

A G E N D A

CABINET

Thursday 21 June 2018 at 10.30 am
Committee Room A, Town Hall, Royal Tunbridge Wells, TN1 1RS

Members: Councillor Jukes (Chairman), Councillors McDermott (Vice-Chairman), Dr Basu, March, Moore, Reilly and Weatherly

Quorum: 3 Members (to include either the Leader or Deputy Leader)

1 Apologies

Apologies for absence as reported at the meeting.

2 Declarations of Interest

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 Cabinet Procedure Rule 28.4, and which item(s) they wish to speak on.

4 Minutes of the meeting dated 12 April 2018

To approve the minutes of the meeting held on 12 April 2018 as a correct record. The only issue relating to the minutes that can be discussed is their accuracy.

(Pages 5 - 14)

5 Minutes of the meeting dated 23 May 2018

To approve the minutes of the meeting held on 23 May 2018 as a correct record. The only issue relating to the minutes that can be discussed is their accuracy.

(Pages 15 - 16)

6 Questions from Members of the Council

To receive any questions from members of the Council, of which due notice has been given in accordance with Cabinet Procedure Rule 28.3, to be submitted and answered.

- 7 Questions from Members of the Public**
To receive any questions from members of the public, of which due notice has been given in accordance with Cabinet Procedure Rule 28.5, to be submitted and answered.
- 8 Consideration of the Forward Plan as at 12 June 2018** (Pages 17 - 34)
Leader of the Council
- 9 Annual Report on the Use of the RIPA** (Pages 35 - 38)
Finance and Governance Portfolio
- 10 Performance Summary: Quarter 4** (Pages 39 - 70)
- 11 Complaints Summary: Quarter 3 and 4** (Pages 71 - 82)
- 12 Revenue Management Report: Quarter 4** (Pages 83 - 112)
- 13 Capital Management Report: Quarter 4** (Pages 113 - 132)
- 14 Treasury and Prudential Indicator Management Report: Quarter 4** (Pages 133 - 146)
- 15 Strategic Risk Register** (Pages 147 - 164)
Culture, Leisure and Tourism Portfolio
- 16 Cultural Hub - Update and External Funding** (Pages 165 - 172)
- 17 Ice Rink Tender** (Pages 173 - 178)
Sustainability Portfolio
- 18 Charging Food Businesses for Food Hygiene Rating Scheme Re-score Inspections** (Pages 179 - 184)
- 19 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.
- 20 Date of Next Meeting**
To note that the date of the next scheduled meeting is Thursday 19 July 2018 at 12pm.

EXEMPT ITEM

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 of business on the grounds that it may involve the likely disclosure of exempt information as defined in Part I, Schedule 12A of the Act, by virtue of the particular paragraph shown on the agenda and on the attached report.

- **Exempt Appendix to Ice Rink Tender (Item 17)** (Pages 185 - 188)
Exempt by virtue of paragraph 3: Information relating to the financial or business affairs of any particular person including the authority holding that information.

Mark O'Callaghan
Democratic Services Officer

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Town Hall
ROYAL TUNBRIDGE WELLS
Kent TN1 1RS



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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 a 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.

TUNBRIDGE WELLS BOROUGH COUNCIL

CABINET

Thursday 12 April 2018

Present: Councillor David Jukes (Chairman)
Councillors McDermott (Vice-Chairman), Dr Basu, March and Weatherly

Officers in Attendance: William Benson (Chief Executive), Lee Colyer (Director of Finance, Policy and Development (Section 151 Officer)), Paul Taylor (Director of Change and Communities), Patricia Narebor (Head of Legal Partnership), Terry Hughes (Community Safety Manager), David Scully (Landscape and Biodiversity Officer), Hilary Smith (Economic Development Manager), Gary Stevenson (Head of Environment and Street Scene) and Mark O'Callaghan (Democratic Services Officer)

Other Members in Attendance: Councillors Simmons, Backhouse and Mrs Soyke

APOLOGIES

CAB155/17 Apologies for absence were received from Councillors Moore and Reilly.

DECLARATIONS OF INTEREST

CAB156/17 There were no disclosable pecuniary or other significant interests declared at the meeting.

NOTIFICATION OF VISITING MEMBERS WISHING TO SPEAK

CAB157/17 There were no Visiting Members who had registered as wishing to speak.

MINUTES OF THE MEETING DATED 01 MARCH 2018

CAB158/17 Members reviewed the minutes. No amendments were proposed.

RESOLVED – That the minutes of the meeting dated 01 March 2018 be approved as a correct record.

QUESTIONS FROM MEMBERS OF THE COUNCIL

CAB159/17 There were no questions from members of the Council.

QUESTIONS FROM MEMBERS OF THE PUBLIC

CAB160/17 There were no questions from members of the public.

CONSIDERATION OF THE FORWARD PLAN AS AT 04 APRIL 2018

CAB161/17 Members considered the plan. No amendments were proposed.

RESOLVED – That the Forward Plan as at 04 April 2018 be noted.

ASHDOWN FOREST AIR QUALITY IMPACT ASSESSMENT AND REVISED HABITAT REGULATION ASSESSMENT PRACTICE NOTE

CAB162/17 Councillor McDermott opened the item and noted that the Planning and Transportation Cabinet Advisory Board had supported the recommendations at its meeting held on 10 March 2018.

David Scully, Landscape and Biodiversity Officer, introduced the report which included the following comments:

- The report set out the Council's position towards Ashdown Forest taking account of recent legislative changes and was primarily focused on the impact on air quality.
- Appendix A contained a detailed technical study by AECOM which reviewed and responded to all relevant material published by Wealden District Council.
- Appendix B brought together a conclusion on the study which considered that there was no adverse affect, alone or in combination with other plans and projects, on the Ashdown Forest as a result of development in this Borough. There was no reasonable scientific doubt about this conclusion.
- Having made said conclusion, the practice note at Appendix C set out how the Council would consider planning applications in relation to Ashdown Forest.
- Provided that development in the Borough was within the level and scope as assessed, there would unlikely be any adverse impact on Ashdown Forest.
- Both the practice note and the technical report had been approved by Natural England.
- Officers had met with Wealden District Council who, contrary to previous statements, had advised that no further letters of objection would be issued and they were unlikely to challenge any planning decisions which were contrary to their objections. A written statement was expected in due course.

Councillor Jukes commended the report and wished to see written confirmation of Wealden's position to avoid any doubt or misunderstanding. Mr Scully noted that the meeting with Wealden had been minuted and the statement was made in response to a specific question from officers. He added that clear answers had been difficult to come by but he would make any updates available.

Councillor Jukes welcomed the approval of the report by Natural England. Mr Scully confirmed that Natural England agreed that there would be no adverse impact on the Ashdown Forest from traffic generation as a result of development in Tunbridge Wells.

Councillor McDermott commended the report and thanked Mr Scully.

RESOLVED – That Full Council be recommended:

1. That the contents and conclusions of the detailed technical report titled Ashdown Forest Air Quality Impact Assessment 2018, set out at appendix A to the report, be noted;

2. That the discussions and conclusions with regards the Councils approach to Ashdown Forest and objections received from Wealden District Council in relation to planning applications within the Borough and the Councils current Practice Note in relation to possible adverse effects on Ashdown Forest in the report titled Ashdown Forest – Discussions on Air Quality dated 29 March 2018, set out at Appendix B to the report, be noted; and
3. That the revised Practice Note to inform development management decisions in relation to the application of the Habitat Regulations with regards possible adverse effects on Ashdown Forest, set out at Appendix C to the report, be adopted.

REASON FOR DECISION:

To take account of new evidence and legal advice in the application of the Habitat Regulations in connection with European protected sites to assist in determining individual planning applications that might possibly affect Ashdown Forest Special Area of Conservation and Special Protection Area.

ECONOMIC DEVELOPMENT STRATEGY 2018 - 2021

CAB163/17 Councillor March opened the item and highlighted the achievements of the previous strategy set out in the foreword of the new strategy.

Councillor Jukes noted that rural broadband could be faster and asked whether the Secretary of State could be encouraged to help. Councillor March advised that conversations would be had with Greg Clark MP.

Hilary Smith, Economic Development Manager, introduced the report which included the following comments:

- The achievements of the previous strategy were welcome but there was more to do and the Council would continue working with partners to deliver on improved broadband and other issues.
- The draft strategy had been subject to considerable consultation which supported many of the known issues. Key concerns included a need for more business premises, a need for greater support of rural businesses and a need for improved transport infrastructure.
- Some minor amendments and clarifications had been made to the draft strategy in response to consultation feedback.
- An action plan was set out at the end of the strategy and would be reviewed throughout the life of the strategy.
- The strategy would help prioritise limited resources and form the basis of any future bids for funding.

RESOLVED – That the Economic Development Strategy 2018 – 2021 be adopted.

REASON FOR DECISION:

To ensure that the key issues relating to economic development are recognised and addressed to help create the right conditions for businesses to flourish in the borough and for inward investment. To provide a basis for bidding for project funding in the future, as opportunities arise.

COMMUNITY SAFETY PARTNERSHIP PLAN 2018/19

CAB164/17 Councillor Weatherly opened the item and noted that this was the annual review of the plan on its way through to Full Council.

Terry Hughes, Community Safety Manager, introduced the report which included the following comments:

- Despite a headline increase in crime by 25 per cent, this was the smallest increase in Kent and Tunbridge Wells remained the safest district in Kent.
- Achievements and progress made under each of the community safety priorities for Tunbridge Wells last year were set out in the report.
- For next year, the Police and Crime Commissioner had increased funding for all local authorities by 10 per cent plus a new tactical fund for special expenses. Funding sources were set out at Appendix B to the report.
- Domestic Abuse, Road Safety, Drugs & Alcohol Misuse and Safeguarding / Vulnerable People remained priorities and had been agreed by the Community Safety Partnership.

Councillor Jukes noted the increase in road casualties in the under 16's category and enquired whether the Royal Society for the Prevention of Accidents (RoSPA) still delivered road safety training in schools. Mr Hughes advised that this service was now provided by KCC Wardens who attend schools across the Borough and particularly in rural areas.

Councillor Weatherly sought to confirm comments made at a recent Overview and Scrutiny Committee meeting whereby the increase in domestic abuse cases was largely due to better reporting and that the number of repeat offences was a key indicator. Mr Hughes agreed and added that support services could have a greater impact on the number of repeat offences as the perpetrators and victims had already been engaged by the system.

Councillor McDermott asked whether there was a particular reason behind the 35 per cent reduction in drug possession offences. Mr Hughes advised that there were difficulties relying solely on such statistics as they were often subject to indirect influences such as fewer police on the streets.

In response to a question from Councillor March, Mr Hughes advised that a new Road Safety Centre had been opened by Kent Fire and Rescue Service in Rochester which featured demonstrations on how road safety – including the use of seat belts, mobile phones and alcohol – affected young people. There had not been the expected take-up from secondary schools so the Fire Service was intending to bring the exhibits around the county. Councillor March welcomed the initiative and added that if young people were engaged the good behaviour was likely to continue through to adulthood.

Councillor Jukes was reassured that Tunbridge Wells remained the safest place in Kent.

RESOLVED – That Full Council be recommended:

That the Community Safety Partnership Plan 2018/19 be approved.

REASON FOR DECISION:

All Community Safety Partnerships are required by law to carry out a yearly in-depth analysis of crime, anti-social behaviour and other partnership data in order to produce a strategic assessment document. This process also identifies the priorities for the year ahead. The Community Safety Partnership Plan then set out how those priorities would be tackled.

PUBLIC SPACES PROTECTION ORDER IMPLEMENTATION

CAB165/17 Councillor Weatherly opened the item and commented that the proposals had been widely consulted on and were intended to go to Full Council.

Terry Hughes, Community Safety Manager, introduced the report which included the following comments:

- The proposals were intended to replace existing Alcohol Control Zones and tackle anti-social behaviour.
- The orders would usually be in force for three years but could be varied or rescinded at any time.
- The recommended orders were based on specific complaints or requests and had been subject to considerable public consultation.
- 160 responses had been received which were set out in the report.
- Dog controls were strongly supported and penalties for allowing dog fouling would increase from £50 to £100.
- Dogs being excluded from fenced play areas was strongly supported.
- An outright ban on dogs on playing fields was not supported, therefore the proposal was that dog were to be kept on leads.
- Re-designating current alcohol control zones with equivalent orders was strongly supported.
- Prohibition of possession and use of psychoactive substances in the town centre and area of the alcohol control zones was strongly supported.
- The Council being able to act when a complaint of amplified music was received and assessed to be causing a disturbance was supported. This was not intended to be a ban on busking.
- Controls on anti-social behaviour linked to rough sleeping or begging were supported in the consultation. Discretion would be applied where there was no anti-social behaviour or where the subject was engaged with local support services.
- Draft guidance on discretion and a reasonable behaviour agreement were set out in the appendices. Both documents would be reviewed and agreed by the chair of the monthly Rough Sleepers Professionals Meeting following discussion at the meeting. Any last-resort action taken against individuals would be monitored as a standing agenda item at said meetings.
- Two changes had been made to the discretion guidance document in response to comments made by the Communities Cabinet Advisory Board: 1) The catch-all phrase “any other behaviour the authorised officer deems unreasonable” had been removed; and 2) the scope of contract enforcement staff had been limited to ensure contact is made with Council employees prior to any enforcement action being taken.
- The Equalities team had completed an equalities impact assessment which highlighted issues related to disabilities and age:

- Disabilities, in terms of mental health, had an impact on the prohibitions on anti-social behaviour linked to rough sleeping and begging. To mitigate this the Rough Sleeping and Begging Assistance Form, used as part of the street-based encounter, will capture details of mental health support and engagement with alcohol or drug services. This information would be reviewed after year one.
- In respect of age, it was noted that a significant proportion of respondents to the Residents' Survey 2015 who supported measures such as those being proposed were over 55. There would need to be some form of monitoring to ensure certain age groups were not disproportionately affected.
- Also, suitable exceptions would be made for assistance dogs.

Councillor Jukes welcomed the consultative approach taken and noted the public support for the proposals. Councillor Weatherly concurred.

Councillor March welcomed the clarification and changes made as a result of the discussion at Communities Cabinet Advisory Board.

Councillor Dr Basu congratulated those involved for finding a good solution to the legitimate concerns of residents and businesses, he supported the recommendations. Councillor McDermott concurred.

RESOLVED – That Full Council be recommended:

That the prohibitions and positive requirements for Public Spaces Protection Orders, as set out in paragraph 1.7 and further detailed in paragraph 4.4 of the report, be agreed.

REASON FOR DECISION:

To take account of the response to the public consultation and introduce Public Spaces Protection Orders to address quality of life issues and anti-social behaviour.

PUBLIC REALM PHASE 2

CAB166/17 Councillor Dr Basu opened the item and noted that the plans had been discussed at the Joint Transportation Board and with Kent Highways officers.

Gary Stevenson, Head of Environment and Street Scene, introduced the report which included the following comments:

- The report set out the proposed improvements to Mouth Pleasant Road between Crescent Road and Monson Road which were intended to make the area more pedestrian friendly, encourage bus usage and reduce traffic. It was also noted that a recent planning application sited the proposed improvements as part of their reason for investing.
- Communities Cabinet Advisory Board had been keen to ensure access was maintained for taxis as well as buses and this had been clarified within the report.
- The works were possible due to £1million funding from the Local Enterprise Partnership and the Sustainable Transport Fund with £300k investment from the Council.

- Royal Tunbridge Wells Town Forum and the Public Transport Forum had also been consulted. The carriageway would not be reduced as much as initially proposed in response to concerns of bus operators who wished to ensure sufficient space for buses to pass each other. The road would be reduced from four lanes to the equivalent of three lanes.
- Subject to Cabinet approval, next steps included detailed design, statutory consultation and work with contractors to develop a construction programme. Working more closely with KCC would help speed the process and aid co-ordination between other projects in the town.
- The recommendations also included a Clerk of Works post.

Councillor Jukes welcomed the inclusion of a Clerk of Works and commented that this should be standard for any future works to ensure a high quality.

In response to a question from Councillor Dr Basu, Mr Stevenson confirmed that the Chief Executive had met with the KCC Director of Highways and Transportation and a further meeting with officers was planned to discuss how KCC could be more involved. Councillor Dr Basu added that the Clerk of Works would be employed by Tunbridge Wells to supervise on it's behalf.

RESOLVED –

1. That the outline design of the public realm scheme be endorsed as the basis to move to a detailed design process.
2. That authority be delegated to the Head of Environment and Street Scene in consultation with the Portfolio Holder for Sustainability to enter in to an agreement, with appropriate project controls that include a Clerk of Works role, to transfer the approved capital funding and responsibility for commissioning the detailed design and construction phases of the public realm scheme to Kent County Council.

REASON FOR DECISION:

To progress a key project within the Council's Five Year Plan in such a way that enabled a shorter route to project completion through KCC's commissioning process, a greater control of the tasking of resources and coordination over other KCC Highway activities.

URGENT BUSINESS

CAB167/17 There was no urgent business.

DATE OF NEXT MEETING

CAB168/17 The next meeting would be held on Wednesday 23 May commencing at 11am or at the rising of Full Council, whichever was the later, in the Council Chamber at the Town Hall, Tunbridge Wells.

The subsequent meeting would be Thursday 21 June 2018 at 10.30am.

EXEMPT ITEMS

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

ROYAL VICTORIA PLACE: VARIATION OF LEASEHOLD INTEREST

CAB169/17 Exempt by virtue of paragraph 3 of Schedule 12A of the above Act: Information relating to the financial or business affairs of any particular person including the authority holding that information.

Lee Colyer, Director of Finance, Policy and Development, introduced the report and explained the details of the proposals to vary the long leasehold interest in Royal Victoria Place shopping centre which would ultimately increase the value of the Council's freehold asset and enable significant investment in a critical town centre location.

Mr Colyer, reminded members of the process to date and highlighted the benefits and risks involved. He noted that the recommendation had been supported by the Finance and Governance Cabinet Advisory Board meeting on 20 March 2018.

Members congratulated those involved for the achievements in the negotiations. Councillor Jukes added that this was the best possible outcome and a vote of confidence in the town.

Mr Colyer confirmed that authority to proceed was contained within the existing framework and the proposals would not need to go to Full Council.

RESOLVED – That the recommendations set out in the exempt report be approved.

REASON FOR DECISION:

To support the objectives set out in the report.

STRATEGIC LAND ACQUISITION

CAB170/17 Exempt by virtue of paragraph 3 of Schedule 12A of the above Act: Information relating to the financial or business affairs of any particular person including the authority holding that information.

Lee Colyer, Director of Finance, Policy and Development, introduced the report setting out proposals for the acquisition of land which would be a prudent investment in the short term and potentially of strategic importance in the long term.

Members discussed the risks and benefits as well as the long term obligations associated with the land. Members noted the urgency of the matter as the land had become available on the open market.

RESOLVED – That the recommendations set out in the exempt report be approved.

REASON FOR DECISION:

To support the objectives set out in the report.

CALL-IN AND URGENCY:

In accordance with the provisions of Overview and Scrutiny Procedure Rule 14 in Part 4 of the Constitution, the Chairman of the Overview and Scrutiny gave prior agreement that this decision was urgent and would not be subject to call-in as delay would seriously prejudice the Council's or the public's interest.

NOTE: The meeting concluded at 11.30 am.

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TUNBRIDGE WELLS BOROUGH COUNCIL

CABINET

Wednesday 23 May 2018

Present: Councillor David Jukes (Chairman)
Councillors McDermott (Vice-Chairman), Dr Basu, March, Moore, Reilly and Weatherly

Officers in Attendance: Mark O'Callaghan (Democratic Services Officer)

Other Members in Attendance: None

APOLOGIES

CAB1/18 There were no apologies.

DECLARATIONS OF INTEREST

CAB2/18 There were no disclosable pecuniary or other significant interests declared at the meeting.

NOTIFICATION OF VISITING MEMBERS WISHING TO SPEAK

CAB3/18 There were no Visiting Members who had registered as wishing to speak.

APPOINTMENTS TO WORKING GROUPS OF THE CABINET

CAB4/18 Councillor Jukes proposed the appointments as set out in the report.

RESOLVED – That members be appointed to the working groups of the Cabinet for the municipal year 2018/19 as set out at Appendix A to the report.

REASON FOR DECISION:

To ensure that the Borough Council maintains robust oversight and scrutiny of critical functions.

APPOINTMENTS TO OUTSIDE BODIES

CAB5/18 Councillor Jukes sought agreement to the recommendations set out in the report.

RESOLVED – That the nominated persons be appointed to the Outside Bodies for the terms of office specified as set out at appendix A to the report.

REASON FOR DECISION:

To ensure that the Borough Council maintains mutually beneficial relationships with organisations at a local, regional and national level.

URGENT BUSINESS

CAB6/18 There was no urgent business.

DATE OF NEXT MEETING

CAB7/18 The next meeting would be held on Thursday 21 June 2018 commencing at 10:30am in Committee Room A at the Town Hall, Tunbridge Wells.

NOTE: The meeting concluded at 11.05 am.

FORWARD PLAN

www.tunbridgewells.gov.uk/forwardplan



Notice of Key Decisions / Notice of Private Meetings

Pursuant to the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

This plan sets out and gives a minimum 28 days notice of the key decisions¹ that the Cabinet of Tunbridge Wells Borough Council intend to make. Other non-key decisions to be taken by the executive and the designated decision taker will also be included on the plan wherever possible.

Tunbridge Wells Borough Council will give a minimum 28 days notice through this document when it intends to hold a meeting, or part of a meeting, of the Cabinet in private. Where it is necessary to hold a meeting in private, the reason for this will be stated alongside the decision to be made.

Reasons for holding a meeting in private can vary, and may relate to issues such as commercial sensitivity when dealing with contractual issues, data protection issues relating to personal details of an individual, or due to a court order to hold the meeting in private. All of the reasons whereby a local authority can hold a meeting in private can be found listed in Schedule 12A of the Local Government Act 1972 (as amended) and summarised at the back of this document².

If you wish to make representations against the intention to hold a private meeting, please send these to: Democratic Services, Town Hall, Tunbridge Wells, Kent, TN1 1RS or committee@tunbridgewells.gov.uk no less than ten working days before the meeting date. Any other documents relevant to key decisions to be taken may be submitted to the decision maker via Democratic Services.

If the Council is unable to give 28 days notice, it will publish the reasons for this on its website and at its offices.

A handwritten signature in black ink, appearing to read 'David Jukes'.

Councillor David Jukes
Leader of the Council

Publication Date: 12 June 2018

The most recent version of the Plan supersedes all previously issued versions

Members of the Cabinet and their respective portfolios

Leader of the Council Councillor David Jukes

- Major Projects
- Property and Estates
- Policy
- Facilities
- Democratic Services
- Human Resources

Planning and Transportation Councillor Alan McDermott

- Planning Policy
- Development Management
- Heritage and Conservation
- Planning Enforcement
- Land Charges
- Building Control
- Parking (on and off-street)
- Transportation

Communities and Wellbeing Councillor Lynne Weatherly

- Housing (including Private Sector and Housing Needs)
 - Health
 - Community Centres and Hubs
 - TN2 and The Camden Centre
 - Community Partnerships
 - Assets of Community Value
 - Community Safety and CCTV
 - Rural Communities
 - Younger and Older People
 - Equalities and Equal Access
-

Culture, Leisure and Tourism Councillor Jane March

- Culture, Leisure and the Arts
 - Tourism
 - Assembly Hall Theatre
 - Museum and Art Gallery
 - Events (including Ice Rink)
 - Parks and Grounds Maintenance
 - Sports and Leisure Centres
 - Community Grants
 - Customer Access and Gateway
 - Cemeteries and Crematorium
-

Economic Development and Communications Councillor Tracy Moore

- Economic Development
 - Farmers' Market
 - Business engagement
 - Communications
 - Public engagement and relations
-

Finance and Governance Councillor David Reilly

- Finance
 - Operational Partnerships (including Mid Kent Services)
 - Revenues and Benefits
 - Fraud and Debt Recovery
 - Internal Audit
 - Legal Services
 - ICT
 - Digital Transformation
 - Project and Programme Management
 - Performance Management
 - Data Protection
 - Privacy and Transparency
-

Sustainability Councillor Dr Ronen Basu

- Recycling and Waste Collection
 - Street Cleansing and Littering
 - Fly Tipping and Abandoned Vehicles
 - Environmental Protection
 - Environmental Health
 - Food Hygiene and Health & Safety Standards in businesses
 - Corporate Health and Safety
 - Licensing
 - Sustainability
 - Drainage and Flooding
-

Leader of the Council – Councillor Jukes

Date of decision/ Decision maker	Full Council	Advisory Board	Report Title, Summary and Ward	Consultation Details	Relevant Officer	Key Decision	Exempt?
21/06/18 Cabinet		29/05/18 Finance & Governance Cabinet Advisory Board	Performance Summary: Quarter 4 and End of Year To review an outline of the Council's performance against key strategic indicators. Measures prescribed by central government through the Single Data List (SDL) and the progress against each of the strategic projects as at end of March 2018. (All Wards)	The relevant Cabinet Advisory Board will be consulted.	Jane Clarke, Head of Policy and Governance	No	No
21/06/18 Cabinet		29/05/18 Finance & Governance Cabinet Advisory Board	Complains Summary: Quarter 3 and 4 A review of the complaints received under the Council's complaints procedure between 1 October 2017 and 31 March 2018. (All Wards)	The relevant Cabinet Advisory Board will be consulted.	Jane Clarke, Head of Policy and Governance	No	No
21/06/18 Cabinet		29/05/18 Finance & Governance Cabinet Advisory Board	Annual Report on the Use of RIPA To consider and note details on the use of covert surveillance under the Regulation of Investigatory Powers Act by Tunbridge Wells Borough Council. (All Wards)	The relevant Cabinet Advisory Board will be consulted.	Keith Trowell, Senior Lawyer and Deputy Monitoring Officer	Yes	No

