



Town Hall
Royal Tunbridge Wells

Tuesday, 19 February 2019

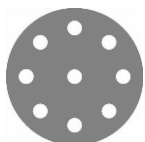
To the Members of the Tunbridge Wells Borough Council

I request your attendance at a meeting of the Tunbridge Wells Borough Council to be held at the Council Chamber, Royal Tunbridge Wells, Kent TN1 1RS, on Wednesday, 27 February 2019, at 6.30 pm, when the following business is proposed to be transacted.

- 1 **Apologies for absence**
To receive any apologies for absence.
- 2 **Minutes of the meeting dated 12 December 2018** (Pages 5 - 16)
To approve the minutes of a previous meeting as a correct record. The only issue relating to the minutes that can be discussed is their accuracy.
- 3 **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.
- 4 **Announcements**
To receive announcements from the Mayor, the Leader of the Council, members of the Cabinet and the Chief Executive.
- 5 **Presentation of a Civic Medallion to Jason Dormon**
To present Jason Dormon with a Civic Medallion which was awarded at the meeting of Full Council on 12 December 2018.
- 6 **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 Council Procedure Rule 8, to be submitted and answered.
- 7 **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 Council Procedure Rule 10, to be submitted and answered.
- 8 **Asset Management Plan 2019/20** (Pages 17 - 94)
- 9 **Council Tax Long Term Empty Premium** (Pages 95 - 104)
- 10 **Business Rates Retail Relief** (Pages 105 - 132)

- 11 **Budget 2019/20 and Medium Term Financial Strategy Update** (Pages 133 - 166)
- 12 **Council Tax 2019/20** (Pages 167 - 180)
- 13 **Treasury Management Policy and Strategy 2019/20** (Pages 181 - 206)
- 14 **Capital Strategy 2019/20** (Pages 207 - 230)
- 15 **Revised Statement of Licensing Principles for Gambling Policy** (Pages 231 - 292)
- 16 **Motions on Notice** (Pages 293 - 294)
To consider two Motions on Notice, in accordance with Council Procedure Rule 11, submitted by Councillors Podbury and Ellis.
- 17 **Urgent Business**
To consider any other items which the Mayor decides are urgent, for the reasons to be stated, in accordance with Section 100B(4) of the Local Government Act 1972.
- 18 **Common Seal of the Council**
To authorise the Common Seal of the Council to be affixed to any contract, minute, notice or other document arising out of the minutes, or pursuant to any delegation, authority or power conferred by the Council.
- 19 **Date of next meeting**
To note that the date of the next meeting is Wednesday 24 April 2019.

William Benson
Chief Executive



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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) Members seeking factual information about agenda items are requested to contact the appropriate Service Manager prior to the meeting.
- (3) 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 Council.
- (4) 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.
- (5) 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

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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.

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TUNBRIDGE WELLS BOROUGH COUNCIL

MINUTES of a meeting of the Tunbridge Wells Borough Council, duly convened and held at the Council Chamber, Royal Tunbridge Wells, Kent TN1 1RS, at 6.30 pm on Wednesday, 12 December 2018

PRESENT:

The Mayor Councillor Len Horwood (Chairman)
Councillors Backhouse, Barrington-King, Dr Basu, Bland, Bulman, Chapelard, Mrs Cobbold, Dawlings, Elliott, Ellis, Dr Hall, Hamilton, Hannam, Hastie, Heasman, Hill, Holden, Huggett, Jukes, Lewis, Lewis-Grey, Lidstone, Mackonochie, March, McDermott, Moore, Noakes, Nuttall, Oakford, Ms Palmer, Podbury, Pope, Reilly, Scholes (Vice-Chairman), Scott, Simmons, Mrs Soyke, Stanyer, Stewart, Thomson, Uddin, Weatherly, Williams and Woodward

IN ATTENDANCE: William Benson (Chief Executive) and Patricia Narebor (Head of Legal Partnership) and Mathew Jefferys (Democratic Services and Elections Manager).

APOLOGIES FOR ABSENCE

FC35/18 Apologies were received from Councillors Gooda, Neve and Mrs Thomas.

DECLARATIONS OF INTEREST

FC36/18 Councillor Pope declared that his wife owned a flat in Grove Hill House which was adjacent to the Calverley Square development which was subject to a question.

ANNOUNCEMENTS

FC37/18 Councillor Jukes announced:-

- The Government had not published the Local Government Finance Settlement as promised by 6 December 2018 and no timescale had been given as to when it was expected.
- The Nominee for Mayor for the year 2021 would be Councillor McDermott.

Councillor March announced:-

- Jazz in The Pantiles had been awarded Silver in the Beautiful South Tourism Awards and the Tourism event/festival category . This is the first award in the twenty seven year history of the event.
- Friends of Tunbridge Wells Museum, Library & Art Gallery had committed to a restoration project of an 18th Century gown – considered to be the jewel in the crown of the collection – that may have been worn at the court of King George the Third. The Friends were seeking grant funding from various bodies and their own fundraising to raise the £15,000 to conserve this wonderful example.
- Calverley Adventure Playground has won its second national award. The Ground Control Team won the Principal Award in Education and Schools category at the British Association of Landscaping Industries awards.

Councillor Moore announced:-

- Royal Tunbridge Wells Together secured a 'yes' vote for a Business Improvement District (BID), with a massive 73% voting in favour. The BID will see over £2.3million being invested into the town of Royal Tunbridge Wells over the next five years.
- Following a number of meetings with developers; they were unanimous in their view that the next few years would be very exciting for Royal Tunbridge Wells with hundreds of millions of pounds being invested in the town. They were also unanimous in their support for the Council's leadership and approach to cultural led regeneration.
- Tunbridge Wells was runner up in the Great British High Street. The Town was ranked seventeenth healthiest high street in the country and the Borough was voted ninth happiest place to live in the country.

Councillor Weatherly announced:-

- The annual figure for rough sleepers in Tunbridge Wells this year was seven. Last year it was twenty.

MINUTES OF THE MEETING DATED 26 SEPTEMBER 2018

FC38/18 Councillor Bulman's name was incorrectly spelt at minute FC27/18.

RESOLVED –

1. That minute FC27/18 be amended to correct Councillor Bulman's name; and
2. That, subject to the above amendment, the minutes of the meeting dated 26 September 2018 be approved as a correct record.

QUESTIONS FROM MEMBERS OF THE PUBLIC

FC39/18 The Mayor advised that no questions from members of the public had been received under Council Procedure Rule 8.

QUESTIONS FROM MEMBERS OF THE COUNCIL

FC40/18 The Mayor advised that there were eight questions pursuant to Council Procedure Rule 10.

1. Question from Councillor Stanyer

"Our newspapers are full of stories of 'horrors on the High Street' and speculating as to who will be next. Is the cabinet member able to give us a more positive insight as to why we should harbour no such fears here in Tunbridge Wells?"

Answer from Councillor Moore

"I agree that our newspapers are full of such horror stories but I agree with the likes of Mary Portas and Bill Grimsey who have concluded that high streets are not dead, just changing and that retail is not dead, boring retail is dead.

When we heard from British Land they explained that physical stores play a vital role in retail – holding stock, allowing for click and collect and returns as well as offering a chance to browse. 89 per cent of UK retail sales touch a physical store.

Put simply, our challenge – as outlined by the Portas and Grimsey reviews is to do what Amazon can't – to provide a rich mix of cultural and leisure opportunities that encourage people to visit the town and to lengthen dwell times and to make it a great place for businesses to base themselves and for residents to live.

British Land also described the phenomenon of 'polarisation' – namely the concept that not all town centres will be able to remain 'destination towns'. Many towns will be relegated to convenience towns. This is something that we are keen to avoid. Standing still is not an option when towns around us are investing in their cultural and leisure offer.

We have the advantage of already being one of the top 100 retail destinations and of having a great brand. Royal Tunbridge Wells is strengthened by its unique offer including the presence of large percentage of independent retailers, some examples include The High Street, Chapel Place and The Pantiles as well as in Camden Road.

Although we have seen some of the big name multiples close down we are aware that many retailers in the town centre continue to trade well and in addition there has been a steady number of new starters. Building on the success of the town centre partnership becoming a Business Improvement District that will be funded by local businesses to implement their priorities on the themes of marketing and promotion events, business support, access and parking.

So there are threats and opportunities facing our town and we mustn't be complacent but our strategy has been universally welcomed amongst the hundreds of businesses I have engaged with and was consistently mentioned as a reason why developers are putting close to £500million worth of investment into our town."

2. Question from Councillor Chapelard

"Could the Portfolio Holder confirm that the costs for the Civic Complex are £94.1m?"

The breakdown for this figure is as follows: £90m as set out to Full Council in December 2017; £3.25m for Crescent Rd carpark extension; £850k for 2 of the 3 Grove Hill House flats; making a total of £94,100,000."

Answer from Councillor Moore

"No."

Supplementary question from Councillor Chapelard

"Could the Portfolio Holder review her answer please?"

Answer from Councillor Moore

“Throughout last year, reports showed the gross cost of the scheme at the end of RIBA 3 as being £90m. There have been numerous update reports on Calverley Square since then to Overview and Scrutiny Committee, Finance and Governance Cabinet Advisory Board and Cabinet and these all explain that the project is on programme and on budget.

Regular updates have been given on Calverley Square which you are either welcome to attend or have attended. In the last month alone reports were presented to Finance and Governance on the 13 November, Overview and Scrutiny on 19 November and Cabinet on 6 December.

By way of background information, the Grove Hill House properties were purchased as investment properties and meet the Council’s investment criteria. They were purchased following an approach to the Council. So not only were these property investments assessed objectively by our in-house property team but one of our newly elected Councillors chose to purchase a flat in Grove Hill House in the spring of last year and as a representative of a stakeholder group he had full knowledge that Calverley Square project was proposed next door. So I suppose that choice also endorses the view that property in that location objectively stacks up as a good investment.

Regarding Crescent Road, that car park extension meets one of the Council’s 8 priorities in the Five Year Plan and was approved by Full Council. When I meet businesses they tell me that parking is important to them and that we need more and better car parks given that no new car parks have been provided in the last 25 years.”

3. Question from Councillor Lidstone

“During the purdah period in the run up to May 2018 elections, the inaugural edition of Viewpoint magazine was produced and printed in association with Tunbridge Wells Borough Council. This runs contrary to the Local Government Act 1986, section 2, which states: “A local authority shall not publish, or arrange for the publication of, any material which, in whole or in part, appears to be designed to affect public support for a political party”. Can the Council confirm when the next edition of Viewpoint magazine is expected to be produced and circulated?”

Answer from Councillor Moore

“Thank you for the question. In response to your preamble, I would note that Viewpoint was published by One Media, not the Council. If you feel there has been a breach of electoral law you should report this to the appropriate authorities.

In response to your question itself, One Media have been in touch with the Council about a further edition of Viewpoint early in the new year. Given all the early exciting developments about to take place and the huge amount of external investment coming into the town, I think this is a great idea. I know that the last edition was widely circulated both locally and amongst city investors and I am excited to see what the next edition might contain.”

Supplementary question from Councillor Lidstone

“Thank you, I share your excitement about the next edition of Viewpoint magazine. Can I ask for your assurance therefore that you will communicate to One Media the dates of the purdah period and insist that they avoid publishing during that period?”

Answer from Councillor Moore

“You have my assurance that I will communicate the deadlines to One Media.”

4. Question from Councillor Pope

“Has the Council underestimated the costs of the Civic Centre Development now named Calverley Square?”

Answer from Councillor Jukes

“I thought we would never hear from you, in a word ‘no’. We have employed one of the best cost consultants in the world, AECOM, to thoroughly budget this particular project. We have gone out to tender to some of the best contractors in the country. The winning contractor came in just under budget. The two remaining contractors came in just on budget. I don't think they were wrong.

This project has been going on for three or four years, you have been on the Council for six months. You could have gone to the Director of Finance and asked this question, you could have gone to the Development Manager and asked similar questions, you could have gone to the Project Manager and asked the questions, it is no good coming here and just grand standing and saying is it going over budget. What makes you think the project is over budget? This is not a question and answer forum but if you have an organisation which is feeding you information, which is legitimate information, and a recognised professional organisation that reckons that we have under budgeted for this job, please let me know because I will be delighted to engage with them using more of the ratepayers money to convince you that we are on target.”

Supplementary question from Councillor Pope

“If the budget increases above the £90m will it come to the Full Council to vote on whether this project should proceed or not?”

Answer from Councillor Jukes

“I don't know whether you are offering an opinion on what you think may happen, or you have got some facts that we don't know about. My information so far, is that we are on budget in all areas. This job is contracted to be £90m which will include all the compensation costs because we have, if you have looked or take the trouble to look at the breakdown of the costs, you will see that there are contingency figures in there. These contingency figures are to be spent on contingencies, which is ten per cent of the value of the project, in fact it is twelve and a half percent if you look at the gross value but there you go. I don't quite know how to answer your question because it is just your

opinion, you haven't got any facts behind it and its very difficult, I am a fact based person. As I have told you before, if you want to know the truth come and see me.

This was explained some time ago and the Calverley Square project remains on programme and on budget. The Council has employed, as I said in my earlier statement, the best qualified cost consultants probably in the world. They remain confident that our estimated costs of the project are realistic and appropriate and bearing in mind we have also been audited by CIFRA on this particular project as well. I don't know what else I can tell you to convince you."

5. Question from Councillor Podbury

"In view of the recent media reports about Bereavement Services and crematorium charges. Will the Portfolio Holder explain how Tunbridge Wells Crematorium is dealing with this?"

Answer from Councillor March

"The overall cost to families of a funeral service is made up of a number of elements including the Funeral Director, florist and burial and cremation charges. When families use the council bereavement services we are able to offer a range of choices to help them manage the overall cost of the funeral service.

The crematorium grounds provide a beautiful setting and we have improved our facilities over recent years to include the choice of the refurbished Cemetery or the Crematorium chapel. We have introduced lower cost chapel time slots and an even lower cost cremation option for families that don't want or need to hold a service in one of our chapels.

We have also invested significantly to improve the Cloister Garden and provide the new Memorial Wall, increasing the choice of memorial products that are available to families to commemorate their loved ones at a wide range of prices to fit their budget."

6. Question from Councillor Stanyer

"A number of the world's great cities are banning cars and becoming pedestrian friendly. Can the cabinet member confirm whether there is scope for adopting such measures locally. Is it the Council's aim, for example, to encourage further pedestrianisation in Tunbridge Wells?"

Answer from Councillor Jukes

"Thank you for the question. I'm afraid I am struggling to think of a single city that has banned cars.

You are right that the nature of the high street is changing and the Council has been at the forefront of this with the work we carried out at Five Ways a few years ago. Whilst we received complaints at the time, it has transformed that area of town and I am pleased to see the number of coffee shops and restaurants that have sprung up in the area and the number of people taking time to pause and dwell in an attractive environment.

Our Five Year Plan looks to build on this success and the Council has committed to improving the public realm in Tunbridge Wells and work will start in the new year on extending the public realm enhancements from Monson Road to the crossroads between Mount Pleasant Road and Church Road. This will improve the pedestrian-friendliness of the central spine of the town.

I should also emphasise that we are not about banning the car. In a rural district such as ours with limited public transport options the car is likely to be part of our lives for some time to come and we will provide a mixture of car parking options. As mentioned earlier on, we are also supporting a range of retail, leisure and cultural enhancements to the town.

I would like to think, at some stage in the distant future, other parts of the town will be pedestrianised and we can join the top of the town down to the bottom of the town but I don't see that happening in the near future."

7. Question from Councillor Chapelard

"Could the Portfolio Holder confirm that the introduction of the £52 garden waste charge will not be used to fund the repayment of the loan for £94m Civic Development?"

Answer from Councillor Reilly

"No."

Supplementary question from Councillor Chapelard

I am a little bit bemused again because given the fact that on the agenda papers of 6 December 2017 the funding strategy for the Civic Development included £700,000 that was going to be raised from the garden waste charge. If that £700,000 is not going to be used to repay the loan how does he propose to fund that £700,000 gap?"

Answer from Councillor Reilly

"I am slightly surprised that this question had to be asked. The funding strategy for Calverley Square has been a matter of public record for over a year and has been subject to frequent updates and debates in Full Council and committee meetings. The funding strategy made clear that as well as income from service charges the procurement of the new waste contract offered opportunities for savings arising from the joint procurement such as eliminating collection rounds and also providing the most efficient way of reducing waste that needs to be sent to landfill or incineration. KCC have agreed to share any savings arising from this.

This type of contract has been successfully implemented across the South East and the country more generally and opt-in garden waste collections have operated successfully and to the satisfaction of residents for many years across the rest of the county.

I should add that I am personally delighted that as part of the new contract we are able to be doing something that residents have repeatedly asked for – namely the doorstep collection of glass and bottles."

8. Question from Councillor Lidstone

“Following the recent U-turn by Tunbridge Wells Borough Council to remove a planned 67 per cent increase in Youth Football pitch hire, can the Portfolio Holder please explain why this increase was proposed in the first place and what the Council's long-term strategy is for youth football?”

Answer from Councillor March

“The Council is strongly committed to sports facilities and this is one of our eight strategic priorities.

Most hire fees increased by a small percentage amount. The intention for this increase was to mirror other charging differentials whereby youths pay a percentage amount of the adult fee but, in retrospect, the increase (for a small number of matches) was clearly a large one and the Council has listened to the views of players and clubs and reduced it to sit in line with other increases.

I would like to pay tribute to those such as the Foresters who brought this to our attention.”

Supplementary question from Councillor Lidstone

“When it comes to this time next year and we are reviewing the budgets, will the Council be adopting the same approach to youth football?”

Answer from Councillor March

“I would just like to add that if the Liberal Democrat Group were so interested in the fees and charges being paid by all users then their representative on the Finance and Governance Cabinet Advisory Board might have had the courtesy to stay until the end of the meeting and to have voted on the proposals rather than walk out before this item was fully discussed.”

9. Question from Councillor Chapelard

“Tunbridge Wells Borough Council has told hirers of the Camden Centre that they will now have to pay the ‘commercial rate’ rather than the ‘community rate’ from April 2019. Why were Councillors not informed of this change of policy as part of the Fees and Charges agenda item from the Finance and Governance Cabinet Advisory Board on 13 November 2018?”

Answer from Councillor March

“The report to Cabinet made clear that there are differential rates for businesses using the Camden Centre for a profit and charge users and community groups or those who are not-for-profit organisations.

We are seeking to achieve a balance between making the centre attractive to users and being fair for taxpayers who are, in effect, subsidising private businesses. In response to feedback from users, we will be maintaining existing users on the published community rates and holding discussions with them to try to strike that balance. Of course, any registered charity or not-for-profit group – be they new users or existing users – will only pay the community rate.”

Supplementary question from Councillor Chapelard

“You haven't actually answered the question, the question was why were Councillors not informed that those people currently pay the community rate were suddenly put on the commercial rate, which is a major change of policy, and why yesterday, these people were also told from April 2020 that would be reviewed again and do you propose to then bring that change of policy back to councillors at some point before they end up in the fees and charges for the following financial year?”

Answer from Councillor March

“I should also add that if he is so interested in the fees and charges being paid by users he might have had the courtesy to stay until the end of the meeting at which it was discussed.”

CIVIC MEDALLION NOMINATION

FC41/18 Councillor March moved, and Councillor Hill seconded, the recommendation set out in the report.

The discussion included consideration of the following matters:

- The recommendation had cross party support.
- The individual had given meritorious service to the borough over many years.
- The individual had inspired young people in the arts, had made it a mission to give opportunities to physically and mentally challenged people and believed in national and international recognition for the arts in Tunbridge Wells.

RESOLVED – That a Civic Medallion be awarded to the individual set out at Exempt Appendix A to the report.

CHANGES TO THE APPOINTMENTS TO COMMITTEES 2018/19

FC42/18 Councillor Jukes moved, and Councillor McDermott seconded, the recommendation set out in the report.

Councillor Hannam thanked officers and apologised to them for any inconvenience caused by his dispute with the leadership of the Conservative Group.

RESOLVED –

1. That the allocation of seats on committees as set out in paragraph 2.3 of the report be approved; and
2. That there be no changes to the appointments to committees be noted.

MOTIONS ON NOTICE

FC43/18 Councillor Elliott moved, and Councillor Oakford seconded, the motion as set out in the agenda.

The following points were raised in Councillor Elliott's moving of the motion:

- Southborough Town Council had been working towards revitalising the centre of Southborough for nearly 12 years.
- The Southborough Hub would transform the centre of Southborough, once it was built.
- The proper planning procedures had been followed.
- It would be a tragedy for Southborough if the funding already allocated for the project was lost.

The discussion included consideration of the following additional matters:

- Residents had genuine concerns about the project.
- People in Southborough and High Brooms felt ignored by the Hub project board.
- The biggest risk to the success of this project was a lack of buy in and support from local people or local authorities not seen as sufficiently engaging with local people and considering local opinion.
- Southborough Hub was enormously important for the community of Southborough and the motion demonstrated a contempt for legitimate protest and opposition.
- The project would create a vibrant and exciting town centre for Southborough to take them into the next century.
- Every single member of Southborough Town Council had seen the financial details.
- In it's last year, The Royal Victoria Hall's subsidy from Southborough Town Council was £66,000.
- All the stakeholder engagement material was on the Southborough Town Council website.
- Southborough Town Council had secured multi-million pounds worth of funds from the NHS to pay for a state of the art medical centre over two floors in the development.
- The Football Association had given a grant of £500,000 to build a football pavilion to keep 400 young people playing football in Southborough.
- The grants were time limited and they had to be realised in this financial year.
- The project delivered a multi-functional building that would pay for itself.

Councillor Chapelard requested a recorded vote.

Members who voted in favour of the motion: Councillors Backhouse, Barrington-King, Dr Basu, Bland, Bulman, Mrs Cobbold, Dawlings, Elliott, Dr Hall, Hastie, Heasman, Holden, Huggett, Jukes, Lewis-Grey, Mackonochie, March, McDermott, Moore, Noakes, Nuttall, Oakford, Ms Palmer, Reilly, Scott, Simmons, Mrs Soyke, Stanyer, Stewart, Thomson, Uddin, Weatherly, Williams and Woodward. (34)

Members who voted against the motion: Councillors Chapelard, Ellis, Hill, Lewis, Lidstone and Pope. (6)

Members who abstained from voting: The Mayor Councillor Horwood, The Deputy Mayor Councillor Scholes, Councillors Hamilton, Hannam and Podbury. (5)

RESOLVED – That this Council regrets moves by some groups to undermine the Southborough Hub project which is being led by Southborough Town Council with support from Tunbridge Wells Borough Council and Kent County Council to provide much needed facilities for the community and which has been an ambition for over 20 years and which has never been closer to being delivered.

URGENT BUSINESS

FC44/18 The Mayor confirmed there was no urgent business to consider within the provisions of Council Meetings Procedure 2.1.12.

COMMON SEAL OF THE COUNCIL

FC45/18 **RESOLVED** – That the Common Seal of the Council be affixed to any contract, minute, notice or other document arising out of the minutes or pursuant to any delegation, authority or power conferred by the Council.

DATE OF NEXT MEETING

FC46/18 It was noted that the next meeting would take place on Wednesday 27 February 2019 at 6.30pm.

NOTES:

The meeting concluded at 8.00 pm.

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

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Full Council	27 February 2019
Is the final decision on the recommendations in this report to be made at this meeting?	Yes

Asset Management Plan 2019/20

Final Decision-Maker	Full Council
Portfolio Holder(s)	Councillor David Jukes – Leader of the Council Councillor David Reilly – Portfolio Holder for Finance and Governance
Lead Director	Lee Colyer – Director of Finance, Policy and Development
Head of Service	David Candlin – Head of Economic Development and Property
Lead Officer/Author	John Antoniadis – Estates Manager
Classification	Non-Exempt
Wards affected	All

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

That the Asset Management Plan 2019/20 be agreed.

This report relates to the following corporate priorities:

The Council’s Five Year Plan sets out the Council’s overall priorities and objectives for the years 2017 - 22. All assets are managed in accordance with the Five Year Plan and the property portfolio is managed and maintained having regard to the objectives within the framework of legislation and the state of the current property market. The Asset Management Plan is a fundamental contributor to core business resource planning and to empowering wellbeing within the Borough, as set out in the Council’s corporate priorities within the Five Year Plan.

Timetable	
Meeting	Date
Management Board	31 October 2018
Finance and Governance Cabinet Advisory Board	13 November 2018
Cabinet (Draft)	6 December 2018
Public Consultation	12 Dec 2018 – 21 Jan 2019
Management Board (Verbal Update)	19 December 2019
Finance and Governance Cabinet Advisory Board	15 January 2019
Cabinet	7 February 2019
Full Council	27 February 2019

Asset Management Plan 2019/20

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 This report presents the Asset Management Plan (AMP) 2019/20 for approval.
 - 1.2 The public consultation has now been completed.
 - 1.3 The AMP supports the Council's Corporate Priorities and the Five Year Plan, along with other strategic documents such as the Medium Term Financial Strategy.
-

2. INTRODUCTION AND BACKGROUND

- 2.1 The Asset Management Plan for the period 2019/20 provides a management strategy for the Council's property assets. It details the principles, procedures and mechanisms to be adopted that effectively and efficiently manage the Property Asset Portfolio. It evaluates specific actions for the previous financial year relating to the Council's property estate, and identifies the main portfolio ambitions for 2019/20. The attached latest version of the AMP has been produced on 28th January 2019 part way through the financial year and therefore figures and details will change as the year progresses. The figures highlighted in yellow are correct at the time of writing this report.
- 2.2 The three disposals which have now been completed are included in the AMP.
- 2.3 So far this financial year the Council has negotiated lease renewals, new lettings and rent reviews to an increased value of approximately £39,000 annually on Council property, excluding transfers to the new property company. Property and Estates Services have established and will support the activities of Tunbridge Wells Property Holdings Ltd.
- 2.4 All property rentals that are subject to an annual rental increase at the RPI were increased over this financial year to date, resulting in a rental increase of £12,000 per annum. These reviews are usually based on the previous year's RPI figure which was 3.4% for April 2017/18.
- 2.5 In this financial year to date the Council has negotiated a capital income of £1.85M from the rationalisation of the asset portfolio (with two further staged payments of £1.38M due on 04/05/2019 and 04/05/2020 from the sale of Holly Farm) and a further £309,000 from the sale of land on the north side of Blackthorn Avenue, Tunbridge Wells and two small pieces of land.
- 2.6 Vacant space on the portfolio has been reduced by letting or licensing space to reduce occupation liabilities and to achieve rental income. Property and Estates continues with the disposal of surplus land held by the Council from the review that was commenced a few years ago, continuing to identify and dispose of specific sites for development for affordable housing, for private residential development or other regenerative purposes.

- 2.7 The Planned Maintenance Programme for the financial year 2018/19 will have completed works to the value of £593,000 to ensure compliance with statutory requirements and to carry out priority repairs and upgrades to maintain assets and prevent dilapidation.
- 2.8 Capital projects to the value of £4.4M were programmed during 2018/19. Refurbishment and improvements to the multi-storey car parks have been the primary focus in this expenditure to maintain the asset and significantly reduce energy consumption and having positive impact on revenue expenditure.
- 2.9 The Asset Management Plan outlines the forward projection and management strategy for the Property Asset Portfolio in 2019/20. It identifies the aims and objectives for next year. It includes any requirements relating to the publication of data as required by the Local Government Transparency Code 2015.
- 2.10 The Estates team is continuing to review the Asset Register to ensure continued accuracy.
-

3. AVAILABLE OPTIONS

- 3.1 Option 1: That the Council approves the Asset Management Plan 2019/20.
- 3.2 Option 2: Approve alternative plans. The Asset Management Plan is based on sound best practice and has been subject to public consultation which is now completed.
- 3.3 Option 2: Do nothing. The Asset Management Plan is a key strategic document, taking no action is not recommended.
-

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 That Council approves the Asset Management Plan 2019/20.
- 4.2 Adoption of the Asset Management Plan will help the authority to improve its efficiency and focus on delivering its objectives, aiding the decision-making process. The Asset Management Plan is a requirement of the Constitution and of local government statute.
-

5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 5.1 The public consultation period has ended and the only comments received were:

“The whole document is perfect as it is. Thank you for the opportunity of providing feedback.”

“An informative document.”

RECOMMENDATION FROM CABINET ADVISORY BOARD

5.2 The Finance and Governance Cabinet Advisory Board were consulted on this decision on 15 January 2019 and agreed the following:

That the recommendations set out in the report be supported

RECOMMENDATION FROM CABINET

5.3 The Cabinet considered the report at its meeting on 7 February 2019 and resolved as follows:

That Full Council be recommended that the Asset Management Plan 2019/20 be adopted.

6. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<p>Legal including Human Rights Act</p>	<p>Section 151 of the Local Government Act 1972 requires councils to put in place proper processes for the management of their finances, including their assets. The Asset Management Plan demonstrates the Council's commitment to fulfilling its duties under the Act.</p> <p>The Local Government Act 1972, section 111(1) empowers a local authority to do any thing (whether or not involving the expenditure, borrowing or lending of money or the acquisition or disposal of any property or rights) which is calculated to facilitate, or is conducive or incidental to, the discharge of any of their functions. This enables the Council as part of its asset management strategy to acquire and/or dispose of assets meeting relevant statutory requirements.</p> <p>In particular, section 120(1)(2) of the 1972 Act enables the Council to acquire land to be used for the benefit, improvement or development of their area; or for the purpose of discharging the Council's functions.</p> <p>Section 123(2) of the 1972 Act enables the Council to dispose of land or property for the best consideration reasonably obtainable, otherwise the consent of the Secretary of State will be required subject to certain conditions.</p>	<p>Patricia Narebor Head of Mid Kent Legal Partnership 25/10/2018</p>

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	<p>Acting on the recommendations is within the Council's powers as set out in the above statutory provisions.</p> <p>Human Rights Act: 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>	
Finance and other resources	Ensuring that assets are properly managed and accounted for will impact on maintenance expenditure, revenue income and capital receipts.	Jane Fineman, Head of Finance and Procurement 24/10/2018
Staffing establishment	Work will be prioritised to be undertaken by permanent staff, but specialist consultants will be appointed when necessary, subject to approval, in order to deliver the aims and objectives of the AMP.	Nicky Carter, Head of Human Resources 09/11/2019
Risk management	Strong asset management should ensure that risks are quickly identified and that there are procedures in place to remedy them.	Estates Manager John Antoniadis 23/10/2018
Environment and sustainability	There are no specific implications that arise from the Asset Management Plan other than the Plan will support the Council's priorities. Projects, including maintenance schemes, will need to include a sustainability assessment to ensure that the impact of projects are fully understood and that mitigation measures are put in place and support a reduction in the carbon emissions.	Gary Stevenson, Head of Housing, Health & Environment 24/10/2018
Community safety	There are no consequences of concern arising from this report.	Terry Hughes Community Safety Manager 31/10/2018
Health and Safety	No specific issues.	Mike Catling Corporate Health and Safety Advisor 25/10/2018
Health and wellbeing	There are no specific implications that arise from the Asset Management Plan over the fact that the Plan will support the Council's priorities.	Stuart Smith, Health Team Leader 25/10/2018
Equalities	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	Ingrid Weatherup Corporate Governance Officer

	<p>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 Asset Management plan includes proposals and projects which have the potential to support the aims of the duty to advance equality of opportunity and foster good relations with regard to:</p> <ul style="list-style-type: none"> • Estate Management priorities • Strategic asset management priorities and asset disposal • Property and Projects • Development • Supporting regeneration initiatives in Royal Tunbridge Wells, Cranbrook and Paddock Wood Central areas. <p>The aims and objectives of the Asset Management Plan are to manage the asset portfolio in accordance with the Council's Corporate Priorities and the Five Year Plan. An equality impact assessment has previously been completed on the Council's Five Year Plan. Separate equality impact assessments will be carried out for major projects such as the Calverley Square development. We will consider the equality implications for future projects identified within the Asset Management Plan and report any findings to Members where required.</p>	<p>24/01/2019</p>
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7. REPORT APPENDICES

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

- Appendix A: Plan Document
- Appendix B: Ten Year Property Maintenance Plan
- Appendix C: Asset Register (Investment)
- Appendix D: Asset Register (Operational)
- Appendix E: Asset Register (Non-Operational)

8. BACKGROUND PAPERS

- None



Tunbridge Wells Borough Council

Asset Management Plan 2019/20

CONTENTS

- 1. Introduction – Function of the Asset Management Plan**
- 2. The Council’s Property Asset Portfolio**
- 3. Summary of Property Portfolio Asset Management for 2018/19**
- 4. Forward Projection and Management Strategy for Property Asset Portfolio 2019/20**

Appendices

- 1 Property Management Strategy
- 2 Mechanisms for Achieving the Aims and Objectives of the AMP
- 3 External and Internal Influences
- 4 Asset Disposal Programme
- 5 Ten Year Property Maintenance Plan (attached to this agenda at Appendix B)
- 6 Asset Register (attached to this agenda as follows):
 - Appendix C – Asset Register – Investment
 - Appendix D – Asset Register – Operational
 - Appendix E – Asset Register – Non-Operational

1 Introduction – Function of the Asset Management Plan

The Asset Management Plan (AMP) defines how the Council managed, maintained, acquired and disposed of the Council's property assets over the past financial year and identifies the objectives for the next financial year.

