraph shown on the agenda and on the attached reports, namely: Paragraph 3 – *Information relating to the financial or business affairs of any particular person including the authority holding that information.*

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972 (as amended).

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Exempt Appendices to Household Recycling, Waste Collection and Street Cleansing Contact Procurement (Item 7)

It is proposed 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 on the grounds that it involves the likely disclosure of exempt information as defined in Schedule 12A of the Act, by virtue of the particular paragraph shown on the agenda and on the attached reports, namely: Paragraph 3 – *Information relating to the financial or business affairs of any particular person including the authority holding that information.*

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