Leader of the Council – Councillor Jukes

Date of decision/ Decision maker	Full Council	Advisory Board	Report Title, Summary and Ward	Consultation Details	Relevant Officer	Key Decision	Exempt?
19/07/18 Cabinet		10/07/18 Finance & Governance Cabinet Advisory Board	Civic Development - Site Assembly (New) The report outlines progress in negotiation of the Council acquiring the third party property assets, rights of access and any other rights as required to enable the Civic Development. The report also seeks approval to progress with the making of the Compulsory Purchase Order. The Full Council report on the 6 December delegated the final decision to make a Compulsory Purchase Order to Cabinet if required, to enable the delivery of the project. <i>Part of this meeting may be held in private by virtue of paragraph 3 of Schedule 12A of the Local Government Act 1972 (as amended). (Park)</i>	The consultation and engagement on the Civic Development was outlined in the Full Council report on 6 December. In addition via the planning application formal consultation has been undertaken. Approval of the report will in the process adopted include a period of public engagement. The relevant Cabinet Advisory Board will be consulted.	David Candlin, Head of Economic Development and Property	Yes	Part
02/08/18 Cabinet		10/07/18 Finance & Governance Cabinet Advisory Board	Property Transaction Report: January - June 2018 This report informs Cabinet of the property transactions completed under delegated authority between 1 January 2018 and 30 June 2018. <i>Part of this meeting may be held in private by virtue of paragraph 3 of Schedule 12A of the Local Government Act 1972 (as amended). (All Wards)</i>	The relevant Cabinet Advisory Board will be consulted.	John Antoniades, Acting Property and Estates Manager	No	Part
13/09/18 Cabinet		21/08/18 Finance & Governance Cabinet Advisory Board	Performance Summary: Quarter 1 To review an outline of the Council's performance against key strategic indicators. Measures prescribed by central government through the Single Data List (SDL) and the progress against each of the strategic projects as at end of June 2018. <i>(All Wards)</i>	The relevant Cabinet Advisory Board will be consulted.	Jane Clarke, Head of Policy and Governance	No	No

Leader of the Council – Councillor Jukes

Date of decision/ Decision maker	Full Council	Advisory Board	Report Title, Summary and Ward	Consultation Details	Relevant Officer	Key Decision	Exempt?
27/10/16 Cabinet Item deferred: 13/09/18 Cabinet		04/10/16 Finance & Governance Cabinet Advisory Board 20/08/18 Planning & Transportation Cabinet Advisory Board	Linden Park Road Car Park Redevelopment To consider a development opportunity on Council owned property. <i>Part of this meeting may be held in private by virtue of paragraph 3 of Schedule 12A of the Local Government Act 1972 (as amended).</i> (All Wards)	The relevant Cabinet Advisory Board will be consulted.	Ian Gifford, Interim Property and Estates Manager John Antoniadis, Acting Property and Estates Manager	Yes	Part
06/12/18 Cabinet		13/11/18 Finance & Governance Cabinet Advisory Board	Performance Summary: Quarter 2 To review an outline of the Council's performance against key strategic indicators. Measures prescribed by central government through the Single Data List (SDL) and the progress against each of the strategic projects as at end of September 2018. (All Wards)	The relevant Cabinet Advisory Board will be consulted.	Jane Clarke, Head of Policy and Governance	No	No
06/12/18 Cabinet		13/11/18 Finance & Governance Cabinet Advisory Board	Complaints Summary: Quarter 1 and 2 A review of the complaints received under the Council's complaints procedure between 1 April 2018 and 30 September 2018. (All Wards)	The relevant Cabinet Advisory Board will be consulted.	Jane Clarke, Head of Policy and Governance	No	No
06/12/18 Cabinet		13/11/18 Finance & Governance Cabinet Advisory Board	Draft Asset Management Plan 2019/20 For the Cabinet to set its recommendations for the Asset Management Plan and to consult on proposed changes. (All Wards)	Request permission for public consultation. The relevant Cabinet Advisory Board will be consulted.	John Antoniadis, Acting Property and Estates Manager	No	No

Leader of the Council – Councillor Jukes

Date of decision/ Decision maker	Full Council	Advisory Board	Report Title, Summary and Ward	Consultation Details	Relevant Officer	Key Decision	Exempt?
07/02/19 Cabinet		15/01/19 Finance & Governance Cabinet Advisory Board	Property Transaction Report: July - December 2018 This report informs Cabinet of the property transactions completed under delegated authority between 1 July 2018 and 31 December 2018. <i>Part of this meeting may be held in private by virtue of paragraph 3 of Schedule 12A of the Local Government Act 1972 (as amended). (All Wards)</i>	The relevant Cabinet Advisory Board will be consulted.	John Antoniadis, Acting Property and Estates Manager	No	Part
07/02/19 Cabinet	Final Decision 20/02/2019	15/01/19 Finance & Governance Cabinet Advisory Board	*Asset Management Plan 2019/20 To recommend to Full Council the revised Asset Management Plan following public consultation. <i>(All Wards)</i>	Public consultation January 2019. The relevant Cabinet Advisory Board will be consulted.	John Antoniadis, Acting Property and Estates Manager	No	No
07/03/19 Cabinet		12/02/19 Finance & Governance Cabinet Advisory Board	Performance Summary: Quarter 3 To review an outline of the Council's performance against key strategic indicators. Measures prescribed by central government through the Single Data List (SDL) and the progress against each of the strategic projects as at end of December 2018. <i>(All Wards)</i>	The relevant Cabinet Advisory Board will be consulted.	Jane Clarke, Head of Policy and Governance	No	No

Finance and Governance Portfolio – Councillor Reilly

Date of decision/ Decision maker	Full Council	Advisory Board	Report Title, Summary and Ward	Consultation Details	Relevant Officer	Key Decision	Exempt?
21/06/18 Cabinet		29/05/18 Finance & Governance Cabinet Advisory Board	Revenue Management Report: Quarter 4 To receive the financial position as at the end of March 2018. (All Wards)	The relevant Cabinet Advisory Board will be consulted.	Jane Fineman, Head of Finance and Procurement	No	No
21/06/18 Cabinet		29/05/18 Finance & Governance Cabinet Advisory Board	Capital Management Report: Quarter 4 To receive the financial position as at the end of March 2018. (All Wards)	The relevant Cabinet Advisory Board will be consulted.	Jane Fineman, Head of Finance and Procurement	No	No
21/06/18 Cabinet		29/05/18 Finance & Governance Cabinet Advisory Board	Treasury and Prudential Indicator Management Report: Quarter 4 To receive the financial position as at the end of March 2018. (All Wards)	The relevant Cabinet Advisory Board will be consulted.	Jane Fineman, Head of Finance and Procurement	No	No
21/06/18 Cabinet		29/05/18 Finance & Governance Cabinet Advisory Board	Strategic Risk Register To approve the annual review of the Council's Strategic Risk Register. (All Wards)	The relevant Cabinet Advisory Board will be consulted.	Lee Colyer, Director of Finance, Policy and Development (Section 151 Officer)	No	No
02/08/18 Cabinet		10/07/18 Finance & Governance Cabinet Advisory Board	Discretionary Rate Relief Scheme (New) To approve the proposed scheme for 2018-2019, 2019-2020, 2020-2021 for the funding available from Central Government to assist businesses following the 2017 Business Rates revaluation. (All Wards)	The relevant Cabinet Advisory Board will be consulted.	Sheila Coburn, Head of Revenues and Benefits	No	No
02/08/18 Cabinet		10/07/18 Finance & Governance Cabinet Advisory Board	Draft Council Tax Reduction Scheme 2019/20 To note the progress that has been made on the review of the scheme (jointly commissioned with other Kent authorities) and provides options for public consultation on the scheme for 2019/20. (All Wards)	Request permission for public consultation. The relevant Cabinet Advisory Board will be consulted.	Sheila Coburn, Head of Revenues and Benefits	No	No

Finance and Governance Portfolio – Councillor Reilly

Date of decision/ Decision maker	Full Council	Advisory Board	Report Title, Summary and Ward	Consultation Details	Relevant Officer	Key Decision	Exempt?
02/08/18 Cabinet		10/07/18 Finance & Governance Cabinet Advisory Board	Budget Projection and Strategy 2019/20 To consider proposals for the draft budget. (Stage 1 of 4 in setting the forthcoming year's budget.) (All Wards)	The relevant Cabinet Advisory Board will be consulted.	Lee Colyer, Director of Finance, Policy and Development (Section 151 Officer)	No	No
13/09/18 Cabinet		21/08/18 Finance & Governance Cabinet Advisory Board	Revenue Management Report: Quarter 1 To receive the financial position as at the end of June 2018. (All Wards)	The relevant Cabinet Advisory Board will be consulted.	Jane Fineman, Head of Finance and Procurement	No	No
13/09/18 Cabinet		21/08/18 Finance & Governance Cabinet Advisory Board	Capital Management Report: Quarter 1 To receive the financial position as at the end of June 2018. (All Wards)	The relevant Cabinet Advisory Board will be consulted.	Jane Fineman, Head of Finance and Procurement	No	No
13/09/18 Cabinet		21/08/18 Finance & Governance Cabinet Advisory Board	Treasury and Prudential Indicator Management Report: Quarter 1 To receive the financial position as at the end of June 2018. (All Wards)	The relevant Cabinet Advisory Board will be consulted.	Jane Fineman, Head of Finance and Procurement	No	No
13/09/18 Cabinet		21/08/18 Finance & Governance Cabinet Advisory Board	Debt Recovery Policy Policy for the recovery of Council Tax and Business Rate debts. (All Wards)	The relevant Cabinet Advisory Board will be consulted.	Sheila Coburn, Head of Revenues and Benefits	No	No
25/10/18 Cabinet		02/10/18 Finance & Governance Cabinet Advisory Board	Budget Update 2019/20 To consider an update on the Budget and the current financial position of the Council. (Stage 2 of 4 in setting the forthcoming year's budget.) (All Wards)	The relevant Cabinet Advisory Board will be consulted.	Lee Colyer, Director of Finance, Policy and Development (Section 151 Officer)	No	No

Finance and Governance Portfolio – Councillor Reilly

Date of decision/ Decision maker	Full Council	Advisory Board	Report Title, Summary and Ward	Consultation Details	Relevant Officer	Key Decision	Exempt?
25/10/18 Cabinet	Final Decision 12/12/2018	02/10/18 Finance & Governance Cabinet Advisory Board	*Council Tax Reduction Scheme 2019/20 To recommend to Full Council potential changes to the Council Tax Reduction Scheme for 2019/20 following public consultation. (All Wards)	Public consultation July/August 2019. The relevant Cabinet Advisory Board will be consulted.	Sheila Coburn, Head of Revenues and Benefits	No	No
22/11/18 Cabinet		13/11/18 Finance & Governance Cabinet Advisory Board	Fees and Charges Setting 2019/20 To consider and agree the fees and charges set by the Council. (All Wards)	The relevant Cabinet Advisory Board will be consulted.	Lee Colyer, Director of Finance, Policy and Development (Section 151 Officer)	Yes	No
06/12/18 Cabinet		13/11/18 Finance & Governance Cabinet Advisory Board	Revenue Management Report: Quarter 2 To receive the financial position as at the end of September 2018. (All Wards)	The relevant Cabinet Advisory Board will be consulted.	Jane Fineman, Head of Finance and Procurement	No	No
06/12/18 Cabinet		13/11/18 Finance & Governance Cabinet Advisory Board	Capital Management Report: Quarter 2 To receive the financial position as at the end of September 2018. (All Wards)	The relevant Cabinet Advisory Board will be consulted.	Jane Fineman, Head of Finance and Procurement	No	No
06/12/18 Cabinet		13/11/18 Finance & Governance Cabinet Advisory Board	Treasury and Prudential Indicator Management Report: Quarter 2 To receive the financial position as at the end of September 2018. (All Wards)	The relevant Cabinet Advisory Board will be consulted.	Jane Fineman, Head of Finance and Procurement	No	No
06/12/18 Cabinet		13/11/18 Finance & Governance Cabinet Advisory Board	Calculation of Council Tax Base To consider proposals for setting the Council Tax and Business Rate Tax Base for 2019/20. (All Wards)	The relevant Cabinet Advisory Board will be consulted.	Lee Colyer, Director of Finance, Policy and Development (Section 151 Officer)	Yes	No

Finance and Governance Portfolio – Councillor Reilly

Date of decision/ Decision maker	Full Council	Advisory Board	Report Title, Summary and Ward	Consultation Details	Relevant Officer	Key Decision	Exempt?
06/12/18 Cabinet		13/11/18 Finance & Governance Cabinet Advisory Board	Draft Budget 2019/20 and Draft Medium Term Financial Strategy Update To consult on proposals for the Budget 2019/20 and Medium Term Financial Strategy. (Stage 3 of 4 in setting the forthcoming year's budget.) (All Wards)	Request permission for public consultation. The relevant Cabinet Advisory Board will be consulted.	Lee Colyer, Director of Finance, Policy and Development (Section 151 Officer)	No	No
07/02/19 Cabinet	Final Decision 20/02/2019	15/01/19 Finance & Governance Cabinet Advisory Board	*Budget 2019/20 and Medium Term Financial Strategy To recommend to Full Council the Council's budget for 2019/20 and the revised Medium Term Financial Strategy following public consultation. (Stage 4 of 4 in setting the forthcoming year's budget.) (All Wards)	Public consultation January 2019. The relevant Cabinet Advisory Board will be consulted.	Lee Colyer, Director of Finance, Policy and Development (Section 151 Officer)	No	No
07/02/19 Cabinet		15/01/19 Finance & Governance Cabinet Advisory Board	*Treasury Management Policy and Strategy To recommend to Full Council the Treasury Management Policy and Strategy to set the parameters and key information regarding the Council's treasury activity, with specific regards to investments and cash flow. (All Wards)	The relevant Cabinet Advisory Board will be consulted.	Lee Colyer, Director of Finance, Policy and Development (Section 151 Officer)	No	No
07/03/19 Cabinet		12/02/19 Finance & Governance Cabinet Advisory Board	Revenue Management Report: Quarter 3 To receive the financial position as at the end of December 2018. (All Wards)	The relevant Cabinet Advisory Board will be consulted.	Jane Fineman, Head of Finance and Procurement	No	No
07/03/19 Cabinet		12/02/19 Finance & Governance Cabinet Advisory Board	Capital Management Report: Quarter 3 To receive the financial position as at the end of December 2018. (All Wards)	The relevant Cabinet Advisory Board will be consulted.	Jane Fineman, Head of Finance and Procurement	No	No

Finance and Governance Portfolio – Councillor Reilly

Date of decision/ Decision maker	Full Council	Advisory Board	Report Title, Summary and Ward	Consultation Details	Relevant Officer	Key Decision	Exempt?
07/03/19 Cabinet		12/02/19 Finance & Governance Cabinet Advisory Board	Treasury and Prudential Indicator Management Report: Quarter 3 To receive the financial position as at the end of December 2018. <i>(All Wards)</i>	The relevant Cabinet Advisory Board will be consulted.	Jane Fineman, Head of Finance and Procurement	No	No

Planning and Transportation Portfolio – Councillor McDermott

Date of decision/ Decision maker	Full Council	Advisory Board	Report Title, Summary and Ward	Consultation Details	Relevant Officer	Key Decision	Exempt?
Not before 20/06/18 Portfolio Holder for Planning and Transportation			Local Development Scheme 2018 (July 2018) (New) The Local Development Scheme (LDS) is a project plan setting out the timescales for preparing the different planning policy documents that Tunbridge Wells Borough Council is working on. The most recent version was adopted in Feb 2018. Due to further evidence based work, and collaborative and positive work with the Neighbourhood Development Plan Groups, it has been necessary to revise the timescales. The revised timescales have been agreed at the TWBC Planning Policy Working Group. (All Wards)	The Planning Policy Working Group have been consulted. Report to be published before decision is made.	Stephen Baughen, Building Control & Planning Policy Manager	No	No
23/09/18 Cabinet		20/08/18 Planning & Transportation Cabinet Advisory Board	Draft Ashdown Forest Supplementary Planning Document: Visitor Mitigation Policy To request permission to consult on a Supplementary Planning Document to set out the policy and approach to addressing visitor pressure arising from development within Tunbridge Wells Borough on Ashdown Forested a European protected site. (All Wards)	Request permission for public consultation. The relevant Cabinet Advisory Board will be consulted.	David Scully, Landscape and Biodiversity Officer	No	No
06/12/18 Cabinet		12/11/18 Planning & Transportation Cabinet Advisory Board	Ashdown Forest Supplementary Planning Document: Visitor Mitigation Policy To approve, following consultation, a Supplementary Planning Document to set out the policy and approach to addressing visitor pressure arising from development within Tunbridge Wells Borough on Ashdown Forested a European protected site. (All Wards)	Public consultation Sep-Oct 2018. The relevant Cabinet Advisory Board will be consulted.	David Scully, Landscape and Biodiversity Officer	Yes	No

Planning and Transportation Portfolio – Councillor McDermott

Date of decision/ Decision maker	Full Council	Advisory Board	Report Title, Summary and Ward	Consultation Details	Relevant Officer	Key Decision	Exempt?
07/02/19 Cabinet		14/01/19 Planning & Transportation Cabinet Advisory Board	Tunbridge Wells Borough Draft Preferred Local Plan To approve an update on Local Plan process and recommendations for a Draft Preferred Local Plan document consultation. <i>(All Wards)</i>	Local Plan process includes Issues and Options stage which was subject of public consultation in May/June 2017. Draft Preferred Local Plan document will be subject to public consultation. The relevant Cabinet Advisory Board will be consulted.	Stephen Baughen, Building Control & Planning Policy Manager	No	No

Culture, Leisure and Tourism Portfolio – Councillor March

Date of decision/ Decision maker	Full Council	Advisory Board	Report Title, Summary and Ward	Consultation Details	Relevant Officer	Key Decision	Exempt?
21/06/18 Cabinet		30/05/18 Communities Cabinet Advisory Board	Cultural Hub - Update and External Funding Update on the progress of the proposed Cultural Hub project. <i>(All Wards)</i>	Details distributed to members prior to meeting. Consultation events have been ongoing for some time, and the next is planned for June 2018.	Nicky Carter, Head of HR and Customer Services	Yes	No
21/06/18 Cabinet		30/05/18 Communities Cabinet Advisory Board	Ice Rink Tender To review the five year ice rink tender. <i>Part of this meeting may be held in private by virtue of paragraph 3 of Schedule 12A of the Local Government Act 1972 (as amended). (Park)</i>	The relevant Cabinet Advisory Board will be consulted.	Dawn Gabriel, Operations and Events Manager	Yes	Part
18/09/18 Cabinet		22/08/18 Communities Cabinet Advisory Board	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.	Kevin Hetherington, Project Executive	Yes	No

Communities and Wellbeing Portfolio – Councillor Weatherly

Date of decision/ Decision maker	Full Council	Advisory Board	Report Title, Summary and Ward	Consultation Details	Relevant Officer	Key Decision	Exempt?
07/03/19 Cabinet		13/02/19 Communities Cabinet Advisory Board	*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	No	No

Sustainability Portfolio – Councillor Dr Basu

Date of decision/ Decision maker	Full Council	Advisory Board	Report Title, Summary and Ward	Consultation Details	Relevant Officer	Key Decision	Exempt?
Not before 01/10/16 Portfolio Holder for Sustainability			Food Service Plan 2017-18 Each local authority should write and develop a Food Service Plan that outlines the demands of the service and identifies the resource needed to deliver this. The Food Standards Agency (FSA) requires such plans have senior management or member approval. As the food and safety function is delivered through a shared service the plan has been developed to reflect the total resource available to deliver the service demands and review the outcomes of the service in the previous year. <i>(All Wards)</i>	Report to be published prior to decision being taken.	Tracey Beattie, Mid Kent Environmental Health Manager	No	No
1/06/18 Cabinet		30/05/18 Communities Cabinet Advisory Board	Charging Food Businesses for Food Hygiene Rating Scheme Re-score Inspections The Food Standards Agency enables local authorities to charge food businesses for re-inspections where businesses wish to improve their Food Hygiene Rating score. This is a commercial not a public health or regulatory enforcement decision, as it enables the business to have the inspection 3 months of the initial inspection. There are clear guidelines that the officers have to follow when considering the re-inspection, including the time period to undertake the revisit. As such requests will have an impact on the workload of the service there is a justifiable reason to consider charging the business. The charge set has been agreed by the Fees and Charges Committee and covers the officer time and administration of the process. <i>(All Wards)</i>	The relevant Cabinet Advisory Board will be consulted.	Tracey Beattie, Mid Kent Environmental Health Manager	No	No

Sustainability Portfolio – Councillor Dr Basu

Date of decision/ Decision maker	Full Council	Advisory Board	Report Title, Summary and Ward	Consultation Details	Relevant Officer	Key Decision	Exempt?
02/08/18 Cabinet		11/07/18 Communities Cabinet Advisory Board	Draft Air Quality Action Plan To request permission to consult on the revised draft 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>	Request permission for public consultation. The relevant Cabinet Advisory Board will be consulted.	Karin Grey, Sustainability Manager	No	No
25/10/18 Cabinet		03/10/18 Communities Cabinet Advisory Board	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	Yes	No

1. KEY DECISIONS

A “key decision” means a decision which is to be taken by the executive of the Council which is likely to:

- (a) result in the Council incurring expenditure which is, or the making of savings which are over £250,000 as well as otherwise being significant having regard to the Council’s budget for the service or function to which the decision relates; or
- (b) be significant in terms of its effects on communities living or working in an area comprising two or more wards in the Borough of Tunbridge Wells.

2. REASONS A MEETING MAY BE HELD IN PRIVATE

In accordance with section 100A(4) of the Local Government Act 1972 and the Local Government (Access to Information) (Variation) Order 2006, the public may be excluded from a meeting on the grounds that it may involve the likely disclosure of exempt information as defined in Part 1, Schedule 12A of the Local Government Act 1972 (as amended). The exemption must be by virtue of one or more specified paragraphs of the above Act as shown on the Forward Plan (giving 28 days notice) and the meeting agenda (giving 5 days notice); summarised as follows:

Paragraph (1) - Information relating to any individual.

Paragraph (2) - Information which is likely to reveal the identity of an individual.

Paragraph (3) - Information relating to the financial or business affairs of any particular person (including the authority holding that information).

Paragraph (4) - Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office-holders under, the authority.

Paragraph (5) - Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

Paragraph (6) - Information which reveals that the authority proposes –

- (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
- (b) to make an order or direction under any enactment.

Paragraph (7) - Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

QUALIFICATIONS:

- (8) Information falling within paragraph (3) above is not exempt information by virtue of that paragraph if it is required to be registered under –
 - (a) the Companies Act 1985;
 - (b) the Friendly Societies Act 1974;
 - (c) the Friendly Societies Act 1992;
 - (d) the Industrial and Provident Societies Acts 1965 to 1978;
 - (e) the Building Societies Act 1986; or
 - (f) the Charities Act 1993.
- (9) Information is not exempt information if it relates to proposed development for which the local planning authority may grant itself planning permission pursuant to regulation 3 of the Town and Country Planning General Regulations 1992.
- (10) Information which –
 - (a) falls within any of paragraphs 1 to 7 above; and
 - (b) is not prevented from being exempt by virtue of paragraph 8 or 9 above,
 is exempt information if and so long as, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Cabinet

21 June 2018

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

Yes

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

Final Decision-Maker	Cabinet
Portfolio Holder(s)	Portfolio Holder for Finance and Governance
Lead Director	Lee Colyer, Director of Finance & Corporate Services (Section 151 Officer)
Head of Service	Patricia Narebor, Head of Legal Partnership
Lead Officer/Report Author	Keith Trowell, Interim Team Leader (Corporate Governance)
Classification	Non-exempt
Wards affected	All

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

That the report be noted

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

- A Confident Borough

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

Timetable

Meeting	Date
Finance and Governance Cabinet Advisory Board	Tuesday 29 May 2018
Cabinet	Thursday 21 June 2018

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

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

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

2. INTRODUCTION AND BACKGROUND

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

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

3. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

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

4. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 4.1 The report is for noting only.

RECOMMENDATION FROM CABINET ADVISORY BOARD

- 4.2 The Finance and Governance Cabinet Advisory Board was consulted on 29th May 2018 and agreed the following recommendation:

That the recommendation set out in the report be supported.

5. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

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

6. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Legal including Human Rights Act	This report meets the requirement to produce an annual report on the use of RIPA powers. The use of RIPA powers can result in a direct interference with a person's human rights. The Council must comply with its procedures and any authorisations must be proportionate in order to justify such interference.	Keith Trowell, Interim Team Leader (Corporate Governance) 29.03.18.

Finance and other resources	It is necessary that a sufficient budget is available for RIPA training. There are no value-for-money considerations arising from this report other than to ensure that the Council is acting according to best practice.	Jane Fineman, Head of Finance and Procurement 10.05.18.
Staffing establishment	No implications	Keith Trowell, Interim Team Leader (Corporate Governance) 30.05.18.
Risk management	There are some risks associated with RIPA, most notably reputational risks arising from possible adverse media coverage however, use of RIPA is now minimal and the Council can minimise the risk by ensuring that the use of RIPA is proportionate and appropriate.	Rich Clarke, Head of Audit Partnership 10.05.18.
Environment and sustainability	No implications	Keith Trowell, Interim Team Leader (Corporate Governance) 30.05.18.
Community safety	The appropriate use of RIPA can assist in the prevention and detection of crime in the Borough thereby demonstrating compliance with the duty under Section 17 of the Crime and Disorder Act 1998.	Terry Hughes, Community Safety Manager 09.05.18
Health and Safety	No implications.	Mike Catling, Health and Safety Advisor 10.05.18
Health and wellbeing	No implications	Keith Trowell 30.05.18
Equalities	The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no apparent equality impact on end users.	Sarah Lavallie, West Kent Equalities Officer 16.05.18

7. REPORT APPENDICES

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

- None

8. BACKGROUND PAPERS

- None.