Aims and Objectives

The aims and objectives of the Asset Management Plan are to:

- Manage the asset portfolio in accordance with the Council's Corporate Priorities and the Five Year Plan; Medium Term Financial Strategy; and the Cultural Strategy;
- Raise awareness of property as a valuable and workable asset;
- Manage the asset portfolio to deliver the needs of the Council's services;
- Maximise asset value and asset use through strategic maintenance and operational planning;
- Manage the portfolio in accordance with the advice received following cross party review through the Development Advisory Panel, and
- Manage the asset portfolio flexibly to ensure optimum financial performance and service delivery to demonstrate continuous service improvement, to deliver the Five Year Plan and to support the Capital Programme.

The Asset Management Strategy is summarised at Appendix 1 with the mechanisms for achieving the aims and objectives of the AMP set out at Appendix 2 including the consultation processes for adoption of the AMP.

The Asset Management Strategy is formulated and carried out to support the Council's corporate priorities. The property assets are managed both individually and as an entire portfolio to maximise operation, income generation and capital values at all times in accordance with the requirement to achieve best consideration.

The AMP is subject to external and internal influences which are summarised at Appendix 3.

The Property and Estate Team, through the Estates Manager, Major Projects Manager, Building and Projects Manager, the Property, Estates and Development Lead, the Head of Economic Development & Property and the Director of Finance, Policy and Development (S151 Officer), work closely with the Leader of the Council and the Portfolio Holder for Finance and Governance to deliver maximum returns from the Council's existing and varied property asset portfolio, whilst complying with the requirements for commercial sensitivity, economic viability, best consideration and probity. It is delivering a proactive Property Management Service which meets the changing demands of the 21st Century.

The AMP will support the Council in the delivery of its corporate priorities through ensuring that the portfolio is dynamically managed with focus directed towards priority areas, and performance being in accordance with the Five Year Plan. This is evidenced by a rationalisation review that has been undertaken of the larger non-operational land assets over the past 5 years, which has successfully disposed of non-performing surplus land assets to generate capital income. Maintenance costs

will be kept to a sustainable level and strategic decisions will be based on delivering services, ensuring best consideration and optimising financial return.

2 The Council's Property Asset Portfolio

The current asset portfolio was valued at **£101.73M** at 31 March 2018, with an annual rental income of £1.69M (which includes all income from rents, other rents and wayleaves) and had an annual maintenance budget of £948,050 (2018/19). The income to capital value ratio reflects the nature of the portfolio and the fact that it is held in the majority as an operational portfolio to enable the Council to deliver its key priorities.

The portfolio comprises a full range of property uses including commercial, residential, light industrial and retail properties, woodland and community land, and numerous footpaths and pieces of ancillary land. The assets form operational, non-operational, and investment assets and are held under both freehold and leasehold title. The Asset Register defines the property portfolio within these categories. The Council also holds a separate investment portfolio in which the acquisition of 33 Monson Road is held (the Ask restaurant). The Council also holds a number of leases with Tunbridge Wells Property Holdings Limited including the recent acquisition of three apartments in Grove Hill House Tunbridge Wells which are let for residential uses through the holding company. The Council also acquired the I Smile Dental Practice situated in The Lodge, Mount Pleasant Avenue, Tunbridge Wells which has increased further the Council's rental income. In relation to Royal Victoria Place (RVP), the Council acquired a number of freehold properties to regularise the freehold of RVP. As part of the deal, a variation of the long leasehold interest was agreed to include the new freeholds and some de minimis land that the Council already owned in return for an increase in the head rent payable to the Council.

Maintenance across the portfolio is divided between Planned and Responsive currently at an approximate 70/30 split respectively. In addition to the planned and responsive maintenance works is the regular servicing of plant and equipment. The works and servicing requirement is prioritised to ensure that all legislative compliance needs are met followed by maintaining a fitness for purpose and the asset value. The AMP identifies the anticipated maintenance budget requirement over the next ten year period for the property portfolio. This is used to assist in financial planning and to indicate ongoing costs related to the individual assets to inform strategic decisions on their future. A copy of the ten year maintenance plan is contained in Appendix 5.

The Council's Property Asset Portfolio is summarised in the Asset Register at Appendix 6. The current Property Asset Portfolio comprises **66** commercial investments, **157** operational assets of which **13** are allotment sites and **284** non-operational assets. The commercial investment assets comprise those assets that are let to third parties on commercial terms and are therefore subject to the clauses within their leases for opportunities to maximise income or exploit potential development opportunities.

3 Summary of Property Portfolio Asset Management 2018/19

Over the past financial year the Council has negotiated lease renewals, new lettings and rent reviews to an increased value of approximately **£39,000** annually on Council property, excluding transfers to the property company. The Council will continue to support the activities of Tunbridge Wells Property Holdings Ltd.

All property rentals that are subject to an annual rental increase at the RPI were increased over this financial year, resulting in a rental increase of approximately

£12,000 per annum. These reviews are usually based on the previous years RPI figure which was 3.4% for April 2017/18.

Over the past 12 months, the Council has received a second tranche payment from the sale of Holly Farm of £1.38M (with 2 further staged payments of £1.38M due on 04/05/2019 and 04/05/2020).

Vacant space on the portfolio has been reduced by letting or licensing space to reduce occupation liabilities and to achieve rental income. The Council is continuing with the disposal of surplus land held by the Council, from the review that was commenced last year, continuing to identify and dispose of specific sites for development for residential development.

The Planned Maintenance Programme for the financial year 2018/19 completed works to the value of £593,000 to ensure compliance with statutory requirements and to carry out priority repairs and upgrades to maintain assets and prevent dilapidation.

Capital projects to the value of £4.4m were programmed during 2018/19. Refurbishment and improvements to multi storey car parks have been the primary focus in this expenditure to maintain the asset and significantly reduce energy consumption and having a positive impact on revenue expenditure.

The Council can demonstrate significant contributions to its priorities through property asset management over the last financial year (2018/19). The Council has:

Estate Management

- Increased rental income from Council property assets by approximately £39,000 per annum.
- Raised the profile of the property assets and worked them to achieve maximum return financially or by delivery for Corporate Priorities. The Council has worked with partners to accommodate business or community needs.
- Structured proactive management of the Royal Victoria Place lease and Meadow Road Car Park.
- Continued to maximise the rental income from the property portfolio by proactively managing rent reviews and exploiting viable opportunities for rental and capital income.
- Provided professional support to Tunbridge Wells Property Holdings Limited in reviewing and updating assured shorthold tenancies (ASTs).

Strategic Asset Management

- Received a second tranche payment from the sale of Holly Farm of £1.38M (with 2 further staged payments of £1.38M due on 04/05/2019 and 04/05/2020). In addition negotiated a further capital receipt from the disposal of surplus land assets in the sum of £309,000 during 2018/19.
- Worked with Kent County Council to progress the Amelia Scott (formerly known as the Tunbridge Wells Cultural and Learning Hub).

- Provided ongoing support for regeneration of Royal Tunbridge Wells, Cranbrook, Southborough and Paddock Wood Town Centres and worked with land owners and Town and Parish Councils to progress potential opportunities including the provision of new community facilities for Cranbrook and Paddock Wood.
- Continued to monitor changes in compliance legislation relevant to the property portfolio and maintain and manage accordingly.
- Continued the review of published data to meet the Government's transparency objectives on property targets.

Property and Projects

- Continued the progress of the delivery of the Amelia Scott (Cultural and Learning Hub).
- Continued with a programme of R22 refrigerant gas phase-out on the Council's air conditioning plant.
- Undertaken the refurbishment of the Crescent Road car park.
- Continued to update the compliance information and continued to review and where necessary update the asset compliance risk assessments, management plans and registers and carry out any necessary remedial work identified and plan for future corrective measures to improve health and safety compliance to be in line with current regulations. This has been prioritised to cover Fire Risk, Asbestos, Legionella control, Electrical Safety but will broadly cover all levels of building compliance requirements for all assets.

Development

- Increased the Development Programme budget to £6.55M for specialist professional advice to undertake initial works facilitating redevelopment and delivery of Council priority projects.
- Progressed the Calverley Square development (formerly the Civic Development Programme) through the Royal Institute of British Architects (RIBA) plan of work to the end of stage 4 having procured a contractor under a 2 stage design and build contract using a framework agreement for procurement.
- Continued to facilitate the development of Southborough Hub.
- Continued to bring forward the delivery of the Amelia Scott.
- Designed an extension to the Crescent Road car park to RIBA Stage 3 and obtained planning permission.

4 Forward Projection and Management Strategy for the Property Asset Portfolio 2019/20

- The Council will build on these achievements during 2019/20 in the following areas:

Estate Management

- Review all rents and licence fees due to be reviewed in 2019/20 to maximise the increase in income due for that financial year.
- Manage all existing leases and grant new leases to maximise the return from rental income and to ensure that proper care, maintenance and use is made of the property assets.
- Identify targets and performance indicators to demonstrate the efficient and effective management of the property asset portfolio to ensure maximum capital and operational benefit and will present these to Management Board and Cabinet where appropriate as part of the Property Transaction Reports.
- Seek viable opportunities to work all assets with local community groups to improve community facilities and encourage localism.

Strategic Asset Management

- Explore and secure new property investment opportunities within the borough for expansion of the property investment portfolio.
- Review the tenure, existing use, obsolescence and strategy of all operational property assets to identify opportunities for increased income, operational use or asset disposal.
- Manage assets to support the delivery of the corporate priorities and the Five Year Plan. Our Five Year plan includes energy efficiency, reducing our energy needs by ensuring our properties are more energy efficient. Equally, any planned work should also be assessed to include energy efficiency and consider the long term energy needs of a building/service. Ensuring our buildings are sustainable and efficient and contribute towards the national carbon reduction requirements. This would also include exploring opportunities for renewable energy.
- Continue to review the asset base of non-performing land and property assets identifying assets for disposal to realise capital return and finalise disposal of outstanding identified sites. (See Appendix 4 for approach).
- Explore the impact of obsolescence on the Council's operational portfolio and acquire, dispose of and develop the asset portfolio to reflect this.
- Continue to identify refurbishment and development opportunities within the Council's asset portfolio and act on these to achieve the Council's objectives.
- Continue to look to acquire assets to assist in the delivery of the Council's objectives.

- Review and revise the asset management plan in accordance with the results of the Property Performance Indicators.
- Support the implementation of the Sports and Active Recreation Strategy 2016-2021.

Property and Projects

- Produce a maintenance plan for the financial year 2019/20, in consultation with the respective heads of service and management team, within the agreed planned maintenance budget allocation.
- Continue to work with the contractors to deliver a more efficient and cost effective service across both planned and responsive maintenance requirements having regard to the future potential obsolescence of identified property assets on the estate.
- Procure new property maintenance and servicing contracts to replace the current term contracts which expire in 2019/20, achieving best value and ensuring the current and future maintenance needs to the portfolio can be effectively delivered.
- Progress the development of a maintenance, repair and enhancement programme to Crescent Road Car Park.
- Continue to monitor changes in legislation and put in place the most appropriate action to ensure compliance across the property portfolio in particular the 2015 R22 refrigerant gas phase-out and the 2018 EPC changes.
- Develop the proposal to replace the life-expired buildings on the Benhall Mill Road Depot site.
- Continue to successfully progress the reduction of carbon emissions from local authority operations and managing its property assets to achieve the targets set out in the Carbon Management Plan over the next five years including rolling out the delivery of LED lighting in TWBC multi-storey car parks.
- Ensure that the property strategy and maintenance programmes support the Council's commitment to sustainability within the budgetary constraints.

Development

- Continue the Calverley Square development through RIBA Stage 4 for Technical Design, progress the site assembly using CPO powers as necessary and progress construction in accordance with the approved project programme. The procurement strategy will also be progressed.
- Advance the Ameila Scott project working with the partners, to bring forward the construction of the hub.
- Progress the potential development of various property assets in the portfolio.

- Work with Kent County Council and Southborough Town Council to progress the Southborough Hub.
- Work with the Parish and Town Councils to progress community facility projects in:
 - Cranbrook
 - Paddock Wood
- Progress with acquisition of designated land for recreation use including use of statutory powers if required.
- Work with public and private sector organisations on a number of sites including continuing to build on successful relationships with KCC, Nevill Estate, Targetfollow and AXA PPP to secure objectives within corporate priorities of the borough.
- Support regeneration initiatives in Royal Tunbridge Wells, Cranbrook and Paddock Wood central areas.

Appendix 1 - Property Management Strategy

Asset Management is significant throughout the public sector, as a means of optimising financial and social returns from property assets whilst, at the same time, creating a leaner estate in a modern environment.

The Council manages the portfolio in accordance with the following principles:

- Ensuring reporting arrangements are in place to enable members to fulfil legal, strategic and service duties;
- Maintaining an up-to-date asset register with complete records;
- Ensuring future property needs are regularly assessed to meet the Council's service requirements and priorities;
- Ensuring that the shape of the asset portfolio is reviewed at least annually; that the shape of its structure and the contribution of its component assets are challenged and that disposal and acquisition strategies are identified and recommended;
- Ensuring that assets that are surplus to requirements are identified as such and disposed of as appropriate;
- Ensuring that assets that would assist in the delivery of the Council's objectives are identified and acquired where appropriate and where funds are available;
- Ensuring opportunities to share property with other bodies are explored;
- Ensuring that opportunities to develop and enhance property assets, including opportunities in partnership with other public and private sector owners are identified, examined and progressed;
- Ensuring office accommodation is reviewed to meet organisation and service needs;
- Ensuring an appropriate maintenance programme based on condition surveys, is developed and implemented, carrying out quinquennial condition and maintenance surveys in a rolling programme;
- Formulating a ten-year maintenance budget projections based on the maintenance of assets for current use and at required standards to inform the Five Year Plan;
- Undertaking option appraisals to ensure optimum use of all assets;
- Ensuring property services focus upon both customers and commercial opportunities;
- Ensuring measurable targets are set and property performance monitored including risk versus reward;

- Maximising income from property having regard to economic, social and environmental policies and property market conditions;
- Ensuring best practice in procurement and project management;
- Ensuring investment and disposal decisions are based on full option appraisals and whole-life costing;
- Ensuring all property assets are managed at operational level to provide accommodation, community and wellbeing facilities;
- Ensuring investments maximise returns from individual properties and from the whole portfolio;
- Ensuring the Council considers the impact of sustainability on the value of its property portfolio, including political, economic, social and technological issues in producing its property management strategy;
- Ensuring that decisions for strategic management of Council owned assets are made on a case-by-case based on comprehensive options' analysis:
 - Is the property required for the Council's core business?
 - Is there a robust community need for the property?
 - Are there strategic reasons for retaining/acquiring the property?
 - Is retention/disposal/acquisition of the property likely to have a beneficial effect on a likely future development or investment initiative of the Council?
 - Does the property generate a sustainable good rate of return and if so is this likely to continue for the next ten years in light of any future costs that may be applicable to the premises?
- Ensuring that Property and Estates Service reports to Management Board on portfolio performance as to:
 - rental income, asset value and maintenance liability;
 - vacant property and vacancy timescale;
 - service need and space occupation;
 - service needs and maintenance liability;
 - performance of tenants and compliance with lease obligations.
- Maintaining in an appropriate state of repair, based upon any financial constraints;
- Ensuring that the assets are fit for purpose (including accessibility, suitability, statutory compliance, space utilisation); to be efficient and environmentally sustainable (including running costs and CO2 emissions). Our approach will support sustainable improvements, especially in maintenance and new buildings. The Carbon Management Plan will demonstrate our leadership in carbon reduction;
- Working the portfolio to deliver the Council's objectives and the five year plan using appropriate legislative powers including compulsory purchase powers if necessary;

- Ensuring that the portfolio is managed in accordance with Council's Equalities policy, with Equalities Impact Assessments being undertaken as and when appropriate.

Appendix 2 – Mechanisms for Achieving the Aims and Objectives of the AMP

Property & Estates Team

The Property & Estates Team, comprises estates and property surveyors and officers providing the professional and support expertise to manage, maintain and maximise the Council's property asset portfolio.

Civic Development Team

The Civic Development Team comprises a specialist team to deliver the project in line with the Council's stated objectives. The team's output is closely monitored and reported upon to ensure openness and transparency.

Management Board

The Management Board is attended by the Director of Finance, Policy and Development (Section 151 Officer) and includes representatives of the Property and Estates Team for property items as and when required, which demonstrates the commitment of the whole Council to the management of its assets.

DEVELOPMENT PROGRAMME STRUCTURES

Programme Management Board

The Programme Management Board (PMB) manages and monitors the effective prioritisation of the Civic, Development and Transformation Programmes within budgetary and resource constraints in order to optimise Programme delivery.

The PMB will receive information via four main areas Development Programme, Civic Programme, Community and Transformation programmes. Community and Transformation while requiring significant support from the Property and Estates team and others in the Directorate of Finance, Policy and Development (S151 Officer) are structured under the Directorate of Change and Communities.

The overall Development Programme is split into two core elements, the Calverley Square Development Programme and the Development Programme.

The Calverley Square Development Programme includes the following programme, Procurement, Public Realm, New Office, Car Park Extension and New Theatre. These main work streams have a range of work elements beneath them including for example communications and agile working.

DEVELOPMENT PROGRAMME

Development Programme Officers Group (DOG)

Officers in attendance: Director of Finance, Policy and Development (S151 Officer), Head of Economic Development & Property, the Property, Estate and Development Lead, the Estates Manager and representatives from BDU, Finance and Legal.

The Development Programme Officers Group (DOG) is the primary officers meeting to oversee the delivery of the Development Programme. Scheduled on a monthly cycle this meeting will oversee the programme receiving progress reports on specific projects, oversee the budget, risks, legal aspects and ensure approvals in place. For the purposes of this the DOG will cover the full Development Programme budget which includes Hubs, Sports Facilities and the Calverley Square Programme.

Attendance by other Property & Estates officers and internal services including Communications will be as appropriate and consultants may also be invited as appropriate.

CALVERLEY SQUARE PROGRAMME

Civic Steering Board

Officers in attendance: Chief Executive, Director of Change & Communities, Director of Finance, Policy & Development (S151 Officer) , Head of Human Resources, Monitoring Officer, Head of Economic Development and Property, the Property, Estates and Development Lead and the Communications Manager.

The Civic Steering Board is the primary officers meeting to oversee the delivery of the Calverley Square Development Programme. Specific meeting cycle is set up on a fortnightly basis to consider the Calverley Square development programme. This meeting will oversee the programme receiving progress reports on specific work streams, oversee the budget, risks, legal aspects and ensure approvals in place. This is to ensure rapid turn around of decisions based on the current timetable.

At least monthly this meeting will receive progress reports on specific projects, oversee the budget, legal aspects and ensure approvals in place.

Attendance by internal services will be as appropriate and consultants may also be invited as appropriate. In addition this Group will need to receive progress reports on the Amelia Scott to ensure the co-ordination of the Amelia Scott project and the Civic Programme as a whole.

A separate Communications Board has been established to oversee the communications and engagement of the Calverley Square development programme.

Calverley Square Civic Project Board (Internal)

Officers in attendance: Director of Finance, Policy & Development (S151 Officer), Head of Economic Development & Property, and the Property, Estates and Development Lead. Other officers to be invited as required. The Board meets monthly immediately after a TWBC Client Meeting.

Development Advisory Panel

The Development Advisory Panel is an informal working group established by and chaired by the Leader of the Council to:

- Oversee the Council's programme regenerating the borough and advising on development of key sites in accordance with the Asset Management Plan;
- To receive updates on key sites and recommend the appropriate next steps for the sites;
- To receive updates on the progress of the land asset disposal programme.

The DAP is an informal working group established by Cabinet on 22 May 2013. It has no delegated decision-making powers and its advice and recommendations will be reported to the relevant decision maker (Leader and Portfolio Holder). The Leader of the Council will report back to Cabinet at Cabinet/ Management Board meetings on a regular basis. The constitutional position regarding asset disposal will remain unaltered.

The DAP will have 4 meetings a year scheduled, on going schedule to be established. Other meetings can be arranged on an ad hoc basis when required. All

meetings will be held in private session in view of the informal status of the group with materials available to all Members of the Council on request and on a confidential basis. Visiting Members will be able to attend at the discretion of the Chairman. The request should be made in advance of the meeting.

Cultural Hub Officers Board (CHOB)

Officers in attendance: Director of Change & Communities, Executives & Heads of Service, Head of Customers & Communities, Project Surveyor, Museum Manager, Property & Estates Manager with support from HR, BDU, Finance and Legal as required.

The CHOB is the officer meeting to oversee the delivery of the Cultural Hubs (and Sports Facilities). The Board will meet on a monthly cycle, before the Programme Management Board in order to oversee the programme receiving progress reports on specific projects, oversee the budget, risks, legal aspects and ensure approvals in place.

The Board does not have decision making authority. All meetings will be minuted. The Property & Estates Manager and the Project Surveyor will act as the link between the DOG and the CHOB.

Estates/Finance Review Meetings

Senior Finance, Property and Estates officers meet monthly to review projected income against actual income received, and to review a remedial strategy for arrears.

Royal Victoria Place Officer Group

Senior Finance, Legal, Property and Estates officers meet on a quarterly basis to cover financial, maintenance and property issues relating to the RVP lease.

Empty and Difficult Property Group

As part of the clean neighbourhood initiative an in-house multi disciplinary group was established, the Empty and Difficult Property Group. The 'Difficult' element being properties that had been dealt with in the past and slight improvements made but permanent outcome not achieved, leading to repeat complaints to one or a number of Council services. The Group meets on an as when needed basis.

Data Management

The data management approach is informed by the principles of the Council's Data Quality Policy. Data is held as part of the IDOX Uniform Estates Management System, which is linked to the GIS system. The Council is currently reviewing the use and content of its Estate data system to ensure that it is used to its full potential. Dates in respect of ongoing maintenance on Council land and buildings is held on an Access Database System and monitored by Property & Estates. Each building is surveyed on a regular five yearly cycle and the building elements are individually assessed for condition to enable the Ten Year Planned Maintenance Programme to be determined.

Income due and received in respect of Rent and Licence Fees are monitored and collected through the Financial Management System. The Estate Surveyor is responsible for any arrears and will monitor accordingly. By working closely with Finance and Legal teams, Property and Estates assures that rental, service charge and maintenance provisions in leases and licences are observed. Control is maintained on income streams and expenditure in this way.

It is intended to consolidate the systems that hold property and asset related data into one combined system that overcomes gaps or mismatches in the supply of full and accurate information.

The central database held by the UK Government is known as the Electronic Property Information Mapping Service (e-PIMS). The Council's maps are held on the Geographical Information System (GIS) and on e-PIMS, which means the Council is compliant with the annual governance report 2015. By featuring on e-PIMS, the Council's portfolio complies with the Government's One Public Estate initiative.

All data is collected, stored and managed in accordance with GDPR.

Consultation Process

The Asset Management Plan is considered annually by:

- The Portfolio Holder for Property and Major Projects (the Leader)
- The Management Board
- The Finance and Governance CAB
- The General Public
- Other stakeholders.

Statutory Powers

The Council will investigate and look to use all statutory powers including Compulsory Purchase Orders (CPO) to achieve the delivery of key priority projects.

Appendix 3 - External and Internal Influences

National Context

This statement is produced against the backdrop of what continues to be an extremely challenging time for local government with a combination of demand pressures and reduced resources placing significant pressure on the revenue and capital budgets of local authorities. Most local authorities are seeking to leverage property assets to reduce costs and deliver capital receipts. The Government has established the 'One Public Estate programme' in partnership by the Local Government Association and the Office of Government Property (OGP) within the Cabinet Office with a view to helping in this endeavour. TWBC contributes actively to the programme and has sought funding to assist in a number of its property-related priorities.

Regional/County

Kent local authorities work together through a number of forums to discuss and prioritise property-related issues. This includes Kent Leaders and Joint Kent Chief Executive meetings but also includes the Kent Estates Partnership. The Kent Estates Partnership seeks to promote a collaborative approach to estate management across the County and to support a more integrated, flexible and affordable public estate

MKS

The Mid Kent Services partnership (MKS) between Maidstone Borough Council, Swale Borough Council and Tunbridge Wells Borough Council was set up in 2008 to:

- Improve the quality of service to communities;
- Improve the resilience of service delivery;
- Deliver efficiency savings in the procurement, management and delivery of services;
- Explore opportunities for trading in the medium to long term; and
- Share best practice.

MKS sees staff working from a range of offices across the partnership area and, in time, should lead to the potential to rationalise accommodation. We are working proactively with partners and partnership services such as ICT both to facilitate flexible and mobile working and to help in the longer-term objectives of reducing the cost of our operational estate.

Partnership Working

The Council works with a range of partners in delivering its priorities and services including Town and Country Housing Group (TCHG), Kent Police and Kent County Council. Through these and other partnerships, the Council will continue to explore, develop and exploit opportunities for collaborative working with public and quasi-public bodies by amalgamating asset knowledge to help promote economies of scale, sustainable levels of occupation and better working practices.

Legislation

Localism

The Localism Act 2011 meant to offer more opportunity for smaller groups and local governments' lowest tiers to exercise powers locally. The legislation is wide ranging and deals with multiple community issues. One particular change was the introduction of a 'Community Right to Bid' which enables community groups to apply for local buildings or land to be put on a register. Once on the register of Community Assets, an asset cannot be sold without first allowing a community group a period of up to 6 months to raise funds to make an offer based upon its market value.

Local Context

The Asset Management Plan should be read in conjunction with our Five Year Plan 2017-22 and connected Community Project documents. These documents can be read on the Council website, whose mission is as follows: -

“To encourage investment and sustainable growth and to enhance quality of life for all”

Our Five Year Plan 2017-2022 accounts for issues identified through the community planning process and through regular consultation and surveys with residents. In property terms the Asset Management Plan is a strategy that delivers improvements in all areas and services for the purpose of meeting local community needs. The main aim of the AMP is for Council assets to be recognised as a principal resource, thereby ensuring continuous strengthening in the organisational arrangements set out above.

Sustainability

The Council provides a leading role on sustainability by addressing its own asset base. Legislation and a number of sustainability initiatives, especially energy and carbon reduction, have been put in place in the past few years. Projects, including maintenance schemes that flow from the AMP, will need to include a sustainability assessment to ensure that the impact of projects are fully understood and that mitigation measures are put in place and support a continued reduction in the carbon emissions.

Economic Position

Instability in the global economy, where major adjustments continue, is in marked contrast with the local property market. The local effect of global instability converts mainly into a corset upon the growth in property rents and capital values. The national context is of historically low interest rates with weak banks, a gradual removal of quantitative easing, and record investment in the FTSE 250. Uncertainty over the UK's future relationship with the EU will accentuate a general pattern of low growth, and is likely to apply for the whole period of the AMP 2019/20.

The strength and weakness of the UK property market will impact upon the policies and processes that the Council needs for managing its asset portfolio for optimising efficiency and effectiveness.

For surplus property assets with development potential, market conditions will be assessed in deciding the future of each asset. Market shifts will require the Council to maintain a flexible approach in managing the portfolio.

Market impact is anticipated in the following areas:

- Property vacancies (more anticipated);
- Emphasis upon maintenance;
- Obsolescence in building fabric and services;
- Rebalancing of tenants in contractual default;
- Avoidance of defaulting contractors; and
- Increasing demand upon the supply chain of contractors and consultants,

The Property and Estates Team will review all assets held by the Council to ensure that every opportunity for return is exploited to achieve its wellbeing or financial objectives. This will include:

- A full review of land and assets held and use made of them;
- Short, medium and long term strategic requirement;
- Maximisation through partnership working; and
- Maximisation of easements, licences and rights granted and benefits received.

To work its property assets harder, both financially and in the provision of facilities, the Council will continue to consider and exercise both disposal of surplus assets and acquisition for investment purposes to secure future income streams and to assist the local economy.

Performance Management and Monitoring

The following performance indicators are reported to Cabinet:

- Total rental income for the financial year;
- Capital income from property asset disposal for financial year;
- 6 monthly property transactions reports completed under delegated authority.

Additional performance indicators are monitored by the Head of Economic Development and Property and Management Board.

Transparency

The Local Government Transparency Code 2015 provides guidance on the expected minimum level of information made available to the public. This includes how local authorities publish details of all land and assets held by them. The base position is publishing a list of all land and property annually, including a unique property reference number, unique asset identity, name, address and map reference. In addition how the land/building is recorded and set out.

The Electronic Property Information Management Scheme (e-PIMS) has been populated with data complying with the One Public Estate initiative. Property officers are in contact with counterparts in Kent County Council and with departments of central government to assist in promoting this initiative.

The Council currently publishes the Asset Register within the Asset Management Plan on an annual basis. In addition the Council has identified all its assets geographically within My Neighbourhood on its Website, which is a live system.

Appendix 4 – Asset Disposal Programme

The Council reviewed and disposed of various assets listed in previous AMPs during 2014/15, 2015/16, and 2016/17. The Council has completed these reviews of the non-performing land and property assets identified in previous Asset Management Plans. In 2019/20 the Council will process outstanding actions from those reviews, and continue to review all assets towards a leaner and more productive estate.

2019/20 Sites to be Reviewed

The Council will identify sites appropriate for disposal.

Feasibility studies will be undertaken of the assets. Subject to full analysis including the potential for planning permission, a recommendation for lease or sale will be made to the Finance & Governance Cabinet Advisory Board, or the Section 151 Officer in consultation with the Portfolio Holder for Property and Major Projects and the Portfolio Holder for Finance and Governance.

The feasibility studies will be undertaken in two stages:

Stage 1 - Feasibility:

- Detailed analysis of the land title;
- Detailed analysis of the physical site;
- Detailed analysis of the planning status and likely grant of planning permission;
- Marketing and disposal if planning permission is not recommended.

Stage 2 - Feasibility:

- Production of development scheme;
- Valuation of land;
- Application for planning permission (if appropriate);
- Marketing and disposal of site.

All disposals will be in accordance with the Constitution and local government legislation. Ward members, parish and town councils will be informed of the intention to lease or dispose of these assets.

Asset Disposals in 2018/19

The following asset disposals were completed in 2018/19:

Address	Status
Land to the North Side of Newton Road (rear of 60 Calverley Road)	Sold
Land at 120 London Road Road, Southborough	Sold
Land on the North Side of Blackthorn Avenue, Tunbridge Wells	Sold

Appendix 5 – Ten Year Property Maintenance Plan

The ten year maintenance plan as detailed in the following pages is the result of the rolling programme of quinquennial surveys which produce a projection of the anticipated maintenance cost liability for the individual property asset. It very much represents an 'ideal' programme of maintenance to keep the respective buildings in good condition, for their expected lifetime and maintaining their current use. Some of the works anticipated and included in the schedule can potentially be funded by the capital expenditure programme as the works will bring an enhancement to the asset value.

Periodically the Council undertakes surveys of the entire portfolio. This process will be undertaken and completed in 2019/20. This will include condition surveys of the building fabric, plant and machinery and will also include updated asbestos surveys.

The Ten Year Maintenance plan attached to this Asset Management Plan summarises the plan for key assets where recent surveys or inspections have been undertaken and planned works identified as necessary. Other assets are grouped together and the surveys will identify the priority works to be undertaken in 2019/20 to specific assets within the group. This Property Maintenance plan will evolve as the surveys are undertaken and an updated PMP will be presented in the Asset Management Plan for 2020/21. The figures for the Town Hall and Assembly Hall Theatre have been informed by a recent survey and reflect the Council's commitment to the historic integrity of these buildings.