Cabinet	21 June 2018
Is the final decision on the recommendations in this report to be made at this meeting?	Yes

Performance Summary: Quarter 4

Final Decision-Maker	Cabinet
Portfolio Holder(s)	Councillor David Reilly, Portfolio Holder for Finance and Governance
Lead Director	Lee Colyer, Director of Finance, Policy and Development
Head of Service	Jane Clarke, Head of Policy & Governance
Lead Officer/Author	Jane Clarke, Head of Policy & Governance
Classification	Non-exempt
Wards affected	All

<p>This report makes the following recommendations to the final decision-maker:</p> <ol style="list-style-type: none"> 1. That Cabinet notes the progress made against each of its Corporate Priorities 2017/18 at the end of quarter four, as set out in the report and Appendix A; 2. That Cabinet notes the progress made against the Change Programme 2017/18 at the end of quarter four, as set out in the report and Appendix B; 3. That Cabinet notes the Council's performance on Council Business at the end of quarter four, as set out in the report and Appendix C; and 4. That Cabinet notes the challenges and proposed actions for each underperforming indicator within the Recovery Plans at Appendix D.
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<p>This report relates to the following Five Year Plan key objectives:</p> <ul style="list-style-type: none"> ❖ A Prosperous Borough ❖ A Green Borough ❖ A Confident Borough <p>This report monitors the effectiveness of the Council's actions and plans to meet all of the objectives within the Five Year Plan, highlights underperforming areas, and proposes actions to remedy that underperformance to ensure the key objectives are met.</p>

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

Performance Summary: Quarter 4

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

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

2. INTRODUCTION AND BACKGROUND

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

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

- 2.2 The summary is divided into three sections:

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

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

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

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

3. PERFORMANCE ON CORPORATE PRIORITIES 2017/18

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

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

- 3.5 For those Corporate Priorities that have not passed their milestones this quarter, updates are provided on the projects where relevant in the report at Appendix A.
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4. PERFORMANCE ON THE CHANGE PROGRAMME 2017/18

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

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

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

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

5. PERFORMANCE ON COUNCIL BUSINESS

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

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

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

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

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

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

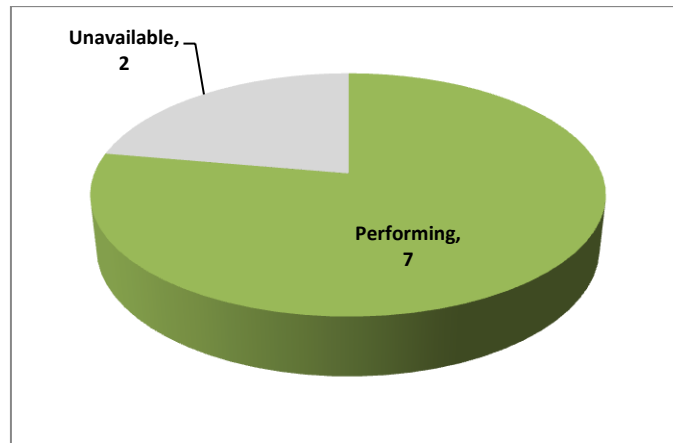
- 5.4 The Recovery Plans for the two underperforming indicators are included at Appendix D for approval.

Council Business by Directorate

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

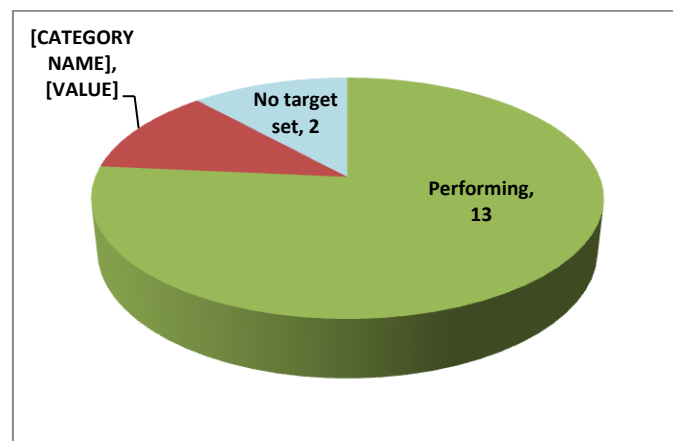
Director of Change and Communities

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



Director of Finance, Policy and Development

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



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

Number of Tourist Information Centre Counter Enquiries

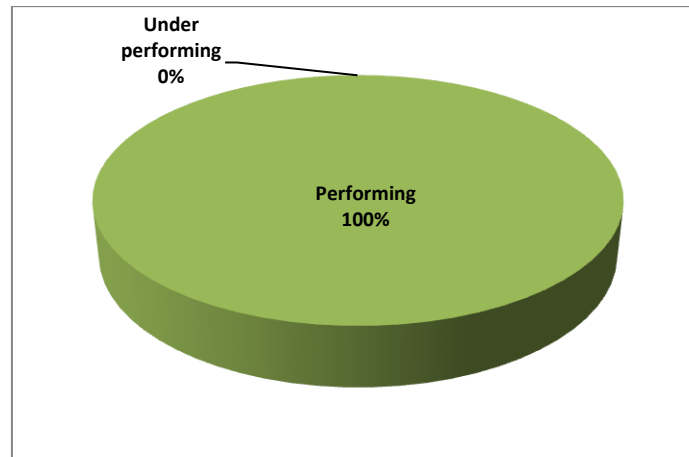
Poor weather was experienced in quarter four, with a noticeable reduction in the number of visitors. Normal numbers are expected to resume in quarter one of 2018/19.

Off Street Parking Income

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

Mid Kent Services Director

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



6. STATE OF THE BOROUGH

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

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

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

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

7. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

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

RECOMMENDATION FROM CABINET ADVISORY BOARD

- 7.2 The Finance and Governance Cabinet Advisory Board was consulted on this decision on 29 May 2018 and agreed the following recommendation:

That the recommendations set out in the report be supported.

8. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

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

9. CROSS-CUTTING ISSUES AND IMPLICATIONS

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

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

10. REPORT APPENDICES



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


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




11. BACKGROUND PAPERS



- The Five Year Plan:
http://www.tunbridgewells.gov.uk/data/assets/pdf_file/0020/53291/Five-Year-Plan-2017-2022.pdf




Corporate Priorities End of Year 2017/18




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

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

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

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

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

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


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


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Quarter 4 Business Delivery Unit Change Programme 2017/18

Transformation Projects



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

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

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


Transformation Challenge Award

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

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

Kent Customer Services Group Project





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

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

Quarter 4 2017/18 Indicators reflecting council business

Director of Change and Communities

Gary Stevenson - Head of Environment and Street Scene

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

Kevin Hetherington - Project Executive




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

Nicky Carter - Head of HR and Customer Contact






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

Director of Finance, Policy and Development

David Candlin - Head of Property & Economic Development

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

Jane Fineman - Head of Finance & Procurement




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

Karen Fossett - Head of Planning

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

Mid Kent Services Director

Sheila Coburn – Head of Revenues and Benefits





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

State of the Borough


Community Safety

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

Homelessness

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

Local Economy

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

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UNDERPERFORMING INDICATOR RECOVERY PLAN

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

Definition:

Measurement: Quarterly

**Historical
Performance**

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

Action Plan

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

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UNDERPERFORMING INDICATOR RECOVERY PLAN

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

Definition: Determining Major applications within 13 weeks

Measurement: Quarterly

**Historical
Performance**

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

Action Plan

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

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Cabinet

21 June 2018

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

Yes

Complaints Summary: Quarter 3 and Quarter 4

Final Decision-Maker	Cabinet
Portfolio Holder(s)	Councillor David Reilly, Portfolio Holder for Finance and Governance
Lead Director	Lee Colyer, Director of Finance, Policy and Development
Head of Service	Jane Clarke, Head of Policy and Governance
Lead Officer/Author	Jane Clarke, Head of Policy and Governance
Classification	Non-exempt
Wards affected	All

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

That the report be noted

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

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

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

Timetable

Meeting	Date
Management Board	9 May 2018
Finance and Governance Cabinet Advisory Board	29 May 2018
Cabinet	21 June 2018

Complaints Summary: Quarter 3 and Quarter 4

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

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

2. INTRODUCTION AND BACKGROUND

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

3. COMPLAINTS OVERVIEW

Number of complaints

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

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

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

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

Response times

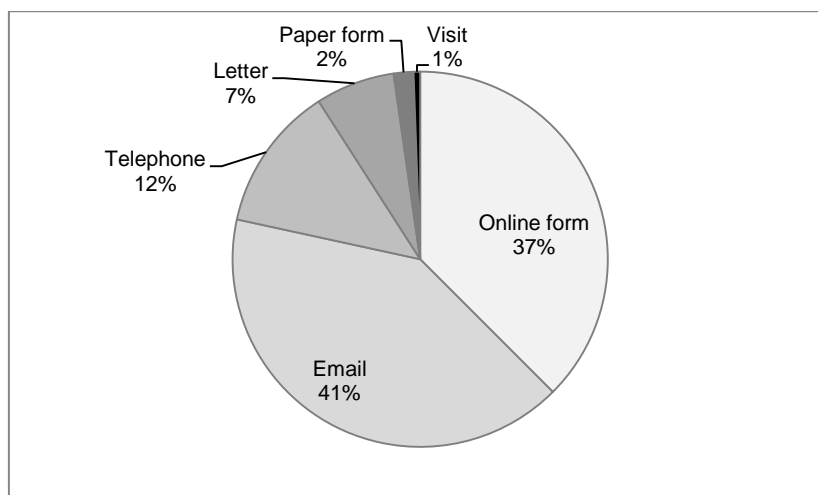
- 3.3 Responding to complaints within a reasonable time is a key performance target for the Council, and is a feature of a well performing complaints handling system that adheres to best practice. Performance indicators are used to monitor the speed of the Council's response to complaints dealt with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

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

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

Complaint channel

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

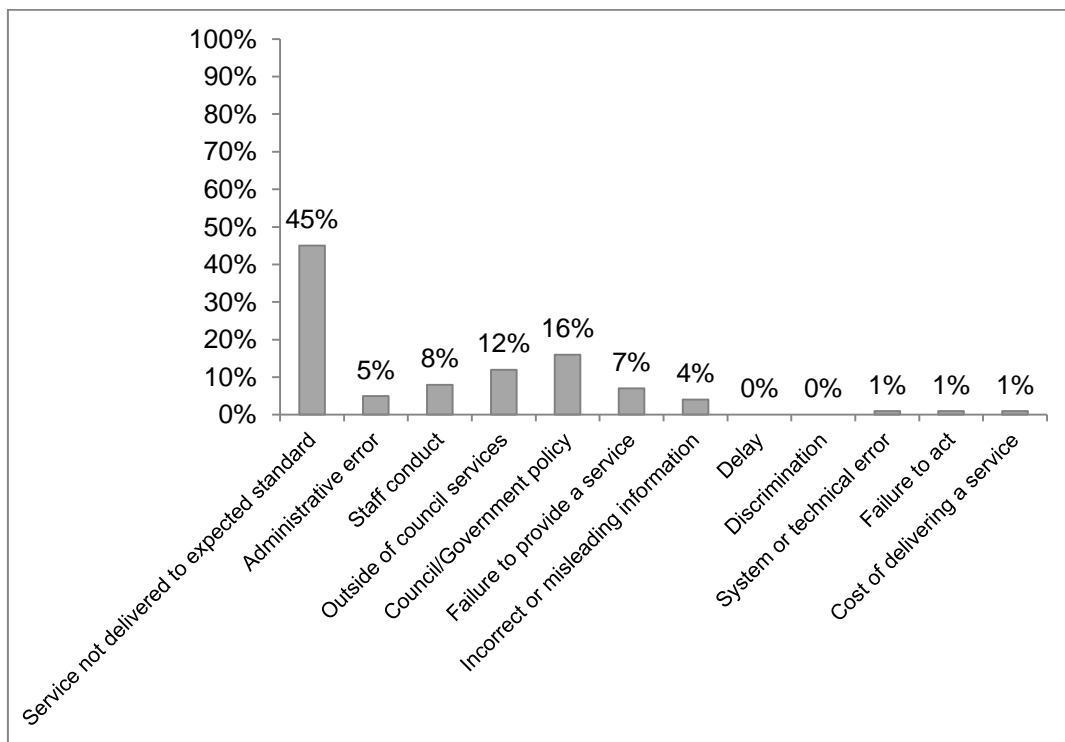


- 3.9 During quarters three and four for 2017/18, the majority of complaints received were made through electronic means. Email was the most popular method of complaining, followed by the online form. These two channels account for 78% of all complaints received.
- 3.10 Whilst the preference for digital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

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

Reasons and decisions

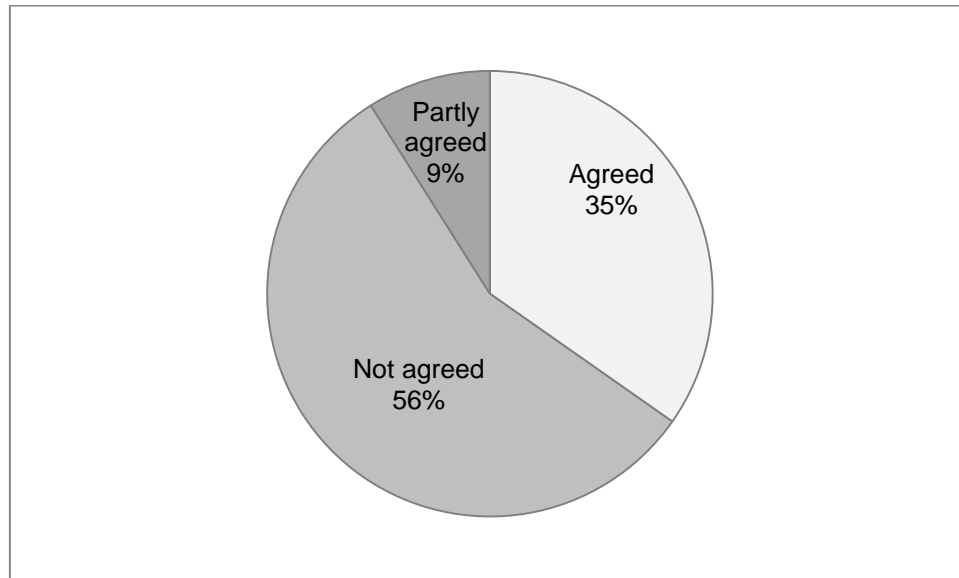
- 3.11 The Council records the reasons why a complaint has been made, in line with a list of categories that have been developed, and the decisions made on complaints.
- 3.12 For quarters 3 and 4 for 2017/18, the majority of complaints were recorded as the service not being delivered to expected standards,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



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

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

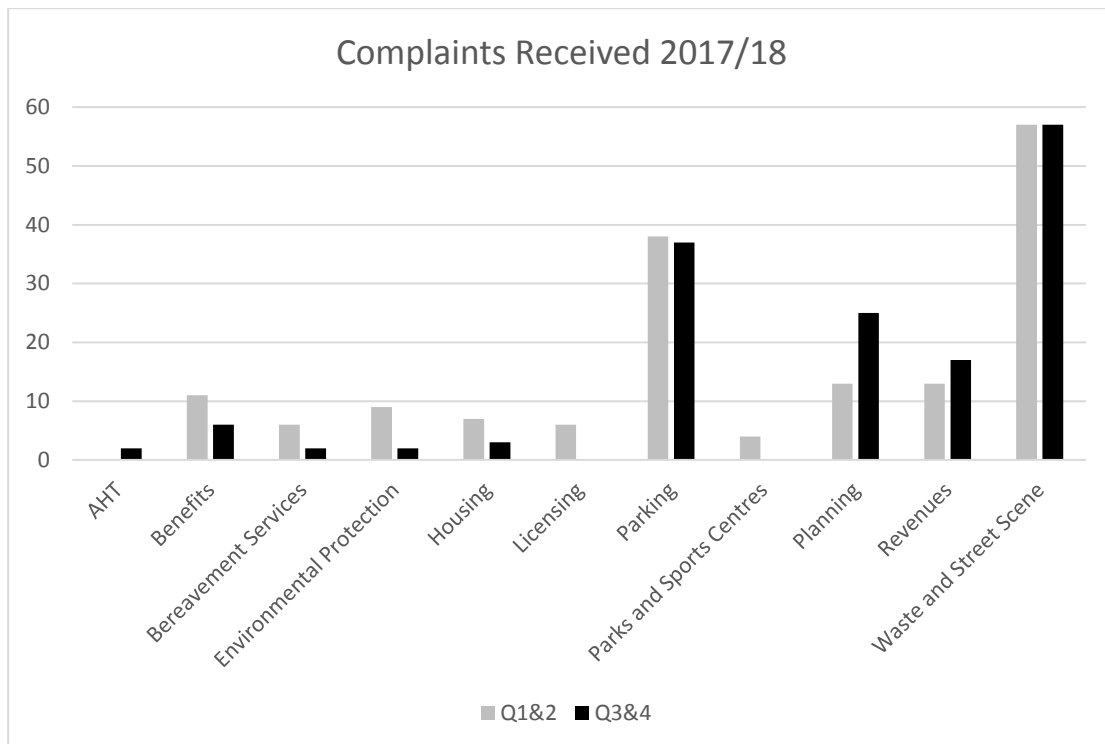
- 3.14 For those complaints that received a decision in quarters 3 and 4 for 2017/18, the Council agreed with the complainant in 35% of cases, and partly agreed in 9% of cases. This is a reduction from quarters 1 and 2 whereby the Council agreed with the complainant in 42% of cases, and partly agreed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



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

Complaints by service

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



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

Compensation paid

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

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

Learning from complaints

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

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

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

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

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

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

5. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

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

6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

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

RECOMMENDATION FROM CABINET ADVISORY BOARD

- 6.2 The Finance and Governance Cabinet Advisory Board were consulted on this decision on 29 May 2018, and made the following recommendation:

That the recommendations in the report be supported.

7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

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

8. CROSS-CUTTING ISSUES AND IMPLICATIONS

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

Data Protection	<p>The corporate complaints process uses personal information to assess the validity of a complaint, which can sometimes include financial and special category information.</p> <p>The online system has been designed so that only those officers who need the information to assess or manage the complaint can access the data, and a privacy notice is available at the point of collection, and on the council's website to inform residents of their rights under data protection legislation.</p>	Jane Clarke, Data Protection Officer
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9. REPORT APPENDICES

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

- None.
-

10. BACKGROUND PAPERS

- None.

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Cabinet

21 June 2018

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

Yes

Revenue Management Report: Quarter 4 (to 31 March 2018)

Final Decision-Maker	Cabinet
Portfolio Holder(s)	Councillor David Reilly – Portfolio Holder for Finance and Governance
Lead Director	Lee Colyer – Director of Finance, Policy and Development
Head of Service	Jane Fineman – Head of Finance and Procurement
Lead Officer/Author	Clare Hazard – Accountancy Manager
Classification	Non-Exempt
Wards affected	All

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

1. That the unaudited actual revenue expenditure outturn and impact on reserves for the year ending 31 March 2018 is noted; and
2. That the updated charges and timing for implementation, of the licensing of Houses in Multiple Occupation (HMO) as set out in this report and appendices be agreed.

This report relates to the following corporate priorities:

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

Timetable

Meeting	Date
Management Team	9 May 2018 (Verbal update)
Discussion with Portfolio Holder	29 May 2018
Cabinet Advisory Board	29 May 2018 (Verbal update)
Cabinet	21 June 2018

Revenue Management Report: Quarter 4 (to 31 March 2018)

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 This report shows the unaudited actual expenditure outturn on services compared to the revised budget for the year ended 31 March 2018, and the forecast outturn position, as at Quarter 3.
- 1.2 The actual outturn shows an underspend to the revised budget of £1,014,000. This comprises an overachievement in income of £720,000 and an underspend on costs of £294,000.
- 1.3 A sum of £754,000 was transferred to the General Fund of which £552,000 was the reported revenue underspend at Quarter 3 and £202,000 was an amount equal to the Revenue Support Grant received this year, transferred to reserves to demonstrate financial self sufficiency. There was a withdrawal from the General Fund of £913,000 all of which was transferred to the Capital and Revenue Initiatives Reserve, £550,000 to specifically fund the development programme and £363,000 to fund other capital schemes and to keep the overall balance of the General Fund at £4 million.

2. INTRODUCTION AND BACKGROUND

Summary Outturn – See Appendix A

- 2.1 Appendix A shows the overall unaudited income and expenditure on services position as at 31 March 2018. Total income and expenditure on services can be seen in greater detail within Appendix B, which provides information per service area. The approved budget was set by Full Council on 22 February 2017 and does not change. The revised budget is used to record virements amongst service areas and from reserves, whilst the forecast outturn is used to record the reporting of savings, overspends and allocations from reserves.
- 2.2 The actual outturn for expenditure on services is £14,372,000, £1,014,000 below the revised budget. This is a further improvement from Quarter 3 which was forecasting a £450,000 underspend to budget. This is very positive and the result of a number of variances, shown in Appendix C.
- 2.3 Investment interest was £87,000 over budget for the year. £70,000 had been projected at Quarter 3 and had been vired into the budget and forecast with a matching transfer to the Strategic Plan reserve. There was a further increase of £17,000 over the Quarter 3 forecast as well as additional interest income of £14,000 from other sources. The Council's investment in the Local Authorities' Property Fund has generated a return of 5.4% which has contributed hugely to the interest achieved. A further £1 million was repaid to the Public Works Loans Board in Quarter 4 so the outstanding loan is now £5 million. Interest is being paid at 2.38%, the total cost of which was £145,310 for 2017/18.
- 2.4 Appendices A and F show that £160,000 has been recorded and transferred to the Vacancy Factor from Directorate budgets, which was the full requirement for the year. Vacancy factor is the saving created whilst a budgeted post is vacant.

Usable Reserves – See Appendix D

- 2.5 Appendix D shows all usable reserves including the earmarked reserves. Usable reserves are those that the Council can use to provide services, subject to the need to maintain an overall prudent level of reserves. Earmarked reserves are amounts set aside to meet identified, and often committed, future liabilities.
- 2.6 £754,000 was transferred to the General Fund of which £450,000 was the reported revenue underspend at Quarter 3, £102,000 was the additional grant received as reported at Quarter 2 and £202,000 was an amount equal to the Revenue Support Grant received this year. There was a withdrawal from the General Fund of £913,000 all of which was transferred to the Capital and Revenue Initiatives Reserve, £550k to specifically fund the development programme and £363,000 to fund other capital schemes and to keep the overall balance of the General Fund at £4 million. This is the minimum level of general reserves needed for working capital purposes.
- 2.7 A net £1,610,000 has been added to the earmarked reserves this year to fund various projects. The main movements are explained below.
- 2.8 The Capital and Revenue Initiatives Reserve has funded £2,154,000 of the Property Development Programme and £7,000 of the Asset Disposal Programme. No funding was required from this reserve for the capital programme as all capital expenditure was able to be met from other earmarked reserves and capital receipts. However a number of capital projects have been rescheduled from 2017/18 to future years so this reserve will still need to fund these projects. A sum of £2,703,000 was transferred to the Capital and Revenue Initiatives Reserve. This was made up of £550,000 from the General Fund specifically for the Development Programme, £140,000 from the Local Authority Mortgage Scheme Reserve, as this scheme has now finished, and £2,013,000 from the savings to budget achieved in 2017/18, which will fund the development programme and capital programme already committed in future years.
- 2.9 £20,000 was withdrawn from the Strategic Plan Reserve for the demolition of Southborough toilets. £435,000 was repaid to the reserve in order to replenish it to a balance of £1 million plus £22,000 already earmarked for the transport consultancy. This £1 million is required to be set aside as a condition of the planning permission for the Civic Complex development.
- 2.10 The Pensions Settlement Reserve has received £215,000 this year to reimburse the £2,023,000 taken from reserves to settle past pension liabilities. This brings the total in the reserve to £1,392,000. It is expected that this reserve will be fully reimbursed within the next three years.
- 2.11 The Civic Development Reserve has received £316,000 this year. £96,000 was from the saving following the senior management restructure and £220,000 was from the overall saving to budget achieved this year. This amount represents the budgeted transfer to this reserve for 2018/19 which has been achieved and transferred a year early.
- 2.12 At Quarter 3 Cabinet approved the establishment of a Rent Advance and Deposit reserve to hold monies set aside to support households who have a priority need for accommodation under homelessness legislation. £248,000 has been transferred to the reserve in 2017/18 which is a contribution of £40,000 from this year's budget and £208,000 which had previously been held on the balance sheet as income in advance. The change has been made to correct the accounting treatment for the scheme.
- 2.13 In addition to the Capital and Revenue Initiatives Reserve the other earmarked reserves have funded £407,000 of the capital programme, £130,000 from the Invest to

Save Reserve, £109,000 from the Housing Renewal Reserve, £109,000 from the Government Grants Reserve and £59,000 from the ICT MKS Partnership Reserve. These reserves have also paid for small revenue items.

Major Virements

- 2.14 A total of £160,000 was vired in the year from Service Department budgets to the Vacancy Factor budget to remove underspends in salary budgets. There have also been virements for the revenue expenditure financed by the earmarked reserves.

Financial Performance of Major Expenditure Accounts – See Appendix E

- 2.15 The actual outturn for expenditure was £231,000 over budget. The main variances are explained below.
- 2.16 Building Maintenance/Repairs costs were £197,000 under budget. This mainly consisted of an underspend in planned maintenance costs of £118,000 where schemes were delayed due to staffing levels and commitments to ensuring that reactive needs were met.
- 2.17 External Contract Payments were £112,000 over budget. This is mainly due to £105,000 of additional costs for refuse collection and recycling, most of which was as a result of the closure of the North Farm Lane Household Waste Recycling Centre following a fire.
- 2.18 IT and Communications were £57,000 under budget, a further £42,000 from the forecast position. This contains an underspend of £75,000 on ICT software and hardware costs less a number of small overspends.
- 2.19 Consultants and Legal Fees were £127,000 over budget. This consists of an overspend of £48,000 by Building Services on property consultants, £30,000 by Revenues and Benefits on consultants who identify properties that are missing from the rating list for business rates or are under valued, and of several smaller overspends across the Council.
- 2.20 Other Fees were £127,000 over budget. This is mainly attributable to the Assembly Hall show fees which were £139,000 over budget, less a number of smaller savings against budget. Income for the Assembly Hall was £159,000 more than budgeted, as shown in Paragraph 2.25, but due to the show fees and other additional costs against budget the overall subsidy was overspent by £86,000. This was as a result of taking risks in order to enhance the programme, and present more weekly product, which in some cases has not translated into sales and has needed increased marketing spend. Also an expensive show was scheduled during the snowy period in Quarter 4 where it is thought the weather deterred people from booking.

Employee Related Costs – See Appendix F and G

- 2.21 The actual outturn for Employee Related costs was £525,000 under budget. The vacancy factor had been achieved by the end of Quarter 4 so no more underspends were vired here for Quarter 4.
- 2.22 A saving of £654,000 was realised across salaries, national insurance and pension for the year. Of this £160,000 was transferred to the vacancy factor and as at Quarter 3 a further £265,000 had been projected as savings from posts within the Property Services team and the Parking team. The additional £229,000 saving comes from a further £60,000 from Property Services, £60,000 from the Environmental Health team as a result of the first year of being the host authority for the partnership, £21,000 from the Accountancy Team from vacancies, £20,000 from the vacant Head of Communities and Engagement post, a further £20,000 from the Parking Team, as well as a number of small underspends across the Council.