The schedule includes the full projection for all buildings even where works have been frozen where the future strategy is under consideration. Annually the projected works are reviewed on a case by case basis and reassessed as to viability, taking into consideration anticipated future use, urgency of works and budgetary considerations. The year on year total figures will therefore, in practice, be considerably lower than indicated in the schedule projection.

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Appendix B

		Year 1 2019/20	Year 2 2020/21	Year 3 2021/22	Year 4 2022/23	Year 5 2023/24	Year 6-10 2024/30
A22	Temp Accomodation	£42,500	£42,500	£42,500	£42,500	£42,500	£106,250
A23	Dowding House	£17,250	£17,250	£17,250	£17,250	£17,250	£43,125
A24	Properties on Loan	£3,500	£3,500	£3,500	£3,500	£3,500	£8,750
A28	Cinderwood Caravan Park	£7,500	£7,500	£7,500	£7,500	£7,500	£37,500
A40	Investment Property	£105,000	£75,000	£75,000	£75,000	£75,000	£187,500
A46	North Farm Depot	£40,000	£47,500	£19,500	£19,500	£19,500	£146,000
A47	TN2	£20,000	£20,000	£20,000	£20,000	£20,000	£150,000
A49	Wesley Centre	£6,250	£6,250	£6,250	£6,250	£6,250	£31,250
B38	Public Conveniences	£40,000	£30,000	£32,500	£35,000	£37,500	£93,750
B52	TW Cemetery Chapel	£7,500	£5,000	£5,000	£5,000	£5,000	£30,000
B52	Crematorium Office	£21,100	£1,000	£1,500	£3,000	£1,500	£2,500
C22	Camden Centre	£12,000	£37,000	£17,250	£2,000	£2,250	£78,500
A40	Showfields	£7,750	£18,500	£7,500	£2,500	£2,500	£35,000
C30	Museum & Art Gallery	£8,000	£8,000	£8,000	£8,000	£8,000	£20,000
A40	Cranbrook Museum	£17,500	£4,000	£500	£500	£500	£24,000
C41	Rusthall Pavilion	£3,750	£5,500	£15,000	£750	£750	£23,750
C41	Hilbert Old Oast	£8,100	£1,500	£5,000	£2,000	£1,000	£12,350
C41	Nevill Pavilion	£67,000	£38,500	£25,000	£5,000	£44,500	£96,000
C41	Nevill (Bluemantles Stand)	£1,250	£50,000	£1,250	£1,000	£1,250	£7,500
C41	Colebrook Rec	£12,500	£11,500	£1,000	£1,500	£1,500	£19,000
C41	St Johns - Groundkeepers Mess	£5,500	£0	£1,000	£1,500	£1,500	£5,000
C41	Cadogan Rec Pavilion	£6,800	£3,500	£5,750	£1,500	£1,500	£14,250
C46	Dunorlan Park - Paths	£7,000	£5,000	£5,000	£7,000	£6,000	£30,000
C60	Putlands Sports Centre	£40,000	£40,000	£40,000	£40,000	£40,000	£135,000
C61	Tunbridge Wells Sports Centre	£142,000	£170,000	£135,000	£145,000	£145,000	£702,000
C65	The Weald Sports Centre	£60,000	£60,000	£110,000	£60,000	£60,000	£240,000
C74	Chalybeate Spring	£1,500	£1,500	£1,500	£1,500	£1,500	£3,750
C91	Assembly Hall	£198,000	£215,000	£140,000	£0	£0	£0
G10	Surface Car Parks	£27,500	£27,500	£27,500	£27,500	£27,500	£68,750
G11	Crescent Road Car Park	£7,000	£7,000	£7,000	£7,000	£7,000	£17,500
G12	Great Hall Car Park	£8,000	£0	£0	£0	£0	£0
G14	Torrington Car Park	£80,000	£15,000	£15,000	£15,000	£15,000	£37,500
K60	Tunbridge Wells Town Hall	£120,000	£120,000	£120,000	£0	£0	£0
K64	9&10 Calverley Terrace	£137,500	£77,000	£12,500	£4,500	£30,500	£56,000
K65	Gateway	£10,000	£10,000	£10,000	£10,000	£10,000	£25,000
K67	Weald Information Centre	£500	£500	£500	£500	£500	£1,250
	Planned maintenance admin	£17,000	£17,000	£17,000	£17,000	£17,000	£85,000
	management of responsive repairs	£5,500	£5,500	£5,500	£5,500	£5,500	£27,500
	asbestos management	£11,000	£11,000	£11,000	£11,000	£11,000	£55,000
	legionella management	£5,000	£5,000	£5,000	£5,000	£5,000	£25,000
	parks,spaces,walls, memorials	£50,000	£50,000	£50,000	£110,000	£110,000	£135,000
	roads fpaths lighting, sewers	£27,000	£27,000	£27,000	£27,000	£27,000	£135,000
	planned maintenance contingency	£22,000	£22,000	£22,000	£22,000	£22,000	£110,000
		Year 1 2019/20	Year 2 2020/21	Year 3 2021/22	Year 4 2022/23	Year 5 2023/24	Year 6-10 2024/30
Total		£1,437,250	£1,319,500	£1,079,250	£776,250	£841,250	£3,061,225

Tunbridge Wells Borough Council

Asset Register - Investment

Report Generated: 04-01-2019

Asset Grouping									
Investment Commercial	Property	Est Ref	File Ref	Council Tenure	Description	UPRN	Map Ref GEOX	Map Ref GEOY	
	1 19 Colebrook Industrial Estate Royal Tunbridge Wells Kent TN2 3DG	EM/545	E001	F	Industrial Unit.	1000625 54398	560361	142091	
	2 11 Colebrook Industrial Estate Royal Tunbridge Wells Kent TN2 3DG	EM/537	E001	F	Industrial Unit.	0100086 63649	560383	142127	
	3 9 Colebrook Industrial Estate Royal Tunbridge Wells Kent TN2 3DG	EM/535	E001 01	F	Industrial Unit.	1000625 54340	560372	142122	
	4 10 Colebrook Industrial Estate Royal Tunbridge Wells Kent TN2 3DG	EM/536	E001 02	F	Industrial Unit.	0100086 63649	560383	142127	
	5 12 Colebrook Industrial Estate Royal Tunbridge Wells Kent TN2 3DG	EM/538	E001 03	F	Industrial Unit.	1000625 54341	560391	142107	
	6 13 Colebrook Industrial Estate Royal Tunbridge Wells Kent TN2 3DG	EM/539	E001 04	F	Industrial Unit.	1000625 54342	560388	142104	
	7 14 Colebrook Industrial Estate Royal Tunbridge Wells Kent TN2 3DG	EM/540	E001 05	F	Industrial Unit.	1000625 54343	560384	142101	
	8 15 Colebrook Industrial Estate Royal Tunbridge Wells Kent TN2 3DG	EM/541	E001 06	F	Industrial Unit.	0100000 65603	560379	142100	
	9 17 Colebrook Industrial Estate Royal Tunbridge Wells Kent TN2 3DG	EM/543	E001 07	F	Industrial unit	0100000 65604	560373	142098	
	10 16 Colebrook Industrial Estate Royal Tunbridge Wells Kent TN2 3DG	EM/542	E001 07	F	Industrial Unit.	0100000 69146	560375	142100	

**Investment
Commercial**

11	18 Colebrook Industrial Estate Royal Tunbridge Wells Kent TN2 3DG	EM/544	E001 08	F	Industrial Unit.	1000625 54408	560367	142092
12	30 Crescent Road Royal Tunbridge Wells Kent TN1 2LZ	EM/277	E002	F	Retail. End of Terrace. Victorian Building.	1000625 42698	558723	139461
13	31 Crescent Road Royal Tunbridge Wells Kent TN1 2LZ	EM/278	E003	F	Retail. Mid Terrace Victorian Shop. Vacant.	1000625 42699	558726	139464
14	33 Crescent Road Royal Tunbridge Wells Kent TN1 2LZ	EM/280	E004	F	Retail. End of Terrace. Victorian building. Vacant.	1000625 42700	558734	139470
15	35 Crescent Road Royal Tunbridge Wells Kent TN1 2LZ	EM/282	E005	F	Retail. Mid Terrace. Victorian Building.	1000612 00263	558741	139477
16	36 Crescent Road Royal Tunbridge Wells Kent TN1 2LZ	EM/283	E006	F	Retail. End Of Terrace. Victorian Building. Vacant.	1000612 00264	558744	139479
17	The Wesley Centre Commercial Road Paddock Wood Tonbridge Kent TN12 6DS	EM/731	E007	F	Community. Single Storey Community Hall	0100086 64390	566957	144946
18	27 Monson Road Royal Tunbridge Wells Kent TN1 1LS	EM/233	E010	F	Offices. Mid Terrace House	0100086 60655	558597	139530
19	29-31 Monson Road Royal Tunbridge Wells Kent TN1 1LS	EM/234	E011/E01 2	F	Offices. End of Terrace.	0100086 69927	558592	139526
20	Rowan Tree Surgery Rowan Tree Road Royal Tunbridge Wells Kent TN2 5PX	EM/339	E014 01	F	Doctors Surgery. Single Storey. End of Terrace Building.	0100000 70905	557459	138229
21	3A Rowan Tree Road Royal Tunbridge Wells Kent TN2 5PX	EM/336	E014 03	F	Residential. Mid Terrace. 1st and 2nd Floor Maisonette. Leased to housing association. Let on AST.	1000612 11622	557478	138225
22	4A Rowan Tree Road Royal Tunbridge Wells Kent TN2 5PX	EM/338	E014 04	F	Residential. End of Terrace. 1st and 2nd Floor Maisonette. Leased to housing association. Let on AST.	1000612 11623	557471	138227

**Investment
Commercial**

23	Shopping Centre Car Park Market Square Ely Court And Common Areas Royal Victoria Place Royal Tunbridge Wells Kent TN1 2SS	EM/224	E015	F	Major retail shopping centre including acquisition of some adjoining freehold interests incorporated into head lease for additional rental payment. Sold on long lease. Various sub-leases.	0100000 68616	558625	139781
24	The Garden Hall Club Wood Street Royal Tunbridge Wells Kent TN1 2QS	EM/229	E018	F	Community. Single Storey Structure	1000625 43376	558896	139856
25	The Forum The Common Royal Tunbridge Wells Kent TN4 8YU	EM/306	E024	F	Recreation. 1930's Detached Building	0100086 60484	558126	138850
26	65 St Johns Road Royal Tunbridge Wells Kent TN4 9TT	17/00433/ASSET	E027	F	Retail unit. Single storey	0100241 39326	558186	140440
27	67 St Johns Road Royal Tunbridge Wells Kent TN4 9TT	17/00434/ASSET	E028	F	Retail unit. Single storey.	0100241 39327	558187	140439
28	ASK 33 Monson Road Royal Tunbridge Wells Kent TN1 1LS	17/00442/ASSET	E030	F	Restaurant. Single storey unit with conservatory frontage.	1000625 42205	558587	139550
29	69 St Johns Road Royal Tunbridge Wells Kent TN4 9TT	17/00435/ASSET	E030	F	Retail unit. Single storey. Vacant.	0100241 39328	558186	140444
30	Apartment 10 Grove Hill House 21 - 27 Grove Hill Road Royal Tunbridge Wells Kent TN1 1SA	18/00461/ASSET	H0018 01	LLH	Residential Apartment within former office block converted to residential. Leased to TWPH Limited. Sub-let on an AST.	0100000 67144	558548	139166
31	Apartment 18 Grove Hill House 21 - 27 Grove Hill Road Royal Tunbridge Wells Kent TN1 1SA	18/00462/ASSET	H0018 02	LLH	Residential Apartment within former office block converted to residential. Leased to TWPH Limited. Sub-let on an AST.	0100000 67152	558548	139166
32	Apartment 13 Grove Hill House 21 - 27 Grove Hill Road Royal Tunbridge Wells Kent TN1 1SA	18/00463/ASSET	H0018 03	LLH	Residential Apartment within former office block converted to residential. Leased to TWPH Limited. Sub-let on an AST.	0100000 67147	558544	139127
33	32 Crescent Road Royal Tunbridge Wells Kent TN1 2LZ	EM/279	H002	F	Residential. Mid Terrace Victorian Building. Leased to TWPH Limited. Sub-let on an AST.	0100086 61029	558730	139467

Investment Commercial	34	25 Monson Road Royal Tunbridge Wells Kent TN1 1LS	EM/232	H004	F	Residential. Mid Terrace House. Leased to TWPH Limited. Sub-let on an AST.	1000612 08358	558601	139533
	35	North Farm House Dowding Way Royal Tunbridge Wells Kent TN2 3UY	EM/552	H005	F	Residential. Detached House formerly known as Nightstop.	1000625 54309	559653	141740
	36	Packs In The Wood Hilbert Road Royal Tunbridge Wells Kent TN2 3SE	EM/105	H008	F	Residential. Detached House With Garden.	0100086 63213		
	37	59A B &C St Johns Road Royal Tunbridge Wells Kent TN4 9TT	12/00301/ASSET	H009	F	Retail and residential. Shop and Flats.	0100086 61742	558191	140412
	38	59A St Johns Road Royal Tunbridge Wells Kent TN4 9TT	EM/140	H009 01	F	Retail. End of Terrace. L/U Shop. Return Frontage. Shop sold on long lease. TWBC retain freehold.	0100086 61675	558190	140418
	39	59B St Johns Road Royal Tunbridge Wells Kent TN4 9TT	EM/141	H009 02	F	Residential. First Floor Flat. Flat sold on long lease. TWBC retain freehold.	0100086 61604	558191	140412
	40	59C St Johns Road Royal Tunbridge Wells Kent TN4 9TT	EM/142	H009 03	F	Residential. Second Floor Flat. Flat sold on long lease. TWBC retain freehold.	0100000 65874	558191	140412
	41	57A The Pantiles Royal Tunbridge Wells Kent TN2 5TE	EM/311	H010 02	F	Residential. Ground Floor Flat. Leased to TWPH Limited. Sub-let on an AST.	0100000 66978	558076	138675
	42	10 Sussex Mews Royal Tunbridge Wells Kent TN2 5QJ	EM/312	H010 03	F	Residential. Lower Ground Floor Flat. Property sold on long lease. TWBC retain freehold.	1000612 15150	558082	138670
	43	Land And Buildings Including 57-61 The Pantiles Royal Tunbridge Wells Kent TN2 5TE	12/00302/ASSET	H010 H011 H012	F	Residential. Properties in the Pantiles including Corn Exchange.	1000625 55056	558076	138675
44	59 The Pantiles Royal Tunbridge Wells Kent TN2 5TE	EM/313	H011 01	F	Residential. Occupies First And Second Floor Maisonette. Leased to TWPH Limited. Sub-let on an AST.	1000612 15743	558072	138668	
45	59A The Pantiles Royal Tunbridge Wells Kent TN2 5TE	EM/314	H011 02	F	Residential. Ground Floor Flat. Flat sold on long lease.	0100086 71534	558072	138668	

Investment Commercial	46	11 Sussex Mews Royal Tunbridge Wells Kent TN2 5QJ	EM/547	H011 03	F	Residential. Lower Ground Floor Flat. Property sold on long lease. TWBC retain the freehold.	1000612 15151	558069	138663
	47	61 The Pantiles Royal Tunbridge Wells Kent TN2 5TE	EM/315	H012	F	Retail. Ground Floor Rooms Let to Art Society.	1000625 55097	558064	138664
	48	61A The Pantiles Royal Tunbridge Wells Kent TN2 5TE	EM/316	H012 01	F	Residential. First Floor Flat. Flat sold on long lease. TWBC retain the freehold.	0100000 66979	558064	138664
	49	12 Sussex Mews Royal Tunbridge Wells Kent TN2 5QJ	EM/548	H012 03	F	Residential. Lower Ground Floor Flat. Property sold on long lease. TWBC retain the freehold.	1000612 15152	558065	138660
	50	8 Dudley Road Royal Tunbridge Wells Kent TN1 1LF	EM/219	H016	F	Residential. End Terrace House divided into 4 flats. Leased to TWPH Limited. Each flat sub-let on an AST.	0100086 61285	558419	139613
	51	2 John Street Royal Tunbridge Wells Kent TN4 9RU	17/00436/ASSET	H044	F	Residential. Common parts. Leased to TWPH Limited.	0100241 39383	558183	140438
	52	Apartment 1 2 John Street Royal Tunbridge Wells Kent TN4 9RU	17/00437/ASSET	H044 01	F	Residential apartment. Leased to TWPH Limited. Sub-let on an AST.	0100241 39384	558186	140444
	53	Apartment 2 2 John Street Royal Tunbridge Wells Kent TN4 9RU	17/00438/ASSET	H044 02	F	Residential apartment. Leased to TWPH Limited. Sub-let on an AST.	0100241 39385	558191	140435
	54	Apartment 3 2 John Street Royal Tunbridge Wells Kent TN4 9RU	17/00439/ASSET	H044 03	F	Residential apartment. Leased to TWPH Limited. Sub-let on an AST.	0100241 39386	558186	140443
	55	Apartment 4 2 John Street Royal Tunbridge Wells Kent TN4 9RU	17/00440/ASSET	H044 04	F	Residential apartment. Leased to TWPH Limited. Sub-let on an AST.	0100241 39387	558188	140434
	56	Apartment 5 2 John Street Royal Tunbridge Wells Kent TN4 9RU	17/00441/ASSET	H044 05	F	Residential apartment. Leased to TWPH Limited. Sub-let on an AST.	0100241 39388	558185	140438
	57	Crematorium Lodge Benhall Mill Road Royal Tunbridge Wells Kent TN2 5JH	EM/369	L001	F	Residential. Semi detached House. Leased to TWPH Limited. Sub-let on an AST.	1000611 96363		
	58	Cemetery Lodge Benhall Mill Road Royal Tunbridge Wells Kent TN2 5JH	EM/370	L002 02	F	Residential. Detached Gothic Style Building. Leased to TWPH Limited. Sub-let on an AST.	1000611 96362	559279	137801

Investment Commercial	59	Calverley Park Cafe Mount Pleasant Avenue Royal Tunbridge Wells Kent TN1 2SH	EM/288	L004 01	F	Cafe. Single Storey Detached Building.	0100086 69931	558655	139294
	60	I Smile Dental Practice The Lodge Mount Pleasant Avenue Royal Tunbridge Wells Kent TN1 1QY	18/00464/ASSET	L004 09	F	Dentist Surgery. Single storey brick building with tiled pitched roof.	1000625 41987	558544	139268
	61	Dunorlan Park Cafe Pembury Road Royal Tunbridge Wells Kent TN2 3QN	EM/245	L005 01	F	Cafe. 1/2 Storey Structure, Part On Stilts	1000625 54212	559891	139593
	62	Boat Kiosk Dunorlan Park Pembury Road Royal Tunbridge Wells Kent TN2 3QN	04/00016/EM	L005 02	F	Recreation. A purpose built single storey kiosk and pontoon having a steel frame and timber cladding under a flat pitched profile steel covered roof.	0100000 65901	560020	139544
	63	Boat Store Dunorlan Park Pembury Road Royal Tunbridge Wells Kent TN2 3QN	04/00015/EM	L005 03	F	Recreation. A purpose built single storey boat store of stone construction under a flat pitched profile steel covered roof.	0100000 67979	560106	139393
	64	Refreshment Kiosk Grosvenor Recreation Ground Auckland Road Royal Tunbridge Wells Kent TN1 2JB	07/00002/EM	L006 05	F	Cafe. Refreshment Kiosk.	0100000 67189	559147	140706
	65	Culverden Stadium Culverden Down Royal Tunbridge Wells Kent TN4 9SG	EM/93	L022	F	Recreation. Football Ground with stands and buildings.	0100000 65904	557542	140747
	66	Rifle Club Warwick Park Royal Tunbridge Wells Kent TN2 5TA	04/00906/EM	L040	F	Recreation. Shooting range land. Lease to Tunbridge Wells □ St. Peters Shooting Club EM/906/LSE	0100086 71507	559051	138199

Tunbridge Wells Borough Council

Asset Register - Operational

Report Generated: 04-01-2019

Asset Grouping								
Operational Allotments	Property	Est Ref	File Ref	Council Tenure	Description	UPRN	Map Ref GEOX	Map Ref GEOY
	1 Allotments Sandhurst Road Royal Tunbridge Wells Kent TN2	EM/89	M001	F	Allotments. Functional Allotments	0100000 68636	559690	141023
	2 Allotments Southwood Road Rusthall Royal Tunbridge Wells Kent TN4	EM/124	M003	F	Allotments. Cultivated Allotment Gardens. Transferred to Rusthall Parish Council.	0100000 68637	555802	140204
	3 Ferrars Allotments Cornford Lane Royal Tunbridge Wells Kent TN2	EM/258	M006	F	Allotments. Functional Allotments	0100000 68638	560498	139884
	4 Allotments Eridge Road Royal Tunbridge Wells Kent TN4	EM/364	M007	F	Allotments. Functional Allotments.	0100000 68631	557235	137820
	5 Hawkenbury Allotments Halls Hole Road Royal Tunbridge Wells Kent TN2 4TU	EM/302	M008	F	Allotments. Functional Allotments	0100000 65217	560029	139009
	6 Allotments Hilbert Road Royal Tunbridge Wells Kent TN1	EM/107	M010	F	Allotments. Functional Allotments	0100000 68641	559521	140318
	7 Charity Farm Allotments King George V Hill Royal Tunbridge Wells Kent	EM/171	M011	F	Allotments. Functional Allotments	0100000 68634	559335	140333
	8 Allotments Hilbert Road Royal Tunbridge Wells Kent TN1	EM/175	M012	F	Allotments. Functional Allotments	0100000 68641	559521	140318
	9 Allotments Reynolds Lane Royal Tunbridge Wells Kent TN4	EM/94	M013	F	Allotments. Functional allotments	0100000 68635	557881	140697

Operational Allotments	10	Land At Allotments Between And To The Rear Of 174-178 Upper Grosvenor Road Royal Tunbridge Wells Kent TN1	EM/641	M014	F	Allotments. Not Functional.	1000625 42842	559040	140801
	11	Allotments Cunningham Road Royal Tunbridge Wells Kent TN4	EM/529	M016	F	Allotments. Functional Allotments	0100000 68630	558714	141393
	12	Allotments Merrion Way Royal Tunbridge Wells Kent TN4 9JL	EM/79	M017	F	Allotments. Functional Allotments.	0100086 68696	558812	141148
	13	Barnetts Wood Allotments Andrew Road Southborough Royal Tunbridge Wells Kent TN4 9DN	14/00386/ASSET	M018	F	Allotments. Functional Allotments.	0100000 68629	559168	141736

Operational Car Parks	Property		Est Ref	File Ref	Council Tenure	Description	UPRN	Map Ref GEOX	Map Ref GEOY
		14	Car Park 9 - 10 Calverley Terrace Crescent Road Royal Tunbridge Wells Kent TN1 2LU	EM/276	A001 02	F	Car Park. Private Car Park, Barrier Controlled. Part leased to Kent Police.	1000625 42960	558594
	15	Crescent Road Multi Story Car Park Crescent Road Royal Tunbridge Wells Kent TN1 2LU	EM/235	C001 01	F	Car Park. Multi Storey Car Park	0100086 68493	558647	139480
	16	Car Park Meadow Road Royal Tunbridge Wells Kent TN1 2YG	EM/218	C002	F	Car Park. Pay And Display Car Park, Multi Storey. Subject to lease with British Land.	0100000 72902	558469	139843
	17	Town Hall Yard Car Park Monson Way Royal Tunbridge Wells Kent TN1 1LS	EM/657	C003	F	Car Park. Private Car Park. Multi Storey. Top floor leased to Town & Country Housing Group.	0100000 65329	558589	139496
	18	Great Hall Car Park Mount Pleasant Road Royal Tunbridge Wells Kent TN1 1QQ	EM/285	C004	F	Car Park. Public Car Park. Pay And Display.	0100000 68613	558545	139216
	19	Torrington Car Park Vale Road Royal Tunbridge Wells Kent TN1 1BT	EM/272	C005	F	Car Park. Public Car Park. Multi Storey.	0100000 65824	558382	139206
	20	Car Park Linden Park Road Royal Tunbridge Wells Kent TN2	EM/318	C006	F	Car Park. Part Underground. Pay And Display Car Park.	0100000 68090	558112	138634
	21	Car Park John Street Royal Tunbridge Wells Kent TN4 9RU	EM/131	C007	F	Car Park. Pay and Display.	0100000 68089	558154	140424

Operational Car Parks								
22	Car Park The Tanyard Cranbrook Kent TN17 3HU	EM/400	C008	F	Car Park. Free Public Car Park. Leased to Cranbrook and Sissinghurst Parish Council.	0100086 67859	577766	135968
23	Car Park Beech Street Royal Tunbridge Wells Kent TN1 2RU	EM/169	C010	F	Car Park. Tarmac Pay And Display Car Park	0100000 68611	558843	140008
24	Car Park Adjacent 23 Stone Street Royal Tunbridge Wells Kent TN1 2QU	EM/655	C011	F	Car Park. Permit Holders only.	0100000 68617	558924	139943
25	Car Park Between 24 And 28 Stone Street Royal Tunbridge Wells Kent TN1 2QT	EM/227	C011 02	F	Car Park. Permit Holders only.	0100000 68618	558940	139901
26	Car Park Camden Road Royal Tunbridge Wells Kent TN1 2QZ	EM/170	C012	F	Car Park. Tarmac. Short Stay Pay And Display Car Park.	0100000 68614	558933	139992
27	Car Park Warwick Road Royal Tunbridge Wells Kent TN1 1YL	EM/308	C013	F	Car Park. Permit Holders only.	0100086 70495	558386	138926
28	Car Park Little Mount Sion Royal Tunbridge Wells Kent TN1	04/00007/EM	C014	F	Car Park. Pay and display car park.	0100000 66513	558375	138885
29	Car Park Warwick Road Royal Tunbridge Wells Kent TN1 1YL	EM/309	C014	F	Car Park. Pay And Display Public Car Park.	0100086 70495	558386	138926
30	Car Park Adjacent To White House High Street Brenchley Tonbridge Kent TN12 7NQ	EM/723	C015	F	Car Park. Free Car Park.	0100086 69397	567894	141764
31	Public Car Park Adjacent 47 High Brooms Road Southborough Royal Tunbridge Wells Kent TN4	EM/63	C017	F	Car Park. Permit Holders only.	0100000 67848	559064	141583
32	Car Park Yew Tree Road Southborough Royal Tunbridge Wells Kent TN4 0BA	EM/57	C018	F	Car Park. Pay and Display Car Park.	0100000 64850	558204	141963
33	Regal Car Park High Street Cranbrook Kent TN17 3DN	EM/661	C019	F	Car Park. Free Public Car Park. Leased to Cranbrook and Sissinghurst Parish Council.	0100000 68625	577464	135867
34	Part Of Regal Car Park High Street Cranbrook Kent TN17 3DN	11/00003/TEN	C019	L	Car Park. Part of Regal Car Park.	0100000 68625	577464	135867

Operational Car Parks								
35	Car Park Northgrove Road Hawkhurst Cranbrook Kent TN18	EM/379	C020	F	Car Park. Free Public Car Park	0100000 68092	575967	130646
36	Car Park East Commercial Road Paddock Wood Tonbridge Kent TN12 6EN	EM/517	C021 01	F	Car Park. Public Pay And Display Car Park	0100000 68628	567035	145035
37	Car Park West Commercial Road Paddock Wood Tonbridge Kent TN12 6EL	EM/515	C022	F	Car Park. Public Pay & Display Car Park	0100086 69746	566969	145094
38	Part Of The Car Park The Tanyard Cranbrook Kent TN17 3HU	EM/399	C024	F	Car Park. Free Public Car Park. Leased to Cranbrook and Sissinghurst Parish Council.	0100086 67859	577766	135968
39	Car Park Mount Pleasant Avenue Royal Tunbridge Wells Kent TN1 1QY	EM/284	C028	F	Car Park. Leased Car Park To PPP. Pay and Display Parking For the Public during weekends.	0100000 68091	558516	139311
40	West Station Coach Park Linden Park Road Royal Tunbridge Wells Kent TN2 5QL	EM/662	C029	F	Coach Park. Free Coach Parking.	0100000 63853	558045	138446
41	Car Parking Area Carriers Road Cranbrook Kent TN17 3JX	EM/416	C035	F	Car Park. Free Car Park.	0100000 64005	577597	136281
42	Car Park Royal Victoria Place Royal Tunbridge Wells Kent TN1 2SS	EM/726	E015 01	F	Car Park. Pay and Display Public Car Park.	0100000 68616	558625	139781
43	Car Park Dunorlan Park Pembury Road Royal Tunbridge Wells Kent TN2 3QN	EM/248	L005	F	Car Park. Free Tarmac Car Park For Visitors	0100000 64442	560054	139648
44	Car Park Carriers Road Cranbrook Kent TN17 3JX	EM/417	L035 01	F	Car Park. Small unofficial parking area in Carriers Road Cranbrook Kent	1000625 52324	577619	136181
45	Car Park Union House Eridge Road Royal Tunbridge Wells Kent TN4 8HF	95/00001/EM	T004	L	Car Park. An open, surface level public car park. There are 55 spaces	0100000 68620	557943	138601
46	Basement Car Park Union House Eridge Road Royal Tunbridge Wells Kent TN4 8HF	EM/654	T004	L	Car Park. Underground Pay And Display Car Park	0100000 68620	557943	138601
47	Car Park At Fowlers Park Rye Road Hawkhurst Cranbrook Kent TN18 4PQ	EM/660	Z013	L	Car Park. Free Public Car ParkLEASED FROM KCC	0100000 68627	576450	130488

Operational Cemeteries	Property	Est Ref	File Ref	Council Tenure	Description	UPRN	Map Ref GEOX	Map Ref GEOY
	48 Tunbridge Wells Borough Cemetery Benhall Mill Road Royal Tunbridge Wells Kent TN2 5JJ	EM/371	L001	F	Cemetery and Crematorium. Maintained Burial Ground	0100000 69543	559272	137695
	49 Kent & Sussex Crematorium Benhall Mill Road Royal Tunbridge Wells Kent TN2 5JJ	EM/368	L001	F	Cemetery and Crematorium. Crematorium Complex	1000625 54872	559059	137643
	50 Crematorium Offices And Garages Kent & Sussex Crematorium Benhall Mill Road Royal Tunbridge Wells Kent TN2 5JJ	04/00014/EM	L001 02	F	Cemetery and Crematorium. Offices and Garages forming part of the complex	1000625 54872	559059	137643
	51 Tunbridge Wells Borough Cemetery And Crematorium Benhall Mill Road Royal Tunbridge Wells Kent TN2 5JH	11/00002/ASSET	L001 AND L002	F	Cemetery and Crematorium. Tunbridge Wells Borough Cemetery Crematorium and Memorial Gardens	0100000 69543	559272	137695
	52 Tunbridge Wells Borough Council Benhall Mill Depot Benhall Mill Road Royal Tunbridge Wells Kent TN2 5JH	EM/374	L002	F	Land. Yard Area.	0100241 35478	559339	137744
	53 Chapel Tunbridge Wells Borough Cemetery Benhall Mill Road Royal Tunbridge Wells Kent TN2 5JJ	EM/372	L002 01	F	Cemetery and Crematorium. Chapel. Detached Gothic Style Building	0100000 69544	559197	137663
	54 Woodbury Park Cemetery Woodbury Park Road Royal Tunbridge Wells Kent TN4 9NH	EM/148	L017	F	Cemetery. (Not Used)	0100000 68646	558540	140158

Operational Commercial	Property	Est Ref	File Ref	Council Tenure	Description	UPRN	Map Ref GEOX	Map Ref GEOY
	55 Land At Royal Victoria Place Royal Tunbridge Wells Kent TN1	14/00400/ASSET	E015 03	F	Land. Rear of building 7-11 Grosenor Road. Forms part of RVP Shopping Centre.	0100086 69140	558617	139729
	56 Tourist Information Centre 2 The Corn Exchange The Pantiles Royal Tunbridge Wells Kent TN2 5TE	14/00425/TEN	Z028	L	Sub-Lease of Unit 2 to TWBC for Tourist Information Centre.	0100000 65702	558108	138706

Operational Community	Property	Est Ref	File Ref	Council Tenure	Description	UPRN	Map Ref GEOX	Map Ref GEOY
	57 Mount Ephraim Royal Tunbridge Wells Kent TN4	10/00089/EM		F	Panorama.	0100086 68815	557826	139338

Operational Community	58	Day Centre Dowding House Commercial Road Paddock Wood Tonbridge Kent TN12 6DP	EM/508	E008	F	Community. Single Storey Detached Structure	0100086 69659	566852	144927
	59	Camden Centre 2 Market Square Royal Victoria Place Royal Tunbridge Wells Kent TN1 2SW	EM/905	E016 01	F	Community. Community Centre	0100086 70063	558743	139800
	60	Community Centre Showfields Road Royal Tunbridge Wells Kent TN2 5PR	EM/351	E017	F	Community. Single Storey Detached Building.	1000625 55289	557497	138187
	61	TN2 Greggs Wood Road Royal Tunbridge Wells Kent TN2 3LZ	06/00004/EM	E022	L	Community. YMCA Community Building	0100000 68390	560088	140946
	62	Mary Caley Recreation Ground Ashley Gardens Rusthall Royal Tunbridge Wells Kent TN4	EM/127	L018	F	Recreation. Formal Playground Area With Swings Etc	0100000 67772	556099	140064
	63	Recreation Ground Allandale Road Royal Tunbridge Wells Kent TN2 3TY	EM/109	L019	F	Recreation. Grass Area With Play Equipment	0100000 68440	559942	140975
	64	The Museum Carriers Road Cranbrook Kent TN17 3JX	EM/413	L026	F	Museum. Part of Large Detached Tudor Building.	1000625 52471	577537	136189
	65	Assembly Hall Theatre Crescent Road Royal Tunbridge Wells Kent TN1 2LU	EM/273	L027	F	Theatre. Part of Civic Building Complex.	1000625 43196	558536	139472
	66	Tunbridge Wells Museum & Art Gallery Mount Pleasant Road Royal Tunbridge Wells Kent TN1 1JN	EM/121	L029	UR	Museum. First Floor of Detached Building.The freehold owner of this building is KCC. TWBC have lease for the First floor of the building.	1000625 41601	558495	139551
	67	Tunbridge Wells Borough Council The Old Fire Station Stone Street Cranbrook Kent TN17 3HF	12/00338/TEN	Z025	L	Offices. Use of office space in Weald Information Centre, Cranbrook	0100000 68746	577666	136109
Operational Housing	Property		Est Ref	File Ref	Council Tenure	Description	UPRN	Map Ref GEOX	Map Ref GEOY
	68	40 Church Road Paddock Wood Tonbridge Kent TN12 6HB	EM/21	H001	F	Residential. Mid Terrace House	1000611 91590	567252	145011
	69	34 Crescent Road Royal Tunbridge Wells Kent TN1 2LZ	EM/281	H003	F	Residential. End Terrace House. Vacant.	1000612 00262	558737	139474

Operational Housing	70	19 Rankine Road Royal Tunbridge Wells Kent TN2 3BJ	EM/2	H006	F	Residential. Semi Detached House	1000612 10944	559718	141448
	71	172 Sandhurst Road Royal Tunbridge Wells Kent TN2 3TQ	EM/4	H007	F	Residential. Mid Terrace House	1000612 12082	559528	141146
	72	57 The Pantiles Royal Tunbridge Wells Kent TN2 5TE	EM/310	H010 01	F	Residential. First And Second Floor Maisonette. Let on Regulated Tenancy.	1000625 55056	558076	138675
	73	59 The Pantiles Royal Tunbridge Wells Kent TN2 5TE	EM/530	H011	F	Residential. Storage Cupboard In Basement	1000612 15743	558072	138668
	74	59 The Pantiles Royal Tunbridge Wells Kent TN2 5TE	EM/532	H011	F	Residential. Storage Cupboard In Basement	1000612 15743	558072	138668
	75	59 The Pantiles Royal Tunbridge Wells Kent TN2 5TE	EM/531	H011	F	Residential. Storage Cupboard In Basement	1000612 15743	558072	138668
	76	59 The Pantiles Royal Tunbridge Wells Kent TN2 5TE	EM/533	H011 01	F	Residential. Storage Cupboard In Basement	1000612 15743	558072	138668
	77	59 The Pantiles Royal Tunbridge Wells Kent TN2 5TE	EM/534	H011 01	F	Residential. Storage Cupboard In Basement	1000612 15743	558072	138668
	78	61B The Pantiles Royal Tunbridge Wells Kent TN2 5TE	EM/317	H012 02	F	Residential. Second Floor Flat. Let on Regulated Tenancy.	0100000 69610	558064	138664
	79	58A London Road Southborough Royal Tunbridge Wells Kent TN4 OPR	EM/22	H013 02	F	Residential. Victorian Conversion Flat	1000612 07220	558109	142233
	80	58B London Road Southborough Royal Tunbridge Wells Kent TN4 OPR	EM/23	H013 03	F	Residential. Victorian Conversion Flat	1000612 07221	558109	142233
	81	58C London Road Southborough Royal Tunbridge Wells Kent TN4 OPR	EM/24	H013 04	F	Residential. Victorian Conversion Flat	1000612 07222	558109	142233
	82	58D London Road Southborough Royal Tunbridge Wells Kent TN4 OPR	EM/25	H013 05	F	Residential. Victorian Conversion Flat	1000612 07223	558109	142233

Operational Housing	83	2 Southfield Road Royal Tunbridge Wells Kent TN4 9UL	EM/97	H014	F	Residential. End Terrace House	1000612 13333	558161	140800
	84	2A Southfield Road Royal Tunbridge Wells Kent TN4 9UL	EM/97.1	H014 03	F	Residential. Flat in end terrace house	1000612 13332	558161	140800
	85	1 Pennyfields Cranbrook Kent TN17 3BZ	EM/20	H015	F	Residential. End Terrace House	1000611 89555	577830	135564
	86	Cinder Hill Wood Gypsy Caravan Site Five Wents Matfield Tonbridge Kent TN12 7EF	EM/550	H017	F	Residential. 4 Plots With Amenity Blocks.	0100086 64185	565306	142453
	87	59 Dudley Road Royal Tunbridge Wells Kent TN1 1LE	12/00316/TEN	H022	L	Residential. Property leased from Town and Country Housing Group	1000612 01361	558263	139586
	88	65 Greggs Wood Road Royal Tunbridge Wells Kent TN2 3JQ	12/00314/TEN	H023	L	Residential. Property leased from Town and Country Housing Group	1000612 04001	560030	140926
	89	31 Allandale Road Royal Tunbridge Wells Kent TN2 3TZ	12/00312/TEN	H024	L	Residential. Property rented from Town and Country Housing Group	1000611 95232	559875	141037
	90	41 Hornbeam Avenue Southborough Royal Tunbridge Wells Kent TN4 9XT	12/00313/TEN	H027	L	Residential. Property leased from Town and Country Housing Group	1000612 06038	559683	142034
	91	35 Greggs Wood Road Royal Tunbridge Wells Kent TN2 3JJ	12/00315/TEN	H028	L	Residential. Property leased from Town and Country Housing Group	1000612 03971	559971	140798
	92	7 Marconi Place Exchange Mews Culverden Park Road Royal Tunbridge Wells Kent TN4 9TW	14/00375/TEN	H042	L	Residential. Property leased from TCHG	0100000 69026	558269	140214
93	22 The Goodwins Royal Tunbridge Wells Kent TN2 5RS	14/00394/ASSET	H043	L	Residential. Property leased from Town & Country Housing Group	1000612 15520	557666	138218	
94	Dowding House Commercial Road Paddock Wood Tonbridge Kent	17/00443/ASSET	H045	F	Residential building	0100086 64382	566852	144927	
95	Gardeners Cottage Dunorlan Pembury Road Royal Tunbridge Wells Kent TN2 3QB	EM/250	L016 01	F	Residential. Detached House. Let on Regulated Tenancy.	1000621 11187	559989	139831	

Operational Housing	96	80 Greggs Wood Road Royal Tunbridge Wells Kent TN2 3JH	14/00371/TEN	XX	L	Residential. Property leased from TCHG	1000612 04016	560085	140871
	97	30 Greggs Wood Road Royal Tunbridge Wells Kent TN2 3JH	14/00369/TEN	XX	L	Residential. Property leased from TCHG.	1000612 03966	560030	140791
	98	40 Greggs Wood Road Royal Tunbridge Wells Kent TN2 3JH	14/00370/TEN	XX	L	Residential. Property leased from TCHG	1000612 03976	560056	140813
	99	60 Greggs Wood Road Royal Tunbridge Wells Kent TN2 3JH	14/00372/TEN	XX	L	Residential. Property leased from TCHG	1000612 03996	560053	140849
	100	29 Willow Tree Road Royal Tunbridge Wells Kent TN2 5PU	14/00373/TEN	XX	L	Residential. Property leased from TCHG	1000612 17272	557470	138366
	101	Flat 5 3 Molyneux Park Road Royal Tunbridge Wells Kent TN4 8DG	14/00374/TEN	XX	L	Residential. Property leased from TCHG	0100086 59885	557896	139557

Operational Offices	Property	Est Ref	File Ref	Council Tenure	Description	UPRN	Map Ref GEOX	Map Ref GEOY
	102	9 - 10 Calverley Terrace Crescent Road Royal Tunbridge Wells Kent TN1 2LU	04/00008/EM	A001	F	Offices. Detached structure with basement and 3 upper floors.	1000625 42960	558594 139466
	103	Tunbridge Wells Borough Council Town Hall Mount Pleasant Road Royal Tunbridge Wells Kent TN1 1RS	EM/265	A003	F	Civic Building. Part Of Town Hall Civic Building Complex	0100086 60629	558497 139473
	104	8 Grosvenor Road Royal Tunbridge Wells Kent TN1 2AB	07/00001/EM	A004	F	Offices. Gateway - One stop shop providing Council and other public and voluntary sector services	1000625 43130	558494 139727
	105	Tunbridge Wells Borough Council Council Depot North Farm Lane Royal Tunbridge Wells Kent TN2 3EE	12/00331/ASSET	E021	F	Depot. Council depot, offices and access road.	0100000 65729	560333 142668

Operational Parks	Property	Est Ref	File Ref	Council Tenure	Description	UPRN	Map Ref GEOX	Map Ref GEOY
	106	Reynolds Lane Wildlife Site Reynolds Lane Royal Tunbridge Wells Kent TN4	14/00380/ASSET	B123	F	Land. Leisure/Woodland open space	0100086 68748	557734 141101

Operational Parks	107	The Grove Buckingham Road Royal Tunbridge Wells Kent TN1 1TQ	EM/319	L003	F	Recreation. Public Recreation Ground	0100086 70463	558573	138946
	108	Calverley Grounds Mount Pleasant Avenue Royal Tunbridge Wells Kent TN1 1QY	EM/286	L004	F	Recreation. Public Park With Tennis/Bowling Facils.	0100086 69930	558684	139253
	109	Bowling Pavilion & Green Calverley Grounds Mount Pleasant Avenue Royal Tunbridge Wells Kent TN1 1QY	EM/290	L004 02	F	Single Storey Detached Building. Vacant.	0100086 69932	558778	139197
	110	Dunorlan Park Pembury Road Royal Tunbridge Wells Kent TN2 3QN	EM/244	L005	F	Recreation. Public Park With Lake, Cafe Etc.	0100000 64442	560054	139648
	111	Boating Lake Dunorlan Park Pembury Road Royal Tunbridge Wells Kent TN2 3QA	EM/247	L005	F	Recreation. Boating Lake	0100000 66574	559987	139842
	112	Grecian Temple Dunorlan Park Pembury Road Royal Tunbridge Wells Kent TN2 3QN	07/00003/EM	L005 05	F	Statue. The temple is an ornate summer house built in a Grecian Style in the late 19th Century	0100000 64442	560054	139648
	113	Grosvenor Recreation Ground Upper Grosvenor Road Royal Tunbridge Wells Kent TN1 2JB	EM/99	L006	F	Recreation. Public Recreation Ground	0100000 69403	559215	141094
	114	Pavilion Grosvenor Recreation Ground Upper Grosvenor Road Royal Tunbridge Wells Kent TN1 2JB	EM/102	L006 01	F	Recreation. Single Storey Detached Structure	0100000 69403	559215	141094
	115	Land Adjacent To Electricity Sub Station Rochdale Road Royal Tunbridge Wells Kent TN1 2JB	14/00367/ASSET	L006 07	F	Recreation. Land adjacent to 65 Rochdale Road and forming part of Grosvenor Recreation Ground	0100241 36898	559094	140566
	116	Colebrook Recreation Grounds Apple Tree Lane Royal Tunbridge Wells Kent TN2 3BT	10/00091/EM	L010	F	Recreation. Land with footpath, parking area and highway. This Land Registry title includes Colebrook Recreation Ground and Pavilion. These are logged and mapped separately under EM/71 and 04/00003/EM.	0100000 68649	559727	141608
117	Hawkenbury Recreation Ground And Land Hawkenbury Road Royal Tunbridge Wells Kent TN2 5AP	13/00341/ASSET	L011 11	F	Recreation. Recreation land and land at High Woods Lane	0100000 67122	559781	138571	

Operational Parks	118	Hilbert Recreation Ground Hilbert Road Royal Tunbridge Wells Kent TN1	EM/108	L012	F	Recreation. Public Recreation Ground, Football Pitches.	0100000 67728	559310	140785
	119	Land Lying To South Side Of Addison Road Royal Tunbridge Wells Kent TN2 3GG	14/00368/ASSET	L012 04	F	Recreation. Amenity land adjacent to Hilbert Recreation Ground	0100241 35279	559312	140939
	120	St Johns Recreation Ground Beltring Road Royal Tunbridge Wells Kent TN4 9RG	EM/95	L014/00/ 01/02/03 /04/05/0 6	F	Recreation. Public Recreation Grnd, with bowls club and Sports Facilities.Road fronting recreation ground is adopted highway and footpath either side of rec is Public Right of Way WBX5.Kiosk subject to lease.	0100000 67727	557926	140722
	121	St Marks Recreation Ground Frant Road Royal Tunbridge Wells Kent TN2 5LS	EM/444	L015	F	Recreation. Recreation Ground With Rugby Pitches	0100000 64461	558370	137448
	122	The Hunters Play Area (Showfields) Hunters Way Royal Tunbridge Wells Kent TN2 5QD	EM/721	L035 02	F	Recreation. Land To Be Used As Public Open Space	0100000 68657	557600	138061
Operational Public Conveniences		Property	Est Ref	File Ref	Council Tenure	Description	UPRN	Map Ref GEOX	Map Ref GEOY
	123	Public Conveniences Crescent Road Multi Story Car Park Crescent Road Royal Tunbridge Wells Kent TN1 2UL	04/00006/EM	C001	F	Public Convenience. Single storey purpose built toilet block	0100000 69609	558655	139523
	124	Public Conveniences High Street Brenchley Tonbridge Kent TN12 7NQ	EM/633	C015 03	F	Public Convenience. Single Storey Detached Building	0100086 69396	567892	141777
	125	Tunbridge Wells Borough Council Public Conveniences Car Park East Commercial Road Paddock Wood Tonbridge Kent TN12 6EN	EM/632	C021	F	Public Convenience. Single Storey Detached Building	0100000 69611	567020	145056
	126	Public Conveniences Tunbridge Wells Borough Cemetery Benhall Mill Road Royal Tunbridge Wells Kent TN2 5JJ	EM/628	L002 03	F	Public Convenience. Single Storey Building Attached To Crem.	0100000 67971	559198	137630
	127	Public Conveniences Tunbridge Wells Borough Cemetery Benhall Mill Road Royal Tunbridge Wells Kent TN2 5JJ	EM/373	L002 03	F	Public Convenience. Detached Single Storey Structure	0100000 67971	559198	137630

Operational Public Conveniences	128	Public Conveniences Calverley Grounds Mount Pleasant Avenue Royal Tunbridge Wells Kent TN1 1QY	EM/292	L004 06	F	Public Convenience. Single Storey Detached Structure	0100000 69601	558551	139273
	129	Public Conveniences Dunorlan Park Pembury Road Royal Tunbridge Wells Kent TN2 3QN	EM/246	L005 04	F	Public Convenience. Single Storey Detached Structure	0100000 67169	559925	139660
	130	Public Conveniences Grosvenor Recreation Ground Auckland Road Royal Tunbridge Wells Kent TN1 2JB	EM/626	L006 02	F	Public Convenience. Part Of Single Storey Pavillion	0100000 69605	559070	140606
	131	Public Conveniences Hawkenbury Recreation Ground Hawkenbury Road Royal Tunbridge Wells Kent TN2 5AP	EM/325	L011 05	F	Public Convenience. Single Storey Detached Structure	0100000 67123	559869	138478
	132	Public Conveniences St Johns Recreation Ground Beltring Road Royal Tunbridge Wells Kent TN4 9RG	EM/627	L014 02	F	Public Convenience. Single Storey Detached Structure	0100000 69608	558017	140659
	133	Public Conveniences Crane Lane Cranbrook Kent TN17 3DG	EM/637	T001	F	Public Convenience. Single Storey Detached Building	0100086 67858	577601	135977
	134	Public Conveniences Linden Park Road Royal Tunbridge Wells Kent TN4 8HE	EM/623	T004 01	L	Public Convenience. P/C's Under Union Square Shops	0100086 68492	558055	138643
	135	Public Conveniences London Road Southborough Royal Tunbridge Wells Kent TN4 0NA	EM/41	T005	F	Public Convenience. Single Storey Detached Building. Building demolished. Site under development for Southborough Hub. Previously known as Bat and Ball.	0100000 66621	558147	142051
	136	Public Conveniences Maidstone Road Matfield Tonbridge Kent TN12 7LW	EM/480	T007	F	Public Convenience. Single Storey Detached Structure	0100086 69395	565771	141644
	137	Public Conveniences Sissinghurst Road Sissinghurst Cranbrook Kent TN17 2JA	EM/432	T010	L	Public Convenience. Single Storey Detached Building(Leased to TWBC by Parish Council)	0100000 67168	579225	137519
138	Public Conveniences The Common Royal Tunbridge Wells Kent TN4 8AH	EM/625	T012	F	Public Convenience. Single Storey Detached Structure	0100000 67170	557760	139211	

**Operational
Sports
Facility**

Property	Est Ref	File Ref	Council Tenure	Description	UPRN	Map Ref GEOX	Map Ref GEOY
139 Land Forming Access To Cadogan Playing Fields St Johns Road Royal Tunbridge Wells Kent TN4 9PH	EM/903	B021	F	Land. Small strip of land giving part access to playing field	0100000 68648	558384	141242
140 Pavilion Grosvenor Recreation Ground Upper Grosvenor Road Royal Tunbridge Wells Kent TN1 2JB	EM/101	L006 06	F	Recreation. Semi Derelict Corrugated Metal Shed	0100000 69403	559215	141094
141 Pavilion Nevill Ground Nevill Gate Royal Tunbridge Wells Kent TN2 5ES	EM/354	L007	F	Recreation. Detached Pavillion	0100086 69845	558844	138336
142 Blue Mantle Stand Nevill Cricket & Athletic Ground Nevill Gate Royal Tunbridge Wells Kent TN2 5ES	04/00013/EM	L007 02	F	Recreation. New spectator's stand	0100086 69845	558844	138336
143 Nevill Ground Nevill Gate Royal Tunbridge Wells Kent TN2 5ES	EM/353	L007 05/06	F	Recreation. Public Recreation Ground With Hockey Pitch and Grandstand	0100086 69845	558844	138336
144 Recreation Ground Bayham Road Royal Tunbridge Wells Kent TN2 5HX	04/00017/EM	L008 01	F	Recreation. Changing Room/Shed at Recreation Ground	0100000 65263	559120	137458
145 Cadogan Playing Fields St Johns Road Royal Tunbridge Wells Kent TN4 9PH	EM/74	L009	F	Recreation. Playing Field Marked As Football Pitch with toilets	0100000 68648	558384	141242
146 Pavilion Cadogan Playing Fields St Johns Road Royal Tunbridge Wells Kent TN4 9UY	EM/902	L009 01	F	Recreation. Sports pavilion	0100000 69596	558407	141169
147 Colebrook Pavilion Apple Tree Lane Royal Tunbridge Wells Kent TN2 3BT	04/00003/EM	L010	F	Recreation. Single storey pavilion	0100000 67719	559851	141571
148 Hawkenbury Pavilion And Car Park Hawkenbury Recreation Ground Hawkenbury Road Royal Tunbridge Wells Kent TN2 5BW	04/00010/EM	L011 01	F	Recreation. Single storey pavilion	0100241 35237	560065	138439
149 Hawkenbury Recreation Ground Hawkenbury Road Royal Tunbridge Wells Kent TN2 5AP	EM/324	L011 06	F	Recreation. Public Park, Football/Bowling Facilities	0100000 67122	559781	138571
150 Changing Rooms Hilbert Recreation Ground Hilbert Road Royal Tunbridge Wells Kent TN1	EM/106	L012 01	F	Recreation. Detached Single Storey Building	0100000 67728	559310	140785

Operational Sports Facility	151	Rusthall Pavilion Southwood Road Rusthall Royal Tunbridge Wells Kent TN4	EM/125	L013 01	F	Recreation. Detached Single Storey Structure	0100000 67549	555867	140264
	152	Recreation Ground Southwood Road Rusthall Royal Tunbridge Wells Kent TN4	EM/126	L013 05	F	Recreation. Formal Recreation Ground, Grassed	0100000 69600	555815	140367
	153	Tunbridge Wells Sports Centre St Johns Road Royal Tunbridge Wells Kent TN4 9TX	EM/73	L028	F	Sports Centre. Sports Centre/Swimming Pool	0100086 62216	558128	141357
	154	Putlands Sports & Leisure Centre Mascalls Court Road Paddock Wood Tonbridge Kent TN12 6NZ	04/00009/EM	L030	L	Sports Centre. Purpose built sports centre	1000625 45644	567067	144157
	155	Weald Sports Centre Angley Road Cranbrook Kent TN17 2PJ	EM/901	L031	F	Recreation. Sports centre	0100086 66393	577284	136585
	156	Play Area St Marks C Of E Primary School Ramslye Road Royal Tunbridge Wells Kent	15/00409/TEN	L048	L	Lease of part of the recreation area	0100000 68655	556996	138122
	157	Tunbridge Wells Lawn Tennis Club Nevill Gate Royal Tunbridge Wells Kent TN2 5ES	EM/355	L07/07	F	Recreation. Tennis Courts And Pavilion	0100000 66152	558764	138416

Tunbridge Wells Borough Council

Asset Register - **Non Operational**

Report Generated: 04-01-2019

Asset Grouping								
Non-Operational Land	Property	Est Ref	File Ref	Council Tenure	Description	UPRN	Map Ref GEOX	Map Ref GEOY
	1 Land At Corner Of Liptraps Lane And Apple Tree Lane Royal Tunbridge Wells Kent TN2	EM/70	B006	F	Land. Odd Bit Of Land Within Fence	010000064545	559740	141117
	2 Land To Rear Of Capel Scrap Yard Sychem Lane Five Oak Green Tonbridge Kent TN12 6TT	EM/485	B010	F	Land. Area Of Land Accessed By Dirt Track. Declared Surplus.	010000066160	564116	144381
	3 Land On Corner Of Chestnut Lane And Birch Close Matfield Tonbridge Kent TN12 7JL	EM/483	B015	F	Land. Area of land on corner of Chestnut Lane and Birch Close.	100062545794	565972	142189
	4 Land Adjacent To 1 Brendon Close Royal Tunbridge Wells Kent TN2 3NP	14/00376/ASSET	B019 05	F	Land. Area of land adjacent to car port of 1 Brendon Close.	010000064362	559758	140143
	5 Road Salomons Road Rusthall Tunbridge Wells Kent TN4 8PG	EM/210	B071	F	Land. Piece Of Waste Land Adjacent To No 11. Road is adopted highway.Waste land transferred to Rusthall Parish Council 13.08.2015.	010000064303	556357	139754
	6 Footpath Fremlin Close Rusthall Royal Tunbridge Wells Kent TN4	EM/204	B075	F	Footpath to Bowen Road.	010090055090	555828	139936
	7 Land Adjacent To 15 Parsonage Road Rusthall Royal Tunbridge Wells Kent TN4 8TA	14/00387/ASSET	B122	F	Land. Grass and path.	010008669385	555968	140061
	8 Pumping Station Cleeve Avenue Royal Tunbridge Wells Kent TN2 4TY	14/00401/ASSET	B127	F	Land. Pumping Station.	010024137196	560007	138797

Non-Operational Land

9	Land Adjacent To Tunbridge Wells Boys Grammar School St Johns Road Royal Tunbridge Wells Kent TN4 9XB	14/00403/ASSET	B129	F	Land adjacent to TW Boys Grammar School.	0100086 62060	558237	141497
10	Land To Rear Of St Stephens Court Stanley Road Royal Tunbridge Wells Kent	15/00415/ASSET	B132	F	Small parcel of land to the rear of St Stephens Court and St Barnaby's Church.	0100086 61401	558844	140201
11	Land Along Langton Road Langton Green Royal Tunbridge Wells Kent	15/00417/ASSET	B134	F	Two small pieces of land. One at Rusthall Common the second on the corner of Langton Road and Tea Garden Lane.	0100086 68385	554747	139163
12	Kevin Lynes Site North Farm Lane Royal Tunbridge Wells Kent TN2 3EE	14/00366/ASSET	B136	F	Land. Former travellers site.	0100086 63648	560264	142609
13	Road At Wickham Gardens Rusthall Royal Tunbridge Wells Kent	EM/672	C025	F	Road. Maintainable at public expense.	0100086 68840	556545	140042
14	Footpath Between 31and 48 Oakfield Road Matfield Tonbridge Kent TN12 7LB	EM/498	F006	F	Footpath. Track Used As Vehicle Access To Houses plus an area of land that is landlocked by the adjoining owners and farmer. Road is adopted highway maintainable by Kent Highway Services.	1000611 93650	565998	141535
15	Grass And Paved Areas At Showfields Showfields Road Royal Tunbridge Wells Kent TN2 5PR	EM/340	F013	F	Land. Large Amenity Area, Grass/Concrete Slabs	0100241 35465	557440	138210
16	Footpath Between 21 And 23 Bowen Road Royal Tunbridge Wells Kent TN4 8SU	14/00358/ASSET	F036	F	Footpath. Footpath between 21 and 23 Bowen Road and Fremlin Close	0100086 70132	555837	140064
17	Footpath Buckingham Road Royal Tunbridge Wells Kent TN1 1TQ	14/00393/ASSET	F038	F	Footpath. Part of the footpath adjacent to The Grove.	0100000 64397	558601	138907
18	Footpath Adjacent To Orchard Lodge Dorothy Avenue Cranbrook Kent TN17	14/00396/ASSET	F039	F	Footpath. Footath adjacent to and to the rear of Orchard Lodge leading to Kirby Close.	0100000 64014	578057	135754
19	Land At North Farm Road Royal Tunbridge Wells Kent TN2	14/00398/ASSET	F040	F	Road. Part of road and paths.	0100086 68110	559449	141538

Non-Operational Land

20	Land Lying To The East Henwood Green Road Pembury Royal Tunbridge Wells Kent TN2	14/00399/ASSET	F041	F	Land. Two pieces of land between Henwood Green Road and Beagles Wood Road.	0100086 68239	563120	140647
21	Land At Barnetts Way Southborough Royal Tunbridge Wells Kent	15/00406/ASSET	F042	F	Part of grass verge and road.	0100086 68821	559213	141939
22	Footpath To Rear Of 25 Kirkdale Road Royal Tunbridge Wells Kent TN1 2SB	14/00420/ASSET	F044	F	Footpath to rear of 25 Kirkdale Road.	1000612 06515	558780	139919
23	Cinder Hill Wood Five Wents Matfield Tonbridge Kent TN12 7EF	EM/481	H017	F	Woodland. Large Area Of Woodland	0100000 71767	565361	142511
24	Parking Area Fronting 1-6 Cinder Hill Wood Five Wents Matfield Tonbridge Kent TN12 7ED	EM/484	H017 03	F	Land. Rough Parking Area With Trees/Grass	0100000 65153	565431	142450
25	Cinder Hill Lane Five Wents Matfield Tonbridge Kent TN17	08/00345/ASSET	H017 05	F	Road. Lane leading to Caravan Site and Woodland.	0100000 65153	565431	142450
26	27 Wood Street Royal Tunbridge Wells Kent TN1 2QS	14/00364/ASSET	H033	F	Land.	1000612 17568	558928	139874
27	Land Adjacent To Clifton Cottages Clifton Road Royal Tunbridge Wells Kent TN2 3AS	14/00357/ASSET	L010 03	F	Land. Land adjacent to Clifton Cottages and North Farm Lane. Part of Colebrook Recreation Ground but under separate Title.	0100086 63277	559540	141582
28	Access Road Leading To The Museum Carriers Road Cranbrook Kent TN17 3JX	12/00337/ASSET	L026 02	F	Road. Access road from Carriers Road to the museum.	0100000 64005	577597	136281
29	Land At 44 Hunters Way Royal Tunbridge Wells Kent TN2 5QF	EM/350	L035 01	F	Car Park. Concrete/Tarmac Car Park	1000612 06131		
30	Grass Area Rear Of 42 -60 Hawkenbury Road Royal Tunbridge Wells Kent TN2 5BW	EM/360	L038	F	Land. Tarmac Parking, Grass Area With Swings	1000612 04757	559757	138388
31	Recreation Ground Forest Road Royal Tunbridge Wells Kent TN2 5DP	EM/357	L042	F	Recreation. Public Recreation Ground	0100000 64334	558349	137600
32	Julian Hewitt Recreation Ground Cavendish Drive Royal Tunbridge Wells Kent TN2	EM/321	L043	F	Residential. Grass Recreation Area With Play Equipmnt	0100000 68615	558995	138566

Non-Operational Land

33	Play Area To Rear Of 37 Huntleys Park Culverden Down Royal Tunbridge Wells Kent TN4 9TD	EM/755	L047	F	Recreation. Recreation area.	100061200556	557665	140497
34	Land On West Side Of Hilbert Road Royal Tunbridge Wells Kent TN1	12/00336/ASSET	M010 01	F	Land. Land between allotments and Hilbert Road registered as a separate title to K925824.	010008668393	559426	140333
35	Land To Rear Of Grange Road Rusthall Royal Tunbridge Wells Kent TN4	EM/129	M015	F	Land. Large overgrown area of Uncultivated Woodland to the rear of Grange Road.	010000064304	556759	139937
36	Land At 5-10 Southfields Speldhurst Royal Tunbridge Wells Kent TN3 OPD	10/00033/EM	R019	F	Road. Part of road and footpaths from 5-10 Southfields. Road is adopted highway.	010008659463	555066	141442
37	Vale Avenue Royal Tunbridge Wells Kent	EM/269	R038	F	Road. Tarmac Road. Adopted highway. Maintained by KCC.	010000063929	558299	139196
38	Road And Footpath Kirby Close Cranbrook Kent TN17 3DE	14/00397/ASSET	R047	F	Footpath. Road and part of the footpath/parking area of Kirby Close	010000063945	577859	135598
39	Barnetts Close Southborough Royal Tunbridge Wells Kent	15/00423/ASSET	R051	F	Road and parking areas.	010008668061	559254	142047
40	Land Adjacent To Public Conveniences Crane Lane Cranbrook Kent TN17 3DG	14/00362/ASSET	T001 01	F	Land. Strip of land adjacent to the public conveniences in Cranbrook.	010008667858	577601	135977
41	Land At Snipe Wood Romford Road Pembury Royal Tunbridge Wells Kent TN2 4BA	EM/462	W001 01	F	Woodland. Area Of Woodland	010000072227	564091	141628
42	Part Of Snipe Wood Romford Road Pembury Royal Tunbridge Wells Kent TN2 4BA	EM/460	W001 02	F	Woodland. Isolated Area Of Woodland	010000072227	564091	141628
43	Land At Snipe Wood Romford Road Pembury Royal Tunbridge Wells Kent TN2 4BA	EM/461	W001 03	F	Woodland. Isolated Area Of Woodland	010000072227	564091	141628
44	Land - Part Of High Wood High Woods Lane Royal Tunbridge Wells Kent TN3 9AA	EM/445	W003	F	Woodland. Area Of Woodland	010000066401	560579	138595
45	Barnetts Wood Blackthorn Avenue Southborough Royal Tunbridge Wells Kent TN4 9YG	EM/66	W004	F	Woodland. Area Of Woodland. Part Licenced for Grazing	010008669808	559615	142180