- 2.23 Severance costs were £58,000 over budget for the year. This is due to two redundancies where the post holders will leave during 2018/19, resulting in a saving, but which have to be accounted for in 2017/18 as the decision to sever these posts had been taken by the 31 March 2018. There is also £25,000 of additional pension costs associated with one of these posts that have been paid to the KCC pension fund.

Income Streams – See Appendix H

- 2.24 Off Street Parking had been forecast to be £200,000 lower than budget for this year and ended up being £218,000 under budget. This is because usage of the car parks has been down compared to budget, with Royal Victoria Place seeing the largest decrease where a number of shops are currently closed for refurbishment.
- 2.25 Assembly Hall income was £159,000 over budget but as explained in Paragraph 2.19 the overall subsidy was £86,000 over budget.
- 2.26 The Crematorium forecast income was over budget by £202,000, a further £102,000 to the Quarter 3 position. This is partly offset by additional costs for products of £55,000 which was forecast in Quarter 3.
- 2.27 Planning Income was overachieved by £204,000, an improvement of £159,000 on the Quarter 3 projection of £45,000. This was due to a number of large applications received late in the year (including £68,000 for our own developments) and a change in legislation allowing Councils to increase charges by 20%, which was implemented in January.
- 2.28 Other income was over achieved by £140,000, a further increase of £109,000 since Quarter 3. This consists of an overachievement of ice rink income of £58,000, additional street naming and numbering income of £25,000 and a number of small variances that can be seen in Appendix C.

Variances by Portfolio Holder– See Appendix I

- 2.29 This table shows variances by Cabinet Portfolio Holder.

Minimum Revenue Provision

- 2.30 In 2016/17 the Council used borrowing to fund capital activities and is therefore now required to make an annual contribution from revenue each year to repay this which must come from cost savings or increased income.
- 2.31 The annual contribution transferred to the Capital Adjustment Account for capital purchases which have yet to be financed is termed the Minimum Revenue Provision (MRP).
- 2.32 The total MRP for 2017/18 was £71,232 and the table below shows that this has reduced the unfunded capital expenditure by an equivalent amount. The Council is not required to pay MRP for Dowding House in 2017/18 as it is not yet operational. The investment income earned on the investment property of £85,250 has therefore been used to fund the MRP with the surplus being placed into reserves.

Capital Financed by Loan	Outstanding 1 Apr 2017	MRP 2017/18	Outstanding 31 Mar 2018
Investment Property	£1,780,968	£71,232	£1,709,736
Dowding House	£2,226,751	£0	£2,226,751
Total	£4,007,719	£71,232	£3,936,487

Houses in Multiple Occupation Licensing Fees

- 2.33 The Government has confirmed that an extension to mandatory licensing of Houses in Multiple Occupation (HMOs) will come into force in October 2018 bringing smaller HMOs within the scheme. Mandatory licensing will include all HMOs with 5 or more occupiers living in 2 or more households, regardless of the number of storeys, and purpose built flats where there are up to two flats in the block and one or both of the flats are occupied by 5 or more persons in 2 or more separate households.
- 2.34 It is proposed to update the Council's charges for HMO licensing in order to reflect the work that will be needed for the new scheme. It is suggested that renewals are charged at a lower fee, to reflect that the property is known, and an unlicensed fee is introduced for those who have made no attempt to apply for a license.
- 2.35 Proposed charges are set out in **Appendix J**. It is recommended that these charges should be applied with immediate effect as licences will be applied for before the implementation date of October.

Council Tax and Business Rates

- 2.36 The Council is a billing authority for Council Tax, which is collected on behalf of precepting bodies including Kent County Council, Kent Police and the Kent and Medway Fire & Rescue Services along with Town and Parish Councils. The total due for 2017/18 was £73.4 million of which £7.5 million was due to this Council.
- 2.37 The Council is also the billing authority for Business Rates which are collected on behalf of the Government, TWBC, Kent County Council and the Kent and Medway Fire & Rescue Services. The total due for 2017/18 was £56.4 million. The Council receives back £2.2 million in Redistributed Business Rates from the Government.
- 2.38 The table below shows the Quarter 4 recovery rate for Council Tax was 0.30% below target and 0.10% below the 2016/17 actual. The Quarter 4 recovery rate for Business Rates was below target by 0.10% but 1.12% above the 2016/17 actual.

Revenue Billing Stream	2017/18 Collection as at 31/03/2018	2017/18 Target as at 31/03/2018	2016/17 Collection as at 31/03/2017
Council Tax	98.30%	98.60%	98.40%
Business Rates	98.50%	98.60%	97.38%

Write Off/Excusal of Debts – See Appendix K

- 2.39 Financial Procedure Rule (FPR) 6.5 regarding the Write Off/Excusal of Debts requires a summary of debts written off by the Section 151 Officer to be reported to Cabinet on a regular basis.
- 2.40 Appendix K gives a complete analysis of all debts written off by the Council over the financial year 2017/18, of which there are 2194 accounts totalling £860,363.69. This should be seen in the context of the £184,487,000 of income collected by the Council during the year meaning that only 0.47% is written off. It should be noted that whilst balances can be written off, they can be written back again either during the year or in future years should it subsequently become apparent that the sum is again recoverable.

3. AVAILABLE OPTIONS

- 3.1 This report is essentially for information.
- 3.2 Cabinet can approve the updated charges for the HMO licensing fees or decide to keep them the same.

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 That Members acknowledge the unaudited actual revenue outturn for 2017/18 and the variances to the revised budget and forecast outturn as at Quarter 3.
- 4.2 That Members approve the proposed updated charges for HMO licensing as set out in **Appendix J**.

5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 5.1 The budget was approved by Full Council on 22 February 2017. Service Accountants have liaised with Heads of Service and where appropriate Cost Centre managers to ensure that the information provided is robust.

RECOMMENDATION FROM CABINET ADVISORY BOARD

- 5.2 The Finance and Governance Advisory Board were given a verbal update on 29 May 2018 and made no further comment of the recommendations.

6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 6.1 The decision will be published on the Council's website.

7. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Legal including Human Rights Act	Under section 151 of the local government act (LGA 1972), the Section 151 Officer has statutory duties in relation to the financial administration and stewardship of the authority, including advising on the corporate financial position and providing financial information.	Patricia Narebor, Head of Legal Partnership
Finance and other resources	The report updates on the Authority's unaudited outturn net revenue position compared to revised budget.	Jane Fineman, Head of Finance and Procurement
Staffing establishment	The report monitors the establishment to the post occupied.	Clare Hazard, Accountancy Manager
Risk management	To ensure that the unaudited outturn net revenue remains within the Council's Medium Term Financial Strategy.	Clare Hazard, Accountancy Manager

Environment and sustainability	There are no specific implications that arise from the process of Revenue Management over the fact that the budget supports the Council's priorities.	Clare Hazard, Accountancy Manager
Community safety	There are no specific implications that arise from the process of Revenue Management over the fact that the budget supports the Council's priorities.	Clare Hazard, Accountancy Manager
Health and Safety	There are no specific implications that arise from the process of Revenue Management over the fact that the budget supports the Council's priorities.	Clare Hazard, Accountancy Manager
Health and wellbeing	There are no specific implications that arise from the process of Revenue Management over the fact that the budget supports the Council's priorities.	Clare Hazard, Accountancy Manager
Equalities	There are no specific implications that arise from the process of Revenue Management over the fact that the budget supports the Council's priorities.	Clare Hazard, Accountancy Manager

8. REPORT APPENDICES

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

- Appendix A Overall Revenue and Net Expenditure on Services
- Appendix B Net Expenditure on Services
- Appendix C Key Variances
- Appendix D Usable Reserves
- Appendix E Financial Performance of Major Expenditure Accounts
- Appendix F Employee Related Costs
- Appendix G Headcount by Service
- Appendix H Income Streams
- Appendix I Variances by Portfolio Holder
- Appendix J Houses in Multiple Occupation Licensing Charges
- Appendix K Write Offs for 2017/18

9. BACKGROUND PAPERS

- Budget 2017/18 – CAB158/16
<http://democracy.tunbridgewells.gov.uk/meetings/documents/s30941/12%20Budget%202017-18%20-%20Report.pdf>

Overall Revenue and Net Expenditure on Services
Financial Year 2017/18

	Actual to 31/03/18	Full Year Revised Budget	Full Year Forecast Outturn	Full Year Variance to Revised Budget	Full Year Variance Actual to Forecast Outturn
	£000's	£000's	£000's	Increase/ (Decrease) £000's	Increase/ (Decrease) £000's
NET EXPENDITURE ON SERVICES-ORIGINAL BUDGET		12,451	12,451	0	0
Forecast Outturn Increase/(Decrease) funded from/(to) Reserves		747	764	17	17
NET EXPENDITURE ON SERVICES-QTR 1		13,198	13,215	17	17
Forecast Outturn Increase/(Decrease) funded from/(to) Reserves		836	603	(233)	(233)
NET EXPENDITURE ON SERVICES-QTR 2		14,034	13,818	(216)	(216)
Forecast Outturn Increase/(Decrease) funded from/(to) Reserves		774	540	(234)	(234)
NET EXPENDITURE ON SERVICES-QTR 3		14,808	14,358	(450)	(450)
Forecast Outturn Increase/(Decrease) funded from/(to) Reserves		578	578	0	0
NET EXPENDITURE ON SERVICES-QTR 4		15,386	14,936	(450)	(450)
Comprised of:					
Chief Executive	179	184	184	(5)	(5)
Director Of Finance, Policy & Development	159	174	164	(15)	(5)
Finance & Procurement	(2,884)	(2,875)	(2,775)	(9)	(109)
Mid Kent Services Client	1,628	1,874	1,763	(246)	(135)
Economic Development	2,493	2,984	2,694	(491)	(201)
Planning	1,044	1,316	1,221	(272)	(177)
Policy & Governance	1,040	1,123	1,061	(83)	(21)
Business Support	1,380	1,457	1,423	(77)	(43)
Director Of Change & Communities	149	148	148	1	1
Human Resources	1,019	1,098	1,037	(79)	(18)
Environment & Street Scene	4,817	4,796	4,731	21	86
Community Hubs	988	919	919	69	69
Communities & Engagement	1,523	1,509	1,527	14	(4)
Digital Services & Transformation	837	839	839	(2)	(2)
Vacancy Factor	0	(160)	0	160	0
TOTAL	14,372	15,386	14,936	(1,014)	(564)
Funded by:					
Net Interest & Investment Income	(851)	(820)	(820)	(31)	(31)
Parish Precepts & Levies	2,306	2,306	2,306	0	0
NNDR, RSG and Central Grants	(6,569)	(4,687)	(4,789)	(1,882)	(1,780)
Council Tax Precepts	(9,867)	(9,867)	(9,867)	0	0
Unusable Pension Reserve	(1,083)	(1,083)	(1,083)	0	0
Capital Expenditure from Revenue	478	478	478	0	0
Non Govt Grants	(237)	(252)	(252)	15	15
Transfer to & From Earmarked Reserves - Revenue Budgeted	1,610	(1,113)	(1,113)	2,723	2,723
Transfer to & From General Fund	(159)	(348)	204	189	(363)
TOTAL FUNDING	(14,372)	(15,386)	(14,936)	1,014	564
(SURPLUS)/DEFICIT	0	0	0	0	0

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Net Direct Expenditure on Services**Chief Executive**

HEAD OF SERVICE	Actual £	Budget £	Variance £	Budget Projection £	Variance Actuals - Full Yr Bud £
Direct Expenditure	179,286	183,850	(4,564)	183,850	(4,564)
Direct Income	0	0	0	0	0
CHIEF EXECUTIVE	179,286	183,850	(4,564)	183,850	(4,564)
Director Total:	179,286	183,850	(4,564)	183,850	(4,564)

Finance, Policy & Development

HEAD OF SERVICE	Actual £	Budget £	Variance £	Budget Projection £	Variance Actuals - Full Yr Bud £
Direct Expenditure	159,276	173,920	(14,644)	163,920	(4,644)
Direct Income	0	0	0	0	0
D OF FINANCE, POLICY & DEVELOP	159,276	173,920	(14,644)	163,920	(4,644)
Direct Expenditure	(7,106,654)	(7,300,220)	193,566	(7,100,220)	(6,434)
Direct Income	4,137,370	4,180,180	(42,810)	4,240,180	(102,810)
FINANCE & PROCUREMENT	(2,969,284)	(3,120,040)	150,756	(2,860,040)	(109,244)
Direct Expenditure	36,057,564	37,023,570	(966,006)	36,973,570	(916,006)
Direct Income	(34,430,104)	(35,149,500)	719,396	(35,210,500)	780,396
MID KENT CLIENT SERVICES	1,627,460	1,874,070	(246,610)	1,763,070	(135,610)
Direct Expenditure	3,882,290	4,270,770	(388,480)	4,067,770	(185,480)
Direct Income	(1,388,940)	(1,286,310)	(102,630)	(1,373,310)	(15,630)
ECONOMIC DEVELOPMENT	2,493,349	2,984,460	(491,111)	2,694,460	(201,111)
Direct Expenditure	2,526,203	2,583,330	(57,127)	2,533,330	(7,127)
Direct Income	(1,482,569)	(1,267,800)	(214,769)	(1,312,800)	(169,769)
PLANNING	1,043,634	1,315,530	(271,896)	1,220,530	(176,896)
Direct Expenditure	1,412,598	1,417,390	(4,792)	1,417,390	(4,792)
Direct Income	(372,327)	(294,760)	(77,567)	(356,760)	(15,567)
POLICY & GOVERNANCE	1,040,271	1,122,630	(82,359)	1,060,630	(20,359)
Direct Expenditure	1,510,876	1,599,240	(88,364)	1,550,240	(39,364)
Direct Income	(130,747)	(141,840)	11,093	(126,840)	(3,907)
BUSINESS SUPPORT	1,380,129	1,457,400	(77,271)	1,423,400	(43,271)
Director Total:	4,774,836	5,807,970	(1,033,134)	5,465,970	(691,134)

Change & Communities

HEAD OF SERVICE	Actual £	Budget £	Variance £	Budget Projection £	Variance Actuals - Full Yr Bud £
Direct Expenditure	148,859	148,460	399	148,460	399
Direct Income	0	0	0	0	0
D OF CHANGE & COMMUNITIES	148,859	148,460	399	148,460	399
Direct Expenditure	1,208,930	1,283,770	(74,840)	1,222,770	(13,840)
Direct Income	(189,694)	(185,240)	(4,454)	(185,240)	(4,454)
HR & CUSTOMER SERVICES	1,019,235	1,098,530	(79,295)	1,037,530	(18,295)
Direct Expenditure	9,343,312	9,204,220	139,092	9,239,220	104,092
Direct Income	(4,525,837)	(4,408,330)	(117,507)	(4,508,330)	(17,507)
ENVIRONMENT & STREET SCENE	4,817,474	4,795,890	21,584	4,730,890	86,584
Direct Expenditure	1,202,749	1,134,070	68,679	1,134,070	68,679
Direct Income	(285,606)	(285,610)	4	(285,610)	4
COMMUNITY HUBS	917,143	848,460	68,683	848,460	68,683
Direct Expenditure	5,266,564	4,975,360	291,204	4,993,360	273,204
Direct Income	(4,476,132)	(4,198,610)	(277,522)	(4,198,610)	(277,522)
COMMUNITIES & ENGAGEMENT	790,432	776,750	13,682	794,750	(4,318)
Direct Expenditure	1,135,519	1,101,320	34,199	1,101,320	34,199
Direct Income	(298,615)	(262,460)	(36,155)	(262,460)	(36,155)
DIGITAL SERVICES & TRANSFORM	836,905	838,860	(1,955)	838,860	(1,955)
Director Total:	8,530,049	8,506,950	23,099	8,398,950	131,099
Grand Total:	13,484,171	14,498,770	(1,014,599)	14,048,770	(564,599)

Note: There may be small rounding differences compared to the Core Paper.

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Key Variances

Details	Quarter 1 £000's	Quarter 2 £000's	Quarter 3 £000's	Quarter 4 £000's
Quarter 1 – Reported Saving/ Increase in income				
Saving in Property Team Costs	(61)			
Saving in Legal Partnership Costs	(40)			
Overachievement in Rental Income	(25)			
Increase in Cremations income	(25)			
Increase in Planning Income	(25)			
	(176)			
Quarter 1 – Reported Overspend/ Decline in income				
Reduction in Parking Income	100			
Council Tax for Dowding House	48			
Reduction in Pre-Application Fee Income	25			
Reduction in Building Control Income	20			
	193			
Net Deficit/(Surplus) reported for Quarter 1	17	17	17	17
Quarter 2 – Reported Saving/ Increase in income				
Individual Electoral Registration funding		(62)		
Saving in Property Team Costs		(49)		
Contribution for shared Property post		(32)		
Overachievement in Rental Income		(30)		
Increase in Cremations income		(20)		
Increased Planning Application income		(20)		
Saving in contract cleaning costs		(20)		
		(233)		
Net Deficit/(Surplus) reported for Quarter 2		(216)	(216)	(216)
Quarter 3 – Reported Saving/ Increase in income				
Saving in Parking Team Costs			(100)	
Increase in Cremations income			(55)	
Saving in Property Team Costs			(55)	
Additional Legal Income			(46)	
Saving from retendering insurance contract			(28)	
Increased Planning Application income			(20)	
Income from Debt Recovery Service Partnership			(15)	
Saving in telephone charges			(15)	
Saving in general Partnership Costs			(10)	
Saving in Legal Partnership Costs			(10)	
Saving in footpath maintenance			(10)	
Saving in utility costs for the Town Hall			(10)	
Additional Income from hire of the Council Chamber			(10)	
Saving in photocopying charges			(5)	
			(389)	
Quarter 3 – Reported Overspend/ Decline in income				
Reduction in Parking Income			100	
Additional spend on Crematorium Grounds Maintenance			40	
Additional spend on Crematorium Equipment			15	
			155	
Net Deficit/(Surplus) reported for Quarter 3			(450)	(450)

Appendix C

Quarter 4 – Reported Saving/ Increase in income	
Assembly Hall Income surplus to budget	(159)
Increased Planning Application income	(159)
Saving in planned maintenance costs	(118)
Increase in Cremations income	(102)
Saving in software/hardware costs	(75)
Saving in Partnership costs for ICT	(69)
Saving in Property Team Costs	(60)
Saving in Environmental Health Team Costs	(60)
Overachievement of Ice Rink income	(58)
Saving in maintenance/servicing plant	(39)
Additional Income from PCNs	(37)
Saving in responsive repairs	(34)
Vacancies at the Assembly Hall	(30)
Increased income from drink sales at Assembly Hall	(27)
Street Naming and Numbering income	(25)
Saving in Christmas lights costs	(22)
Overachievement of recharge from Environmental Health partnership	(22)
Saving from Accountancy Team Costs	(21)
Increased rental income from properties on loan	(20)
Underspend on Other Fees in Planning	(20)
Saving in Parking Team Costs	(20)
Saving from Head of Communities and Engagement	(20)
Overachievement of Taxi income	(20)
Saving from HLF vacant post	(15)
Saving from Economic Development posts	(14)
Underspend on Surveys and Market Research in Policy	(12)
Additional Legal Income	(10)

Quarter 4 – Reported Overspend/ Decline in income

Assembly Hall Show Fees	139
Overspend due to North Farm Recycling Centre closure	80
Overspend on advertising at the Assembly Hall	76
Increased use of bed and breakfast services	59
Redundancy Costs not provided for within budget	58
Property Services overspend of Property/Financial Consultants	48
Underachievement of KCC recycling credits	40
Overspend on covering staff vacancies at Crematorium	40
Non recovery of HLF income	40
Revenues and Benefits Consultant Costs	30
Overspend on fly tipping/littering enforcement/sherwood kingdom	26
Pension Costs associated with redundancy	25
Reduction in Parking Income	18
Overspend on glass collection vehicle	15
Overspend on special collections	10

Net Expenditure on Services Deficit/(Surplus) for Quarter 4 (1,014)

Quarter 4 - Investment interest increase from forecast	(17)
Quarter 4 - Other interest received	(14)

Quarter 4 - Increase in Central Government Grants including NNDR (1,882)

Quarter 4 - Non government grants less than budgetted	15
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Quarter 4 - Movements in contributions to/from earmarked reserves	2,723
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Net Deficit/(Surplus) Effect upon the General Fund for the Year (189)

Appendix D

Usable Reserves	Balance			Balance
	01/04/17	Receipts	Payments	31/03/18
	£000's	£000's	£000's	£000's
General Fund	4,159	754	(913)	4,000
Capital Grants & Contributions	836	608	(61)	1,383
Capital Receipts	1,000	3,458	(683)	3,775
Earmarked Reserves				
Capital and Revenue Initiatives	3,160	2,703	(2,161)	3,702
Torrington Car Park	102	0	0	102
On Street Parking	386	158	(5)	539
Local Development Framework	606	44	(175)	475
Section 106 Interest	34	0	(8)	26
Strategic Plan	607	435	(20)	1,022
Performance Reward	32	0	(23)	9
Royal Victoria Place Car Park Maintenance	653	0	0	653
Carbon Reduction Scheme	50	0	0	50
Government Grants	396	115	(129)	382
Invest to Save	1,235	0	(135)	1,100
Cultural	144	2	(45)	101
Pension Settlement	1,177	215	0	1,392
Housing Renewal	230	95	(109)	216
Insurance	139	52	0	191
Local Authority Mortgage Scheme Interest	128	12	(140)	0
Municipal Mutual Insurance	50	0	0	50
Grant Volatility	1,120	0	0	1,120
ICT MKIP Partnership	270	144	(59)	355
Establishment	322	0	0	322
Parish Enabling	25	10	0	35
Ice Rink	173	56	0	229
Digital Transformation	48	0	0	48
Traveller Protocol	14	2	0	16
Land Charges Transition after loss of income	42	0	0	42
Lottery Income Reserve	0	12	0	12
Civic Development	0	316	0	316
Rent Advance and Deposit	0	248	0	248
Earmarked Reserves	11,143	4,619	(3,009)	12,753
TOTAL USABLE RESERVES	17,138	9,439	(4,666)	21,911

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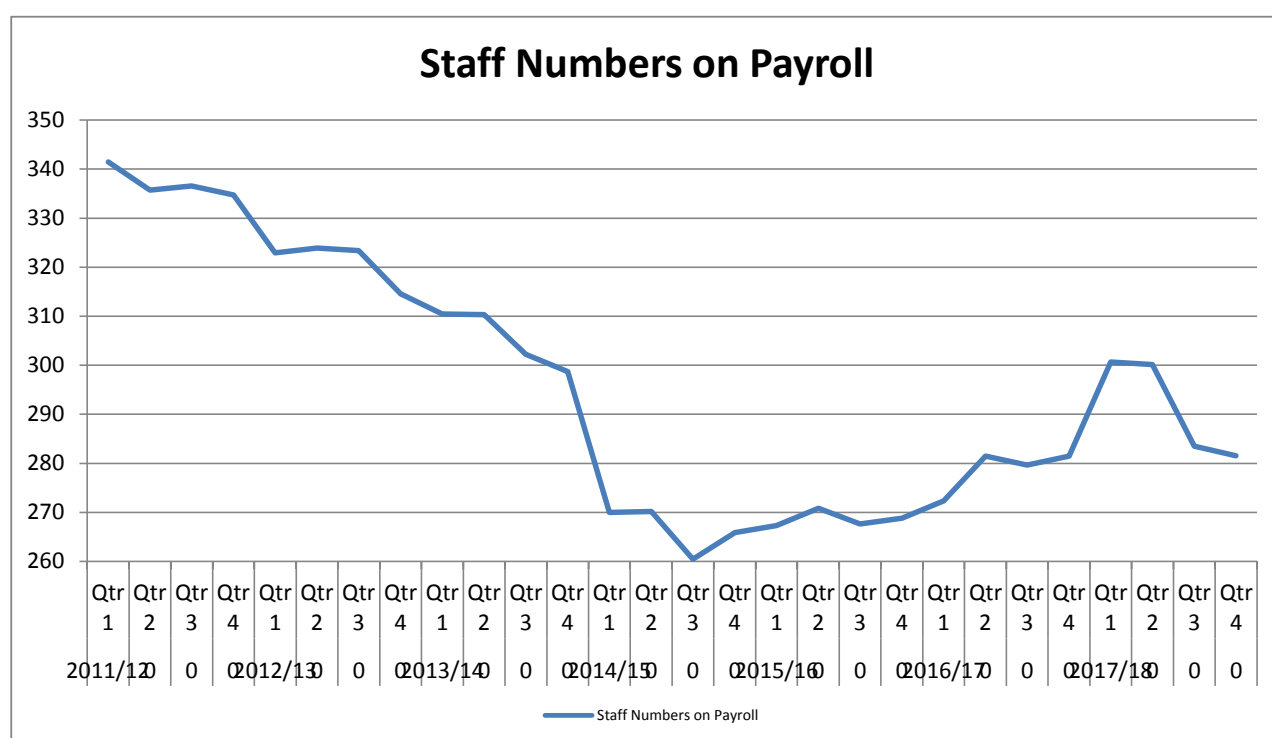
Financial Performance of Major Expenditure Accounts

	Actual to 31/03/18	Full Year Revised Budget	Full Year Forecast Outturn	Full Year Variance to Revised Budget	Full Year Variance Actual to Forecast Outturn
	£000's	£000's	£000's	Increase/ (Decrease) £000's	Increase/ (Decrease) £000's
Building Maintenance/Repairs	1,029	1,226	1,226	(197)	(197)
Grounds Maintenance	1,297	1,265	1,295	32	2
Business Rates/Council Tax	1,353	1,324	1,372	29	(19)
Utility Bills	533	577	567	(44)	(34)
Other Premises Costs	1,547	1,537	1,489	10	58
Transport	156	147	147	9	9
External Contract Payments	3,771	3,659	3,659	112	112
IT & Communications	1,079	1,136	1,121	(57)	(42)
Grants	411	404	404	7	7
Consultants/Legal Fees	3,111	2,976	2,976	135	135
Other Fees	1,784	1,657	1,657	127	127
Members Allowances	378	380	380	(2)	(2)
Other Supplies & Services	1,790	1,746	1,756	44	34
Net Benefits Income	26	0	0	26	26
TOTAL OTHER COSTS	18,265	18,034	18,049	231	216

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Employee Related Costs

	Actual to 31/03/18	Full Year Revised Budget	Full Year Forecast Outturn	Full Year Variance to Revised Budget	Full Year Variance Actual to Forecast Outturn
	£000's	£000's	£000's	Increase/ (Decrease) £000's	Increase/ (Decrease) £000's
Salaries & Casual Hours	9,582	10,110	9,685	(528)	(107)
National Insurance	962	1,039	1,039	(77)	(73)
Pension Costs	3,511	3,560	3,560	(49)	(49)
Severance Costs	92	34	34	58	58
Training	170	201	201	(31)	(31)
Other Employee Costs	2,322	2,380	2,320	(58)	2
Vacancy Factor	0	(160)	0	160	0
TOTAL EMPLOYEE COSTS	16,639	17,164	16,839	(525)	(200)



The 2016/17 figures onwards include the Planning Support posts which transferred following the disaggregation of the Planning Support Partnership. The 2017/18 figures include the MKS Environmental Health Service Partnership where staff from Maidstone and Swale transferred to Tunbridge Wells. The figures for 2017/18 Quarter 3 take into account the transfer of Revenues and Benefits partnership staff to Maidstone.

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Appendix G

FULL TIME EQUIVALENTS IN POST AS AT 31 MARCH 2018

Service	Budget FTE's as at 1 Apr 2017	FTE's in Post as at 31 Mar 2018	Key Variances
Chief Executive	1.00	1.00	- No variance
Chief Executive	1.00	1.00	
Director of Finance, Policy & Dev	1.00	1.00	- No variance
Finance & Procurement	50.32	43.33	- Parking Manager (1.00 FTE less) - Data Analyst (1.00 FTE less) - Parking Administration Supervisor (1.00 FTE less) - Parking Administration Assistant (0.41 FTE less) - Civil Enforcement Officer (1.58 FTE less) - Traffic Engineer (1.00 FTE less) - Financial Systems Officer (1.00 FTE less)
Mid Kent Client Services	18.34	0.00	- Revenues and Benefits Partnership (18.34 FTE less)
Economic Development	21.34	17.34	- Property and Development Manager (1.00 FTE less) - Building Surveyor (1.00 FTE less) - Construction Project Co-ordinator (1.00 FTE less) - Business Manager (1.00 FTE less)
Planning	38.27	37.27	- Development Management Team Leader (1.00 FTE less)
Policy & Governance	12.40	12.40	- No variance
Business Support	23.06	20.06	- Technical Assistant (2.00 FTE less) - Facilities Support Assistant (1.00 FTE less)
Finance & Corporate Services	164.73	131.40	
Director of Change & Comm	1.00	1.00	- No variance
HR & Customer Services	22.56	21.15	- Customer Service Advisor (1.41 FTE less)
Environmental and Street Scene	45.15	67.15	- Environmental Health Partnership (22.00 FTE more)
Community Hubs	11.89	11.89	- No variance
Communities & Engagement	31.82	29.82	- Development Director (1.00 FTE less) - Head of Communities and Engagement (1.00 FTE less)
Digital Services & Transformation	18.11	18.11	- No variance
Change & Communities	130.53	149.12	
Director of Plan & Develop	1.00	0.00	- Director of Planning & Development (1.00 FTE less)
Planning & Development	1.00	0.00	
Total	297.26	281.52	
Variance		(15.74)	

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Income Streams

	Actual to 31/03/18	Full Year Revised Budget	Full Year Forecast Outturn	Full Year Variance to Revised Budget	Full Year Variance Actual to Forecast Outturn
	£000's	£000's	£000's	Increase/ (Decrease) £000's	Increase/ (Decrease) £000's
Off Street Parking	(5,553)	(5,771)	(5,571)	218	18
On Street Parking	(1,546)	(1,506)	(1,506)	(40)	(40)
Assembly Hall	(2,461)	(2,302)	(2,302)	(159)	(159)
Grants	(563)	(505)	(567)	(58)	4
Rents	(1,621)	(1,526)	(1,581)	(95)	(40)
Crematorium Income	(1,948)	(1,746)	(1,846)	(202)	(102)
Revenue Contribution	(2,302)	(2,237)	(2,284)	(65)	(18)
Planning Income	(1,457)	(1,253)	(1,298)	(204)	(159)
Land Charges	(276)	(301)	(301)	25	25
Other Income	(2,805)	(2,665)	(2,696)	(140)	(109)
TOTAL INCOME	(20,532)	(19,812)	(19,952)	(720)	(580)

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Variances by Portfolio Holder

	Actual to 31/03/18	Full Year Revised Budget	Full Year Forecast Outturn	Full Year Variance to Revised Budget	Full Year Variance Actual to Forecast Outturn
				Increase/ (Decrease)	Increase/ (Decrease)
	£000's	£000's	£000's	£000's	£000's
Leader	4,837	5,476	5,058	(639)	(221)
Finance & Governance	4,267	4,563	4,442	(296)	(175)
Sustainability	5,006	4,929	4,899	77	107
Communities & Well-Being	968	859	907	109	61
Tourism Leisure & Econom. Dev.	2,340	2,502	2,396	(162)	(56)
Planning & Transportation	(3,046)	(2,783)	(2,766)	(263)	(280)
Vacancy Factor	0	(160)	0	160	0
TOTAL	14,372	15,386	14,936	(1,014)	(564)

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Houses in Multiple Occupation

	2018/19 Current Charges	2018/19 Proposed Charges
New License		
Property Containing up to 5 dwelling units	£460.00	£575.00
Property Containing up to 5 dwelling units PAL Accredited	£360.00	£515.00
Property Containing 6 or more dwelling units	£560.00	£675.00
Property Containing 6 or more dwelling units PAL Accredited	£430.00	£615.00
Renewal License		
Property Containing up to 5 dwelling units	£460.00	£460.00
Property Containing up to 5 dwelling units PAL Accredited	£360.00	£400.00
Property Containing 6 or more dwelling units	£560.00	£560.00
Property Containing 6 or more dwelling units PAL Accredited	£430.00	£500.00
Unlicensed		
Property Containing up to 5 dwelling units	£0.00	£720.00
Property Containing 6 or more dwelling units	£0.00	£820.00

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Write Off/Excusal of Debt Summary for 2017/18

Description	Limit	Financial Procedure Rule No.	Approver	No. Of Accounts	Amount £'s
Sundry Debts	<£10,000	6.2.1	Section 151 Officer	85	14,977.51
On Street Parking Penalty Charge Notices	<£10,000	6.2.1	Section 151 Officer	704	52,002.00
Off Street Parking Penalty Charge Notices	<£10,000	6.2.1	Section 151 Officer	249	12,588.00
Bus Lanes	<£10,000	6.2.1	Section 151 Officer	471	16,372.00
Housing Loans for rent deposits	<£1,500 older than 6	6.2.2	Section 151 Officer	15	8,478.90
Housing Loans for rent deposits	>£1,500 older than 6	6.2.2	Cabinet	4	10,938.96
Housing Rent Arrears	<£500 older than 6	6.2.2	Section 151 Officer	39	2,923.93
Housing Rent Arrears	<£1,500 older than 6	6.2.2	Section 151 Officer	1	678.42
Housing Benefits Overpayments	<£100	6.3.1	Principal Revenues Officer	17	449.01
Housing Benefits Overpayments	>£100<£1,000	6.3.2	Head of Revenues & Benefits	47	18,323.60
Housing Benefits Overpayments	>£1,000<£10,000	6.3.3	Section 151 Officer	2	7,710.73
Housing Benefits Overpayments	>£10,000	6.3	Cabinet	1	23,082.63
Council Tax	<£100	6.3.1	Principal Revenues Officer	289	4,800.06
Council Tax	>£100<£1,000	6.3.2	Head of Revenues & Benefits	122	46,244.88
Council Tax	>£1,000<£10,000	6.3.3	Section 151 Officer	30	70,739.05
Business Rates	<£100	6.3.1	Principal Revenues Officer	6	297.38
Business Rates	>£100<£1,000	6.3.2	Head of Revenues & Benefits	28	12,354.08
Business Rates	>£1,000<£10,000	6.3.3	Section 151 Officer	66	227,026.60
Business Rates	>£10,000	6.3	Cabinet	18	330,375.95
TOTAL				2,194	860,363.69

Note that the Council Tax and Business Rates Write Off figures will not be the same as in the Collection Fund on the Statement of Accounts. The figures reported here are purely the Write Offs and do not include the Write Backs which which are netted off in the Collection Fund accounting.

It should also be noted that the considerable number of low value write offs in Council Tax are mostly for odd pennies where residents have not quite paid the right amount and the administration cost of chasing the outstanding amount outweighs the debt.

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Cabinet

21 June 2018

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

Yes

Capital Management Report: Quarter 4 (to 31 March 2018)

Final Decision-Maker	Cabinet
Portfolio Holder(s)	Councillor David Reilly – Portfolio Holder for Finance and Governance
Lead Director	Lee Colyer – Director of Finance, Policy and Development
Head of Service	Jane Fineman – Head of Finance & Procurement
Lead Officer/Author	Zoe Jagniaszek – Service Accountant
Classification	Non-exempt
Wards affected	All

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

1. Cabinet note the actual gross and net expenditure for the year and the sources of finance, as shown in Appendices B to D;
2. Approval is given for the proposed movement between years set out in paragraph 4.3;
3. Approval is given for the proposed variations to the 2017/18 Capital programme, set out in notes 4.4 to 4.17; and
4. Approval is also given for the proposed new and deleted schemes, set out in notes 4.18 and 4.19.

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

This report supports all of the Key Objectives. Managing and forecasting capital expenditure effectively is vital in order to support all of the services provided by the Council.

Timetable

Meeting	Date
Management Board	9 May 2018 (Verbal Update)
Discussion with Portfolio Holder	29 May 2018
Cabinet Advisory Board	29 May 2018 (Verbal Update)
Cabinet	21 June 2018

Capital Management Report: Quarter 4 (to 31 March 2018)

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 This report summarises the actual outturn expenditure on capital schemes as at the 31 March 2018. The total capital expenditure is £2,999,000, a reduction of £7,464,000 from the previously approved budgets. This consists of a net decrease of £4,621,000 in spending rescheduled to and from 2018/19 and a net decrease in the forecast projected spend of £2,843,000. New and deleted schemes for 2018/19 totalling £111,000 are asked to be approved.

2. INTRODUCTION AND BACKGROUND

- 2.1 At their meeting on 2 March 2017, Cabinet approved schemes to be met from the Capital Programme for the years 2017/18 to 2020/21.
- 2.2 The figures approved by Cabinet were on the basis of the net cost after specific funding to be met by the Council, either from reserves or from the sale of existing assets. The total approved spending was £26,831,000 during that period, of which £9,899,000 was to be spent during 2017/18.
- 2.3 As shown in Appendix A, the approved programme for 2017/18 moved to £11,360,000 by the end of the 2016/17 financial year, accounting for new schemes, deletions and deferrals into future years.
- 2.4 New movements for 2017/18 result in an actual spend of £2,999,000, a reduction of £7,464,000 on the approved of £10,463,000 as at quarter 3.
- 2.5 Appendices B and C set out in gross and net terms the actual spend and amounts approved against the forecast outturn to 31 March 2018, while Appendix D summarises the movement in approvals and in sources of finance for the year.
- 2.6 Approval is sought for £4,643,000 gross expenditure to be deferred into future years and £22,000 to be rescheduled from 2018/19 into the current year. Also there is a net decrease in the forecast projected spend of £2,843,000 (see notes 4.3 to 4.17).
- 2.7 Approval is also sought for increases in the overall capital programme of £111,000 for new and deleted schemes for 2018/19 (see notes 4.18 and 4.19).
-

3. AVAILABLE OPTIONS

- 3.1 Retain the approved rolling capital programme as at the end of Quarter 3. This would not reflect delays, advancements, underspends or new schemes and therefore provide an inaccurate position at the end of the financial year.
- 3.2 Amend the rolling capital programme to reflect changes since the end of Quarter 3. These projections help to manage the public finances effectively which support the objectives and priorities of the Council.
-

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

New Budget Approvals

- 4.1 Appendix A shows how the approved capital expenditure has evolved since the programme was first agreed (CAB 158/16). The amounts approved for schemes at the March Cabinet meeting have been added to the figure then reported as total approvals to date.

Projected capital expenditure and funding for 2017/18

- 4.2 Appendices B and C set out the actual expenditure and income for 2017/18. Appendix D shows the sources of funding and specifically that required from TWBC reserves or usable capital receipts. It can be seen that £407,000 will be required from earmarked reserves to deliver the complete capital programme of £2,999,000.

Schemes deferred to and from future years

- 4.3 There are 18 projects where implementation has been rescheduled, and Cabinet approval is requested to defer these budgets to and from future years (see Appendix B):
- The £310,000 for Disabled Facilities Grants was unspent due to an increase in funding from the DCLG which was not able to be fully utilised within the year.
 - £6,000 for the Goudhurst Pavilion where there was a delay in transfer to Goudhurst Parish Council. Kent County Council is currently processing documents for completion of the transfer.
 - £24,000 for the Quality Bus Partnership, which is part funded by Kent County Council. This was delayed, however funding has now been received and this will be spent on the upgrade of two bus shelters in 2018/19.
 - £29,000 for the replacement of Street Lighting Columns has been delayed due to limited resources in reviewing the current stock to identify options of replace and retain, remove or transferring ownership of the columns.
 - £10,000 for the Mobile Responsive Website. Implementation of this scheme has been delayed until a website redesign has taken place.

- £1,258,000 for the Public Realm Improvements – Phase 2. Approval to enter into an agreement to transfer this capital funding and responsibility for commissioning the detailed design and construction phases to Kent County Council was given by Cabinet at its April meeting. This will result in a transfer of funds during 2018/19, once an agreement has been reached.
- £15,000 for John Street Car Park scheme to enable the installation of replacement windows that can be opened.
- £127,000 for the Single Customer Account, delayed to establish how the scheme can be further developed with the financing available once the Abavus Software is in use.
- The Car Park Payments System scheme has funded machines for the RVP and Great Hall car park in previous years. The current year budget of £56,000 has been deferred to 2018/19 and will be used for the Meadow Road car park.
- Part of the FMS Upgrade has taken place in 2017/18, as the software provider was available for installation and therefore the budget of £10,000 has been moved back into the current financial year.
- A report on the RIBA stage 4 work for the Cultural Hub was approved by Management Board in October, which recommended a further payment to Kent County Council of £200,000 to cover incidental stage 4 costs. £100,000 of this has not been paid in 2017/18 as forecast and therefore has been deferred to 2018/19.
- £11,000 for Dowding House relating to the additional fire safety works, postboxes and CCTV camera installation has been deferred to 2018/19.
- The remaining Hilbert Football Pitch Drainage budget of £41,000 is deferred to 2018/19 as this is due to be completed by the end of Spring 2018.
- The Torrington Car Park LED Lighting has been delayed and a new capital application for further budget is expected to be received during 2018/19. The current budget of £102,000 has been deferred and will be updated once the new application is received.
- Work on the Crescent Road Car Park Refurbishment commenced in 2017/18 but will not be completed until 2018/19. The remaining budget of £2,162,000 has been deferred accordingly.
- £330,000 for the RVP Car Park Extractor Fans has been deferred as these works have been delayed until 2018/19.
- The expenditure included in the IT Strategy 2017/18 – 2020/21 budget has not been fully utilised within the year but will be spent in 2018/19 and therefore £61,000 of this has been projected forward.
- The Parking Bodycams were purchased early and the budget of £11,000 has been bought forward accordingly from 2018/19.

Variations requiring approval

- 4.4 The two initiatives committed from the Housing Renewal Advances scheme for Occupational Therapy and a Discharge Co-ordinator were paid from the Disabled Facility Grant budget, funded by DCLG monies. The further £68,000 is therefore no longer required to be funded by the Housing Renewal Reserve.

- 4.5 The Heritage Partner Grants budget of £38,000 is no longer required as this scheme has been withdrawn and all outstanding grants have now been settled.
- 4.6 The North Farm Depot cooling project, which started later than was originally planned due to a problem found during commissioning, is now complete and remaining budget of £6,000 is no longer required.
- 4.7 The Asset Acquisition Fund of £2.992m was approved on the basis that the Council would purchase investment properties when and if the possibility arose, and that purchases would be funded from the PWLB loan taken out in 2010/11. £1m of this loan was repaid in July 2017 and £1m in January 2018 reducing the scheme to £0.992m. As this will be repaid in July 2018 a variation is sought to reduce the budget for 2017/18 by the whole amount remaining and close the scheme.
- 4.8 Phase 1 of Public Realm Improvements scheme is now complete and the remaining £55,000 budget is not required.
- 4.9 The £90,000 budget for John Street Car Park, which was kept for contingencies for 12 months after completion of the scheme, is no longer required due to the carried forward amount included in 4.3 covering the cost of the additional window works.
- 4.10 The iTrent Payroll and HR System has now been installed but due to additional bespoke requirements a further budget of £8,000 was required. This will be funded from underspends within the Payroll and HR revenue budgets.
- 4.11 There is £6,000 remaining for the Telephony MKIP Project, which is fully financed from the Transformation Challenge Award Grant. This is no longer required for capital purposes and the funding will be used for revenue costs in 2018/19.
- 4.12 The Calverley Grounds Play Area is complete and the remaining £3,000, funded from section 106 developer contributions, is no longer required for capital purposes.
- 4.13 The Affordable Housing Grants, again fully funded from section 106 developer contributions, have not been fully spent and £64,000 is no longer required for capital purposes.
- 4.14 The Mary Caley Play Area is complete and the £14,000 of section 106 developer contributions that this scheme has been funded by is also no longer required for capital purposes.
- 4.15 The contract for works on the Crescent Road Car Park Refurbishment has been issued and commenced at the end of 2017/18. A saving on this contract of £500,000 was achieved, which is reflected in the figures requiring approval.
- 4.16 Leadership Board approved the removal of the remaining £16,000 budget for the Members Tablets at their March meeting, and this is now reflected in the capital programme for 2017/18.

- 4.17 There are various schemes with small variations in budgets totalling £1,000 as a result of the completion of projects. These are included as a total rather than referred to individually.

New and Deleted Schemes

- 4.18 £123,000 of Disabled Facility Grants were paid back during the year, as when a property is sold the grant must be repaid, and therefore this reduced the amount of DCLG funding which was required to fund new grants issued. This additional funding is now available to spend in 2018/19.
- 4.19 The Parking Radios will no longer need to be replaced as they have been successfully refurbished instead. The budget of £12,000 applied for in 2018/19 is therefore no longer required.

Housing Renewal Advances

- 4.20 Housing Renewal Advances (TAD) are discretionary loans given to vulnerable householders, owners of empty properties and accredited landlords to help improve the living conditions in the Borough. £9,590 has been distributed this year, while £95,450 has been received from repayments of previous loans.
- 4.21 A payment of £100,000 has been made to Kent County Council under a Top-Up Loan Agreement arrangement for the No Use Empty initiative. Also, payments totalling £22,840 have been distributed from the Kent County Council funded Winter Warmth scheme. This funding had been held in the Government Grants deferred reserve.
- 4.22 As approved by Cabinet in September 2012, a Housing Renewal Reserve was set up to capture all loan repayments. It was intended that in the future Cabinet would use these sums to fund new loans, reducing or removing the necessity to draw from other Council reserves for funding. From 2016/17 we have utilised this reserve for all future advances. Appendix E gives a summary of expenditure and receipts over the last 5 years.

Section S106 Developer Funding

- 4.23 Section 106 of the Town and Country Planning Act 1990 allows a Local Planning Authority (LPA) to enter into a legally-binding agreement or planning obligation with a developer in association with the granting of planning permission. Total Section 106 monies unspent and available as at 31 March 2018 is £1,442,000. Of this sum, £69,000 has been approved by Cabinet for various capital projects.
- 4.24 It should be noted that a number of these agreements are required to be repaid should the Council not find appropriate projects upon which the monies can be spent within the agreed time period. Appendix F summarises the allocation of Section 106 money and also analyses the dates on which these agreements expire.

5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 5.1 All capital adjustments have been discussed with the appropriate Officers responsible for each scheme. Management Board have also reviewed these proposals and consider them appropriate.

RECOMMENDATION FROM CABINET ADVISORY BOARD

- 5.2 The Finance and Governance Cabinet Advisory Board were given a verbal update on this decision on 29 May 2018 and made no further comment on the recommendations.

6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 6.1 Finance will communicate decisions to the appropriate services and reflect the budget changes in the financial management system.

7. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Legal including Human Rights Act	Under section 151 of the local government act (LGA 1972), the Section 151 Officer has statutory duties in relation to the financial administration and stewardship of the authority, including advising on the corporate financial position and providing financial information.	Patricia Narebor, Head of Legal Partnership
Finance and other resources	The report updates on the Authority's capital programme and sets out whether capital expenditure is incurred within approvals by Cabinet.	Jane Fineman, Head of Finance and Procurement
Staffing establishment	None	Zoe Jagniaszek, Service Accountant
Risk management	To ensure that spending on the capital programme is in line the Council's Medium Term Financial Strategy.	Zoe Jagniaszek, Service Accountant
Environment and sustainability	No implications	Zoe Jagniaszek, Service Accountant
Community safety	No implications	Zoe Jagniaszek, Service Accountant
Health and Safety	No implications	Zoe Jagniaszek, Service Accountant
Health and wellbeing	No implications	Zoe Jagniaszek, Service Accountant

Equalities	No implications	Zoe Jagniaszek, Service Accountant
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8. REPORT APPENDICES

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

- Appendix A: Gross capital expenditure previously approved
- Appendix B: Gross capital budgets and actual expenditure for Quarter 4 2017/18
- Appendix C: Net capital budgets and payments for Quarter 4 2017/18
- Appendix D: Summary of expenditure and funding for the 4 years to 2020/21
- Appendix E: Housing Renewal Grants – Summary of loans issued and repaid
- Appendix F: Funding from Section 106 Agreements

9. BACKGROUND PAPERS

- Quarter 4 2016/17 Capital Management to 31 March 2017 – CAB 23/17:
<http://democracy.tunbridgewells.gov.uk/meetings/documents/s32782/16%20Capital%20Management%20Report%20Q4%20-%20Report.pdf>
- Quarter 1 2017/18 Capital Management to 30 June 2017 – CAB 58/17:
<http://democracy.tunbridgewells.gov.uk/meetings/documents/s34035/12%20Capital%20Management%20Report%20Q1%20-%20Report.pdf>
- Quarter 2 2017/18 Capital Management to 30 September 2017 – CAB 112/17:
<http://democracy.tunbridgewells.gov.uk/meetings/documents/s35503/13%20Capital%20Management%20Report%20Q2.pdf>
- Quarter 3 2017/18 Capital Management to 31 December 2017 – CAB 147/17:
<http://democracy.tunbridgewells.gov.uk/meetings/documents/s36692/11%20Capital%20Management%20Report%20Q3.pdf>
- Budget 2017/18 – CAB 158/16:
<http://democracy.tunbridgewells.gov.uk/meetings/documents/s30941/12%20Budget%202017-18%20-%20Report.pdf>
- Medium Term Financial Strategy Update – CAB 159/16:
<http://democracy.tunbridgewells.gov.uk/meetings/documents/s30945/13%20Medium%20Term%20Financial%20Strategy%202017-18%20to%202021-22%20-%20Report.pdf>
- Budget 2018/19 & Medium Term Financial Strategy Update – CAB 130/17:
<http://democracy.tunbridgewells.gov.uk/meetings/documents/s36314/11%20Budget%202018-19%20and%20Medium%20Term%20Financial%20Strategy%20Update.pdf>

Appendix A

Schemes Approved and Awaiting Approval

		2017/18 £000	2018/19	2019/20	2020/21	Total £000	
	Original Gross Approvals	9,899	13,364	3,344	224	26,831	CAB158/16
	Re-scheduled To/From 2016/17	1,341	-	(32)	-	1,309	CAB23/17
TAC	Disabled Facilities Grants	11				11	CAB23/17
THL	Calverley Grounds Play Area	70				70	CAB23/17
TIE	Rusthall Football Club	39				39	CAB23/17
	Total Approvals as at 1st April 2017	11,360	13,364	3,312	224	28,260	
	Recurrent Schemes				740	740	CAB58/17
TAC	Disabled Facility Grants	97				97	CAB58/17
TID	Calverley Pavilion	(100)				(100)	CAB58/17
TDP	Lamberhurst Flood Protection	(8)	8			-	CAB58/17
THJ	CCTV Hub	(195)	195			-	CAB58/17
	Total Approvals at Quarter 1	(206)	203	-	740	737	
TAD	Housing Renewal Advances	70				70	CAB112/17
TBF	Conservation Area Enhance	(50)	(50)	(50)	(50)	(200)	CAB112/17
TBG	Heritage Partner Grants		(40)	(40)	(40)	(120)	CAB112/17
TCX	Goudhurst Pavilion	3				3	CAB112/17
TDI	Asset Acquisition Fund	(1,000)				(1,000)	CAB112/17
TGN	PSN Requirement	(30)				(30)	CAB112/17
TGT	Data Centre Consolidation	(34)				(34)	CAB112/17
TGZ	Sports Centres Tiling & Plant	(55)				(55)	CAB112/17
THT	Bayham Containers	0				0	CAB112/17
THV	Dunorlan Park Footpath	(3)				(3)	CAB112/17
TIF	IT Strategy 2017/18 - 2020/21	114				114	CAB112/17
TIG	Ridgeway Playing Fields	100				100	CAB112/17
TIL	Crescent Road Extension		1,500	1,750		3,250	CAB112/17
	Total approvals at Quarter 2	(884)	1,410	1,660	(90)	2,096	
TAD	Housing Renewal Advances	77				77	CAB147/17
TCE	Community Capital Grants			(20)	(20)	(40)	CAB147/17
TGL	iTrent Payroll & HR System	10				10	CAB147/17
THR	Dowding House	33				33	CAB147/17
TIH	Outdoor Gyms	38				38	CAB147/17
TEH	Cremators	(9)				(9)	CAB147/17
TGX	Car Parks Payment System		87			87	CAB147/17
TIF	IT Strategy 2017/18 - 2020/21		47	158	272	477	CAB147/17
TII	Benhall Mill Road Clearance		79			79	CAB147/17
TIJ	Civic Development			25,000	25,000	50,000	CAB147/17
TIK	Capita Software Housing Benefits		70			70	CAB147/17
TIM	Crescent Road Car Park Lifts		75			75	CAB147/17
TIN	West Station Coach Park		44			44	CAB147/17
TIO	Parking Radios		12			12	CAB147/17
TIP	Parking Bodycams		11			11	CAB147/17
TIQ	Parking Vehicle		18			18	CAB147/17
TIR	Parking Scanner		30			30	CAB147/17
TIS	Parking Virtual Permit System		35			35	CAB147/17
TIT	Enforcement Vehicle		25			25	CAB147/17
TIU	Noise Monitoring Equipment		6	12		18	CAB147/17
TIV	Calverley Bowls Pavilion		45			45	CAB147/17
TIW	Dunorlan Park Lake		47			47	CAB147/17