Non-Operational Land

46	Land To Rear Of Juniper Close Southborough Royal Tunbridge Wells Kent TN4 9XS	14/00381/ASSET	W004 01	F	Land. Area of land between Juniper Close and Barnetts Wood. Separate Title to the woodland. Buffer zone between the houses and nature reserve.	0100086 68053	559648	142209
47	Land Between Bracken Road And Gorse Road Pembury Road Royal Tunbridge Wells Kent TN2	EM/201	W005 01	F	Land. Band Of Wooded Area On Fringe Of Estate	0100086 68951	559423	139564
48	Land To Rear Of 8 Squirrel Way Pembury Road Royal Tunbridge Wells Kent TN2	EM/202	W005 02	F	Land. Large Wooded Area On Fringe Of Estate between rear of 8 Squirrel Way and 41 Bracken Road.	0100086 68951	559423	139564
49	Land Adjacent To Sycamore House Pembury Road Royal Tunbridge Wells Kent TN2 3QB	EM/257	W005 04	F	Land. Wooded Area On Fringe Of Estate	0100000 66016	560024	139935
50	Marshleyharbour Wood Tonbridge Road Pembury Royal Tunbridge Wells Kent TN2 4QL	EM/446	W007	F	Woodland. Area Of Woodland	0100086 70026		
51	Land To Rear Of Santer House Red Oak Hawkhurst Cranbrook Kent TN18 4QP	EM/377	W008 01	F	Land. Overgrown Woodland And Part Of Gardens. Road is adopted highway. Footpaths TWBC. Declared Surplus.	0100086 65812	575359	129674

Non-Operational De Minimus Land

	Property	Est Ref	File Ref	Council Tenure	Description	UPRN	Map Ref GEOX	Map Ref GEOY
52	Grass Area On Corner Of Queens Road And All Saints Road Hawkhurst Cranbrook Kent TN18	EM/388	B002 01	F	Land. Grass Amenity Area. Triangle of land with flower beds. Road is adopted highway.	0100000 63979	576273	130387
53	Roads And Footpaths Around All Saints Road Hawkhurst Cranbrook Kent TN18	10/00081/EM	B002 02	F	Road. Roads and footpaths. Road forms part of adopted highway.	0100000 63979	576273	130387
54	Grass Adjacent To Oakland All Saints Road Hawkhurst Cranbrook Kent TN18 4HT	EM/387	B002 03	F	Land. Grass Verge running from Oakland to the corner of All Saints Road and Queens Road. No details at land registry ie no Title Deeds or Title Plan logged.	1000611 87214	576345	130437
55	Grass Areas At Newton Gardens Paddock Wood Tonbridge Kent TN12 6AJ	EM/512	B004 01	F	Land. 2 Grass Areas, Trees, Telephone Pole	0100086 68565	566629	145095

Non-Operational De Minimus Land

56	Footpath At 20 Newton Gardens Paddock Wood Tonbridge Kent TN12 6AJ	EM/511	B004 02	F	Footpath. Footpath and road. Footpath between 24 and 26 Newton Gardens was transferred to TCHG. Road is adopted highway.	1000611 93457	566703	145070
57	Footpath At Newton Gardens Paddock Wood Tonbridge Kent TN12	EM/509	B004 03	F	Footpath. Tarmac Footpath	0100086 68565	566629	145095
58	Land Between 16 And 17 St Georges Park Royal Tunbridge Wells Kent TN2 5NT	EM/366	B007	F	Land. Garden area of Land. Now forms part of the adopted highway system, maintainable at public expense by Kent Highway Services.	0100086 59813	557931	137572
59	Access Road Between 24 And 25 Sychem Place Five Oak Green Tonbridge Kent TN12 6TR	12/00335/ASSET	B010 01	F	Road. Land to rear of sub station between 24 and 25 Sychem Place. Declared Surplus.	1000625 45386	564285	144969
60	Land Adjacent To The Boundary Of 39 Maidstone Road Pembury Royal Tunbridge Wells Kent TN2 4DB	10/00007/EM	B011	F	Land. Area of land adjacent to boundary of 39 Maidstone Road.	1000612 07714	563040	141937
61	Parking And Turning Area Belfield Road Pembury Royal Tunbridge Wells Kent TN2	10/00009/EM	B012	F	Road. Parking/turning area at the end of the road.	0100086 68230	562866	140742
62	Land Rear Of Car Park Adjacent To 76 Blackthorn Avenue Southborough Royal Tunbridge Wells Kent TN4 9YG	12/00309/ASSET	B013	F	Land. Small area of shrubs to rear of car park adjacent to the footpath.	1000611 96866	559568	142079
63	Land Between 17 And 27 Blackthorn Avenue Southborough Royal Tunbridge Wells Kent TN4 9YA	EM/698	B013 01	F	Land. Grass Area. Proposed sale area declared surplus. Part sold by auction. Completion due on 17th December 2018.	0100086 68058	559397	142068
64	Grass Area Adjacent 32 Blackthorn Avenue Southborough Royal Tunbridge Wells Kent TN4 9YG	EM/697	B013 02	F	Land. Grass Area with footpath. Proposed sale area declared surplus.	0100086 68058	559397	142068
65	Car Park Area Between 45-47 Blackthorn Avenue Southborough Royal Tunbridge Wells Kent TN4 9YD	EM/700	B013 04	F	Car Park. Small residential car park	1000611 96838	559477	142078
66	Land Adjacent 37-43 Bright Ridge Southborough Royal Tunbridge Wells Kent TN4 0JN	EM/45	B018 01	F	Land. Area Paved With Concrete Slabs. Declared Surplus.	1000611 97345	557285	141739

Non-Operational De Minimus Land

67	Footpath To Rear Of 37-61 Bright Ridge Southborough Royal Tunbridge Wells Kent TN4 0JN	EM/44	B018 02	F	Footpath. Tarmac Footpath Serving Rear Exits	0100000 64105	557341	141767
68	Footpath To Rear Of 67-81 Bright Ridge Southborough Royal Tunbridge Wells Kent TN4 0JN	EM/52	B018 03	F	Footpath.Tarmac Footpath Serving Rear Exits	1000611 97383	557292	141895
69	Land Adjacent To 6 Keel Gardens Southborough Royal Tunbridge Wells Kent TN4 0JQ	EM/42	B018 06	F	Land. Grass Recreation Area adjacent to 6 Keel Gardens and parking/garage area.	0100000 64106	557368	141917
70	Grass Area Adjacent To 8 Grampian Close Royal Tunbridge Wells Kent TN2 3NR	EM/177	B019	F	Land. Bank With Bushes/Trees	1000612 03414	559829	140152
71	Grass Area To Rear Of 54 Pennine Walk Royal Tunbridge Wells Kent TN2 3NW	EM/178	B019 01	F	Land. Part Of Grass Verge/Footpath	1000612 09920	559837	140111
72	Grass Area At End Of Grampian Close Royal Tunbridge Wells Kent TN2 3NR	EM/180	B019 02	F	Land. Grass Verge	0100000 64363	559840	140131
73	Grass Area To Rear Of 50 Pennine Walk Royal Tunbridge Wells Kent TN2 3NW	EM/179	B019 03	F	Land. Part Of Grass Verge/Footpath	1000612 09918	559835	140101
74	Grass Area Adjacent To 12 Grampian Close Royal Tunbridge Wells Kent TN2 3NR	EM/176	B019 04	F	Land. Grass Verge on corner of Grampian Close and Sandhurst Road. Adopted highway maintainable by Kent Highway Services.	1000612 03418	559877	140182
75	Land At Bramley Drive Cranbrook Kent TN17 3BE	10/00059/EM	B020	F	Footpath. Part of footpath and road. Road is adopted highway.	0100000 63937	577675	135714
76	Land Adjacent 7 Mendip Walk Royal Tunbridge Wells Kent TN2 3NL	EM/187	B022 01	F	Land. Bed With Bushes/Trees	1000612 08092	559647	140042
77	Grass Area Fronting 1-13 Mendip Walk Royal Tunbridge Wells Kent TN2 3NL	EM/186	B022 02	F	Land. Grass Area With Trees/Bushes	0100000 64359	559578	140038
78	Grass Area Opposite The Lodge Calverley Park Gardens Royal Tunbridge Wells Kent TN1 2JN	EM/237	B023	F	Land. Flower Bed With Bushes And Trees	0100086 59129	559062	139519

Non-Operational De Minimus Land

79	Doorstep Green Open Space Oak Road Royal Tunbridge Wells Kent TN12 6TA	EM/71	B028 02	F	Land. Grass Amenity Area	0100000 65309	559566	141424
80	Site Of Cherryfields Benenden Cranbrook Kent TN17 4DH	10/00055/EM	B029	F	Road. Road and footpaths.	0100086 68871	580675	132943
81	Roadway Fronting Court Royal Eridge Road Royal Tunbridge Wells Kent TN4 8HT	12/00333/ASSET	B031	F	Road. Strip of pavement fronting Court Royal. Adopted highway maintainable by Kent Highway Services.	1000612 01933	557166	137741
82	Grass Areas Opposite Summervale Cottage Eridge Road Royal Tunbridge Wells Kent TN4 8HN	EM/331	B031	F	Land. Grass Amenity Area With Path	0100086 59862	557366	138298
83	Grass Area Adjacent To Sub Station Eridge Road Royal Tunbridge Wells Kent TN4 8HJ	EM/349	B031	F	Land. Footpath And Grass Area	1000612 01907	557719	138511
84	Grass Area Eridge Road Royal Tunbridge Wells Kent TN4 8LX	EM/330	B031 01	F	Land. Large Area Of Grass With Trees	0100000 68550	557297	137956
85	Grass Area Rear Of 2-24 Summervale Road Royal Tunbridge Wells Kent TN4 8JB	EM/329	B031 02	F	Land. Grass Amenity Area With Trees	1000612 14975	557330	138162
86	Grass Area Fronting 120-128 Speldhurst Road Southborough Royal Tunbridge Wells Kent TN4 0JE	EM/50	B032 01	F	Land. Large Grass Amenity Area With Trees	1000612 13640	557454	141683
87	Grass Area Fronting 102-108 Speldhurst Road Southborough Royal Tunbridge Wells Kent TN4 0JD	EM/54	B032 02	F	Land. Large Grass Amenity Area With Trees	1000612 13631	557583	141729
88	Grass Area Fronting 128-142 Speldhurst Road Southborough Royal Tunbridge Wells Kent TN4 0JE	EM/48	B032 03	F	Land. Grass Amenity Area With Trees	1000612 13644	557424	141684
89	Grass Area Fronting 128-142 Speldhurst Road Southborough Royal Tunbridge Wells Kent TN4 0JE	EM/49	B032 04	F	Land. Large Grass Amenity Area, Trees/Lay-By	1000612 13644	557424	141684
90	Grass Area Fronting 118 Speldhurst Road Southborough Royal Tunbridge Wells Kent TN4 0JD	EM/55	B032 06	F	Land. Grass Amenity Area	1000612 13639	557519	141705

Non-Operational De Minimus Land

91	Grass Area Corner Speldhurst Road Fronting 102 Speldhurst Road Southborough Royal Tunbridge Wells Kent TN4 0JD	EM/56	B032 07	F	Land. Grass Amentiy Area	1000612 13631	557583	141729
92	Milkhouse Cottages Sissinghurst Cranbrook Kent TN17 2JT	10/00038/EM	B034	F	Road. Road is adopted highway.	0100000 64307	579170	137649
93	Land At Pullington Cottages Benenden Cranbrook Kent TN17 4EG	EM/682	B035	F	Land. Grass Area with road and parking. Part of the road has been adopted and is maintained by Kent Highway Services.	0100000 64912	581318	132699
94	Town Meadow Frythe Way Cranbrook Kent TN17 3AU	EM/684	B036	F	Land. Grass Area. Part unregistered.	0100086 66167	577834	135711
95	Grass Area Fronting 9-15 St Dunstons Walk Cranbrook Kent TN17	EM/677	B037	F	Land. Grass Area. Adopted highway maintainable by Kent Highway Services.	0100000 63943	577616	135748
96	Road, Footpath And Parking Area Adjacent 6 Cleavers Sissinghurst Cranbrook Kent TN17 2JU	10/00053/EM	B039	F	Road, part of parking area and footpath adjacent to 6 Cleavers Close. Part adopted highway.	1000611 87738	579148	137707
97	Grass Area Between 1 And 15 Boundary Road Royal Tunbridge Wells Kent TN2 5BH	EM/703	B040 01	F	Road. Grass Area and road. Road is adopted highway.	0100086 62510	559554	138461
98	Footpath Between 14 And 16 Hawkenbury Road Royal Tunbridge Wells Kent TN2 5BJ	10/00061/EM	B040 02	F	Footpath. Footpath between numbers 14 and 16.	1000612 04743	559613	138512
99	Footpath Between 105 And 107 Forest Road Royal Tunbridge Wells Kent TN2 5BG	10/00062/EM	B040 03	F	Footpath. Footpath between 105 and 107 and front drive between 101 and 103 Forest Road	1000612 02534	559557	138510
100	Land On Corner Of Calverley Road And 5 Decimus Place, Calverley Park Gardens Royal Tunbridge Wells Kent TN1 2JX	EM/294	B042	F	Land. Grass Area	0100000 63179	558878	139500
101	Land Adjacent To 11 Hilbert Road Royal Tunbridge Wells Kent TN2 3SA	EM/670	B043	F	Land. Woodland area currently maintained by the local Bee keepers.	0100000 69565	559406	140268
102	Land Adjacent 10 Aspen Way Southborough Royal Tunbridge Wells Kent TN4 9YB	EM/695	B044	F	Land. Grass and parking area.	1000611 95644	559482	142116

Non-Operational De Minimus Land

103	Grass Area Adjacent To 14-18 Beagles Wood Road Pembury Royal Tunbridge Wells Kent TN2 4HX	EM/688	B045	F	Land. Grass Area	1000611 96063	563157	141238
104	Land At 176 Sandhurst Road Royal Tunbridge Wells Kent TN2 3TQ	EM/687	B046	F	Land. Grass area fronting 172, 174 and 176 Sandhurst Road	1000612 12085	559528	141155
105	Grass Area To Rear Of Recycling Point Regal Car Park High Street Cranbrook Kent TN17 3DN	EM/397	B047	F	Car Park. Grass Area Bounded By Fence/Stream. Responsibility transferred to Cranbrook Parish Council under lease.	0100000 68590	577530	135903
106	Grass Area Adjacent To 1 Chiltern Walk Royal Tunbridge Wells Kent TN2 3NJ	EM/240	B048 01	F	Land. Grass Area With Trees/Bushes	1000611 99205	559606	139961
107	Grass Area Adjacent To 12 Chiltern Walk Royal Tunbridge Wells Kent TN2 3NJ	EM/238	B048 02	F	Land. Large Grass Bank With Trees	1000611 99216	559600	139989
108	Land By Garages Adjacent To 15 Chiltern Walk Royal Tunbridge Wells Kent TN2 3NJ	EM/188	B048 03	F	Land. Small area of land adjacent to garages	1000611 99218	559567	139955
109	Grass Area Fronting 23-27 Cleveland Royal Tunbridge Wells Kent TN2 3NG	EM/239	B052 01	F	Land. Grass Bank With Bushes/Trees	1000611 99542	559658	140007
110	Grass Area Fronting 43 Cleveland Royal Tunbridge Wells Kent TN2 3NH	EM/183	B052 02	F	Land. Odd Triangle Of Grass	1000611 99562	559638	140149
111	Grass Area Adjacent To 2 Cleveland Royal Tunbridge Wells Kent TN2 3NF	EM/242	B052 03	F	Land. Steep Grass Bank With Bushes/Trees	1000611 99518	559662	139882
112	Land Between Garages And 40 Cleveland Royal Tunbridge Wells Kent TN2 3NG	EM/195	B052 04	F	Land. Footpath, Bed With Bushes	0100000 64357	559636	139936
113	Grass Area Adjacent To 11B Cleveland Royal Tunbridge Wells Kent TN2 3NF	EM/241	B052 05	F	Land. Grass Area With Trees, Footpath	1000611 99528	559604	139922
114	Grass Area Adjacent To 42 Cleveland Royal Tunbridge Wells Kent TN2 3NG	EM/192	B052 06	F	Land. Part Of Footpath/Grass Verge	1000611 99561	559718	139984

Non-Operational De Minimus Land	115	Grass Area Adjacent 74 Cleveland Royal Tunbridge Wells Kent TN2 3NH	EM/181	B052 07	F	Land. Grass Bank With Trees/Bushes on corner of Cleveland and Ferndale.	1000611 99578	559698	140134
	116	Grass Area Fronting 60 Cleveland Royal Tunbridge Wells Kent TN2 3NH	EM/182	B052 08	F	Land. Grass Bank With Small Trees/Retaining Wall	1000611 99571	559663	140112
	117	Grass Area Fronting 35 Cleveland Royal Tunbridge Wells Kent TN2 3NH	EM/185	B052 09	F	Land. Grass Verge/Walled Bed With Tree	1000611 99554	559611	140110
	118	Grass Area Adjacent To 40 Cleveland Royal Tunbridge Wells Kent TN2 3NG	EM/194	B052 10	F	Land. Part Of Grass Verge With Lamp Post	1000611 99559	559728	139978
	119	Grass Area Adjacent To 46 Cleveland Royal Tunbridge Wells Kent TN2 3NG	EM/190	B052 11	F	Land. Part Of Grass Verge	1000611 99564	559700	139994
	120	Grass Area Fronting 39 Cleveland Royal Tunbridge Wells Kent TN2 3NH	EM/184	B052 12	F	Land. Grass Verge With Tree And Lamp Post	1000611 99558	559618	140138
	121	Grass Area Adjacent To 44 Cleveland Royal Tunbridge Wells Kent TN2 3NG	EM/191	B052 13	F	Land. Part Of Grass Verge	1000611 99563	559708	139988
	122	Land Fronting 18 Pennine Walk Royal Tunbridge Wells Kent TN2 3NN	EM/196	B052 14	F	Land. Tarmac Triangle fronting 18 Pennine Walk.	0100000 64360	559751	140095
	123	Land At Lampington Row Langton Green Royal Tunbridge Wells Kent TN3 0JG	10/00015/EM	B054	F	Land. Road and triangle of grass with footpath. The road is adopted highway and maintainable by Kent Highway Services at public expense.	0100086 70156	554264	139511
	124	Grass Verge Fronting Greenend Lampington Row Langton Green Royal Tunbridge Wells Kent TN3 0JG	10/00031/EM	B054 01	F	Land. Verge adjoining property 'Greenend'.	0100086 70156	554264	139511
125	Grass Area Lampington Row Langton Green Royal Tunbridge Wells Kent TN3 0JG	EM/438	B054/02	F	Land. Grass Amenity Area Land With Footpath. Land transferred to Speldhurst Parish Council Road shown on Title Deed and Plan forms part of the adopted highway.	0100086 70156	554264	139511	

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126	Tunbridge Wells Borough Council Land To Rear Of 48 Clifton Road Royal Tunbridge Wells Kent TN2 3AT	10/00025/EM	B055 01	F	Footpath. Path between 48-50 Clifton Road and land to rear of properties.	0100241 35199	559477	141358
127	Verge Fronting 4-8 Twysden Cottages Bodiam Road Sandhurst Cranbrook Kent TN18 5LF	10/00083/EM	B057 02	F	Footpath. Verge fronting 4-8.	0100086 66624	579221	127888
128	Land At Front Of 175 Hastings Road Pembury Royal Tunbridge Wells Kent TN2 4JY	10/00005/EM	B058	F	Road. Area of land between the front garden and pavement.	1000612 04657	563446	140430
129	Verge Fronting 8 Brampton Bank Five Oak Green Road Tudeley Tonbridge Kent TN11 0PN	10/00024/EM	B059	F	Land. Verge fronting no. 8.	0100086 64000	563165	144876
130	Land Between Front Gardens Of 9 And 10 Spring Lane Bidborough Royal Tunbridge Wells Kent TN3 0UE	10/00012/EM	B061	F	Land. Small plot of land between the front gardens of nos. 9 and 10 adjacent to roadway.	1000612 13663	556689	143113
131	Land To Rear Of 20-35 Hornbeam Avenue Southborough Royal Tunbridge Wells Kent TN4 9XT	12/00305/ASSET	B062	F	Land. Declared Surplus.	0100086 68054	559687	142134
132	Land Adjacent To 65 South View Road Tunbridge Wells Kent TN4 9BU	EM/77	B068	F	Land. Open Grass Area between South View Road and Montgomery Road.	0100241 35762	558999	141403
133	Roads And Footpaths Around Bankfield Way Goudhurst Cranbrook Kent TN17 1EG	10/00073/EM	B069	F	Footpath. Roads and footpaths. Road and footpath adopted.	0100086 68076	572017	137435
134	Grass Verge Angley Road Cranbrook Kent TN17	10/00063/EM	B070	F	Land. Verge adjacent to service road off Angley Road. Adopted highway maintainable by Kent Highway Services.	0100086 68483	576924	136111
135	Angley Road Cranbrook Kent TN17	10/00064/EM	B070	F	Road. Part verge and road. Adopted highway maintainable by Kent Highway Services.	0100086 68483	576924	136111
136	Grass Area Fronting Grounds Of Angley School Angley Road Cranbrook Kent TN17 2PJ	EM/419	B070 01	F	Land. Part Of Grass Bank	0100000 72817	577594	136686
137	Grass Area Fronting St Annes To Brooklands Angley Road Cranbrook Kent TN17 2PG	EM/420	B070 02	F	Footpath. Tarmac/Grass Verge	1000611 87264	576959	136126

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138	Grass Area Ransom Strip To Rear Of 15 Broadcloth Cranbrook Kent TN17 3RG	EM/659	B072	F	Land. Ransom Strip At End Of Road off Wilsons Land.	1000611 87533	577646	135431
139	Footpath Between 37-41Turner Avenue Cranbrook Kent TN17 3BX	EM/411	B079	F	Land. Small Ransom Strip Adjoining Open Land off Wilsons land.	1000611 90480	577718	135431
140	Land Adjoining 8 The Limes The Street Frittenden Cranbrook Kent TN17 2DL TN17 2DL	10/00043/EM	B081	F	Land. Grass strip/verge.	0100086 67025	581444	140967
141	Frythe Way Cranbrook Kent TN17	10/00048/EM	B082	F	Road. Roads and footpaths. Part of the highway is adopted.	0100000 63933	577804	135680
142	Road And Parking Area Lurkins Rise Goudhurst Cranbrook Kent TN17	10/00075/EM	B083	F	Road. Road with parking area. Adopted highway maintainable at public expense by Kent Highway Services.	0100086 68075	571905	137473
143	Part Road, Footpath And Verge Lurkins Rise Goudhurst Cranbrook Kent TN17	10/00076/EM	B083	F	Road. Road, footpath and verge. Road is adopted highway.	0100086 68075	571905	137473
144	Land Adjoining Lilac Cottage Hartley Road Cranbrook Kent TN17 3QP	10/00044/EM	B085	F	Land. Verge fronting Lilac Cottage.	1000611 88468	576211	135123
145	Strip Of Land Adjacent To 51 Dorking Road Royal Tunbridge Wells Kent TN1 2LN	EM/174	B086	F	Land. Odd Bit Of Waste Ground Overgrown	1000612 01117	559295	140424
146	Land At Mount Pleasant Paddock Wood Tonbridge Kent TN12	EM/514	B090 02	F	Land. Part Road, Part Garden, Part Footpath. Adopted highway maintainable by Kent Highway Services.	0100086 68564	566782	145047
147	Henwoods Crescent Pembury Royal Tunbridge Wells Kent TN2	10/00001/EM	B091	F	Road. Part road with verge. Majority adopted highway.	0100086 68240	562940	140699
148	Road And Verge Adjoining 19 Campion Crescent Cranbrook Kent TN17 3QJ	10/00056/EM	B091	F	Road. Part of road and verge adjoining no. 19. Part of the road is adopted highway.	1000611 87598	576076	134915
149	Grass Areas At Bulls Place Pembury Royal Tunbridge Wells Kent TN2 4HJ	EM/689	B092 01	F	Land. Various Grass Areas	0100086 68229	562863	140924

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150	Land At Grange Road Rusthall Royal Tunbridge Wells Kent TN4	10/00027/EM	B099	F	Road. Road, footpaths, circular verge and parking. The road and footpaths form part of the adopted highway. The circular verge is owned by TWBC.	0100000 64304	556759	139937
151	Land Adjacent To 39 Albert Street Royal Tunbridge Wells Kent TN1 2QH	10/00002/EM	B100	F	Land. Verge adjacent to 39 Albert Street and four small pieces of land.	1000611 95034	558746	139887
152	Land Adjacent To 39 Albert Street Royal Tunbridge Wells Kent TN1 2QH	11/00300/ASSET	B100	F	Land. Grass strip of land adjacent to 39 Albert Street.	1000611 95034	558746	139887
153	Strip Of Land Adjacent To The Firs Langton Road Langton Green Royal Tunbridge Wells Kent TN3 0BA	12/00325/ASSET	B104 04	F	Land. Strip of land along Langton Road between The Firs and Dornden.	1000612 06784	555715	139214
154	Land Opposite 49 Birling Road Royal Tunbridge Wells Kent TN2	12/00332/ASSET	B105	F	Land. Triangle of land maintainable as verge by TWBC.	0100086 68189	558344	137795
155	Land At 1 Brook Cottages Town Hill Lamberhurst Royal Tunbridge Wells Kent TN3 8EN	10/00057/EM	B106	F	Land. Triangle of land fronting number 1 Brook Cottages.	0100000 69097	567423	136073
156	Land To Rear Of 18 Redleaf Close Royal Tunbridge Wells Kent TN2 3UD	10/00092/EM	B107	F	Land. Large area of land with trees and culvert.	1000612 11092	559658	140737
157	Grass Area At Herons Way Pembury Royal Tunbridge Wells Kent	EM/458	B108	F	Grass Verge With Tree Stump. Adopted highway maintainable by Kent Highway Services.	0100086 68411	563142	141762
158	Grass Area Fronting 41 Herons Way Pembury Royal Tunbridge Wells Kent TN2 4DW	EM/456	B108 01	F	Land. Grass Area With Trees, Divided By Drives. Adopted highway, maintainable by Kent Highway Services.	1000612 05116	563186	141819
159	Grass Area Fronting 51 Herons Way Pembury Royal Tunbridge Wells Kent TN2 4DW	EM/457	B108 02	F	Land. Grass Area With Trees, Divided By Drives. Adopted highway, maintainable by Kent Highway Services.	1000612 05125	563196	141779
160	Area Of Land Fronting 10-12 Banner Farm Road Royal Tunbridge Wells Kent TN2 5EA	EM/320	B109	F	Part Highway/Footpath/Grass Verge. Land is adopted highway. Maintainable by Kent Highway Services.	1000611 95800	558973	138720

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161	Land At 98 Queens Road Royal Tunbridge Wells Kent TN4 9JU	14/00359/ASSET	B118	F	Land. Verge fronting 98 Queens Road.	0100086 68701	558733	140646
162	Land On South Side Of Upper Grosvenor Road Royal Tunbridge Wells Kent TN1	14/00385/ASSET	B120	F	Land. Triangle of land on corner of Upper Grosvenor Road and Grosvenor Bridge	0100241 35306	559207	140914
163	Corner Of Garden 35 Mount Pleasant Paddock Wood Tonbridge Kent TN12 6AH	14/00361/ASSET	B124	F	Land. Corner of garden. pavement fronting 35 Mount Pleasant	0100086 68564	566782	145047
164	1 & 2 Hope Cottages St Johns Road Royal Tunbridge Wells Kent TN4 9TS	15/00402/ASSET	B128	F	Land to rear of 1 and 2 Hope Cottages. The land has a benefit of a right of way where tinted brown on the title plan.	0100000 65593	558173	140372
165	Road And Parking At Common View Royal Tunbridge Wells Kent	15/00412/ASSET	B131	F	Roadway and parking spaces. Majority of title is adopted highway and maintainable at public expense.	0100086 68223	556141	139575
166	Land To Rear Of St Stephens Cottages Stanley Road Royal Tunbridge Wells Kent	15/00416/ASSET	B133	F	Land to rear of St Stephens Cottage adjacent to garages.	0100086 61397	558908	140186
167	Land At St Barnabas Church Stanley Road Royal Tunbridge Wells Kent	15/00429/ASSET	B135	F	Small strip of land.	0100000 64138	558824	140171
168	Road Fronting Balcombe Cottages Balcombes Hill Goudhurst Cranbrook Kent TN12 1AZ	10/00071/EM	C016	F	Road. Road fronting Balcombe Cottages. Adopted highway. maintainable by Kent Highway Services.	0100086 69013	572249	137591
169	Land Opposite Carolyn Balcombes Hill Goudhurst Cranbrook Kent TN17 1AT	10/00072/EM	C016	F	Road. Part of footpath opposite 'Carolyn'. Land is adopted highway and maintainable by Kent Highway Services.	1000611 87319	572138	137560
170	Road, Footpaths And Parking Areas Leybourne Dell Benenden Cranbrook Kent TN17	10/00045/EM	C026	F	Road, footpaths and parking areas. The road and footpaths are adopted highway, maintainable by Kent Highway Services.	0100086 68132	581232	132811
171	Land Fronting Colebrook Industrial Estate Longfield Road Royal Tunbridge Wells Kent TN2	EM/450	E001	F	Land. Grass Verge Adjoining Road	0100000 64679	560053	141956

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172	Colebrook Industrial Estate Access Road, Parking And Land To Rear Of Units 11-19 Royal Tunbridge Wells Kent TN2 3DG	EM/546	E001	F	Road. Road, Gravel Parking And Grass Bank. Part of land transferred to Knights Developments Ltd and has been removed from the plan.	0100000 65605	560336	142131
173	Footpath To The Rear Of 25 - 31 Monson Road Royal Tunbridge Wells Kent TN1 1LS	13/00355/ASSET	E010 11 12	F	Footpath. Footpath including wall to rear of the row of terrace houses.Footpath to the rear of the terrace houses.	0100000 68180	558613	139523
174	Public Open Space Five Ways Mount Pleasant Road Royal Tunbridge Wells Kent TN1	EM/217	E023	F	Road. Paved area with Millennium clocktower. Paved area is adopted highway.	0100086 70377	558464	139681
175	285 St Johns Road Royal Tunbridge Wells Kent TN4 9XE	05/00002/EM	E025	L	Monitoring Station. Air Value Monitor managed by Environmental ServicesTWBC own the structure but this is not TWBC owned land that the substation resides on.	0100086 62177	558234	141596
176	Footpath/Driveway Rear Of 15-25 Salisbury Road Southborough Royal Tunbridge Wells Kent TN4 9DJ	EM/64	F001	F	Footpath. Concrete Driveway To Garages	0100086 63359	559095	141819
177	Footpath To Rear Of 1-5 Silverden Cottages Silverden Lane Sandhurst Cranbrook Kent TN18 5LU	10/00087/EM	F002	F	Footpath. Footpath to rear of1-5 and verge on corner fronting no. 1.	0100086 66433	578753	127708
178	Footpath Leading To The Ridings Paddock Wood Tonbridge Kent TN12	10/00070/EM	F003	F	Footpath. Footpath with grass verges. Footpath runs from the car park at the end of The Ridings to the rear of the houses in Le Temple Road.	0100086 69144	567383	145117
179	Hawkenbury Close Royal Tunbridge Wells Kent TN2 5BL	10/00047/EM	F005	F	Roads, footpaths with areas of verge fronting Hawkenbury Road and large amenity area. Road is adopted highway	0100000 64313	559674	138531
180	Road And Footpath Basden Cottages Hawkhurst Cranbrook Kent TN18 4EB	10/00079/EM	F008	F	Footpath. Road and footpath with steps. Road and layby form part of the adopted highway and are maintainable by Kent Highway Services.	0100000 65096	576256	130931