Appendix A

TIX	Dunorlan Park Play Area		14				14	CAB147/17
TIY	Camden Centre		80				80	CAB147/17
TCE	Community Capital Grants	(7)	7					- CAB147/17
TGX	Car Parks Payment System	(17)	17					- CAB147/17
THF	Card Payment Software	(31)	31					- CAB147/17
THG	Payment Kiosks	(15)	15					- CAB147/17
THI	FMS Upgrade	(26)	26					- CAB147/17
THP	Cultural Hub	200	(8,300)	1,620	6,480			- CAB147/17
THJ	CCTV Hub		(195)	195				- CAB147/17
TIA	Town Hall Fire Alarm System	(29)	29					- CAB147/17
TIG	Ridgeway Playing Fields	(100)	100					- CAB147/17
TIK	Capita Software Housing Benefits	70	(70)					- CAB147/17
	Total approvals at Quarter 3		193	(7,614)	26,965	31,732	51,276	
TAC	Disabled Facilities Grants		123				123	
TAD	Housing Renewal Advances	(68)					(68)	
TBG	Heritage Partner Grants	(38)					(38)	
TCB	North Farm Depot	(6)					(6)	
TDI	Asset Acquisition Fund	(1,992)					(1,992)	
TGH	Public Realm Improvements (Phase 1)	(55)					(55)	
TGK	John Street Car Park	(90)					(90)	
TGL	iTrent Payroll & HR System	8					8	
TGV	Telephony MKIP Project	(6)					(6)	
THL	Calverley Grounds Play Area	(3)					(3)	
THS	Affordable Housing Grants	(64)					(64)	
THW	Mary Caley Play Area	(14)					(14)	
THZ	Crescent Road Car Park Refurbishment	(500)					(500)	
TIC	Members Tablets	(16)					(16)	
TIO	Parking Radios		(12)				(12)	
	Various	1					1	
	Total approvals at Quarter 4	(2,843)	111	-	-	(2,731)		
	Movement between Years in Quarter 4 report							
TAC	Disabled Facilities Grants	(310)	310				-	
TCX	Goudhurst Pavilion	(6)	6				-	
TDC	Quality Bus Partnerships	(24)	24				-	
TDD	Street Lighting Columns	(29)	29				-	
TFV	Mobile Responsive Website	(10)	10				-	
TGH	Public Realm Improvements (Phase 2)	(1,258)	1,258				-	
TGK	John Street Car Park	(15)	15				-	
TGQ	Single Customer Account	(127)	127				-	
TGX	Car Parks Payment System	(56)	56				-	
THI	FMS Upgrade	10	(10)				-	
THP	Cultural Hub	(100)	100				-	
THR	Dowding House	(11)	11				-	
THX	Hilbert Football Pitch Drainage	(41)	41				-	
THY	Torrington Car Park LED Lighting	(102)	102				-	
THZ	Crescent Road Car Park Refurbishment	(2,162)	2,162				-	
TIB	RVP Car Park Extractor Fans	(330)	330				-	
TIF	IT Strategy 2017/18 - 2020/21	(61)	61				-	
TIP	Parking Bodycams	11	(11)				-	
	Total Approvals	2,999	12,096	31,937	32,606	79,637		

CAPITAL MONITORING - Gross capital budgets and payments for 2017/18

Code	Scheme	Open/ Closed	FY Original Budget £000	Amendments to budget £000	FY Revised Budget £000	Actual £000	Forecast £000	Difference £000	Re-scheduled To/From 2018/19 £000	New Schemes £000	Over/Under Budget £000
Leader - Councillor David Jukes											
TCB	NORTH FARM DEPOT	O	-	33	33	27	27	(6)			(6)
TGK	JOHN STREET CAR PARK	O	61	44	105	-	-	(105)	(15)		(90)
THA	ASSEMBLY HALL IMPROVEMENTS	C	-	10	10	9	9	(1)			(1)
TIA	TOWN HALL FIRE ALARM SYSTEM	O	29	(29)	-	-	-	-			-
TIC	MEMBERS TABLETS	C	22	-	22	6	6	(16)			(16)
Leader Total			112	57	169	42	42	(128)	(15)	-	(113)
Finance and Governance - Councillor David Reilly											
TCA	FINANCIAL MANAGEMENT SYSTEM	C	-	5	5	7	7	-			-
TDI	ASSET ACQUISITION FUND	C	3,036	(1,044)	1,992	-	-	(1,992)			(1,992)
TFV	MOBILE RESPONSIVE WEBSITE	O	10	-	10	-	-	(10)	(10)		-
TGL	ITRENT PAYROLL & HR SYSTEM	O	-	42	42	50	50	8			8
TGN	PSN REQUIREMENTS	C	30	(30)	-	-	-	-			-
TGT	DATA CENTRE CONSOLIDATION	C	34	(34)	-	-	-	-			-
TGQ	SINGLE CUSTOMER ACCOUNT	O	185	(1)	184	58	58	(127)	(127)		-
TGV	TELEPHONY MKIP PROJECT	O	182	105	287	281	281	(6)			(6)
THF	CARD PAYMENT SOFTWARE	O	31	(31)	-	-	-	-			-
THG	PAYMENT KIOSKS	O	15	(15)	-	-	-	-			-
THI	FMS UPGRADE	O	58	(26)	32	42	42	10	10		(0)
TIF	IT STRATEGY 2017/18 - 2020/21	O	-	114	114	53	53	(61)	(61)		-
TIK	CAPITA SOFTWARE HOUSING BENEFITS	C	-	70	70	70	70	(0)			(0)
Finance and Governance Total			3,581	(844)	2,737	560	560	(2,176)	(187)	-	(1,989)
Communities and Wellbeing - Councillor Lynne Weatherly											
TAC	DISABLED FACILITIES GRANTS	O	824	218	1,042	732	732	(310)	(310)		(310)
TAD	HOUSING RENEWAL ADVANCES	O	30	170	200	132	132	(68)			(68)
TCE	COMMUNITY GRANTS	O	20	(7)	13	14	14	0			0
THJ	CCTV HUB	O	195	(195)	-	-	-	-			-
THP	CULTURAL HUB	O	-	200	200	100	100	(100)	(100)		(100)
THR	DOWDING HOUSE	O	350	18	368	357	357	(11)	(11)		(11)
THS	AFFORDABLE HOUSING GRANTS	C	-	314	314	250	250	(64)			(64)
Communities and Wellbeing Total			1,419	719	2,138	1,585	1,585	(552)	(421)	-	(131)

CAPITAL MONITORING - Gross capital budgets and payments for 2017/18

Code	Scheme	Open/ Closed	FY Original Budget £000	Amendments to budget £000	FY Revised Budget £000	Actual £000	Forecast £000	Difference £000	Re-scheduled To/From 2018/19 £000	New Schemes £000	Over/Under Budget £000
Planning and Transportation - Councillor Alan McDermott											
TBF	CONSERVATION AREA ENHANCE	C	50	(50)	0	-	-	(0)			(0)
TBG	HERITAGE PARTNER GRANTS	C	40	-	40	2	2	(38)			(38)
TDC	QUALITY BUS PARTNERSHIP	O	-	24	24	-	-	(24)	(24)		-
TGX	CAR PARKS PAYMENT SYSTEM	O	-	56	56	-	-	(56)	(56)		-
THY	TORRINGTON CAR PARK LED LIGHTING	O	102	-	102	-	-	(102)	(102)		-
THZ	CRESCENT ROAD CAR PARK REFURBISHMENT	O	2,760	-	2,760	98	98	(2,662)	(2,162)		(500)
TIB	RVP CAR PARK EXTRACTOR FANS	O	330	-	330	-	-	(330)	(330)		-
TIP	PARKING BODYCAMS	C	-	-	-	11	11	11	11		0
Planning and Transportation Total			3,282	30	3,312	111	111	(3,201)	(2,663)	-	(538)
Sustainability - Councillor Ronen Basu											
TDD	STREET LIGHTING COLUMNS	O	29	-	29	-	-	(29)	(29)		-
TDP	AMBERHURST FLOOD PROTECTION	O	-	-	-	-	-	-			-
TGH	PUBLIC REALM IMPROVEMENTS	O	908	471	1,379	65	65	(1,314)	(1,258)		(55)
Sustainability Total			937	471	1,409	65	65	(1,343)	(1,288)	-	(55)
Tourism Leisure and Economic Development - Councillor Jane March											
TCX	GOUDHURST PAVILION	O	3	3	6	-	-	(6)	(6)		-
TEH	CREMATORS	C	-	-	-	-	-	-			-
TFD	NORTH FARM ART WORKS	O	-	35	35	35	35	0			0
TGR	TRINITY THEATRE EXTENSION	O	-	32	32	32	32	-			-
TGZ	SPORTS CENTRES TILING & PLANT	C	-	-	-	-	-	-			-
THL	CALVERLEY GROUNDS PLAY AREA	O	245	64	309	306	306	(3)			-
THT	BAYHAM CONTAINERS	C	-	23	23	23	23	-			-
THU	HAWKENBURY ASTROTURF	C	20	-	20	20	20	(0)			-
THV	DUNORLAN PARK FOOTPATH	C	25	(3)	22	22	22	-			-
THW	MARY CALEY PLAY AREA	O	129	-	129	114	114	(14)			-
THX	HILBERT FOOTBALL PITCH DRAINAGE	O	47	-	47	5	5	(41)	(41)		-
TID	CALVERLEY PAVILION	C	100	(100)	-	-	-	-			-
TIE	RUSTHALL FOOTBALL CLUB	C	-	39	39	39	39	-			-
TIG	RIDGEWAYE PLAYING FIELDS	O	-	-	-	-	-	-			-
TIH	OUTDOOR GYMS	C	-	38	38	38	38	1			1
Tourism Leisure and Economic Development Total			568	131	699	635	635	(64)	(47)	-	(16)
Total Projects			9,899	564	10,463	2,999	2,999	(7,464)	(4,622)	-	(2,843)

CAPITAL MONITORING - Net capital budgets and payments for 2017/18

Code	Scheme	Open/ Closed	FY Original Budget £000	Amendments to budget £000	FY Revised Budget £000	Actual £000	Forecast £000	Difference £000	Re-scheduled To/From 2018/19 £000	New Schemes £000	Over/Under Budget £000
Leader - Councillor David Jukes											
TCB	NORTH FARM DEPOT	O	-	33	33	27	27	(6)			(6)
TGK	JOHN STREET CAR PARK	O	61	44	105	-	-	(105)	(15)		(90)
THA	ASSEMBLY HALL IMPROVEMENTS	C	-	10	10	9	9	(1)			(1)
TIA	TOWN HALL FIRE ALARM SYSTEM	O	29	(29)	-	-	-	-			-
TIC	MEMBERS TABLETS	C	22	-	22	6	6	(16)			(16)
Leader Total			112	57	169	42	42	(128)	(15)	-	(113)
Finance and Governance - Councillor David Reilly											
TCA	FINANCIAL MANAGEMENT SYSTEM	C	-	5	5	6	7	1			1
TDI	ASSET ACQUISITION FUND	C	-	-	-	-	-	-			-
TFV	MOBILE RESPONSIVE WEBSITE	O	10	-	10	-	-	(10)	(10)		-
TGL	ITRENT PAYROLL & HR SYSTEM	O	-	42	42	50	50	8			8
TGN	PSN REQUIREMENTS	C	30	(30)	-	-	-	-			-
TGT	DATA CENTRE CONSOLIDATION	C	34	(34)	-	-	-	-			-
TGQ	SINGLE CUSTOMER ACCOUNT	O	131	(1)	130	3	3	(127)	(127)		-
TGV	TELEPHONY MKIP PROJECT	O	-	-	-	-	-	-			-
THF	CARD PAYMENT SOFTWARE	O	31	(31)	-	-	-	-			-
THG	PAYMENT KIOSKS	O	15	(15)	-	-	-	-			-
THI	PMS UPGRADE	O	58	(26)	32	42	42	10	10		(0)
TIF	IT STRATEGY 2017/18 - 2020/21	O	-	114	114	53	53	(61)	(61)		-
TIK	CAPITA SOFTWARE HOUSING BENEFITS	C	-	70	70	70	70	(0)			(0)
Finance and Governance Total			309	94	403	225	225	(178)	(187)	-	9
Communities and Wellbeing - Councillor Lynne Weatherly											
TAC	DISABLED FACILITIES GRANTS	O	-	-	-	-	-	-			-
TAD	HOUSING RENEWAL ADVANCES	O	30	170	200	132	132	(68)			-
TCE	COMMUNITY GRANTS	O	20	(7)	13	14	14	0			-
THJ	CCTV HUB	O	195	(195)	-	-	-	-			-
THP	CULTURAL HUB	O	-	200	200	100	100	(100)	(100)		-
THR	DOWDING HOUSE	O	350	18	368	357	357	(11)	(11)		-
THS	AFFORDABLE HOUSING GRANTS	C	-	-	-	-	-	-			-
Communities and Wellbeing Total			595	187	782	603	603	(179)	(111)	-	(67)

CAPITAL MONITORING - Net capital budgets and payments for 2017/18

Code	Scheme	Open/ Closed	FY Original Budget £000	Amendments to budget £000	FY Revised Budget £000	Actual £000	Forecast £000	Difference £000	Re-scheduled To/From 2018/19 £000	New Schemes £000	Over/Under Budget £000
Planning and Transportation - Councillor Alan McDermott											
TBF	CONSERVATION AREA ENHANCE	C	50	(50)	0	-	-	(0)			(0)
TBG	HERITAGE PARTNER GRANTS	C	40	-	40	2	2	(38)			(38)
TDC	QUALITY BUS PARTNERSHIP	O	-	14	14	-	-	(14)	(16)		2
TGX	CAR PARKS PAYMENT SYSTEM	O	-	56	56	-	-	(56)	(56)		-
THY	TORRINGTON CAR PARK LED LIGHTING	O	102	-	102	-	-	(102)	(102)		-
THZ	CRESCENT ROAD CAR PARK REFURBISHMENT	O	2,760	-	2,760	98	98	(2,662)	(2,162)		(500)
TIB	RVP CAR PARK EXTRACTOR FANS	O	330	-	330	-	-	(330)	(330)		-
TIP	PARKING BODYCAMS	C	-	-	-	11	11	11	11		0
Planning and Transportation Total			3,282	20	3,302	111	111	(3,191)	(2,655)	-	(536)
Sustainability - Councillor Ronen Basu											
TDD	STREET LIGHTING COLUMNS	O	29	-	29	-	-	(29)	(29)		-
TDP	AMBERHURST FLOOD PROTECTION	O	-	-	-	-	-	-			-
TGH	PUBLIC REALM IMPROVEMENTS	O	300	79	379	65	65	(314)	(258)		(55)
Sustainability Total			329	79	409	65	65	(343)	(288)	-	(55)
Tourism Leisure and Economic Development - Councillor Jane March											
TCX	BOUDHURST PAVILION	O	-	3	3	-	-	(3)	(3)		-
TEH	CREMATORS	C	-	-	-	-	-	-			-
TFD	NORTH FARM ART WORKS	O	-	-	-	-	-	-			-
TGR	TRINITY THEATRE EXTENSION	O	-	-	-	-	-	-			-
TGZ	SPORTS CENTRES TILING & PLANT	C	-	-	-	-	-	-			-
THL	CALVERLEY GROUNDS PLAY AREA	O	20	50	70	-	-	(70)			-
THT	BAYHAM CONTAINERS	C	-	1	1	23	1	-			-
THU	HAWKENBURY ASTROTURF	C	20	-	20	20	20	(0)			-
THV	DUNORLAN PARK FOOTPATH	C	25	(3)	22	22	22	-			-
THW	MARY CALEY PLAY AREA	O	-	-	-	-	-	-			-
THX	HILBERT FOOTBALL PITCH DRAINAGE	O	47	-	47	5	5	(41)	(41)		-
TID	CALVERLEY PAVILION	C	-	-	-	-	-	-			-
TIE	RUSTHALL FOOTBALL CLUB	C	-	-	-	-	-	-			-
TIG	RIDGEWAYE PLAYING FIELDS	O	-	-	-	-	-	-			-
TIH	OUTDOOR GYMS	C	-	-	-	-	2	2			-
Tourism Leisure and Economic Development Total			111	51	162	70	50	(112)	(44)	-	(68)
Total Projects			4,738	489	5,227	1,117	1,096	(4,131)	(3,301)	-	(831)

Summary of Expenditure and funding for the 4 years programme to 2020/21

	Original £000	Extra Items						
		Approved	Approved	Approved	Approved	Proposed	Proposed	Projected
		Q1 £000	Q2 £000	Q3 £000	Q4 £000	Adjustmts Q4 £000	Movements between Yrs Q4 £000	Outturn Q4 £000
All years								
2017/18	9,899	1,255	(884)	193		(2,843)	(4,622)	2,999
2018/19	13,364	203	1,410	(7,614)		111	4,622	12,096
2019/20	3,344	(32)	1,660	26,965		-	-	31,937
2020/21	224	740	(90)	31,732		-	-	32,606
Gross Expenditure	26,831	2,166	2,096	51,276	-	(2,731)	-	79,637
Government Grants	2,932	931	-	-		123	-	3,987
HLF Lottery grant	7,300	(100)	-	-		-	-	7,200
Section 106 contributions	164	423	100	52		(12)	-	727
Other external Contributions	833	402	-	-		(1)	-	1,234
Public Works Loan Board Loan	3,036	(44)	(1,000)	50,000		(1,992)	-	50,000
Sale of Fixed Assets	-	540	1,000	268		-	(100)	1,708
Torrington Rev Maint reserve	40	62	-	-		-	-	102
Invest to Save Reserve	493	105	(50)	119		(50)	-	618
ICT MKIP Partnership Reserve	22	-	114	477		(16)	-	597
Housing Renewal Reserve	90	30	70	77		(68)	-	200
Government Grants Reserve	23	-	-	70		16	-	109
Carbon Reduction Scheme	-	-	50	-		-	-	50
Capital and Rev Initiatives Reserve	11,897	(184)	1,811	212		(731)	100	13,106
Total Funding	26,831	2,166	2,096	51,276	-	(2,731)	-	79,637

Summary of Expenditure and funding for 2017/18

	Original	Extra Items						Year End Projected Outturn Q4
		Approved	Approved	Approved	Approved	Proposed	Proposed	
		Q1	Q2	Q3	Q4	Adjustmts Q4	Movements between Yrs Q4	
	£000	£000	£000	£000	£000	£000	£000	£000
Gross expenditure	9,899	1,255	(884)	193		(2,843)	(4,622)	2,999
Government Grants	1,060	323	-	-		-	(310)	1,073
HLF Lottery grant	100	(100)	-	-		-	-	-
Section 106 contributions	132	455	100	(62)		(12)	(3)	609
Other external Contributions	833	402	-	-		(1)	(1,008)	226
Public Works Loan Board Loan	3,036	(44)	(1,000)	-		(1,992)	-	-
Sale of Fixed Assets	-	540	1,000	268		(1,025)	(100)	683
Torrington Rev Maint reserve	40	62	-	-		-	(102)	-
Invest to Save Reserve	493	105	(50)	(33)		(50)	(336)	130
ICT MKIP Partnership Reserve	22	-	114	-		(16)	(61)	59
Housing Renewal Reserve	30	-	70	77		(68)	-	110
Government Grants Reserve	23	-	-	70		16	-	109
Carbon Reduction Scheme	-	-	50	-		-	(50)	-
Capital and Rev Initiatives Reserve	4,130	(489)	(1,169)	(127)		307	(2,651)	0
Total Funding	9,899	1,255	(884)	193	-	(2,843)	(4,622)	2,999

Quarter 4 - Capital Management to 31 March 2018

Housing Renewal Grants - summary of loans issued and repaid

	2017/18	2016/17	2015/16	2014/15	2013/14	2012/13
Advances made during the year	9,591.35	516.00	33,090.84	28,759.76	123,179.22	117,284.59
Repayment of loans received	(95,445.95)	(50,738.69)	(69,327.39)	(44,900.58)	(32,137.36)	(28,964.13)
Other contributions	100,000.00			(5,043.55)		
Transferred to/from the reserve	(14,145.40)	50,222.69	69,327.39	49,944.13	32,137.36	28,964.13
Net position	-	-	33,090.84	28,759.76	123,179.22	117,284.59
Housing Renewal Reserve	(216,450.30)	(230,595.70)	(180,373.01)	(111,045.62)	(61,101.49)	(28,964.13)

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Quarter 4 - Capital Management to 31 March 2018

S106 as at 31 March 2018

Allocated to schemes in capital programme:

Goudhurst	3	
Ridgewaye Playing Fields	52	
Dunorlan Park Play Area	14	
		69

Reserved for purposes set out in Section 106 agreements:

Youth and Adult recreation	531	
Childrens Playspace	102	
Cycleways/Highways & Transport	428	
Car Parking	76	
Air Quality & Renewable Energy	157	
Reptile & Ecology	6	
Public Art	22	
Affordable Housing	51	
		1,373

Total Section 106 contributions in hand as at 31 March 2018	<u>1,442</u>
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These contributions expire in the following years:

2019/20	255
2020/21	207
2021/22	40
2022/23	68
2023/24	333
2024/25	0
2025/26	75
2026/27	0
2027/28	27
	1,005

Contributions without expiry dates	437
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Total Section 106 contributions in hand as at 31 March 2018	<u>1,442</u>
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Cabinet

21 June 2018

Is the final decision on the recommendations in this report to be made at this meeting?	Yes
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Treasury and Prudential Indicator Management Report: Quarter 4 (to 31 March 2018)

Final Decision-Maker	Cabinet
Portfolio Holder(s)	Councillor David Reilly – Portfolio Holder for Finance and Governance
Lead Director	Lee Colyer – Director of Finance, Policy and Development
Head of Service	Jane Fineman – Head of Finance and Procurement
Lead Officer/Author	Clare Hazard – Accountancy Manager
Classification	Non-exempt
Wards affected	All

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

That the 2017/18 Treasury Management and Prudential Indicator position be noted.

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

This report supports all of the key objectives. Ensuring effective cash flow management is vital in order to support all the services provided by the Council. The interest received from the Council's investments is an important source of income in helping the Council set a balanced budget.

Timetable

Meeting	Date
Management Board	9 May 2018 (Verbal Update)
Discussion with Portfolio Holder	29 May 2018
Cabinet Advisory Board	29 May 2018 (Verbal Update)
Cabinet	21 June 2018

Treasury and Prudential Indicator Management Report: Quarter 4 (to 31 March 2018)

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 This report monitors compliance with the Treasury Management Policy & Strategy 2017/18 for the period 1 April 2017 to 31 March 2018.
 - 1.2 The report updates Members on investments held by the Council and informs that interest from investments for 2017/18 was forecast to be £717,000, an increase of £87,000 on the approved budget of £630,000 and a further £17,000 from the Quarter 3 forecast.
 - 1.3 The report also updates Members on the borrowed funds held by the Council. The cost of the interest on the PWLB loan for 2017/18 was £145,310 the same as the approved budget.
-

2. INTRODUCTION AND BACKGROUND

- 2.1 Under its Financial Procedure Rules, the Council delegates responsibility for the implementation and monitoring of its treasury management policies and practices to Cabinet.
- 2.2 This report monitors, for the period 1 April 2017 to 31 March 2018, compliance with the Treasury Management Policy and Strategy 2017/18 recommended by Cabinet at its meeting 9 February 2017 (CAB160/16) and approved by Full Council at its meeting of 22 February 2017 (FC69/16).

Current Investments

- 2.3 The 2017/18 approved limits on the amount of money and the time period the Council can invest with any given counterparty is shown in **Appendix A**.
- 2.4 As at 31 March 2018 the Council had £32 million of investments and the institution categories and the maturity profile of these investments are shown in **Appendix B**.

Investment Interest

- 2.5 The bank interest rate set by the Bank of England's Monetary Policy Committee has been 0.50% since November 2017 when it was raised from 0.25%, the first rate rise in over a decade.
- 2.6 Link Asset Services, who are the Council's treasury advisors, regularly review interest rates and produce a forecast of the rate over future years. They now predict that interest rates will rise again by the end of 2018 and continue rising slowly during 2019 and 2020.

- 2.7 Investment interest of £630,000 was included in the revenue budget for 2017/18 which was based on a target interest rate of 1.83%. The average rate achieved was 1.62% resulting in investment interest of £717,000, £87,000 above budget and a further £17,000 above the Quarter 3 forecast.
- 2.8 The estimated average funds available for investment in 2017/18 were forecast to be £41.50 million. The actual funds were £44.18 million due to a higher than estimated opening balance, resulting from the rescheduling of the capital programme during 2017/18, and savings achieved in 2016/17 being returned to reserves. Also there has been more cash available during 2017/18 due to further rescheduling of the capital programme and underspends in net revenue costs being transferred to reserves.
- 2.9 The increased funds has resulted in the additional interest achieved but has brought the overall average interest rate down. This is because the additional funds have only been invested short term, as they are mostly as a result of rescheduling the capital programme, and short term investments earn less than the average for the rest of the portfolio. Opportunities for investing short term money are extremely limited although the Council has been investing more with other local authorities who are offering slightly above what banks and building societies are offering.
- 2.10 A summary of the forecast position is shown below:

	Budget 2017/18	Actual 2017/18	Forecast Quarter 3
Equated Investments	£34.50 million	£44.18 million	£41.50 million
Average Interest Rate	1.83%	1.62%	1.69%
Investment Income	£630,000	£717,000	£700,000

Treasury Management Strategy Prudential Indicators and Targets

- 2.11 Details of the Prudential Indicators and Treasury Management Targets compared to the position as at 31 March 2018 are set out in **Appendix C**.
- 2.12 None of the Prudential Indicators were breached in this period. The interest rate achieved from investments was 1.62%, whereas the target was 1.83% but as explained in Paragraph 2.7, due to higher than estimated funds being available the overall interest budget was £87,000 over budget.