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181	Grass Area Adjacent 41 George Street Royal Tunbridge Wells Kent TN2 4SR	EM/300	F009	F	Land. Paved/Grass Area With Seats And Footpath	1000612 03166	559207	139215
182	Footpath From The Hill To Doctor Hopes Road Cranbrook Kent TN17	EM/401	F010	F	Footpath. Footpath/Track Part Tarmac/Gravel	0100000 63941	577790	135833
183	Grass Area And Footpath At Down Avenue Lamberhurst Royal Tunbridge Wells Kent TN3	EM/492	F011	F	Footpath. Grass Footpath/Verge With Trees. Road is adopted highway.	0100000 64319	567410	135488
184	Road And Footpath Queens Road Hawkhurst Cranbrook Kent TN18	10/00082/EM	F015	F	Road. Road and footpaths opposite Hammonds. Road is adopted highway.	0100000 63978	576241	130687
185	Grass Area At The Corner Of 94 Mount Pleasant Paddock Wood Tonbridge Kent TN12 6AQ	EM/510	F018	F	Land. Small Piece Of Land, Footpath	1000611 93429	566619	145047
186	Footpath From Southfield Road To Culverden Down Royal Tunbridge Wells Kent TN4	EM/96	F020	F	Footpath. Tarmac Footpath, Poor Condition. Adopted highway and public right of way maintainable at public expense.	0100086 68734	557588	140392
187	Tanyard Lane Off Holden Road Adjacent Holden House Holden Road Southborough Royal Tunbridge Wells Kent	EM/16	F021	F	Footpath. Tarmac Footpath (Poor Surface). Public Right of Way No. 0234/WS23/1. Maintainable by KCC Public Rights of Way office.	0100000 65325	557641	142295
188	Tarmac Footpath Adjacent To Rammell Playing Field Bakers Cross Cranbrook Kent TN17	EM/402	F022	F	Footpath. Tarmac footpath and bank adjacent to road. Part of footpath is adopted highway.	0100000 69350	577961	135767
189	Footpath In Front Of 17-26 Porters Wood Petteridge Lane Matfield Tonbridge Kent TN12 7LR	EM/501	F023	F	Tarmac Footpath. KCC adopted highway, maintained by Kent Highway Services.	0100086 64262	566488	140996
190	Land Opposite 35-39 Calverley Street Royal Tunbridge Wells Kent TN1 2XD	EM/230	F024	F	Footpath. Tarmac Footpath With Trees. Adopted highway maintainable by Kent Highway Services.	1000611 98290	558787	139672
191	Footpath Wellington Cottages Hawkhurst Cranbrook Kent TN18 5EL	10/00086/EM	F025	F	Footpath. Footpath to rear of Wellington Cottages.	1000611 90588	575427	131801
192	Wellington Cottages Hawkhurst Cranbrook Kent TN18 5EL	10/00085/EM	F025 01	F	Road. Road with verges and footpath. Road is adopted highway.	0100000 64670	575488	131839

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193	Footpath To Rear Of 66 Victoria Road Royal Tunbridge Wells Kent TN1 2PW	12/00308/ASSET	F027	F	Footpath. Footpath to rear of number 66 Victoria Road only.	1000612 16620	558633	139822
194	Footpath To Rear Of 20 Wiltshire Way Royal Tunbridge Wells Kent TN2 3DD	10/00040/EM	F029	F	Footpath. Footpath to the rear of 20 Wiltshire Way.	1000612 17417	559827	141372
195	Land At Weald View Pearsons Green Road Brenchley Tonbridge Kent TN12 7DA	10/00035/EM	F030	F	Footpath. Footpath fronting numbers 2-4 Weald View	0100086 65230	569122	142419
196	Footpath Fronting 1-12 The Beeches Horns Road Hawkhurst Cranbrook Kent TN18 4QJ	10/00080/EM	F031	F	Footpath. Footpath fronting 1-12.	0100086 65787	575281	129504
197	Land Fronting 70-78 Rusthall High Street Rusthall Royal Tunbridge Wells Kent TN4 8SG	10/00028/EM	F032	F	Land. Strip of land fronting 70-78 Rusthall High Street. Part of land adopted highway.	0100086 59399	555927	139793
198	Footpath At Sandhurst Park Royal Tunbridge Wells Kent TN2	10/00030/EM	F033	F	Footpath. Footpath between 39 and 41 Sandhurst Park. Part of a Public Right of Way. Maintainable at public expense by KCC PROW office.	0100086 68148	559562	140891
199	Land At Chestnut Close Frittenden Cranbrook Kent TN17 2DE	10/00054/EM	F034	F	Footpath. Footpath and layby fronting Chestnut Close. Part now adopted highway. Land fronting no. 1 does not form part of adopted highway.	0100000 63998	581260	140857
200	Church Road And Old Kent Road Paddock Wood Tonbridge Kent TN12	10/00090/EM	F035	F	Footpath. Alleyway and footpath between Church Road and Old Kent Road. The footpath is a public right of way but regular cleaning and litter clearing is carried out by TWBC client services.	0100086 68578	567250	145100
201	Footpath To Rear Of 70-72 Victoria Road Royal Tunbridge Wells Kent TN1 2PW	14/00389/ASSET	F037	F	Footpath. Footpath to the rear of 2 houses at 70 and 72 Victoria Road.	0100000 64164	558630	139813
202	Footpath To Rear Of 50 Norman Road Royal Tunbridge Wells Kent TN1 2RT	15/00419/ASSET	F043	F	Footpath to rear garden of 50 Norman Road	1000612 09146	558825	140044

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203	Land Fronting 59 St Johns Road Royal Tunbridge Wells Kent TN4 9TT	15/00428/ASSET	F045	F	Footpath fronting property.	0100086 61742	558191	140412
204	Land Lying To The South Of Mount Pleasant Paddock Wood Tonbridge Kent	14/00430/ASSET	F046	F	4 small pieces of footpath	0100086 68564	566782	145047
205	Land Adjacent Hopping Hooden Horse Church Road Paddock Wood Tonbridge Tonbridge Kent TN12 6HB	EM/522	H001	F	Footpath. Part Of Tarmac Footpath	0100086 70776		
206	Parking Area Hunters Way Royal Tunbridge Wells Kent TN2	13/00354/ASSET	L035	F	Car Park. Parking area adjacent to 44 Hunters Way and fronting recreation ground	0100086 68434	557559	138167
207	16 Napier Road Royal Tunbridge Wells Kent TN2 5AT	12/00307/ASSET	L041	F	Land. Land at rear licensed as garden land.	1000612 08702	559665	138620
208	14 Napier Road Royal Tunbridge Wells Kent TN2 5AT	EM/327	L041	F	Land. Area Of Land Licensed As Garden Extension.	1000612 08700	559660	138619
209	20 Napier Road Royal Tunbridge Wells Kent TN2 5AT	EM/553	L041	F	Land. Area Of Land Licensed As Garden Extension.	1000612 08706	559675	138624
210	24 Napier Road Royal Tunbridge Wells Kent TN2 5AT	EM/554	L041	F	Land. Area Of Land Licensed As Garden Extn.	1000612 08710	559683	138627
211	26 Napier Road Royal Tunbridge Wells Kent TN2 5AT	EM/555	L041	F	Land. Area Of Land Licensed As Garden Extn.	1000612 08712	559687	138628
212	28 Napier Road Royal Tunbridge Wells Kent TN2 5AT	EM/556	L041	F	Land. Area Of Land Licensed As Garden Extn.	1000612 08714	559694	138629
213	30 Napier Road Royal Tunbridge Wells Kent TN2 5AT	EM/557	L041	F	Land. Area Of Land Licensed As Garden Extn.	1000612 08716	559698	138630
214	34 Napier Road Royal Tunbridge Wells Kent TN2 5AT	EM/558	L041	F	Land. Area Of Land Licensed As Garden Extension.	1000612 08720	559707	138632
215	32 Napier Road Royal Tunbridge Wells Kent TN2 5AT	EM/722	L041	F	Land. Area Of Land Licensed As Garden Extension	1000612 08718	559703	138632

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216	Land Adjacent To Grange Road Allotments Wickham Gardens Rusthall Royal Tunbridge Wells Kent TN4 8TD	EM/128	M004	F	Land. Land adjacent to allotments. Cultivated Allotments Fenced With Gate transferred to Rusthall Parish Council.	0100086 68839	556575	140046
217	Grass Verges At Sandhurst Avenue Pembury Royal Tunbridge Wells Kent TN2 4JZ	EM/685	R001 03	F	Land. Grass Verges and road. Road and verges form part of the adopted highway and are maintained by Kent Highway Services.	0100086 68237	563424	140484
218	Lomas Lane Sandhurst Cranbrook Kent TN18	EM/426	R002	F	Road. Concrete Road With Speed Hump.	0100086 68102	581641	128245
219	Road Winstone Scott Avenue Langton Green Royal Tunbridge Wells Kent TN3 0JJ	10/00016/EM	R003	F	Road. Road and footpath. Part adopted highway.	0100086 70157	554351	139579
220	Access Road Northfields Speldhurst Royal Tunbridge Wells Kent TN3	10/00014/EM	R005	F	Road. Access road.	0100086 68511	555202	141579
221	Road And Footpath At Sandhurst Road And Blakeway Royal Tunbridge Wells Kent TN2	10/00026/EM	R007	F	Road. Roadway and a triangle of land with footpath fronting 168-176 Sandhurst Road. Road is adopted highway.	0100086 68114	559567	141168
222	Part Of Road Causton Road Cranbrook Kent TN17 3ES	10/00049/EM	R008	F	Road. Part of the road and footpaths. Road is a Public Right of Way.	0100000 64016	577354	136066
223	Part Of Road And Footpath At Henwoods Crescent Pembury Royal Tunbridge Wells Kent TN2	10/00010/EM	R010	F	Road. Part of road and footpath. Adopted highway maintainable at public expense by Kent Highway Services.	0100086 68240	562940	140699
224	Land At The Glebe Bidborough Royal Tunbridge Wells Kent TN3 0UR	10/00011/EM	R011	F	Road. Adopted highway maintainable at public expense by Kent Highway Services.	0100086 68965	556503	143431
225	Land Fronting 6-16 Sychem Place Five Oak Green Tonbridge Kent TN12 6TR	10/00017/EM	R012	F	Footpath. Footpath verge fronting numbers 6-16.	1000625 45392	564280	144823
226	Road Sychem Place Five Oak Green Tonbridge Kent TN12	10/00018/EM	R012	F	Road. Cul de sac road. Adopted highway maintainable at public expense by Kent Highway Services.	0100086 69194	564233	145039

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227	Land Fronting 1-6 Sychem Place Five Oak Green Tonbridge Kent TN12 6TR	10/00019/EM	R012	F	Land. Verge/path frontig numbers 1-6.	0100086 64055	564250	144790
228	Bowls Place Paddock Wood Tonbridge Kent TN12 6HX	10/00065/EM	R013	F	Road. Road and footpaths.	0100086 68775	567187	145078
229	Land At Elmhurst Avenue Pembury Royal Tunbridge Wells Kent TN2 4DA	10/00004/EM	R014	F	Road. Road and footpath. Road is adopted highway and footpath is a Public Right of Way.	0100086 68407	562951	142052
230	Henwoods Mount Pembury Royal Tunbridge Wells Kent TN2 4BH	10/00003/EM	R015	F	Land. Road and land/verge. Road is part adopted highway.	0100086 68402	563351	140585
231	Grass Area At Larkfield Five Oak Green Tonbridge Kent TN12 6TG	EM/486	R016	F	Land. Grass Amenity Area.	0100086 69191	564443	145306
232	Grass Area At Larkfield Five Oak Green Tonbridge Kent TN12 6TG	EM/487	R016 01	F	Land. Small Grass Amenity Area	0100086 69191	564443	145306
233	Grass Area At Larkfield Five Oak Green Tonbridge Kent TN12 6TG	EM/488	R016 02	F	Land. Grass Amenity Area	0100086 69191	564443	145306
234	Grass Area Fronting 13 Larkfield Five Oak Green Tonbridge Kent TN12 6TG	EM/489	R016 03	F	Land. Grass Amenity Area	1000625 45438	564441	145271
235	Land At Larkfield Five Oak Green Tonbridge Kent TN12 6TG	10/00021/EM	R016 04	F	Road. Path and verges fronting Five Oak Green Road at junctions of Larkfield. Road is adopted highway.	0100086 69191	564443	145306
236	Footpath At Great Footway And Gibbetts Langton Green Royal Tunbridge Wells Kent TN3	10/00013/EM	R017	F	Road. Roads, footpaths and verges the majority of which now forms part of the adopted highway system.	0100086 68755	554994	139396
237	Land At Gipps Cross Lane Langton Green Royal Tunbridge Wells Kent TN3 0DH	10/00020/EM	R018	F	Road. Road and footpaths/verges, the majority of which are adopted highway.	0100086 68756	554945	139292
238	Land Fronting Houses At The End Of Gipps Cross Lane Langton Green Royal Tunbridge Wells Kent TN3 0DH	12/00326/ASSET	R018	F	Road. Land used as driveway for the two houses at the end of the road.	0100086 68756	554945	139292

Non-Operational De Minimus Land

239	Land Fronting Half Acre Southfields Speldhurst Royal Tunbridge Wells Kent TN3 0PD	10/00032/EM	R019	F	Land. Triangle of land fronting property ' Half Acre'.	0100086 59350	554996	141317
240	Footpaths And Road At Falmouth Place Five Oak Green Tonbridge Kent TN12 6RD	10/00022/EM	R021	F	Road. Road, footpaths and layby. Road adopted highway.	0100086 68862	565015	145266
241	Access Road And Car Park Fronting The Co-op High Street Cranbrook Kent TN17 3DQ	10/00029/EM	R022	F	Road. Access road, car park fronting the Co-op.	0100086 67634	577404	135880
242	Right Of Way From Hastings Road Pembury Through Chalket Lane Pembury Royal Tunbridge Wells Kent TN2 4AA	EM/453	R025	ROW	Footpath. Vehicle Acc. Over A21/Path Through Fields. Right of Way only.	0100086 68165	562386	139979
243	Courthope Paddock Wood Tonbridge Kent TN12	13/00340/ASSET	R026	F	Road. Part of road adjacent to MacDonald Court. Remainder of road is adopted highway	0100086 68579	567164	144846
244	Site Of Swifts View, Quaker Drive And Angley Walk Cranbrook Kent TN17	10/00036/EM	R027	F	Road. Roads and footpath with steps. Majority of Title is adopted highway.	0100000 64003	577860	136774
245	Sandhurst Close Sandhurst Cranbrook Kent TN18	10/00084/EM	R029	F	Road. Adopted highway maintainable by Kent Highway Services.	0100000 66340	579128	127831
246	Caley Road Royal Tunbridge Wells Kent TN2	10/00039/EM	R031	F	Road. Part of Caley Road adjoining Liptraps Lane. Adopted highway maintainable by Kent Highway Services.	0100000 64324	559701	141512
247	Wiltshire Way Royal Tunbridge Wells Kent TN2	10/00041/EM	R032	F	Road. Part of the road at Wiltshire Way. Adopted highway maintainable by Kent Highway Services.	0100086 68113	559796	141351
248	STREET RECORD Liptraps Lane Royal Tunbridge Wells Kent	10/00042/EM	R033	F	Road. Rectangular piece of land fronting the access to 46-48 Liptraps Lane. Adopted highway maintainable by Kent Highway Services.	0100000 64545	559740	141117
249	Land At Broadwater Lane Royal Tunbridge Wells Kent TN2	10/00058/EM	R034	F	Road. Part road and footpath fronting Cobbetts Ride and footpath to the rear of number 31. Adopted highway maintainable at public expense.	0100086 68441	557661	138306

Non-Operational De Minimus Land

250	Street Record Orchard Close Horsmonden Tonbridge Kent TN12 8LU	10/00088/EM	R035	F	Road. Adopted highway maintainable by Kent Highway Services.	0100086 68290	569824	140654
251	Site Of Wise Acre Lamberhurst Royal Tunbridge Wells Kent TN3 8HL	10/00034/EM	R036	F	Road. Adopted highway maintainable by Kent Highway Services.	0100000 64317	567252	135119
252	Site Of Oakfields Benenden Cranbrook Kent TN17 4HD	10/00037/EM	R037	F	Road. Access road. Adopted highway maintainable by Kent Highway Services.	0100000 65117	580521	131773
253	Mount Pleasant Avenue Royal Tunbridge Wells Kent TN1	EM/268	R039	F	Road. Private Tarmac Road	0100000 64392	558495	139404
254	Orchard Crescent Horsmonden Tonbridge Kent TN12	10/00077/EM	R040	F	Road. Road is part of the adopted highway system.	0100086 69039	570325	140681
255	Access Road Clavadel Road Paddock Wood Tonbridge Kent TN12 6EW	12/00330/ASSET	R041	F	Road. Access road for car park and rear of shops and flats	0100086 68577	567052	145040
256	Clavadel Road Paddock Wood Tonbridge Kent TN12 6EW	13/00339/ASSET	R041 01	F	Road. Part of road to rear of 13-17 Commercial Road	0100086 68577	567052	145040
257	Land Fronting Priplan House 11 - 12 Crescent Road Royal Tunbridge Wells Kent TN1 2LU	10/00051/EM	R042	F	Footpath. Area of footpath and road fronting Priplan House. Adopted highway maintainable by Kent Highway Services.	0100086 70056	558617	139430
258	Land On North East Side Of London Road Royal Tunbridge Wells Kent TN1	14/00383/ASSET	R043	F	Land. Small piece of land adjacent to Vale Avenue and fronting Tunbridge Wells and Counties Club. Land is adopted highway and maintainable at public expense by Kent Highway Services.	0100000 64566	558142	138820
259	Land On The East Side Of Lansdowne Road Royal Tunbridge Wells Kent TN1	14/00384/ASSET	R044	F	Land. Strip of land crossing either side of Lansdowne Square. Adopted highway maintainable at public expense by Kent Highway Services.	0100000 64205	558853	139647

Non-Operational De Minimus Land

260	Land On Corner Of Broadwater Lane Royal Tunbridge Wells Kent TN2 5RT	15/00388/ASSET	R045	F	Land. Strip of land adjacent to 1-6 Eridge Court. Adopted highway maintainable at public expense by Kent Highway Services.	0100086 68441	557661	138306
261	Road And Footpath At Granary Paddock Wood Tonbridge Kent TN12 6HJ	14/00390/ASSET	R046	F	Road. Road and part of the footpath. The road is adopted highway and maintenance for the road lies with Kent Highways Services at KCC,	0100086 68581	567535	144800
262	Land On South East Side Of Camden Road And Garden Street Royal Tunbridge Wells Kent	15/00414/ASSET	R048	F	Land. Part of road and pavement for Camden Road and Garden Street. This is adopted highway and maintainable by Kent Highway Services at public expense.	0100086 68930	558771	139618
263	Strip Of Land Fronting Tunbridge Wells Fire Station Grove Hill Road Royal Tunbridge Wells Kent TN1 1SD	15/00418/ASSET	R049	F	Strip of land fronting the fire station. Land is adopted highway and maintainable by Kent Highway Services at public expense.	0100241 35167	558727	139112
264	Road And Land Greenfield Close Rusthall Royal Tunbridge Wells Kent	15/00427/ASSET	R054	F	Road and land adjacent to site. Road is adopted highway, maintainable at public expense.	0100086 68847	556172	140158
265	Grass Verge Opposite Church Of King Charles The Martyr London Road Royal Tunbridge Wells Kent TN1 1YX	EM/307	S011	F	Land. Part Of Grass Bank Including Cold Bath. Land is common land and maintainable by the Commons Conservators.	1000625 42280	558201	138816
266	Grass Area At Corner Of London Road And Lime Hill Road Royal Tunbridge Wells Kent TN1	EM/221	V002 01	F	Land. Area Of Grass Verge, Illuminated Sign	0100000 64566	558142	138820
267	Grass Area At Corner Of London Road Fronting Russell Hotel 80 London Road Royal Tunbridge Wells Kent TN1 1DZ	EM/220	V002 02	F	Land. Area Of Grass Verge, Illuminated Sign	0100086 60788	558250	139636
268	Grass Verges At Gunlands Horsmonden Tonbridge Kent TN12 8NG	EM/692	V003	F	Land. Grass Verge area and part road. Part of the road is adopted highway.	0100000 63969	570236	140839
269	Land Adjacent 37 Cobbetts Ride Royal Tunbridge Wells Kent TN2 5QG	EM/674	V004	F	Land. Grass Verge area. Part adopted highway.	1000611 99722	557672	138167

Non-Operational De Minimus Land	270	Grass Verge 1 Ramslye Road Royal Tunbridge Wells Kent TN4 8LT	EM/363	V006	F	Land. Grass Verge With Tree	1000612 10860	557129	137909
	271	Grass Areas Sweeps Hill Close Pembury Royal Tunbridge Wells Kent TN2 4LT	EM/471	V007	F	Land. Grass Verges. Road adopted highway.	0100086 68166	562951	141063
	272	Grass Area Fronting Beechwood Cottage Halls Hole Road Royal Tunbridge Wells Kent TN2	EM/259	V008	F	Land. Large Grass Verge	0100000 71700	560318	139820
	273	Part Of Grass Verge And Grass Bank 106 Forest Road Royal Tunbridge Wells Kent TN2 5BE	EM/323	V009	F	Land. Part Of Grass Verge And Grass Bank	1000612 02535	559520	138524
	274	Footpath From 149 Forest Road To Benhall Mill Road Royal Tunbridge Wells Kent TN2 5EX	EM/358	V009	F	Footpath. Public Dirt Track. Public Right of Way.	1000612 02562	559217	138137
	275	Verges At Gibbet Lane Horsmonden Tonbridge Kent TN12 8NA	10/00074/EM	V012	F	Footpath. Verges fronting nos. 1, 3, 5, 7 and 16 Gibbet Lane.	0100000 63968	569934	140776
	276	Land Adjacent The Old Coach House Manor Close Royal Tunbridge Wells Kent TN4 8YB	EM/216	V013	F	Part Of Tarmac Footpath. Adopted highway maintained by Kent Highway Services.	1000621 10514	557464	139500
	277	Land At End Of Alder Close Southborough Royal Tunbridge Wells Kent TN4 9YE	12/00321/ASSET	V11	F	Land. Small piece of land with trees and shrubs.	0100086 68060	559511	142122
	278	Land Adjacent To Snipe Wood Romford Road Pembury Royal Tunbridge Wells Kent TN2 4BB	10/00008/EM	W001 04	F	Land. Large triangle of land adjacent to road, and Snipe Wood	1000612 11483	564365	141565
	279	Land Adjacent To The Lodge Pembury Road Royal Tunbridge Wells Kent TN2 3QG	EM/200	W005 03	F	Land. Small Wooded Triangle Of Land	1000621 11198	560265	140157
280	Land Oppsite 283 Upper Grosvenor Road Royal Tunbridge Wells Kent TN4 9EX	EM/85	W011	F	Land. Wooded Bank Between Road And Railway	1000625 86049	559193	141125	

Non-operational	Property	Est Ref	File Ref	Council Tenure	Description	UPRN	Map Ref GEOX	Map Ref GEOY
	281 Footpath Adjacent To Tunbridge Wells Adult Education Centre Monson Way Royal Tunbridge Wells Kent TN1 1LS	15/00408/ASSET	A003 01	F	Footpath along side and rear of building situation in Monson Way	1000625 42278	558521	139557

Non-operational	282	Footpath To Rear Of 38 Goods Station Road Royal Tunbridge Wells Kent TN1 2DB	14/00407/ASSET	B077	F	Footpath at rear of 38 Goods Station Road only. TWBC has a right of way over the rest of the footpath.	1000612 03298	558649	139862
	283	Calverley Church 1 Market Square Royal Victoria Place Royal Tunbridge Wells Kent TN1 2SW	05/00001/EM	E016 02	F	Church. Church building	0100086 61124	558743	139800
	284	STREET RECORD Frythe Close Cranbrook Kent	15/00426/ASSET	R053	F	Road, footpath and verge. Part adopted by Kent Highway Services.	0100000 63934	577895	135673

Full Council

27 February 2019

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

Yes

Council Tax Long Term Empty Premium

Final Decision-Maker	Full Council
Portfolio Holder(s)	Councillor David Reilly – Portfolio Holder for Finance and Governance
Lead Director	Stephen McGinnes – Director of Mid Kent Services
Head of Service	Sheila Coburn – Head of Revenues and Benefits Partnership
Lead Officer/Author	Sheila Coburn – Head of Revenues and Benefits Partnership
Classification	Non-exempt
Wards affected	All

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

1. That the revised Council Tax Long Term Empty Premium be implemented for the financial years beginning on 1 April 2019, 1 April 2020 and 1 April 2021; and
2. That the amendments to the Council Tax Empty Property Policy be noted to reflect the revised Council Tax Long Term Empty Premium

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

- To support a prosperous borough

Timetable

<i>Meeting</i>	<i>Date</i>
Management Board	19 December 2018
Discussion with Portfolio Holder	7 January 2019
Cabinet Advisory Board	15 January 2019
Cabinet	7 February 2019
Full Council	27 February 2019

Tunbridge Wells Committee Report, version: June 2018

Council Tax Long Term Empty Premium

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 Tunbridge Wells Borough Council currently charges a 50% Council Tax Premium on properties that have been unoccupied for more than 2 years.
 - 1.2 New regulations have been introduced to allow authorities to vary the percentage of Council Tax premium that is charged over the next 3 years for 2019-20, 2020-21 and 2021-22.
 - 1.3 The purpose of this report is to seek approval to introduce the new changes for each of these financial years.
-

2. INTRODUCTION AND BACKGROUND

- 2.1 In April 2013 the Council introduced a premium of 50% on properties that have been empty for a period of more than 2 years.
- 2.2 The definition of an empty property for Council Tax purposes is one that is unoccupied and is substantially unfurnished.
- 2.3 New regulations have been introduced to allow authorities to vary the percentage of premium that is charged.
- 2.4 From 1 April 2019 councils may charge a 100% premium for properties that have been empty for more than 2 years.
- 2.5 From 1 April 2020 councils may charge a 100% premium as in 2.4, but charge 200% for properties that have been empty for over 5 years.
- 2.6 From 1 April 2021 councils may charge a premium as stated in 2.5, but charge 300% for properties that have been empty for over 10 years.
- 2.7 Any adjustment of the premium will be reflected in the Council Tax Base, increasing the amount of Council Tax to be generated by the Borough Council, Kent County Council, Police, Fire & Rescue and Parish Councils in line with their individual proportion of the overall council tax set.
- 2.8 In making that decision, the following considerations were taken into account:
 - Increasing pressures on housing and local government finance
 - Providing greater incentive for empty properties to be returned to use
 - Providing an important tool to encourage the use of empty properties
- 2.9 Council Tax is not charged on the basis that residents or non resident owners will use every service and many services such as planning, highways, street

Agenda Item 9

cleaning, local policing and fire services are essential in maintaining the local environment for both residents and non resident owners. Those services do not stop or become cheaper when a property becomes empty with the cost of awarding discounts currently subsidised by the wider Council Tax payer.

2.10 The Secretary of State has through regulations prescribed classes of property for which a premium cannot be charged:

- A dwelling which is the sole or main residence of a member of the armed forces, who is absent from the property as a result of such service.
- An annexe deemed unoccupied because it is being treated by the occupier of the main dwelling, as part of the main dwelling.

2.11 Although there is nothing prescribed in regulations, councils are expected to consider whether they wish to charge a premium for properties that are being actively marketed for sale.

2.12 If the council did choose to do this, it would increase administration in checking how long a property had been up for sale and whether the sale price had been reduced to try and effect a sale.

2.13 Using the current position for properties that have been empty for more than 2 years, the additional income is shown below for 2019-20, 2020-21 and 2021-22:

	Current numbers of Long Term Empty Premium Cases	Additional premium to be charged at 100% from 1 April 2019	Additional premium to charged April 2020		Additional premium to be charged April 2021	
100%	103	£165,376	51	£81,885	51	£81,885
200%			52	£166,982	36	£115,602
300%					16	£77,068
Total		£165,376		£248,867		£274,555

3. AVAILABLE OPTIONS

3.1 Option 1 – Do nothing. Do not implement any changes and leave the Long Term Empty premium as it currently is at 50%. This would mean there is no additional incentive for owners to bring back empty properties into use or further income generated.

3.2 Option 2 – Implement the changes, except for those owners who are actively marketing their property for sale. This option would require investigation as to how long properties have been on the market and a judgement as to whether the sale price and steps taken to sell the property were reasonable.

3.3 Option 3 – Implement the changes outlined in 2.4, 2.5 and 2.6 by introducing the addition premiums on 1 April 2019, 1 April 2020 and 1 April 2021.

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 The preferred option is Option 3. By introducing the changes, owners will be encouraged to bring empty homes back into use.
-

5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 5.1 No consultation is necessary for these changes to take effect. However, a consultation that took place in 2012 as a wider review of Council Tax discounts supported the introduction to introduce a premium for empty properties.

RECOMMENDATION FROM CABINET ADVISORY BOARD

- 5.2 The Finance and Governance Cabinet Advisory Board were consulted on this decision on 15 January 2019 at which the report recommended: "That the revised Council Tax premium be implemented, as set out in the Policy at Appendix A to the report, for the financial years beginning on 1 April 2019, 1 April 2020 and 1 April 2021.

The recommendation was supported.

- 5.2 Since the Finance and Governance Cabinet Advisory Board meeting the report has been updated as follows:

- The wording of the recommendation has been expanded to clarify what is being approved
- Paragraphs 2.4 – 2.6 have been reworded to clarify the intent
- Paragraph 2.12 added to explain why checking on the active marketing of empty properties was not being recommended
- Cross-cutting issues

RECOMMENDATION FROM CABINET

- 5.3 The Cabinet considered the report, as amended above, at its meeting on 7 February 2019 and resolved as follows:

That Full Council be recommended:

1. That the revised Council Tax Long Term Empty Premium be implemented for the financial years beginning on 1 April 2019, 1 April 2020 and 1 April 2021; and
 2. That the amendments to the Council Tax Empty Property Policy be noted to reflect the revised Council Tax Long Term Empty Premium.
-

6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 6.1 Information will be made available on the Council’s website and with the Council Tax bills that will be sent in March each year. We will also write to those owners where their properties will have been empty for 2 years in advance of the next financial year to advise them of the changes.

7. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Legal including Human Rights Act	The Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018 came into force on 1 November 2018 and amends Section 11B of the Local Government Finance Act 1992. Section 11B of the 1992 Act sets out the higher amounts of council tax payable from April 2019 for long-term empty dwellings as detailed in paragraphs 1.4 to 1.6 above.	Keith Trowell, Team Leader (Corporate Governance), Legal Services
Finance and other resources	Significant pressure on budgets means that the council needs to use available income generation legislation to deliver the services desired by the residents of the borough.	Jane Fineman Head of Finance and Procurement
Staffing establishment	No impact	Sheila Coburn Head of Revenues and Benefits Partnership
Risk management	Behavioural change – owners changing the way they leave properties empty	Sheila Coburn Head of Revenues and Benefits Partnership
Data Protection	No impact identified	Sheila Coburn Head of Revenues and Benefits Partnership
Environment and sustainability	No impact identified	
Community safety	No impact identified	
Health and Safety	No impact identified	
Health and wellbeing	No impact identified	

Equalities	Equalities have been considered and no impact has been identified.	Sheila Coburn Head of Revenues and Benefits Partnership
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8. REPORT APPENDICES

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

- Appendix A – Council Tax Empty Property Policy
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9. BACKGROUND PAPERS

- None



COUNCIL TAX

EMPTY PROPERTY

POLICY

1. Introduction and background

The Local Government Finance Act 1992 as amended by the Local Government Finance Act 2012, The Council Tax (Exempt Dwellings) Order 1992, The Council Tax (Prescribed Classes of Dwellings) (England) Regulations 2003, The Council Tax (Prescribed Classes of Dwellings) (England) (Amendment) Regulations 2012 allow for Council Tax discounts and exemptions to be awarded for empty properties.