Local Authorities' Property Fund

- 2.13 The Council has purchased £9 million worth of units in The Local Authorities' Property Fund. The Fund pays a dividend to the Council on a quarterly basis. The dividend paid for 2017/18 was 6.11% although a management fee of 0.71% was paid back to the Fund resulting in a net interest rate of 5.40%.

- 2.14 The value of the investment is calculated at year end to be included in the Council's Financial Statements at its fair value or market price. The value of the Council's £9 million investment was £10,224,741 as at 31 March 2017. The value of the £9 million invested as at 31 March 2018 is £10,710,232, a further gain of £485,491.
- 2.15 Any gain or loss at year end is transferred to an unusable reserve called the 'Available for Sale Reserve'. The cumulative gain or loss on this reserve will only be recognised in the Income and Expenditure Statement on disposal of the investment.

Other Interest and Investment Income Received

- 2.16 The Council also receives interest and investment income in addition to investment interest from a variety of sources as shown below:

	Actual
Mortgages	£5,035
Local Authority Mortgage Scheme	£23,849
Bank Interest	£27,200
Other Loans	£3,133
Fusion Loan	£84,266
Investment Income	£85,250
Total Other Interest/Invest Income	£228,733

- 2.17 The Council has provided a loan to Fusion Lifestyle, who manage the Council's sports centres, to fund sports centre improvements. This resulted in £84,266 of interest for 2017/18. This was transferred to the Strategic Plan Reserve. This reserve is added to when interest exceeds the budget.
- 2.18 The Council purchased a commercial property in 2016/17 which is held on the balance sheet as an investment property. Investment income received for 2017/18 was £85,250.

Current Borrowing

- 2.19 The Council had £7 million which it had borrowed from the Public Works Loans Board (PWLb) as at 31 March 2017, at a rate of 2.38%. This loan is repaid in sums of £1 million every July and January and therefore £5 million of this loan was outstanding as at 31 March 2018.
- 2.20 The cost of interest on this borrowing for 2017/18 was £145,310.

3. AVAILABLE OPTIONS

- 3.1 This report is essentially for information.
-

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 That Members acknowledge the 2017/18 Treasury Management and Prudential Indicator position and note that investment interest was £717,000, an increase of £87,000 on the budget of £630,000.

5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 5.1 The Council takes advice from Link Asset Services on all treasury management activities.

RECOMMENDATION FROM CABINET ADVISORY BOARD

- 5.2 The Finance and Governance Advisory Board were given a verbal update on 29 May 2018 and there were no recommendations.

6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 6.1 The investment income and borrowing costs are also included within the Quarter 4 Revenue Management report which is an accompanying report on this agenda.

7. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Legal including Human Rights Act	Under Section 151 of the Local Government Act 1972 (LGA 1972) the Section 151 Officer has statutory duties in relation to the financial administration and stewardship of the authority, including securing effective arrangements for treasury management.	Patricia Narebor, Head of Legal Partnership
Finance and other resources	The net investment interest is an important source of income for the Council's revenue budget.	Jane Fineman, Head of Finance and Procurement
Staffing establishment	No implications	Clare Hazard, Accountancy Manager
Risk management	The Treasury Management Policy and Strategy sets out how the Council aims to control the risks associated with treasury management. The security of the Council's investments is the top priority when making investments and is always considered before yield.	Clare Hazard, Accountancy Manager
Environment and sustainability	No implications	Clare Hazard, Accountancy Manager

Community safety	No implications	Clare Hazard, Accountancy Manager
Health and Safety	No implications	Clare Hazard, Accountancy Manager
Health and wellbeing	No implications	Clare Hazard, Accountancy Manager
Equalities	No implications	Clare Hazard, Accountancy Manager

8. REPORT APPENDICES

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

- Appendix A: Treasury Management Investment Limits
- Appendix B: Current Investments
- Appendix C: Prudential Indicators and Treasury Management Targets

9. BACKGROUND PAPERS

- Treasury Management Policy and Strategy 2017/18 – CAB160/16
<http://democracy.tunbridgewells.gov.uk/meetings/documents/s30948/14%20Treasury%20Management%20Policy%20and%20Strategy%202017-18%20-%20Report.pdf>

Treasury Management Investments Limits**Banks/Building Societies**

	Fitch Rating (minimum)		Maximum Investment per Institution/ Group	Maximum Duration
	LT	ST		
1st tier institutions	AA+ AA AA-	F1+	£20 million	5 years
2nd tier institutions	A+ A A-	F1	£10 million	3 years

Nationalised/Part Nationalised Banks

	Fitch Rating (minimum)		Maximum Investment per Institution/ Group	Maximum Duration
	LT	ST		
1st tier institutions	AA+ AA AA-	F1+	£20 million	5 years
2nd tier institutions	A+ A A-	F1	£10 million	3 years

Lloyds Banking Group

	Maximum Investment	Maximum Duration
Lloyds Banking Group	£20 million	5 years

Local Authorities/Debt Management Office

	Maximum Investment	Maximum Duration
Unitary Councils	£5 million	5 years
County Councils	£5 million	5 years
Police Authorities	£5 million	5 years
Other Local Authorities	£5 million	5 years
Government's Debt Management Office	£30 million	5 years

Money Market Funds

	Maximum Investment	Maximum Duration
Money Market Funds	£5 million	5 years

Collective Investments Schemes (Pooled Funds)

	Maximum Investment	Maximum Duration
Collective Investments Schemes (Pooled Funds)	£10 million	-

Organisations for the purposes of improving Council's Assets

	Maximum Investment	Maximum Duration
Organisations for the purposes of improving Council's Assets	£5 million	5 years

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Current Investments

	Investments
Banks/Building Societies	3,000,000
Nationalised/Part Nationalised	0
Lloyds Banking Group	10,000,000
Debt Management Office	0
Other Local Authorities	10,000,000
Collective Investment Schemes	9,000,000
Total	32,000,000

	Investments
On Call	3,000,000
0 - 3 months	10,000,000
4 - 6 months	5,000,000
7 - 9 months	5,000,000
10 - 12 months	0
12 months +	9,000,000
Total	32,000,000

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Prudential Indicators and Treasury Management Targets

	Target 2017/18	Actual Q4	Actual Q3
<u>Prudential Indicators</u>			
External Debt Prudential Indicators			
1 Code of Practice The Council has adopted the CIPFA Code of Practice for Treasury Management in the Public Services. The Council adopted the code in March 2002 and continues to conduct its treasury activities in accordance with it.	Adopt the Code of Practice	No Breach	No Breach
2 Ratio of financing costs to net revenue stream Identifies the trend in the cost of capital (borrowing and other long term obligation costs net of investment income) against net revenue stream. Ratio	1.50%	1.01%	1.50%
3 Incremental impact of capital investment decisions on Council Tax Identifies the revenue costs associated with proposed changes to the three year programme compared to the existing approved commitments. Impact	£0	£0	£0
4 Authorised Limit for External Debt The Council is expected to set a maximum authorised limit for external debt. This limit should not be exceeded and is therefore calculated on the basis of the worst case scenario for cash flow requirements in the short term. Authorised limit for external debt	£20 million	£5 million	£6 million
5 Operational boundary for external debt The Council is required to set an operational boundary for external debt. This indicates the most likely maximum level of external debt for cash flow requirements in the short term. This indicator may be breached temporarily for operational reasons. Operational boundary for external debt	£20 million	£5 million	£6 million

Prudential Indicators and Treasury Management Targets

	Target 2017/18	Actual Q4	Actual Q3
6 Interest Rate Exposures The Council needs to set upper limits to its exposure to the effects of changes in interest rates. This indicator has been set to allow 100% of the portfolio to be placed in fixed rate investments. The upper limit on variable rate exposure is set at 70% of the total value of the portfolio. Upper limit for fixed rate investments Upper limit for variable rate investments	 100% 70%	 62% 38%	 44% 56%
6 Maturity Structure of Borrowing The Council needs to set upper and lower limits with respect to the maturity structure of its borrowing. As the Council has now entered into long term borrowing, as approved by Full Council, the upper and lower limit for borrowings with a maturity over 12 months is 100%. Limits for the maturity structure of fixed term borrowings Upper limit for under 12 months Lower limit for under 12 months Upper limit for over 12 months Lower limit for over 12 months	 100% 0% 100% 0%	 Nil Nil 100% 0%	 Nil Nil 100% 0%

Prudential Indicators and Treasury Management Targets

	Target 2017/18	Actual Q4	Actual Q3
<u>Treasury Management Targets</u>			
1 Target Investment Interest Rate Base Rate 0.50% from 5th March 2009 Base Rate 0.25% from 4th August 2016 Base Rate 0.50% from 2nd November 2017	1.83%	1.62% actual	1.69% projected
2 Longer term investment decisions Made in the context of a minimum investment	0.50%	No long term investments made	No long term investments made
3 Cash flow Overall cash flow to be managed to achieve a nil borrowing requirement although borrowing will be considered an option where it is prudent to do so	Nil	Nil	Nil

Prudential Indicators and Treasury Management Targets

	Target 2017/18	Actual Q4	Actual Q3
<u>Other Key Data</u>			
1 Estimated average equated sums for investment 2017/18	£34.50 million	£44.18 million actual	£41.50 million projected
2 Investment Income	£630,000	£717,000 actual	£700,000 projected (Year to date £537,000)
3 Interest Paid	£145,310	£145,310 actual	£145,310 projected (Year to date £115,000)
4 Actual Investments at end of quarter Total Investments		£32.0 million	£34.0 million

Cabinet	21 June 2018
Is the final decision on the recommendations in this report to be made at this meeting?	Yes

Strategic Risk Register

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

<p>This report makes the following recommendations to the final decision-maker:</p> <ol style="list-style-type: none"> 1. That the Strategic Risk Register and arrangements for managing strategic risk, as set out at Appendix A to the report, be noted.
--

<p>This report relates to the following Five Year Plan Key Objectives:</p> <ul style="list-style-type: none"> • A Prosperous Borough • A Green Borough • A Confident Borough <p>This report is concerned with the internal control and governance of the Council. Successful controls and effective governance are a crucial underpinning for all corporate priorities.</p>

Timetable	
Meeting	Date
Audit and Governance Committee	3 April 2018
Management Board	9 May 2018
Finance & Governance Cabinet Advisory Board	17 May 2018
Cabinet	12 June 2018

Strategic Risk Register

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

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

2. INTRODUCTION AND BACKGROUND

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

3. AVAILABLE OPTIONS

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

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

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

5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

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

RECOMMENDATION FROM CABINET ADVISORY BOARD

- 5.2 The Finance and Governance Cabinet Advisory Board was consulted on this decision on 17 May 2018 and agreed the following recommendation:

That the recommendation set out in the report be supported.

6. CROSS-CUTTING ISSUES AND IMPLICATIONS

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

7. REPORT APPENDICES

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

- Appendix A: Strategic Risk Register Update March 2018

8. BACKGROUND PAPERS

- None

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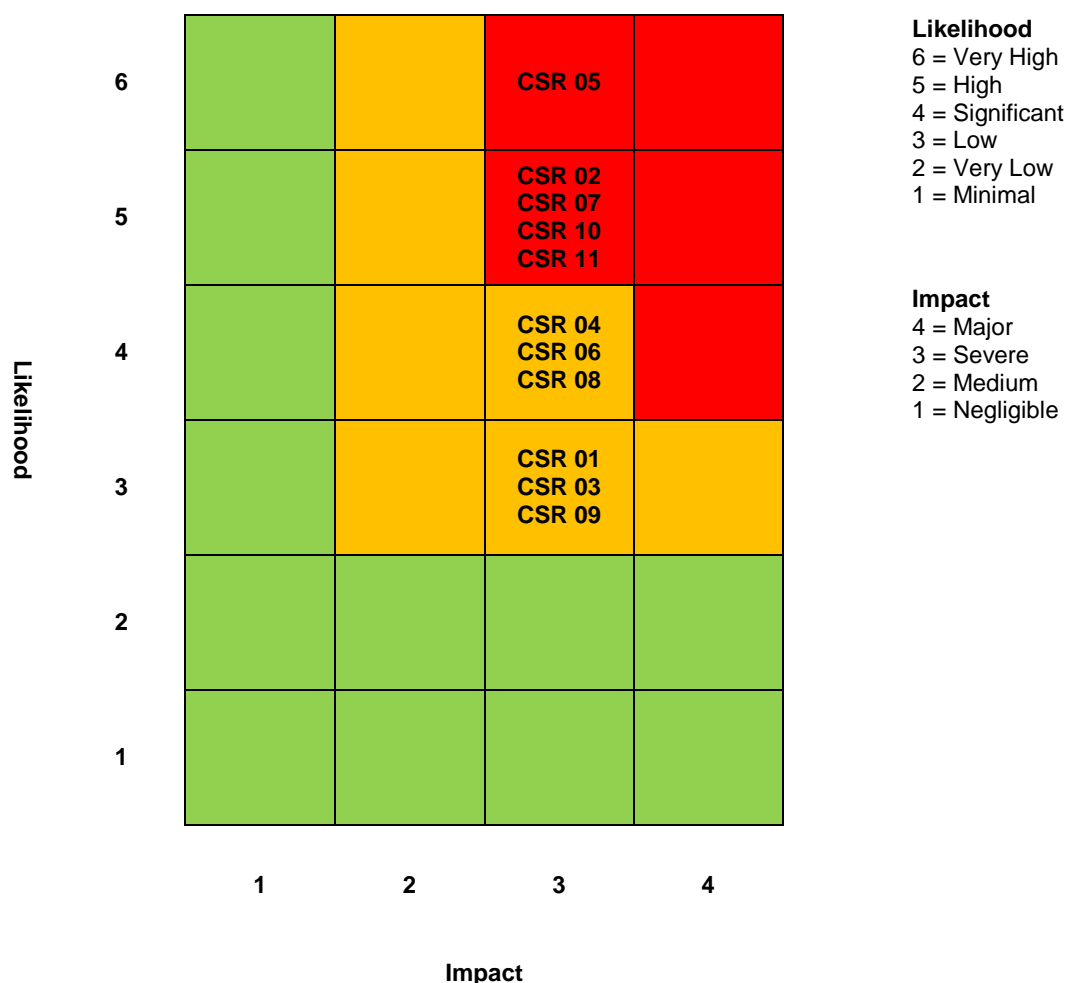
Strategic Risks March 2018

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

The risk scenarios are:

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

Tunbridge Wells Borough Council Strategic Risk Profile March 2018



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

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

Risk Scenario 1: Cinema site remains undeveloped

Risk Description:		Likelihood/Impact	Low(3) / Severe(3)
Cinema Site			
Member Risk Owner	David Jukes	Officer Risk Owner	Karen Fossett
Vulnerability/ Contributing factors		Potential Impact/ Consequences	Current Controls/ Mitigations in place
<div>Page 153</div> <ul style="list-style-type: none">The Cinema site has a significant impact on the overall perception and reputation of Tunbridge Wells. Resolving the lack of progress on this site is not wholly within the Council’s control		<ul style="list-style-type: none">Damage to reputationCurtails attractiveness and discourages new investment in the town centre	<ul style="list-style-type: none">Planning permission granted 2.2.18 for redevelopment of site with a Section 106 agreement and planning conditions (including pre-commencement conditions).Applicant progressing with Network Rail Asset Protection AgreementFootpath diversion order and Walkway Agreement processes underwayFurther ground investigations undertaken by applicantSuggested start on site at end 2018/early 2019.

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

Risk Description:		Likelihood/Impact	High (5) / Severe (3)
Economic development and infrastructure			
Member Risk Owner	Jane March/Alan McDermott	Officer Risk Owner	David Candlin
Vulnerability/ Contributing factors		Potential Impact/ Consequences	Current Controls/ Mitigations in place
<div>Page 10 of 15</div> <ul style="list-style-type: none">There are economic opportunities but other areas are also chasing these.The local economic offer and reputation is strong and improving with latent demand, particularly in retail and ‘in town’ while the Council has developed wider Borough opportunities, e.g. North Farm.There are issues around cost of housing and infrastructure, particularly traffic congestion which could affect ability to make the most of opportunities.Referendum (‘Brexit’) decision to leave the European Union. The implications of this decision have the potential to have a significant impact on the local economy.		<ul style="list-style-type: none">Lose out to other areasUnable to secure sufficient opportunitiesLocal area and people lose outInsufficient inward investmentImpact on economic vitality of areaCurtails attractivenessImpact on revenue streams and incomeSuffer in comparison to othersDamage to reputation	<ul style="list-style-type: none">Delivery by Highways Agency of A21 Tonbridge to Pembury duallingDelivery of North Farm infrastructure improvementsSecure KMEP and SELEP support for delivery of key infrastructure improvementsMaintain and develop working relationships with key partners, landowners & developersEstablishment of Royal Tunbridge Wells Together town centre partnershipEnsure Local Plan and Transport Strategy address economic & transport issuesProfessional advice secured to establish viability of transport schemesMonitor Brexit negotiations and terms impacting on the local economy and business sectors in the BoroughLobby with partners and stakeholders (including SELEP) to minimise negative impact of Brexit termsDevelopment programme and support for community facilities in the rural towns

Risk Scenario 3: Resident engagement

Risk Description:		Likelihood/Impact	Low (3) / Severe (3)
Local engagement			
Member Risk Owner	David Jukes	Officer Risk Owner	William Benson
Vulnerability/ Contributing factors		Potential Impact/ Consequences	Current Controls/ Mitigations in place
<div>636154</div> <ul style="list-style-type: none">As a result of the significant financial pressures it is experiencing, the Council has discontinued a number of the mechanisms it has used to engage with residents including Ward Walks and annual residents’ surveys.Local engagement is crucial in place-shaping and future direction. There is a need to ensure mechanisms are in place to ensure that decisions are grounded in empirical evidence.		<ul style="list-style-type: none">Direction and decisions out of line with public opinionImpact on key areas, e.g. growth or economic developmentDirecting resources to wrong areas, potentially away from areas of most need	<ul style="list-style-type: none">The Council has set up a number of forums/advisory groups representing parish councils, residents, retailers and businesses.The Council has undertaken a Borough-wide survey.The Council makes proactive use of social media both to listen and to engage with residents.The Council has engaged comprehensively as part of the process of updating the Five Year Plan and will continue to engage on the various significant projects contained within it.Specifically in respect of the Civic development project, the Council has launched a major programme of public engagement using local newspapers, the Borough-wide ‘Local’ magazine and numerous briefings for businesses, residents, stakeholders, schools and community and interest groups.

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

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

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

Risk Description:		Likelihood/Impact	Very High (6) / Severe (3)
Central government policy changes			
Member Risk Owner	David Jukes	Officer Risk Owner	William Benson
Vulnerability/ Contributing factors		Potential Impact/ Consequences	Current Controls/ Mitigations in place
<div>As of 2025</div> <ul style="list-style-type: none">The past few years have been characterised by significant changes to the public sector environment and the regulations that govern it.The recent general election and the return of a minority government has placed further uncertainty over reforms to finance (including the proposed review of needs and Business Rates) and the recent push towards 'devolution deals'.On 23 June 2016, the United Kingdom of Great Britain and Northern Ireland voted to leave the European Union. The impacts of this decision have the potential to be significant but at this time it is difficult to quantify how this will affect this Council's ability to plan and deliver its priorities.		<ul style="list-style-type: none">Changes to external environment in which TWBC operatesUnpredictability and frequent changes required to Council operationsIncreased costs/reduced income	<ul style="list-style-type: none">Flexibility encouraged amongst staffPartnership working presents opportunities to collaborate on service delivery and address constraints on capacityOngoing discussions with KCC and neighbouring councils to explore opportunities for aligning or devolving servicesEngagement with the LGA and central governmentProactive work with representative bodiesWorking with others to seize opportunities as they arise (e.g. 100% Business Rate pilot)Further reports will come before members as the implications of BREXIT become clearer

Risk Scenario 6: Service interruption

Risk Description:		Likelihood/Impact	High (4) / Severe (3)
The ability to deliver services is disrupted			
Member Risk Owner	David Jukes	Officer Risk Owner	Denise Haylett
Vulnerability/ Contributing factors		Potential Impact/ Consequences	Current Controls/ Mitigations in place
<ul style="list-style-type: none">Increased threat from cyber security attacksIncreased frequency of extreme weatherIncreased threats from terrorismFire and other major events		<ul style="list-style-type: none">Interruption to critical servicesStaff being pulled in different directionsClaims/Legal action/CompensationAdverse publicityNational and local reputation affectedFinancial lossExposure to fraud, ransom and denial of serviceThe scale of the disaster could overwhelm the Council resulting in resignations, community discord and questions on whether the government should intervene on how the Council is run.	<ul style="list-style-type: none">Business Continuity PlanMajor Emergency PlanResilience through partnership workingPart of the Multi-Agency AgreementMember of the Kent Resilience ForumDesignation of a Senior Information Risk OfficerPublic Service Network accreditationPayment Card Industry Data Security Standards (PCI DSS) complianceSupport from the National Centre for Cyber Security (part of GCHQ)Review of Emergency Planning arrangements

Risk Scenario 7: Being unable to meet expectations within resources

Risk Description:		Likelihood/Impact	High (5) / Severe (3)
Reduced resources/increased demands and expectations			
Member Risk Owner	David Jukes	Officer Risk Owner	William Benson
Vulnerability/ Contributing factors		Potential Impact/ Consequences	Current Controls/ Mitigations in place
<div>Page 159</div> <ul style="list-style-type: none">• The Council has reduced staff numbers and resources but is more ambitious with more priorities and is seeking to do more than before.• The local community is vocal, demanding and articulate with significant expectations.		<ul style="list-style-type: none">• Increased stress and strain• Impact on morale• Reliance on key and fewer people• Services/staff are stretched• Impact on service quality• Satisfaction diminished• Campaigns launched by local community• Adverse publicity• Resources required to respond to campaigns• Damage to reputation	<ul style="list-style-type: none">• Reduced number of priorities in strategic plan• Regular consideration by Management Board of resources; additional resources put in place to support priorities (including additional resources to support the Council’s property section)• Introduction of a Programme Management Office to oversee priority projects• Appropriate use of external capacity and expertise• Performance monitoring helps to identify pressure points• Regular sickness monitoring• Quarterly analysis and reporting of complaints identifying any trends• Improving resilience through partnerships• Adopting an “enabling” approach to encourage community to deliver local services• The use of external and peer reviews to provide assurance• With approval of the civic development project there will be further review of capacity (internal and external).

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

Risk Description:		Likelihood/Impact	Significant (4) / Severe (3)
Housing target/supply			
Member Risk Owner	Alan McDermott	Officer Risk Owner	Karen Fossett
Vulnerability/ Contributing factors		Potential Impact/ Consequences	Current Controls/ Mitigations in place
<div>Page 160</div> <ul style="list-style-type: none">There has been a change in housing formula towards growth. There is resistance to housing growth locally with a difference between housing target and housing supply levels.The statutory revision to the method of calculating housing need, “Objectively Assessed Need” (OAN) indicates that the Borough’s need is more than doubled. Whilst this is before consideration is given to reductions because of constraints this effectively means that policies limiting development to within the limits of built development fall away.The risk of appeals has increased.		<ul style="list-style-type: none">Council lose control of situationIncrease in level of housing on greenfield sitesMember and community dissatisfactionIncreased traffic congestionImpact on infrastructureFinancial benefit of planned growth – opportunity impactSignificant new costs to support production of new Core Strategy/Local PlanPotential significant appeal related costs following refusal of major residential developmentPlanning by appeal potentially leading to loss of New Homes BonusPotential legal fees/officer costs/loss of section 106	<ul style="list-style-type: none">Work on a new Local Plan is progressing to a revised timescale.Regular reporting to Planning Policy Working Group/Cabinet member/ Planning Committee on risk and legislative changesConsultation completed on Issues and Options document for new Local PlanTwo Call for sites exercises attracted 400 land/site submissions for assessment.Initial assessment conclusions indicate that level of identified need can be met by combination of current supply, additional allocations and windfall provisionProposed draft of new Local Plan expected to be due for further consultation in June 2018.

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

Risk Description:		Likelihood/Impact	Low (3)/ Severe (3)
Shared Services – control and change			
Member Risk Owner	David Jukes	Officer Risk Owner	William Benson
Vulnerability/ Contributing factors		Potential Impact/ Consequences	Current Controls/ Mitigations in place
<div>16</div> <ul style="list-style-type: none">• The Council is involved in joint service arrangements around a number of service areas (most notably Mid Kent Services).• Managerial responsibility for these services is largely within other authorities which limits control of the services and their ability to contribute towards 'corporate' initiatives (such as emergency planning).• Opportunities for partnership working and devolution are being explored with neighbouring councils and KCC but this is on a different geographic footprint to Mid Kent Service.		<ul style="list-style-type: none">• Staff dissatisfaction/loss of goodwill• Service delivery affected• Strain on people working in partnership• Impact felt by wider organisation• Political dissatisfaction	<ul style="list-style-type: none">• MKS is overseen by both a Board and shared service boards.• The operation of the 'client side' has been strengthened through 'shared service boards' and regular performance reporting.• The overarching governance arrangements have been reviewed and updated as have the individual collaboration agreements for each shared service.• A Mid Kent Services Director post has been created to provide a greater sense of direction and 'esprit de corps' within Mid Kent Services.• Reviews will be undertaken of the implementation of shared services to learn lessons.

Risk Scenario 10: Development Programme

Risk Description:		Likelihood/Impact	High (5) / Severe(3)
Development Programme			
Member Risk Owner	David Jukes	Officer Risk Owner	David Candlin
Vulnerability/ Contributing factors		Potential Impact/ Consequences	Current Controls/ Mitigations in place
<div>Page 162</div> <ul style="list-style-type: none">• The Council has identified a number of development opportunities to support the growth of the local economy.• Development of these Council owned sites is to be led by the Council, which brings additional financial and property risks.• Economic climate		<ul style="list-style-type: none">• Impact on revenue streams and income• Damage to reputation• Insufficient professional expertise• Procurement and issues of delay	<ul style="list-style-type: none">• Development Advisory Panel (DAP) to review and inform all development and community programmes• Programme Board established to oversee and monitor progress on all development and transformation projects• Officer Groups for the development and community programmes, established to manage and control the programmes• Professional advice sought to establish viability and support delivery of Council development and community programme schemes• Utilisation of framework agreements where appropriate to manage procurement timetables• Specific risk logs developed for each development site and monitored by DAP and officer groups• Staged approvals for development progress to manage cost exposure and risk• Appointment of additional professional staff to enhance in-house experience

Risk Scenario 11: Civic Development

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

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Cabinet

21 June 2018

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

Yes

Cultural Hub – Update and External Funding

Final Decision-Maker	Cabinet
Portfolio Holder(s)	Councillor Jane March, Portfolio Holder for Culture, Leisure and Tourism
Lead Director	Paul Taylor, Director of Change and Communities
Head of Service	Nicky Carter, Head of People, Culture and Customer Service
Lead Officer/Author	Nicky Carter, Head of People, Culture and Customer Service
Classification	Non-exempt
Wards affected	All

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

1. That progress in delivering the Cultural Hub be noted;
2. That a grant offer of £886,250 from Arts Council England towards the project costs be accepted;
3. That a grant offer of £4,294,900 from the Heritage Lottery Fund towards the project costs be accepted;
4. That delegated authority be granted to the Director of Change and Communities, in consultation with the Portfolio Holder, to sign any necessary agreements with Arts Council England, Heritage Lottery Fund and any other external funders; and
5. That delegated authority be granted to the Director Of Change and Communities, in consultation with the Portfolio Holder, to authorise the completion of the Collaboration and Development Agreements, together with ancillary documents, with Kent County Council.

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

- A Confident Borough – this project delivers a new cultural building, incorporating a range of enhanced services.

Timetable	
<i>Meeting</i>	<i>Date</i>
Management Board	9 May 2018
Discussion with Portfolio Holder	19 April 2018
Communities Cabinet Advisory Board	30 May 2018
Cabinet	21 June 2018

Tunbridge Wells Committee Report, version: January 2018

Cultural Hub – Update and External Funding

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 Good progress has been made in delivering the proposed Cultural Hub - to be located where the present museum, library and adult education buildings are. This report updates Cabinet on that progress.
 - 1.2 It also confirms external funding secured for the project, and seeks formal acceptance of those funding offers.
-

2. INTRODUCTION AND BACKGROUND

- 2.1 On 25 June 2015 Cabinet agreed to support and progress this project. Working with Kent County Council, the hub will bring together - in one organisation and one service - the museum, art gallery, library, adult education, tourist information and Gateway.
- 2.2 The Cultural Hub will be rich with objects, with an inspirational programme to engage and inspire visitors. It is expected to become a vibrant centre of heritage, arts and culture - recognised nationally as a beacon for best practice and new ways of working - and will be an active place where people can develop skills and exchange ideas.
- 2.3 A Project Board has been established, with both officer and Member representation of Tunbridge Wells and Kent County Councils. The Board is chaired by the Chief Executive of Tunbridge Wells Council.
- 2.4 A team of architects and other professionals has been assembled, and plans developed with extensive public consultation.
- 2.5 Planning permission was secured in January this year, and work on detailed design is currently underway.
- 2.6 Funding has also been secured from Arts Council England, with a grant offer of £886,250 confirmed at the end of last year.
- 2.7 The Heritage Lottery Fund have just confirmed an offer of £4,294,900 in funding, and are seeking formal acceptance of the offer from Cabinet. This report seeks that acceptance.
- 2.8 Tendering for a build contractor will take place this year. It is anticipated that a contractor will be on site early in 2019, with completion two years later.
- 2.9 The buildings are currently owned by Kent County Council, and they would undertake all building works within their VAT exemption envelope. On completion of the build, the entire site will be transferred to Tunbridge Wells Council. This arrangement will be secured by a Collaboration and a Development Agreement between the two Councils.

3. PROJECT FUNDING

- 3.1 Detailed design (RIBA stage 4) is now underway, and costings of the revised scheme will be brought to Cabinet in September 2018 before the tendering exercise for a build contractor is commenced.
- 3.2 The Project Board has approved consideration being given to some additional works to the specification secured in 2015 for the initial bids to external funders - on the proviso that no additional funding will be required from either the Borough or County Councils. The additional works under consideration are:
 - (a) improving fire safety throughout the building
 - (b) enhancing disabled accessibility
 - (c) growing the percentage of the museum collection that can be displayed
- 3.3 To prepare for the extra costs implicit in the additional works, further sums were sought from external funders. The grant award from Arts Council England was £136,000 higher than expected in 2015, and the Heritage Lottery Fund award is £400,000 higher than their stage 1 approval.

4. FUNDRAISING

- 4.1 Independent and experienced fundraising advisors have been approached to advise on the likely fundraising level that could be achieved for a project of this type. They have advised that a target of £1m to £1.5m is achievable in the context of a project of this type.
- 4.2 It was also recommended by the Council's advisors that an independent fundraising trust be established, with its own terms of reference and an independent chairperson. Matthew Hockley Smith is a renowned fine art consultant who lives locally, and has agreed to Chair the trust.
- 4.3 Mr Hockley Smith has over 30 years of experience in fine arts, and has been a Patron of the Royal Academy of Arts and Deputy Chairman of the Friends of the Victoria and Albert Museum in London.
- 4.4 The fundraising target will be reviewed once RIBA stage 4 designs are agreed and accurately costed.

5. LEGAL AGREEMENTS

- 5.1 The legal team at Mid Kent Services is working on various agreements that will be necessary between Tunbridge Wells Council and Kent County Council. These include a Collaboration Agreement, which will identify the services to be provided and the means of delivering them, and a Development Agreement, which will cover arrangements for the build and transfer of the completed site.
- 5.2 The Heritage Lottery Fund expect these agreements (and an agreement related to the conditions of any grant they offer) to be signed shortly after any offer of

grant, and it is therefore proposed that delegated authority to sign such agreements be granted to the Director of Change & Communities - in consultation with the Portfolio Holder.

6. RECOMMENDATION FROM CABINET ADVISORY BOARD

6.1 The Communities Cabinet Advisory Board was consulted on this issue on 30 May 2018 and agreed the following recommendation:

That the recommendation set out in the report be supported.

6.2 At the request of the Communities Cabinet Advisory Board, a list of members of the project board is attached at Appendix A.

7. NEXT STEPS

7.1 Detailed design work (RIBA stage 4) will be completed by the summer, and a tendering process by Kent County Council to appoint a build contractor will commence in the autumn. A further report on accurate costings will be brought back to Cabinet prior to that tendering process being commenced.

8. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Legal including Human Rights Act	<p>The Council has subsidiary powers under Section 111 of the Local Government Act 1972 allowing it to do any thing, whether or not involving the expenditure, borrowing or lending of money, which is calculated to facilitate, or is conducive or incidental to, the discharge of any of their functions. Accepting the grants in accordance with the recommendations comes within such subsidiary power.</p> <p>As stated indicated in the report any necessary agreements or contracts entered into must be in accordance with the Council's Contract Procedure Rules and should be in a form approved by the Legal Services Manager.</p> <p>There are no consequences arising from the recommendation that adversely affect or interfere with individuals' rights and freedoms as set out in the Human Rights Act 1998.</p>	<p>Keith Trowell, Senior Lawyer (Corporate Governance) 16/05/18</p>

Finance and other resources	Detailed cost assessment to be considered at Cabinet Sept 2018	Nicky Carter, Head of People, Culture and Customer Service 19/04/18
Staffing establishment	No implications at this stage	Nicky Carter, Head of People, Culture and Customer Service 19/04/18
Risk management	Project risk register being maintained by the Project Board	
Data Protection	No implications at this stage	
Environment and sustainability	Implications to be considered at end of RIBA stage 4	
Community safety	No implications at this stage	
Health and Safety	No implications at this stage	
Health and wellbeing	No implications at this stage	
Equalities	To be considered closer to scheme opening	

9. REPORT APPENDICES

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

- Appendix A – Project Board Members

10. BACKGROUND PAPERS

- Cabinet decision CAB 22/15 to progress the Cultural Hub project, 25 June 2015
<http://democracy.tunbridgewells.gov.uk/meetings/ieListDocuments.aspx?CId=118&MId=3348&Ver=4>

Board Members

William Benson	(Chair) Chief Executive, TWBC
Cllr David Jukes	Leader of TWBC
Barbara Cooper	Corporate Director of Growth, Environment and Transport, KCC
Paul Taylor	Director of Change & Communities, TWBC
Cllr Michael Hill	Cabinet Member for Community Services, KCC
Cllr Jane March TWBC	Cabinet Member for Tourism, Leisure & Economic Development,
Cllr Peter Oakford	KCC Member for Tunbridge Wells

Supporting the board

Terry Burgess	Head of Community Learning and Skills, KCC
James Pearson	Interim Head of Libraries, Registration and Archives KCC
Jo Wiltcher	Museum Director, TWBC (JoW)
Jonathan White	Projects and Operations Manager, KCC (JonW)
Jasmine Farram	Project Co-ordinator, TWBC
Kevin Hetherington	Head of Service for the Museum, TWBC
Kevin Tilson	Finance Business Partner, Growth, Environment and Transport, KCC
Karen Ripley	Head of Property, Strategy and Commissioning, KCC
Aidan Webb	Technical Project Manager, Spider

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Cabinet

21 June 2018

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

Yes

Ice Rink Tenders

Final Decision-Maker	Cabinet
Portfolio Holder(s)	Councillor Jane March – Portfolio Holder for Culture, Leisure and Tourism
Lead Director	Paul Taylor – Director of Change and Communities
Head of Service	Nicky Carter – Head of HR and Customer Service
Lead Officer/Author	Dawn Gabriel – Operations and Events Manager (Assembly Hall Theatre)
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

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

1. That the Ice Rink tender be awarded to the provider identified in Exempt Appendix A as Supplier B for a five year term from October 2018

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

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

The Council has committed to deliver the annual ice rink to bring entertainment, and business to the town. (Prosperous Borough)

Timetable

Meeting	Date
Discussion with Portfolio Holder	Tuesday 15 May 2018
Management Board	Via email Wednesday 16 May 2018
Communities Cabinet Advisory Board	Wednesday 30 May 2018
Cabinet	Thursday 21 June 2018

Ice Rink Tenders

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 To outline the recent tender process for the Ice Rink for the next five years and to recommend a provider
-

2. INTRODUCTION AND BACKGROUND

- 2.1 The contract for the Ice Rink in Calverley Grounds ran out last season and a tender process for the provision of this popular annual attraction has been undertaken to cover the next five years. It should be noted that the current planning permission runs out after the first year of the five year period and new permission will need to be obtained for the following four years. The Ice Rink provision over those four years will be during the Civic Complex and new theatre build and access to the park will be restricted for deliveries and public entry. Year's two to five of the contract will be dependent upon the outcome of the decision to provide a temporary accessible path in the park for the period of the build for park contractors, public, café deliveries and emergency services vehicles.
 - 2.2 The tender document required tenderers to submit pricing for the core elements of the ice rink provision, and also asked for pricing of some additional options. The evaluation was based on the core elements only, with the Council reserving the right to accept or decline any of the optional items in line with budgetary and planning constraints.
 - 2.3 The tender process was run by the Council's procurement team and followed a fully compliant Official Journal of the European Union (OJEU) process. There were several expressions of interest in the opportunity, but only two tenders were received.
 - 2.4 During the evaluation and scoring process, clarification questions were raised and presented to the contractors based on their individual submissions. Supplier B replied to the clarification requests in good time and before the deadline set for responses to be received. Unfortunately, Supplier A failed to submit answers to the clarifications and we were therefore only able to assess the information provided in their tender document.
 - 2.5 The outcome of the evaluation was that Supplier B scored highest with a total score of 68.31%, with Supplier A scoring 59.5%. See Exempt Appendix A for the scoring breakdown.
-

3. AVAILABLE OPTIONS

- 3.1 Do not award a contract to either tenderer – This would mean that no Ice Rink provision would be delivered by the Council.

- 3.2 Re-run the procurement process – This would need to be started immediately and may mean that no Ice Rink provision would be in place for December 2018.
- 3.3 Award the contract to Supplier B as the highest scoring tender received
-

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

The preferred option is 3.3 above, as this ensures the Council is able to provide an Ice Rink for 2018, with a further 4 years available subject to planning and access.

5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 5.1 Summarise any consultation which has been undertaken or which is planned to inform the development of the proposal described in the previous section. Detailed consultation results should be provided in an appendix where relevant. This section can also be used to summarise viewpoints expressed in committees as the report goes through the sign-off process, where these have not been accommodated through changes to the report.

RECOMMENDATION FROM CABINET ADVISORY BOARD

- 5.2 The Communities Cabinet Advisory Board was consulted on this decision on 30 May 2018 and agreed the following recommendation:

That the recommendation set out in the report be supported.

6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

7. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Legal including Human Rights Act	The tender process was run by the Council's procurement team and followed a compliant Official Journal of the European Union (OJEU) process	Vanessa Wilder (Team Leader Contracts and Commissioning) on behalf of Patricia Narebor 21.5.2018]
Finance and other resources	The tender price is very similar to budget and any small differences can be met from the Cultural reserve which holds previous years' Ice Rink surpluses	Jane Fineman Head of Finance and Procurement 18 May 2018

Staffing establishment	Staffing for the ice rink will be delivered by the recruitment of temporary staff as in previous years, and is part of the allocated budget.	Nicky Carter Head of HR and Customer Service 10 May 2018
Risk management	The project management arrangements will provide risk identification and control measures. Other risks are around planning permission of the path and the actual ice rink for the following four years	Dawn Gabriel Operations and Events Manager 16 May 2018
Data Protection	<p>The Council abides by the six data protection principles and takes data privacy seriously.</p> <p>The Ice Rink will collect and use personal and financial data to issue tickets for the Ice Rink.</p> <p>This may pose a risk to individuals and security measures will need to be put in place to ensure the data is encrypted and the payment method on site is PCI DSS compliant.</p> <p>The service will also need to ensure that appropriate privacy information is given to customers at the point of collection of the personal data.</p> <p>It is recommended that a Data Protection Impact Assessment is undertaken before processing takes place to ensure risks are identified and mitigated.</p>	Jane Clarke Head of Policy and Governance 17 May 2018
Environment and sustainability	The ice rink has an impact in terms of its energy use and resulting associated energy costs. The aim would be to ensure consideration is given to keeping energy use to a minimum by implementing all possible energy efficiency measures and monitoring energy usage closely.	Karin Grey Sustainability Manager 17 May 2018
Community safety	The Ice Rink will be guarded overnight by a professional security company and will be covered by CCTV at all times. The SIA registered security team will be in possession of a Town Safe Radio and will address issues of rink-related anti-social behaviour that may arise during busy periods	Terry Hughes CSU Manager 17 May 2018
Health and Safety	The Ice Rink has a history of good health and safety practice on site over a number of years. The team work closely with the	Mike Catling Health and Safety Advisor

	<p>TWBC Health and Safety Advisor and all paperwork (risk assessments, methods statements) are updated and reviewed each year by TWBC officers and the Safety Advisory Group. Staff complete induction training at the start of each winter season with experienced managers offering supervision on site at all times when open. All stages of the event are managed by experienced managers including the setting up of the rink, running the event as well as closing down the site and returning the park back to normal operations. Incidents at the event are investigated with improvements in procedures actioned where required</p>	17 May 2018
Health and wellbeing	<p>Ice Skating is a fun and healthy activity and the team will be engaging with community groups and hard to reach audiences. The will also be a GO! Option which works towards the 5 year plan objective of a “Well Borough” and Improving social and health inequalities.</p>	<p>Stuart Smith Healthy Lifestyles Co-ordinator 17/5/18</p>
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 ice-rink has been enjoyed by a range of people, including people of different ages, men, women and people with disabilities. It would continue to support the need to advance equality of opportunity by offering wheelchair users a choice to participate in an activity they may not otherwise have an option to take part in.</p>	<p>Sarah Lavallie West Kent Equalities Officer 17 May 2018</p>

8. REPORT APPENDICES

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

- Exempt Appendix A: Tender Scoring document

9. BACKGROUND PAPERS

- None

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Cabinet

21 June 2018

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

Yes

Charging Food Businesses for Food Hygiene Rating Scheme Rescore Inspections

Final Decision-Maker	Cabinet
Portfolio Holder(s)	Councillor Dr Ronen Basu – Portfolio Holder for Sustainability
Lead Director	Paul Taylor – Director of Change and Communities
Head of Service	Gary Stevenson – Head of Environment and Street Scene
Lead Officer/Author	Tracey Beattie – Mid Kent Environmental Health Manager
Classification	Non-exempt
Wards affected	All

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

That the introduction of a charge for Food Hygiene Rating Scheme inspections for rescoring from the 1 July 2018 be approved.

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

- A Prosperous Borough

Timetable

Meeting	Date
Management Board	9 May 2018
Cabinet Advisory Board	30 May 2018
Cabinet	21 June 2018

Tunbridge Wells Committee Report, version: January 2018

Charging Food Businesses for Food Hygiene Rating Scheme Rescore Inspections

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 The national Food Hygiene Rating Scheme (FHRS) was introduced in Tunbridge Wells in 2010 and has been successful in promoting good food hygiene standards in businesses in the borough. This report presents the considerations surrounding the introduction of a charge for re-inspection under the scheme for both businesses and the authority. Currently the re-inspection is free but the authority has up to six months to complete the re-inspection.
- 1.2 The fee has been set to cover the cost of re-inspection and allows food businesses the opportunity of reducing the current inspection period to no more than three months once the request and fee are received.

2. INTRODUCTION AND BACKGROUND

- 2.1 In 2010 the Food Standards Agency (FSA) introduced a national Food Hygiene Rating Scheme to make public the food business' compliance with food hygiene standards. The scores are published on a national website and through local authorities issuing certificates for businesses to display in their premises. The scores range from five (best) to zero (worst).
- 2.2 The scheme has two review mechanisms for businesses, one where they are not satisfied with the score they have been issued (anything below 5), or where they have completed the work required by the inspecting food officer. In the first example the businesses can appeal to the authority and have a 'right to reply' on the Food Standards Agency website. In the second, the businesses can request a re-inspection after a mandatory three month gap between the initial inspection (and initial score) and the re-inspection and rescore. The authority has up to a further three months to carry out the re-inspection which can lead to a potential six months at a low FHRS score.
- 2.3 The FSA have recently enabled local authorities to charge businesses the cost of undertaking these rescoring inspection visits under the Localism Act 2011 on a cost recovery basis. In such circumstances they have also approved the waver for the mandatory three month gap.

Current Process

- 2.4 The FSA's Brand Standard provides local authorities in England with advice and guidance on all aspects of implementation and operation of the Food Hygiene Rating Scheme. All authorities must adhere to the process and guidance.
- 2.5 Following a food hygiene inspection a business is advised of its hygiene rating and how it has been derived. Both the written report left with the food business and any letter sent to them clearly state the process for appeals, 'right to reply'

mechanism or requests for re-inspection and rescore. The score is published on the FSA website (<http://ratings.food.gov.uk/>) 29 days after the inspection with a 'right of reply' offered to all businesses.

- 2.6 Should a business request a re-inspection they need to demonstrate that they have improved the hygiene conditions since the original inspection. There is a maximum wait of 6 months before the rescore occurs, consisting of an initial mandatory three month 'standstill' period followed by a three month period for the local authority to undertake the re-inspection. The re-inspection is unannounced and the business is informed that their rating may go up, down or remain the same dependent on what is seen at the re-inspection.
- 2.7 An appeal against a FHRs score has a different process. These may occur when a business does not agree with the score given to them by the inspecting officer and must be made within 21 days of the inspection with the appeal decision made by both MKEH Food & Safety Team Leaders.

Proposed Arrangement

- 2.8 The proposed changes are in line with the FSA Brand Standard guidance for the Food Hygiene Rating Scheme with the following benefits and changes identified below.
- 2.9 Introducing a charge for the re- inspection will allow businesses to apply for a re-inspection before the three month 'standstill' period. The re-inspection must be carried out within three months of receipt of the request and fee. There is no limit on the number of requests for re-inspection a business can make, but a fee will apply to each one. The local authority has the discretion of agreeing to such a request.
- 2.10 Where conditions warrant a more formal process officers will continue to undertake enforcement re-visits to food businesses to check food hygiene standards for public safety, these are part of our statutory duties in accordance with the Food Law Code of Practice. Such cases may lead to more formal action being undertaken (hygiene improvement notices, prosecutions).
- 2.11 Cost recovery for the re-inspection visits have been in place in Wales for some time and a number of English local authorities including; Sevenoaks & Dartford, Medway, Canterbury, Dover and Tonbridge & Malling. Swale and Maidstone have adopted the charge from 1 April 2018. The FSA have produced guidance for setting cost recovery and it is proposed that the fee should be £160, which is consistent with the majority of other authorities adopting the charge facility. This fee has been approved by the Fees and Charges Report in November 2017 and should the proposal be approved by the Cabinet the fee will be subject to annual review.
- 2.12 Since 2015 the Mid Kent Environmental Health Service has seen an increase in requests for re-inspection as businesses become more aware of the impact that publicity of having FHRs scores of 0 – 2 have in local media and an associated public awareness of the FHRs. Based on information from 2016/17 and 2017/18 requests appear to average at 20 per year per authority.

3. AVAILABLE OPTIONS

- 3.1 **Option 1** – Not adopting this discretionary fee for re-inspections will leave the situation as it is with no charge for such visits. The cost of re-inspection will continue to be absorbed across the Mid Kent Food & Safety service. As such the process described in paragraphs 2.5 and 2.6 will remain in place. The disadvantage of this option is businesses will have to adhere to the three month 'standstill' period and continue to wait up to 6 months for a re-inspection and may only apply once. The authority will not be able to recover the cost of carrying out a re-inspection which is not essential for food safety reasons. There will also be a disparity with other neighbouring authorities and the other authorities in Mid Kent that have already taken the option to charge for re-inspections.
- 3.2 **Option 2** – Adopt the principle of charging for re-inspections. This places the cost of the request onto the non-complying food businesses who seek the confidence and marketing benefit of having a higher FHRs score (5) although this rating is not guaranteed at re-inspection. Under the recharge process food businesses have the opportunity to apply for multiple re-inspections subject to payment of a fee each time and receive the visit within three months of applying.

Introducing a charge will also provide businesses with a motivation to ensure that high standards are achieved at the initial inspection as many businesses within the borough already do, in order to avoid paying for a re-inspection. Additionally the authority benefits from reduced inspection frequencies.

- 3.3 The disadvantage of the charge is that it places additional demand on officers to respond to the request within the three month time period, which may impact on other routine work. However the demand for such requests is currently manageable and workloads should be able to accommodate this. Payment may deter some businesses from seeking a rescore which could have a financial impact on their business publicity

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 The preferred option is Option 2. To introduce a charge for re-inspection. This option establishes the principle of businesses paying for services that benefit them and are part of the Brand Standard process for FHRs but are not essential to protect public safety. Re-inspecting and rescore benefits the business by avoiding negative publicity and increases public confidence.
- 4.2 Charging will encourage businesses to achieve a 5 score and 'get it right' the first time. It also gives the businesses the opportunity to have the re-inspections within a much shorter time frame and possibly repeat the process should this be necessary.
- 4.3 Businesses are likely to consider whether they apply for a request for re-inspections, as they will ensure that any work required by the first inspection is completed before the officer returns. This should result in more efficient use of officer time and improved public safety.

5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

5.1 No consultation has been carried out for the report.

RECOMMENDATION FROM CABINET ADVISORY BOARD

5.2 The Communities Cabinet Advisory Board was consulted on this decision on 30 May 2018 and agreed the following recommendation:

That the recommendation set out in the report be supported.

6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

6.1 Prior to charges being introduced the Tunbridge Wells Borough Council website will be updated with the information. Reports and letters used in the inspection process will also be changed to reflect the new procedure and fee charge. A press release will also be arranged with the Communications Team

7. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Legal including Human Rights Act	Powers are available to local authorities in England under the Localism Act 2011 allowing for the recovery of costs of re-inspections/re-visits made at the request of a Food Business Operator to re-assess their food hygiene rating. It is for each authority to decide to use these powers and set the charge in line with their costs. When setting the charge the authority has a duty to ensure that taking one financial year with another, income does not exceed the costs of providing the service.	Keith Trowell Interim Team Leader (Corporate Governance)
Finance and other resources	No additional resource is required this is currently a service we have to provide as part of our delivery of the FHRS. Implementing the fee may result in net extra income of £3,200. This income is above amounts already accounted within the Council's financial planning.	Tracey Beattie Mid Kent Environmental Health Manager
Staffing establishment	No implications identified	Tracey Beattie Mid Kent Environmental Health Manager
Risk management	An assessment of the risk impact of the preferred option indicates a minimal impact on the MKEH Service and Tunbridge Wells BC. The process of re-inspection will occur	Tracey Beattie Mid Kent Environmental Health Manager

	in both options and introducing a charge will have minimal effect on service delivery, reputation, and legal risks. There is no impact on environment and financial risk is reduced. The likelihood of this impact is assessed as being rare	
Data Protection	Accepting the recommendations will not increase the volume of data held by the Council. The data will be held and processed in accordance with the data protection principles contained in Schedule 1 to the Data Protection Act 1998.	Keith Trowell Interim Team Leader (Corporate Governance)
Environment and sustainability	No Implications identified	Tracey Beattie Mid Kent Environmental Health Manager
Community safety	No implications identified	
Health and Safety	No implications identified	
Health and wellbeing	No implications identified	
Equalities	The ability to charge for re- inspection, should the proposal be agreed, will result in a change of process. Whilst this is likely to be seen as an advantage to businesses as they will no longer have to wait a mandatory three months for a re-inspection, it is essential this change in process is communicated well. Any barriers to communications should be considered from an equalities perspective in respect of the protected characteristics.	

8. REPORT APPENDICES

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

- None

9. BACKGROUND PAPERS

- None

Exempt Appendix to Ice Rink Tenders (Item 17)

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 may involve the likely disclosure of exempt information as defined in Part I, Schedule 12A of the Act, by virtue of the particular paragraph shown on the agenda and on the attached, 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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