The statutory exemptions are:

- Property owned by charity (maximum 6 months)
- Property where the liable person has died and awaiting probate/transfer to beneficiaries
- Property where occupation is prohibited by law (e.g. Planning/Housing/Environmental Health reasons)
- Property that is held empty for minister of religion to take up residence
- Property that is left unoccupied by a student
- Property where the mortgagee is in possession
- Property that has been left empty by a bankrupt
- Property where the unoccupied annexe cannot be let separately due to planning restrictions
- Property left empty by a person in prison
- Property left empty by a person living in a hospital/care home
- Property left empty by a person who needs personal care elsewhere
- Property left empty by a person who is providing care elsewhere
- An empty caravan pitch or empty boat
- A dwelling left empty because an individual is living in another dwelling provided for the purposes of armed forces accommodation

2. Discretionary Discounts

In addition to the above exemptions, the Council Tax (Prescribed Classes of Dwellings) (England) (Amendment) Regulations 2012 amended discretionary discounts for unoccupied properties

1. Where a property becomes unoccupied and substantially unfurnished
2. Where a property is requiring or undergoing major repairs or structural alterations to render it habitable

In the case of 1, any discount is applicable for a maximum continuous period of 6 months. The billing authority may set the discount of between 100% and 0%.
In the case of 2, any discount is applicable for a maximum continuous period of 12 months. The billing authority may set the discount of between 100% and 0%.

Tunbridge Wells Borough Council has decided the discount for properties in 1 and 2 will be 0% effective from 1 April 2017.

Tunbridge Wells Borough Council will only consider a discount of 25% where a property is uninhabitable because of a natural disaster, flooding, fire or malicious damage which can be substantiated by a police report number.

3. Long Term Empty Premium

Changes were introduced that allowed authorities to charge a 50% Council Tax premium on properties that have been unoccupied and substantially unfurnished for more than 2 years.

From 1 April 2013, Tunbridge Wells Borough Council adopted this change.

New regulations have been passed which allow councils to charge additional premiums from 1 April 2019 as follows:

1 April 2019 – properties that have been empty for more than 2 years – 100% premium

1 April 2020 – properties that have been empty for more than 5 years – 200% premium

1 April 2021 – properties that have been empty for more than 10 years – 300% premium

Tunbridge Wells Borough Council adopted these changes to take effect from 1 April 2019 and subsequent years.

4. Appeal rights

If a person feels they have not been awarded an exemption or discount to which they should be entitled, there is a right of appeal.

In the first instance an appeal should be made to the Council for the decision to be reconsidered.

If the original decision is not changed, the Council will advise you of how to appeal to an independent Valuation Tribunal.

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Full Council

27 February 2019

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

Yes

Business Rates Retail Relief

Final Decision-Maker	Full Council
Portfolio Holder(s)	Councillor David Reilly – Portfolio Holder for Finance and Governance
Lead Director	Stephen McGinnes – Director of Mid Kent Services
Head of Service	Sheila Coburn – Head of Revenues and Benefits Partnership
Lead Officer/Author	Sheila Coburn – Head of Revenues and Benefits Partnership
Classification	Non-exempt
Wards affected	All

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

That the Policy for the award of Business Rates Retail Relief, as set out at Appendix B to the report, be agreed in line with the guidance provided by the Ministry of Housing, Communities and Local Government (MHCLG)

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

- To support a prosperous borough

Timetable

<i>Meeting</i>	<i>Date</i>
Management Board	19 December 2018
Discussion with Portfolio Holder	7 January 2019
Cabinet Advisory Board	15 January 2019
Cabinet	7 February 2019
Council	27 February 2019

Tunbridge Wells Committee Report, version: June 2018

Business Rates Retail Relief

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 The Government announced in the Budget on 29 October 2018 that it will provide a Business Rates Retail Discount scheme for occupied retail properties with a rateable value of less than £51,000 in each of the years 2019-20 and 2020-21.
 - 1.2 The purpose of this report is to approve a Policy for awarding relief with effect from 1 April 2019 in line with the guidance issued by the Ministry of Housing, Communities and Local Government (MHCLG).
-

2. INTRODUCTION AND BACKGROUND

- 2.1 The Government recognises that changing consumer behaviour presents a significant challenge for retailers in our town centres and is taking action to help the high street evolve.
- 2.2 The Government announced in the Budget on 29 October 2018 that it will provide a Business Rates Retail Discount scheme for occupied retail properties with a rateable value of less than £51,000 in each of the years 2019-20 and 2020-21.
- 2.3 Retail properties are described as those that are wholly or mainly used as shops, restaurants, cafes and drinking establishments.
- 2.4 As this is a measure for 2019-20 and 2020-21 only, the Government is not changing the legislation around the reliefs available to properties.
- 2.5 Whilst the relief is to be awarded at the discretion of the council, the Government expects local authorities to include details of the relief to be provided to eligible ratepayers for 2019-20 in their bills for the beginning of that year.
- 2.6 The value of the relief will be one third of the net Business Rates bill, after mandatory reliefs and other discretionary reliefs have been applied.
- 2.7 The eligibility criteria is set out in the Ministry of Housing, Communities and Local Government (MHCLG) guidance as attached in Appendix A, together with the type of businesses that would/would not be eligible for relief.
- 2.8 Authorities should determine for themselves whether particular properties are eligible for the relief.
- 2.9 It is estimated up to 600 business could be eligible for the relief, the cost of which will be fully reimbursed by Central Government.

- 2.10 Ratepayers that occupy more than one property will be entitled to relief for each of their eligible properties, subject to State Aid De Minimis limits.
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3. AVAILABLE OPTIONS

- 3.1 Option 1 – do nothing option. This option would not assist those businesses that the Government intends should benefit from relief.
- 3.2 Option 2 - The council could restrict the scheme to only apply in certain parts of the borough, fewer categories of properties or provide a lower level of reduction. In doing so it would limit the level of central government funding that is being brought into the borough to support retailers.
- 3.3 Option 3 - The council could extend the scheme to include those retailers the government is not recommending for relief, but the additional cost would need to be met by the borough council.
- 3.4 Option 4 – Award relief as described in the MHCLG guidance issued.
-

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 Option 4 is the preferred option as the council will be fully compensated for any relief given.
- 4.2 Applying Option 4 will mean the relief is awarded in line with the intentions of central government to assist retailers.
-

5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 5.1 No public consultation is necessary

RECOMMENDATION FROM CABINET ADVISORY BOARD

- 5.2 The Finance and Governance Cabinet Advisory Board were consulted on this decision on 15 January 2019 at which the report recommended: “That the award of business rates retail relief through the Council’s discretionary powers to grant relief, in accordance with the guidance on the Business Rates Retail Discount scheme provided by the Ministry of Housing, Communities and Local Government (MHCLG), be agreed.”

The recommendation was supported.

- 5.3 Since the Finance and Governance Cabinet Advisory Board meeting the wording of the recommendation has been amended to clarify what is being approved. The cross-cutting issues have also been updated.

RECOMMENDATION FROM CABINET

- 5.4 The Cabinet considered the report, as amended above, at its meeting on 7 February 2019 and resolved as follows:

That Full Council be recommended that the Policy for the award of Business Rates Retail Relief, as set out at Appendix B to the report, be agreed in line with the guidance provided by the Ministry of Housing, Communities and Local Government

6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 6.1 Details of the relief will be made available on the Council's website and issued with Business Rates bills.

7. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Legal including Human Rights Act	<p>Section 47 of the Local Government Act 1988 gives billing authorities discretionary rate relief powers that enable the Council to operate the proposed scheme.</p> <p>Central government will fully reimburse local authorities for the local share of the discretionary relief through a grant under section 31 of the Local Government Act 2003.</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, Team Leader (Corporate Governance), Legal Services
Finance and other resources	None as the amount of relief awarded will be fully met by Central Government	Jane Fineman Head of Finance and Procurement
Staffing establishment	Relief will be awarded using existing resources	Sheila Coburn Head of Revenues and Benefits Partnership
Risk management	<p>In introducing a scheme which is limited for 2 years, the council risks ratepayers perceiving a disproportionate increase in their rate liability when the scheme ends.</p> <p>The restrictions on state aid are complex and are likely to be unfamiliar to many small businesses, resulting in an increase in enquiries.</p>	Sheila Coburn Head of Revenues and Benefits Partnership

	To mitigate this risk, an explanatory note will be issued to those businesses that qualify for relief	
Data Protection	No impact identified	Sheila Coburn Head of Revenues and Benefits Partnership
Environment and sustainability	No impact identified	Sheila Coburn Head of Revenues and Benefits Partnership
Community safety	No impact identified	
Health and Safety	No impact identified	
Health and wellbeing	No impact identified	
Equalities	There is no apparent equality impact on end users.	Sheila Coburn Head of Revenues and Benefits Partnership

8. REPORT APPENDICES

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

- Appendix A: MHCLG Retail Relief guidelines
- Appendix B: Retail Relief Policy

9. BACKGROUND PAPERS

- None

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Ministry of Housing,
Communities &
Local Government

Business Rates

Retail Discount – Guidance



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About this guidance

1. This guidance is intended to support local authorities in administering the “Retail Discount” announced in the Budget on 29 October 2018. This Guidance applies to England only.
2. This guidance sets out the criteria which central Government considers for this purpose to be retail and eligible for this discount. The guidance does not replace existing legislation.
3. Enquiries on this measure should be addressed to:
ndr@communities.gov.uk

Introduction

4. The Government recognises that changing consumer behaviour presents a significant challenge for retailers in our town centres and is taking action to help the high street evolve.
5. The Government announced in the Budget on 29 October 2018 that it will provide a business rates Retail Discount scheme for occupied retail properties with a rateable value of less than £51,000 in each of the years 2019-20 and 2020-21. The value of discount should be one third of the bill, and must be applied after mandatory reliefs and other discretionary reliefs funded by section 31 grants have been applied. Where an authority applies a locally funded relief, for instance a hardship fund, under section 47 this is must be applied after the Retail Discount.
6. This document provides guidance to authorities about the operation and delivery of the policy. The Government anticipates that local authorities will include details of the relief to be provided to eligible ratepayers for 2019-20 in their bills for the beginning of that year.

Retail Discount

How will the relief be provided?

7. As this is a measure for 2019-20 and 2020-21 only, the Government is not changing the legislation around the reliefs available to properties. Instead the Government will, in line with the eligibility criteria set out in this guidance, reimburse local authorities that use their discretionary relief powers, introduced by the Localism Act (under section 47 of the Local Government Finance Act 1988, as amended) to grant relief. It will be for individual local billing authorities to adopt a local scheme and determine in each individual case when, having regard to this guidance, to grant relief under section 47. Central government will fully reimburse local authorities for the local share of the discretionary relief (using a grant under section 31 of the Local Government Act 2003). The Government expects local government to apply and grant relief to qualifying ratepayers from the start of the 2019/20 billing cycle.

8. Central government will reimburse billing authorities and those major precepting authorities for the actual cost to them under the rates retention scheme of the relief that falls within the definitions in this guidance. Local authorities will be asked to provide an estimate of their likely total cost for providing the relief in their National Non-Domestic Rate Return 1 (NNDR1) for 2019-20 and 2020-21. Central government will provide payments to authorities to cover the local share, as per the usual process.
9. Local authorities will also be asked to provide outturn data on the actual total cost for providing the relief, as per the usual process via the National Non-Domestic Rate 3 (NNDR3) forms for 2019-20 and 2020-21. Any required reconciliations will then be conducted at these points.¹

Which properties will benefit from relief?

10. Properties that will benefit from the relief will be occupied hereditaments with a rateable value of less than £51,000, that are wholly or mainly being used as shops, restaurants, cafes and drinking establishments.
11. We consider shops, restaurants, cafes and drinking establishments to mean:
 - i. **Hereditaments that are being used for the sale of goods to visiting members of the public:**
 - Shops (such as: florists, bakers, butchers, grocers, greengrocers, jewellers, stationers, off licences, chemists, newsagents, hardware stores, supermarkets, etc)
 - Charity shops
 - Opticians
 - Post offices
 - Furnishing shops/ display rooms (such as: carpet shops, double glazing, garage doors)
 - Car/ caravan show rooms
 - Second hand car lots
 - Markets
 - Petrol stations
 - Garden centres
 - Art galleries (where art is for sale/hire)
 - ii. **Hereditaments that are being used for the provision of the following services to visiting members of the public:**
 - Hair and beauty services (such as: hair dressers, nail bars, beauty salons, tanning shops, etc)

¹ As required in the NNDR3 guidance notes, the former categories of discretionary relief prior to the localism act (i.e. charitable/CASC/rural etc. top up and not for profit) should be applied first in the sequence of discretionary reliefs and, therefore, before the retail discount.

- Shoe repairs/ key cutting
- Travel agents
- Ticket offices e.g. for theatre
- Dry cleaners
- Laundrettes
- PC/ TV/ domestic appliance repair
- Funeral directors
- Photo processing
- Tool hire
- Car hire

iii. Hereditaments that are being used for the sale of food and/ or drink to visiting members of the public:

- Restaurants
- Takeaways
- Sandwich shops
- Coffee shops
- Pubs
- Bars

12. To qualify for the relief the hereditament should be wholly or mainly being used as a shop, restaurant, cafe or drinking establishment. In a similar way to other reliefs (such as charity relief), this is a test on use rather than occupation. Therefore, hereditaments which are occupied but not wholly or mainly used for the qualifying purpose will not qualify for the relief.
13. The list set out above is not intended to be exhaustive as it would be impossible to list the many and varied retail uses that exist. There will also be mixed uses. However, it is intended to be a guide for authorities as to the types of uses that Government considers for this purpose to be retail. Authorities should determine for themselves whether particular properties not listed are broadly similar in nature to those above and, if so, to consider them eligible for the relief. Conversely, properties that are not broadly similar in nature to those listed above should not be eligible for the relief.
14. The list below sets out the types of uses that the Government does not consider to be retail use for the purpose of this relief. Again, it is for local authorities to determine for themselves whether particular properties are broadly similar in nature to those below and, if so, to consider them not eligible for the relief under their local scheme.

i. Hereditaments that are being used for the provision of the following services to visiting members of the public:

- Financial services (e.g. banks, building societies, cash points, bureaux de change, payday lenders, betting shops, pawn brokers)
- Other services (e.g. estate agents, letting agents, employment agencies)
- Medical services (e.g. vets, dentists, doctors, osteopaths, chiropractors)

- Professional services (e.g. solicitors, accountants, insurance agents/ financial advisers, tutors)
- Post office sorting offices

ii. Hereditaments that are not reasonably accessible to visiting members of the public

15. Generally speaking, the government also does not consider other assembly or leisure uses beyond those listed at paragraph 11 to be retail uses for the purpose of the discount. For example, cinemas, theatres and museums are outside the scope of the scheme, as are nightclubs and music venues which are not similar in nature to the hereditaments described at paragraph 11(iii) above. Hereditaments used for sport or physical recreation (e.g. gyms) are also outside the scope of the discount. Where there is doubt, the local authority should exercise their discretion with reference to the above and knowledge of their local tax base.

How much relief will be available?

16. The total amount of government-funded relief available for each property for 2019-20 and 2020/21 under this scheme is one third of the bill, after mandatory reliefs and other discretionary reliefs funded by section 31 grants have been applied, excluding those where local authorities have used their discretionary relief powers introduced by the Localism Act which are not funded by section 31 grants². There is no relief available under this scheme for properties with a rateable value of £51,000 or more. Of course, councils may use their discretionary powers to offer further discounts outside this scheme. However, where an authority applies a locally funded relief, sometimes referred to as a hardship fund, under section 47 this is must be applied after the Retail Discount.
17. The eligibility for the relief and the relief itself will be assessed and calculated on a daily basis. The following formula should be used to determine the amount of relief to be granted for a chargeable day for particular hereditament in the financial year 2019-20:

Amount of relief to be granted =

$$\frac{V}{3} \text{ where}$$

V is the daily charge for the hereditament for the chargeable day after the application of any mandatory relief and any other discretionary reliefs, excluding those where local authorities have used their discretionary relief

² As required in the NNDR3 guidance notes, the former categories of discretionary relief prior to the localism act (i.e. charitable/CASC/rural etc. top up and not for profit) should be applied first in the sequence of discretionary reliefs and, therefore, before the retail discount.

powers introduced by the Localism Act which are not funded by section 31 grants³.

18. This should be calculated ignoring any prior year adjustments in liabilities which fall to be liable on the day.
19. Ratepayers that occupy more than one property will be entitled to relief for each of their eligible properties, subject to State Aid De Minimis limits.

State Aid

20. State Aid law is the means by which the European Union regulates state funded support to businesses. Providing discretionary relief to ratepayers is likely to amount to State Aid. However Retail Relief will be State Aid compliant where it is provided in accordance with the De Minimis Regulations (1407/2013)⁴.
21. The De Minimis Regulations allow an undertaking to receive up to €200,000 of De Minimis aid in a three year period (consisting of the current financial year and the two previous financial years). Local authorities should familiarise themselves with the terms of this State Aid exemption, in particular the types of undertaking that are excluded from receiving De Minimis aid (Article 1), the relevant definition of undertaking (Article 2(2)⁵) and the requirement to convert the aid into Euros⁶.
22. To administer De Minimis it is necessary for the local authority to establish that the award of aid will not result in the undertaking having received more than €200,000 of De Minimis aid. Note that the threshold only relates to aid provided under the De Minimis Regulations (aid under other exemptions or outside the scope of State Aid is not relevant to the De Minimis calculation). Annex B of this guidance contains a sample De Minimis declaration which local authorities may wish to use, to discharge this responsibility. Where local authorities have further questions about De Minimis or other aspects of State Aid law, they should seek advice from their legal department in the first instance⁷.
23. The UK is scheduled to leave the EU on 29 March 2019. If there is an Implementation Period, the State Aid rules will continue to apply as now and will be subject to control by the EU Commission as at present. If the UK leaves the EU without a negotiated Withdrawal Agreement, the Government has announced its intention to transpose EU State Aid rules into UK domestic legislation, with only technical modifications to correct deficiencies with the transposed EU law to ensure

³ As required in the NNDR3 guidance notes, the former categories of discretionary relief prior to the localism act (i.e. charitable/CASC/rural etc. top up and not for profit) should be applied first in the sequence of discretionary reliefs and, therefore, before the retail discount.

⁴ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2013:352:0001:0008:EN:PDF>

⁵ The 'New SME Definition user guide and model declaration' provides further guidance: http://ec.europa.eu/enterprise/policies/sme/files/sme_definition/sme_user_guide_en.pdf

⁶ http://ec.europa.eu/budget/contracts_grants/info_contracts/infoeuro/infoeuro_en.cfm

⁷ Detailed State Aid guidance can also be found at:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/15277/National_State_Aid_Law_Requirements.pdf

the regime operates effectively in a domestic context⁸. Local authorities should therefore continue to apply State Aid rules, including De Minimis, to the relief for 2019/20 and 2020/21.

Splits, mergers, and changes to existing hereditaments

24. The relief should be applied on a day to day basis using the formula set out above. A new hereditament created as a result of a split or merger during the financial year, or where there is a change of use, should be considered afresh for the relief on that day.

⁸ <https://www.gov.uk/government/publications/state-aid-if-theres-no-brexit-deal/state-aid-if-theres-no-brexit-deal>

Annex A: Calculation examples for 2019/20

The retail discount (one third) is always calculated after mandatory relief and other discretionary reliefs funded by section 31 grant.

Example 1: An occupied shop with a rateable value of £40,000

Gross rates (before any reliefs) = £40,000 x 0.491	= £19,640
Retail discount (1/3):	= -£6,547
Rates due (after retail discount):	= £13,093

Example 2: An occupied charity shop with a rateable value of £40,000

Gross rates (before any reliefs) = £40,000 x 0.491	= £19,640
Net rates after charity relief:	= <u>£3,928</u>
Retail discount (1/3):	= -£1,309
Rates due (after charity relief and retail discount):	= £2,619

Example 3: An occupied shop with a rateable value of £13,500 eligible for Small Business Rate Relief (SBRR)

Gross rates (before any reliefs) = £13,500 x 0.491	= £6,629
Net rates after SBRR (50%):	= <u>£3,314</u>
Retail discount (1/3):	= -£1,105
Rates due (after SBRR and retail discount):	= £2,210

Example 4: An occupied shop with a rateable value of £10,000 eligible for Small Business Rate Relief (SBRR)

Gross rates (before any reliefs) = £10,000 x 0.491	= £4,910
Net rates after SBRR (100%):	= £nil
Rates bill is nil and, therefore, no retail discount applies	

Example 5: An occupied shop with a rateable value of £40,000 eligible for Transitional Relief (TR) and receiving Revaluation Discretionary Relief

Gross rates (before any reliefs) = £40,000 x 0.491	= £19,640
Transitional Relief (say):	= -£1,500
Net rates after Transitional Relief:	= £18,140
Net rates after Revaluation Discretionary Relief (say):	= <u>£15,140</u>
Retail discount (1/3):	= -£5,047
Rates due (after TR, revaluation relief and retail discount):	= £10,093

Example 6: An occupied shop with a rateable value of £18,000 previously paying nothing prior to revaluation 2017 and eligible for Supporting Small Businesses Relief (SSB)

Gross rates (before any reliefs) = £18,000 x 0.491	= £8,838
Supporting Small Businesses Relief (say):	= -£7,038

Appendix A

Net rates after SSB:	= £1,800
Retail discount (1/3):	= -£600
Rates due (after SSB and retail discount):	= £1,200

Example 7: A shop with a rateable value of £40,000 (example 1) but only occupied until 30 September 2019

Gross rates (before any reliefs) = £40,000 x 0.491	= £19,640
Retail discount (1/3):	= -£6,547
Rates due p.a. (after retail discount):	= £13,093
Daily charge while occupied (leap year):	= £35.77 per day
Occupied charge 1/4/19 to 30/9/19 (183 days):	= £6,547
Unoccupied property relief (1/10/19 to 1/1/20):	= £nil
Unoccupied property rates (1/1/20 to 31/3/20), £19,640 x 91/366	= £4,883
Rates due for the year (after retail relief):	= £11,430

Example 8: A shop with a rateable value of £40,000 (example 1) with a rateable value increase to £60,000 with effect from 1 October 2019

Gross rates (before any reliefs) = £40,000 x 0.491	= £19,640
Retail discount (1/3):	= -£6,547
Rates due p.a. (after retail discount):	= £13,093
Daily charge while occupied (leap year):	= £35.77 per day
Charge 1/4/19 to 30/9/19 (183 days):	= £6,547
Daily charge on standard multiplier (1/10/19 to 1/1/20): (£60,000 x 0.504)/366	= £82.62 per day
Charge 1/10/19 to 31/3/20 (183 days):	= £15,120
Rates due for the year (after retail relief):	= £21,667

Annex B: Sample paragraphs that could be included in letters to ratepayers about Retail Discount for 2019/20 and 2020/21

At Autumn Budget 2018, the Chancellor announced that eligible retailers will receive a one third discount on their business rates bills for two years from April 2019.

Relief will be provided to eligible occupied retail properties with a rateable value of less than £51,000 in 2019/20 and 2020/21. Your current rates bill includes this Retail Discount.

Awards such as Retail Discount are required to comply with the EU law on State Aid⁹. In this case, this involves returning the attached declaration to this authority if you have received any other *de minimis* State Aid, including any other Retail Discount you are being granted for premises other than the one to which this bill and letter relates, and confirming that the award of Retail Discount does not exceed the €200,000 an undertaking¹⁰ can receive under the *de minimis* Regulations EC 1407/2013.

Please complete the declaration and return it to the address above. In terms of declaring previous *de minimis* aid, we are only interested in public support which is *de minimis* aid (State Aid received under other exemptions or public support which is not State Aid does not need to be declared).

If you have not received any other *de minimis* State Aid, including any other Retail Discount you are being granted for premises other than the one to which this bill and letter relates, you do not need to complete or return the declaration.

If you wish to refuse to receive the Retail Discount granted in relation to the premises to which this bill and letter relates, please complete the attached form and return it to the address above. You do not need to complete the declaration. This may be particularly relevant to those premises that are part of a large retail chain, where the cumulative total of Retail Discount received could exceed €200,000.

Under the European Commission rules, you must retain this letter for three years from the date on this letter and produce it on any request by the UK public authorities or the European Commission. (You may need to keep this letter longer than three years for other purposes). Furthermore, information on this aid must be supplied to any other public authority or agency asking for information on '*de minimis*' aid for the next three years.

⁹ Further information on State Aid law can be found at <https://www.gov.uk/state-aid>

¹⁰ An undertaking is an entity which is engaged in economic activity. This means that it puts goods or services on a given market. The important thing is what the entity does, not its status. Therefore, a charity or not for profit company can be undertakings if they are involved in economic activities. A single undertaking will normally encompass the business group rather than a single company within a group. Article 2.2 of the *de minimis* Regulations (Commission Regulation EC/ 1407/2013) defines the meaning of 'single undertaking'.

‘De minimis’ declaration

Dear []

NON-DOMESTIC RATES ACCOUNT NUMBER: _____

The value of the non-domestic rates Retail Discount to be provided to [name of undertaking] by [name of local authority] is £ [] (Euros []).

This award shall comply with the EU law on State Aid on the basis that, including this award, [name of undertaking] shall not receive more than €200,000 in total of *De minimis* aid within the current financial year or the previous two financial years). The *de minimis* Regulations 1407/2013 (as published in the Official Journal of the European Union L352 24.12.2013) can be found at:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2013:352:0001:0008:EN:PDF> .

Amount of <i>de minimis</i> aid	Date of aid	Organisation providing aid	Nature of aid

I confirm that:

1) I am authorised to sign on behalf of _____ [name of undertaking]; and

2) _____ [name of undertaking] shall not exceed its *De minimis* threshold by accepting this Retail Discount.

SIGNATURE:

NAME:

POSITION:

BUSINESS:

ADDRESS:

DATE:

Refusal of Retail Discount form

Name and address of premises	Non-domestic rates account number	Amount of Retail Discount

I confirm that I wish to refuse Retail Discount in relation to the above premises.

I confirm that I am authorised to sign on behalf of _____ [name of undertaking].

SIGNATURE:

NAME:

POSITION:

BUSINESS:

ADDRESS:

DATE:



Business Rates

Retail Relief Policy

1. Introduction and Purpose

The Government announced in the Budget on 29 October 2018 that it will provide a Business Rates Retail Discount scheme for occupied retail properties with a rateable value of less than £51,000 in each of the years 2019-20 and 2020-21.

This document provides guidance about the operation and delivery of the policy, including:

Factors that should be considered when making a decision to award or refuse relief;

Arrangements to delegate authority to award relief in appropriate circumstances;

Appeals procedure for customers dissatisfied with the Council's decision;

If you would like further advice on application of the scheme please contact the Business Rates section at businessrates@midkent.gov.uk

2. How the relief will be provided

As this is a measure for 2019-20 and 2020-21 only, the Government is not changing the legislation around the reliefs available to properties. Instead the Government will, in line with the eligibility criteria set out in this guidance, reimburse the Council where it uses its discretionary relief powers, introduced by the Localism Act (under section 47 of the Local Government Finance Act 1988, as amended) to grant relief.

It is for the Council to decide on the scheme which they chose to adopt and decide in each individual case when to grant relief under section 47.

3. Which properties will benefit from the relief

Properties that will benefit from the relief will be occupied properties listed for rating (a hereditament) with a rateable value of less than £51,000 that are wholly or mainly being used as shops, restaurants, cafes and drinking establishments.

We consider shops, restaurants, cafes and drinking establishments to mean:

Hereditaments that are being used for the sale of goods to visiting members of the public:

Shops (such as: florist, bakers, butchers, grocers, greengrocers, jewellers, stationers, off licences, chemists, newsagents, hardware stores, supermarkets, etc)

Charity shops

Opticians

Post offices

Furnishing shops/ display rooms (such as: carpet shops, double glazing, garage doors)

Car/ caravan show rooms

Second hand car lots

Markets

Petrol stations

Garden centres

Art galleries (where art is for sale/hire)

Hereditaments that are being used for the provision of the following services to visiting members of the public:

Hair and beauty services (such as: hairdressers, nail bars, beauty salons, tanning shops, etc)

Shoe repairs/ key cutting

Travel agents

Ticket offices e.g. for theatre

Dry cleaners

Launderettes

PC/ TV/ domestic appliance repair

Funeral directors

Photo processing

Tool hire

Car hire

Hereditaments that are being used for the sale of food and/ or drink to visiting members of the public:

Restaurants

Takeaways

Sandwich shops

Coffee shops

Pubs

Bars

To qualify for the relief the hereditament should be wholly or mainly being used as a shop, restaurant, cafe or drinking establishment. In a similar way to other reliefs (such as charity relief), this is a test on use rather than occupation.

Hereditaments which are occupied but not wholly or mainly used for the qualifying purpose will not qualify for the relief.

The list set out above is not intended to be exhaustive as it would be impossible to list the many and varied retail uses that exist. There will also be mixed uses.

The list is intended to be a guide as to the types of uses that the Council considers for this purpose to be retail.

The Council will determine whether particular properties not listed are broadly similar in nature to those above and, if so, to consider them eligible for the relief.

Conversely, properties that are not broadly similar in nature to those listed above should not be eligible for the relief.

4. Properties that will NOT qualify for relief

The list below sets out the types of uses that the Council does not consider to be retail use for the purpose of this relief. Again, the Council will determine whether particular properties are broadly similar in nature to those below and, if so, to consider them not eligible for the relief under their local scheme.

Hereditaments that are being used for the provision of the following services to visiting members of the public:

Financial services (e.g. banks, building societies, cash points, bureaux de change, payday lenders, betting shops, pawn brokers)

Other services (e.g. estate agents, letting agents, employment agencies)

Medical services (e.g. vets, dentists, doctors, osteopaths, chiropractors)

Professional services (e.g. solicitors, accountants, insurance agents/ financial advisers, tutors)

Post office sorting offices

Hereditaments that are not reasonably accessible to visiting members of the public:

Cinemas

Theatres

Museums

Nightclubs

Music venues

Gyms

5. How much relief will be available

The total amount of retail relief available for each property for each of the years under this scheme is $\frac{1}{3}$ rd of the net Business Rates payable.

There is no relief available under this scheme for properties with a rateable value of £51,000 or more.

The eligibility for the relief and the relief itself will be assessed and calculated on a daily basis. A new hereditament created as a result of a split or merger during the financial year, or where there is a change of use, should be considered afresh for the relief on that day.

The following formula should be used to determine the amount of relief to be granted for a particular hereditament in the financial year:

Amount of relief to be granted =

$\frac{V}{3}$ where

V is the daily charge for the hereditament for the chargeable day after the application of any mandatory relief and any other discretionary reliefs.

The relief will be applied against the net bill after all other reliefs.

This will be calculated ignoring any prior year adjustments in liabilities which fall to be liable on the day.

Ratepayers that occupy more than one property will be entitled to relief for each of their eligible properties, subject to State Aid de minimis limits.

6. State Aid

State Aid law is the means by which the European Union regulates state funded support to businesses. Providing discretionary relief to ratepayers is likely to amount to State Aid.

Retail Relief will be State Aid compliant where it is provided in accordance with the De Minimis Regulations (1407/2013).

The De Minimis Regulations allow an undertaking to receive up to €200,000 of De Minimis aid in a three year period (consisting of the current financial year and the two previous financial years).

To administer De Minimis it is necessary for the local authority to establish that the award of aid will not result in the undertaking having received more than €200,000 of De Minimis aid.

Where the Council makes an award based on an assumption that the undertaking will not be in receipt of more than €200,000 of De Minimis aid, an explanatory note will be provided and the undertaking requested to contact the Council where they believe they have may or have reached the De Minimis threshold. In such instances the council reserves the right to withdraw.

7. Period of Award and Backdating

This is a measure for 2019-20 and 2020-21 only. Where the Council has reason to believe (based on the information held) that the criteria for relief has been met, it will make an annual award at the start of each financial year 2019-20 and 2020-21.

Where liability starts, ends or changes part way through a year entitlement to relief will be reviewed in line with the guidance set out above.

The council will not accept any backdated requests for relief beyond the end of financial year for which relief is being claimed.

8. Decision making and appeals

Where the Council has reason to believe (based on the information held) that the criteria for relief has been met, it will award relief without the need for an application.

In all other circumstances an application will be required in writing setting out how the criteria for relief have been met.

In the interests of efficiency, the authority to consider applications is delegated to the Revenues Manager, who will ensure that a decision is notified in writing within 21 days of receipt of application or as soon as is reasonably practical thereafter.

Any appeal against the decision to award or not award relief or against the level of relief must be made in writing within four weeks of notification of the decision.

Authority to consider appeals is delegated to the Head of Revenues and Benefits Partnership who will notify the applicant of the final decision in writing within 10 days as to whether an appeal is refused or accepted, with a full explanation of the reasons for the decision.

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Full Council

27 February 2019

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

Yes

Budget 2019/20 and Medium Term Financial Strategy Update

Final Decision-Maker	Full Council
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	Lee Colyer – Director of Finance, Policy and Development
Classification	Non-exempt
Wards affected	All

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

1. That Council approves the changes to the base budget along with the assumptions and approach set out throughout the report;
2. That Council approves the responses to the budget consultation (to be inserted after the consultation closes) in Appendix C;
3. That Council approves the rolling forward of the capital programme including additional gross funding of £2,643,340 for new schemes listed within the report;
4. That Council approves the 2019/20 Pay Policy Statement set out in Appendix D; and
5. That Council approves an increase in the 'Basic Amount' of Council Tax of £5.19 for a Band D property.

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

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

The Council's budget involves the allocation of financial resources to deliver the Council's Key Objectives.

Agenda Item 11

Timetable	
<i>Meeting</i>	<i>Date</i>
Management Board	19 December 2018
Discussion with Portfolio Holder	10 December 2018
Finance and Governance Cabinet Advisory Board	15 January 2019
Cabinet	7 February 2019
Full Council	27 February 2019

Budget 2019/20 and Medium Term Financial Strategy Update

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 This report outlines the assumptions that have been built into the proposed budget for 2019/20.
- 1.2 Cabinet have proposed that this budget be adopted by full Council which includes the following main headlines:
- Another year of zero Revenue Support Grant.
 - The Year 9 New Homes Bonus of £221,525 to be placed into the Grant Volatility Reserve.
 - No major reductions to services.
 - An increase in the amount of Basic Council Tax of £5.19 for a Band D property.
 - No use of the general fund in balancing the budget.
- 1.3 The draft budget has been subject to public consultation and awareness has been made to groups representing communities in both the town and rural parts of the Borough.

Members are reminded that section 106 of the Local Government Finance Act 1992 applies to any meeting where consideration is given to matters relating to, or which might affect, the calculation of Council Tax.

Any Member of a Local Authority, who is liable to pay Council Tax, and who has any unpaid Council Tax amount overdue for at least two months, even if there is an arrangement to pay off the arrears, must declare the fact that he/she is in arrears and must not cast their vote on anything related to TWBC's Budget or Council Tax.

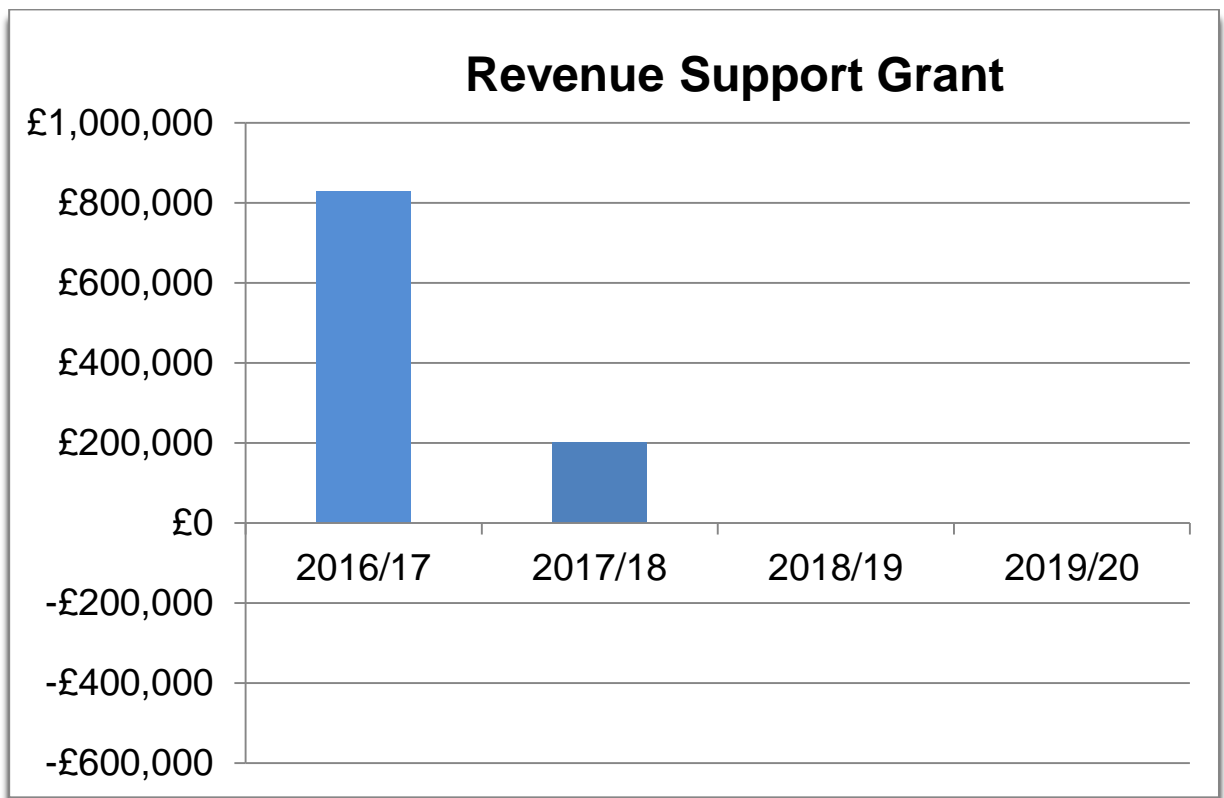
2. INTRODUCTION AND BACKGROUND

- 2.1 Cabinet received the first report leading to the setting of the 2019/20 budget at the meeting on 2 August 2018 entitled Budget Projection and Strategy which had also been considered by the Finance & Governance Cabinet Advisory Board. This was followed by a Budget Update report on 2 October 2018 and the Draft Budget on 6 December 2018.

Provisional Local Government Finance Settlement 2019/20

- 2.2 On 13 December 2018, the Secretary of State for the Ministry of Housing, Communities and Local Government made a statement to Parliament on the provisional local government finance settlement 2019/20.

2.3 The settlement will once again result in no Revenue Support Grant (RSG) for this Council to help fund local services. This is actually a significant improvement on the £606,000 of negative RSG for which taxpayers in this borough were scheduled to pay to government and to other parts of the country. It has taken four years of persuasive argument to get the government to remove negative RSG which has now been achieved with the cost being funded at a national level through foregone business rates. This marks the final year of the settlement and is shown below.



2.4 Other main changes announced as part of the 2019/20 provisional settlement are set out below.

- **Future of Business Rates Retention** – The government is aiming to increase the level of business rates retention for all councils from the current 50 per cent to 75 per cent from April 2020. The government is also intending to implement reforms to the business rates retention system to ensure local councils have the levers and incentives they need to grow their local economies.
- The government has published a technical consultation paper as part of the Business Rates Retention scheme “Sharing risk and reward, managing volatility and setting up the reformed system”. The paper proposes a change in how the system is administered to mitigate the volatility business rates appeals have on local authorities’ income and to help minimise complexity in the system.
- Kent & Medway has been accepted as a business rates pool for 2019/20.

- **Fair Funding Review** – The government has published a further consultation paper “A Review of Local Authorities’ Relative Needs and Resources”. This continues the government’s work to address concerns about the fairness of current funding distributions by determining a robust and effective formula. However, a revised distribution model can only be effective if sufficient funding is provided by government with which to distribute.
- **Council Tax ‘Cap’** – The Government will continue to set a ‘cap’ of 3 per cent which will provide more income for those areas with already high levels of council tax and widen the gap with those areas of low taxation such as this Council. The government decided not to increase the £5 de-minimis ‘cap’ for shire district councils, despite widespread calls to do so. The ‘cap’ has again been raised significantly for Police and Crime Commissioners who can increase Council Tax by £24 and there will be no ‘cap’ for parish and town councils. The Government says this strikes the right balance between local authorities having the power to raise income while protecting council tax payers from excessive rises.
- **New Homes Bonus** – There have been no further changes to the deadweight threshold (at 0.4 per cent) or the eligibility of properties to qualify for the funding.

New Homes Bonus

- 2.5 The New Homes Bonus (NHB) scheme was introduced in 2011 as a financial incentive for local authorities to facilitate housing growth and to sit alongside the existing planning system. In particular the scheme was designed in line with the following key principles:
- **Powerful** – the grant will be payable for the following six years. Those authorities which respond to the incentive and embrace housing growth will reap the benefits.
 - **Simple** – for each additional home local authorities will receive six years of grant based on the council tax.
 - **Transparent** – it will be easy for councillors, the community and developers to calculate and see the early benefits of growth.
 - **Predictable** – the scheme is intended to be a permanent feature of local government funding and will therefore continue beyond the six-year cycle.
 - **Flexible** – local authorities will be able to decide how to spend the funding in line with local community wishes. This will enable local councillors to lead a more mature debate with local people about the benefits of growth, not just costs.
- 2.6 This Council accepted its responsibility to help deliver housing growth in a managed way with regard to planning policy against the backdrop of the principles of the NHB scheme.
- 2.7 However, in 2016 the Government decided to make changes to the scheme to divert funding away from rewarding housing growth to instead be used for adult social care. The main changes were as follows:

- A reduction of the number of years NHB payments are made from six to four years; and
- The introduction of a national baseline for housing growth of 0.4 per cent of council tax base, below which NHB will not be paid (equates to 155 homes for this borough).

2.8 The above changes to the NHB scheme not only confuse the financial incentive for delivering more houses with the funding of social care but they also reaffirm the centralised system of funding for local services in England. There can be little confidence remaining that the NHB will not be diluted further which undermines strategic financial planning.

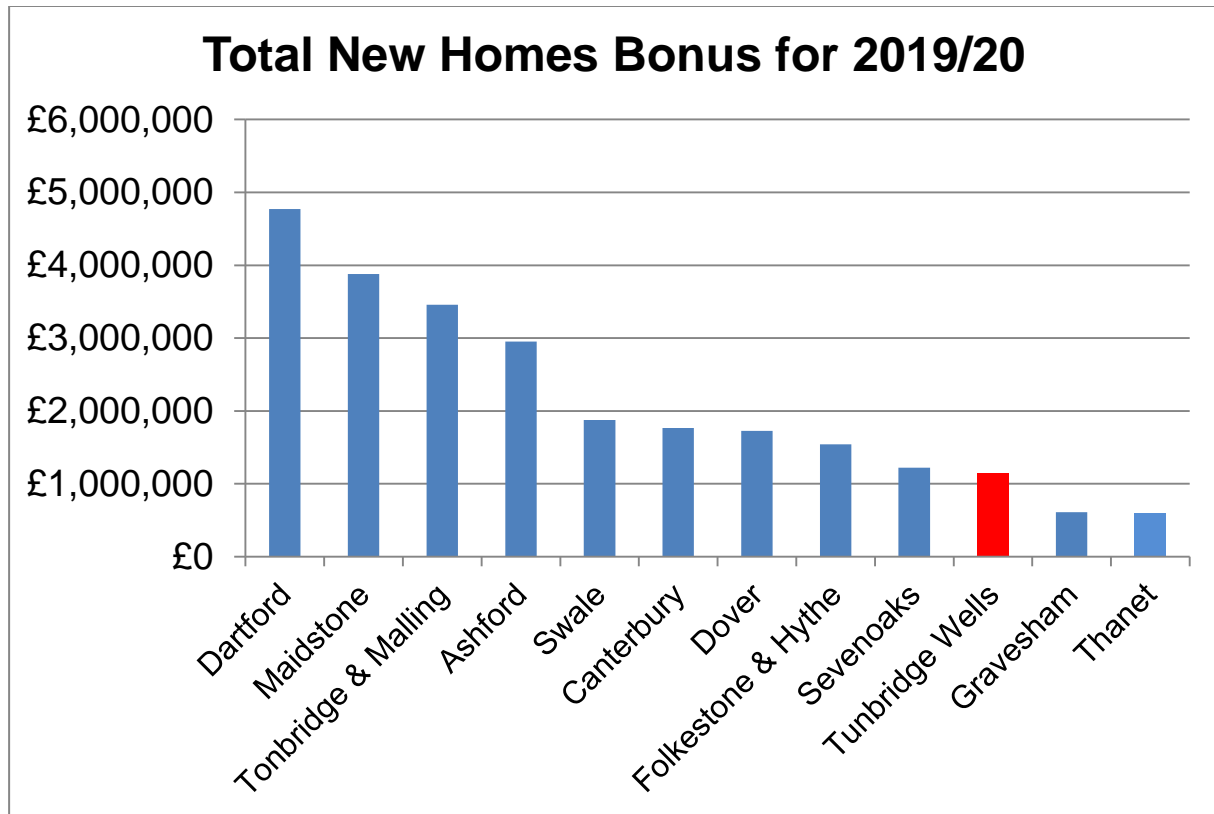
2.9 The only positive to take from these changes to government policy is that this Council has a relatively low exposure to the NHB scheme as it receives one of the lowest amounts of NHB in Kent.

New Homes Bonus Strategy

2.10 In the 2018/19 budget the Council used all £1.056 million of NHB in the base budget. The provisional NHB allocations for 2019/20 have been announced with £1.143 million for this Council but due to the fickle nature of the NHB it is prudent to transfer the Year 9 allocation of £221,525 to the Grant Volatility Reserve. The impact of these changes is shown below:

	16/17 £000s	17/18 £000s	18/19 £000s	19/20 £000s	20/21 £000s	21/22 £000s	22/23 £000s	23/24 £000s
Year 10 - Net					TBC	TBC	TBC	TBC
Year 9 - Net				222	222	222	222	
Year 8 - Net			184	184	184	184		
Year 7 - Net		183	183	183	183			
Year 6	554	554	554	554				
Year 5	135	135	135					
Year 4	96	96						
Year 3	390	390						
Year 2	339							
Year 1	259							
NHB Allocation	1,773	1,358	1,056	1,143				
NHB in Budget	1,773	1,358	1,056	921				
NHB to Reserves	0	0	0	222				
Total	1,773	1,358	1,056	1,143				

2.11 The total New Homes Bonus for 2019/20 across Kent authorities is shown below.



2.12 Income from NHB varies widely across Kent with some councils receiving more in their Year 9 allocation alone than this Council receives in its four-year total. The annual difference between the NHB received by Tonbridge & Malling and TWBC is around £2.5 million and with the scheme now in year nine this indicates a difference of £22.5 million in total NHB proceeds.

Revenue Budget 2019/20

2.13 The budget provides the financial resources to deliver the Council's priorities and statutory responsibilities. The major changes over the current year are summarised in the table below.

	£000s
Negative Government Grant (Under review)	606
Removal of Negative Government Grant	(606)
Reduction in Administration Grants	10
Reduction in New Burdens Grant	10
Reduction in Universal Credit Grant	80
Employment costs	50
Reduction in transport costs from using Skype	(10)
Software Licences	25

Counsel Fees	12
New Cleaning Contract	45
Business Rates on TWBC Properties	32
Bank Charges	13
Planning Policy	22
Building Control	36
Private Sector Housing	36
Environmental Protection	15
Reduction in Car Parking Income	156
Additional Income from Fees and Charges	(290)
Additional Council Tax Income	(314)
No surplus in the Collection Fund	68
Other costs	4
Use of Reserves	0
Balanced Net Revenue Budget	0

2.14 The budget is forecast to be balanced for 2019/20. If any of the expected savings or efficiencies fail to be delivered and are not replaced with alternatives then a budget gap would occur requiring the use of reserves. However, the use of general reserves is unsustainable over the longer term which led Cabinet in 2012 to set a definition of a balanced budget as follows:

“Where ongoing expenditure is met from fees, charges, government grant and council tax with only the use of earmarked reserves being used to meet one-off priority expenditure.”

2.15 If this strategy is to be met then tight financial control will continue to be required to adhere to the budget agreed and action implemented where variances are identified. The alternative is to temporarily use the general fund to balance the revenue budget.

Employee Costs

2.16 Increased partnership working, efficiencies and the move to local pay and allowances enabled the Council to continue to reduce the pay bill and the number of staff it employs. The exceptions to this are the additional internal resources to deliver the Development Programme, bringing the Planning Support Service back in-house and this Council becoming the single employer for the Mid-Kent Environmental Health Partnership.

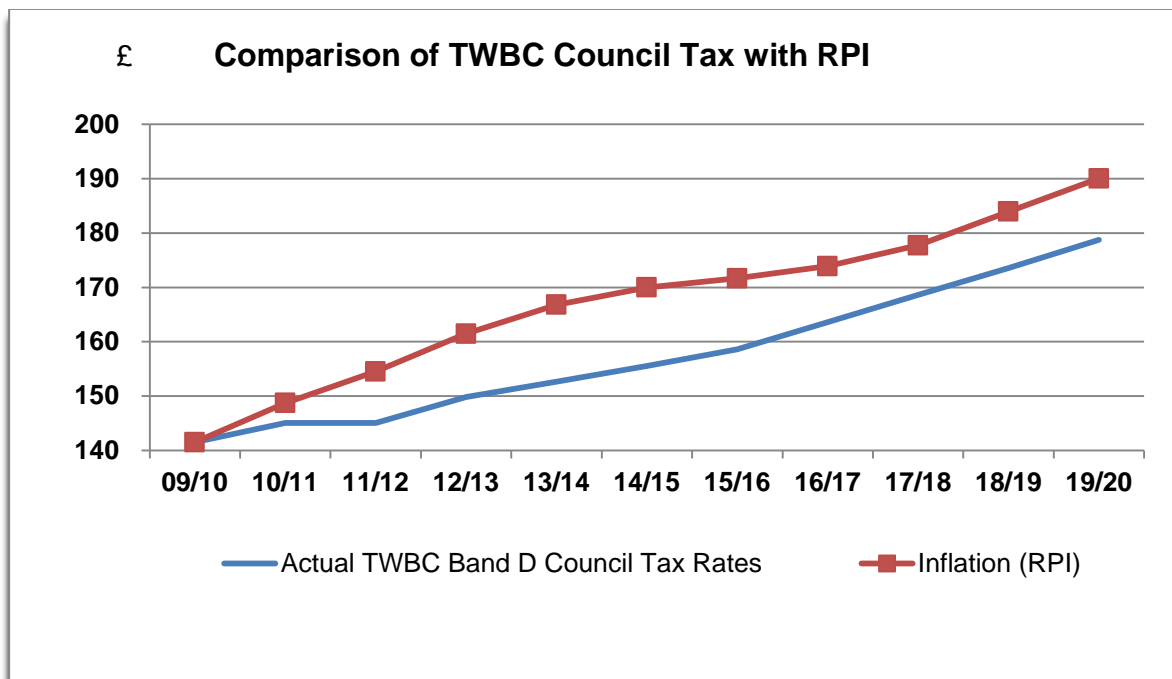
Year	Total Salary Budget	Full Time Equivalents
	£	
2010/11	11,334,700	384.45
2011/12	10,971,260	360.32
2012/13	10,829,520	347.86
2013/14	10,257,180	334.66
2014/15	9,330,620	306.47
2015/16	9,018,920	282.55

2016/17	9,569,480	293.52
2017/18	9,786,990	297.26
2018/19	10,440,940	306.82
2019/20	10,131,480	307.44

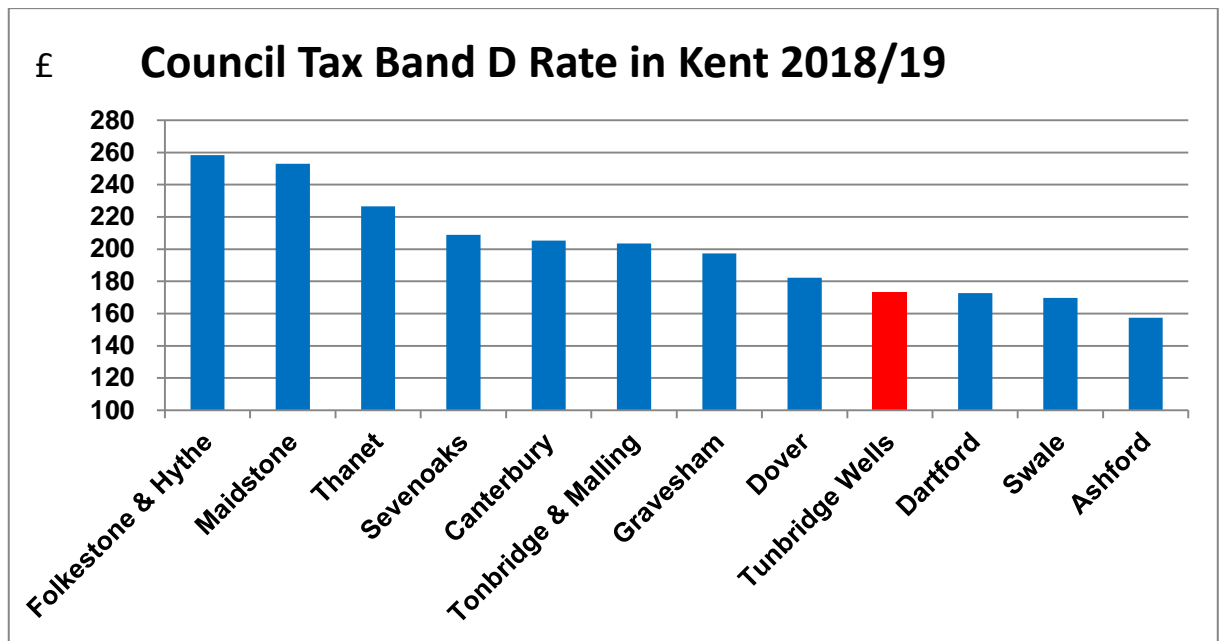
Council Tax Strategy

2.17 One source of funding for the provision of local services is council tax. This Council has historically had a policy of very low council tax levels and the strategy is for council tax to increase up to the referendum threshold set by the Secretary of State. The cost of triggering a referendum for this Borough would be £100,000.

2.18 The following graph shows that since 2009/10 council tax has been cut in real terms compared to inflation and was frozen in 2011/12.

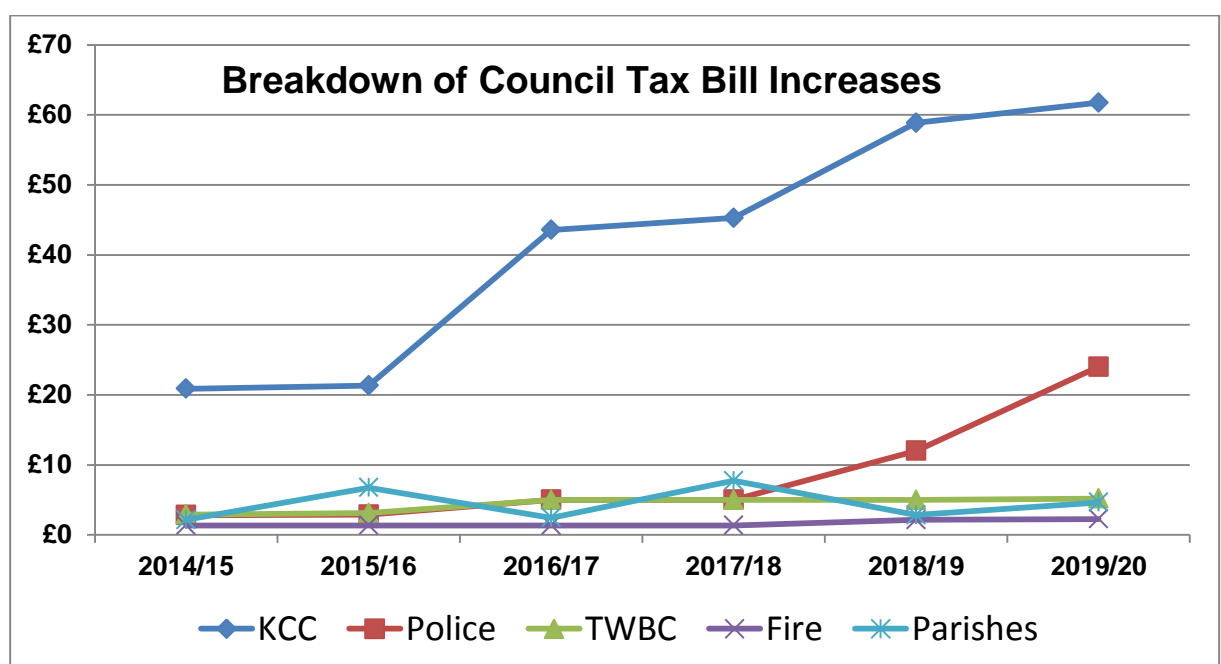


2.19 The graph below shows the comparison across Kent of the average council tax rates for 2018/19. By way of example if Sevenoaks and Maidstone councils freeze their council tax every year and this Council agrees an increase of £5 every year then it would take 8 years and 16 years respectively for the TWBC rate to reach the level charged by these councils.



2.20 It should be appreciated that each area is different and not all councils provide the same range and level of services. This is especially important when discretionary services are provided which require a subsidy such as a museum or theatre.

2.21 The past couple of years have seen significant changes to the Council Tax 'cap' set by government to different types of authorities that form part of the annual Council Tax bill. Kent County Council who account for the largest portion of the Council Tax bill are allowed to again increase their rate by 5 per cent. The Police and Crime Commissioners (PCCs) used to have the same 'cap' as TWBC at around £5 but last year the PCCs were allowed to increase by £12 and this is set to rise further to £24 in 2019/20 The impact of these increases is shown below;



2.22 The level of council tax will be decided by Full Council on 27 February 2019. This final budget has been updated on the assumption that the headline level of council tax will be £178.76 (49 pence per day) which is an increase of £5.19 over the current rate. The Government has assumed in their 'spending power' calculations that this Council will increase council tax by 3 per cent.

'User Pays' Principle

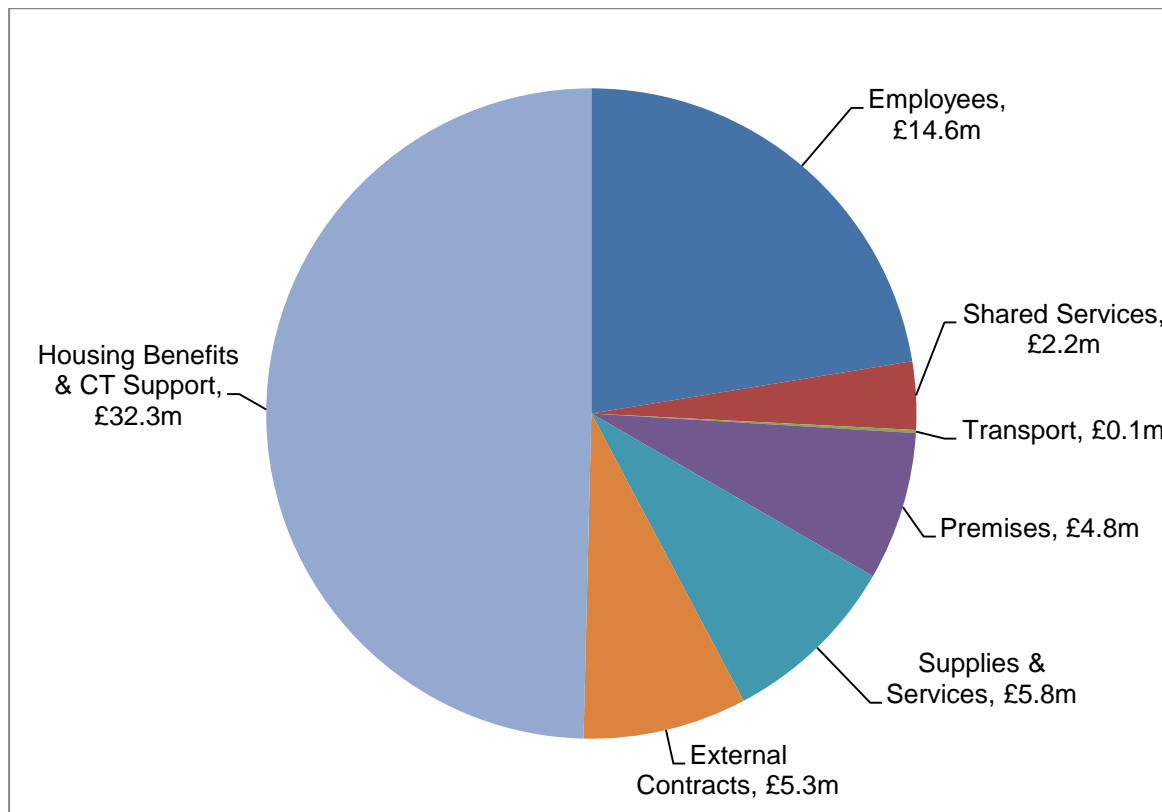
2.23 With operating costs driving up expenditure it will be necessary to recover these costs from the user of those services rather than all council tax payers. The Council has used feedback over the years to keep council tax low and to pass on costs to the users of optional services through higher fees and charges.

2.24 In November 2018, Cabinet agreed the 'fees and charges' report for areas which are not dictated by central government. The budget assumes that the total income from the charges set out in these reports is achieved.

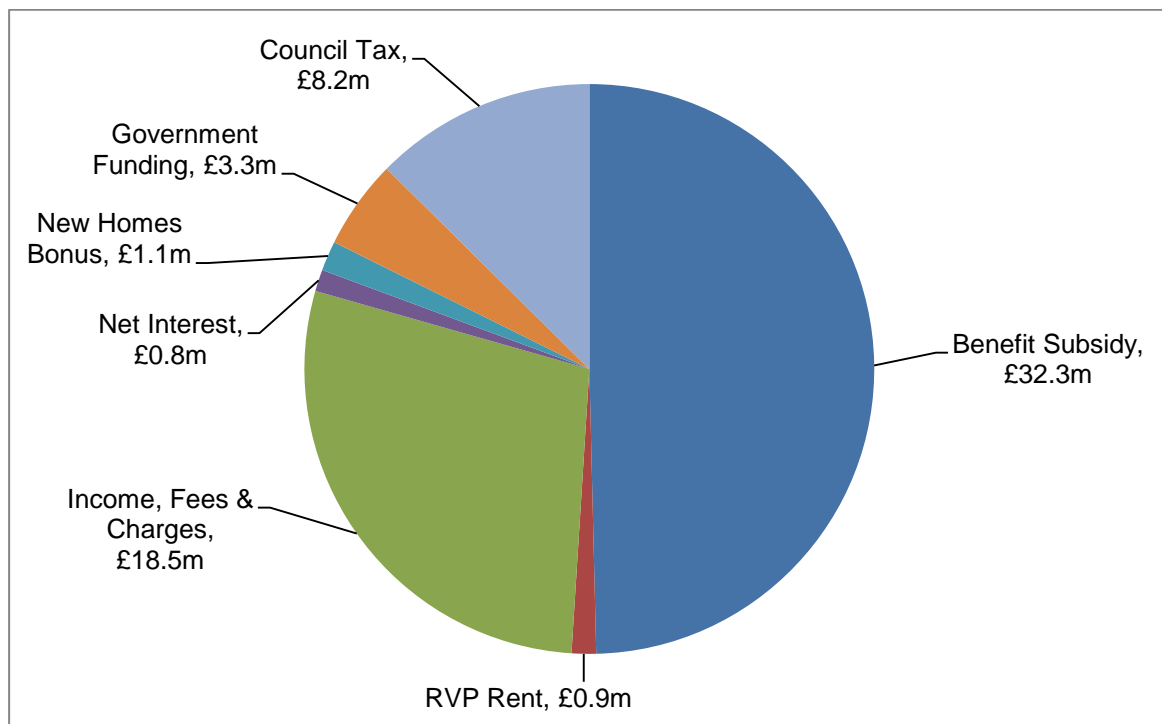
Budget Breakdown

2.25 The Council provides a diverse range of services across the Borough which are budgeted to cost £65.1 million. The following pie charts summarise the revenue expenditure and how this is funded.

Revenue Expenditure 2019/20



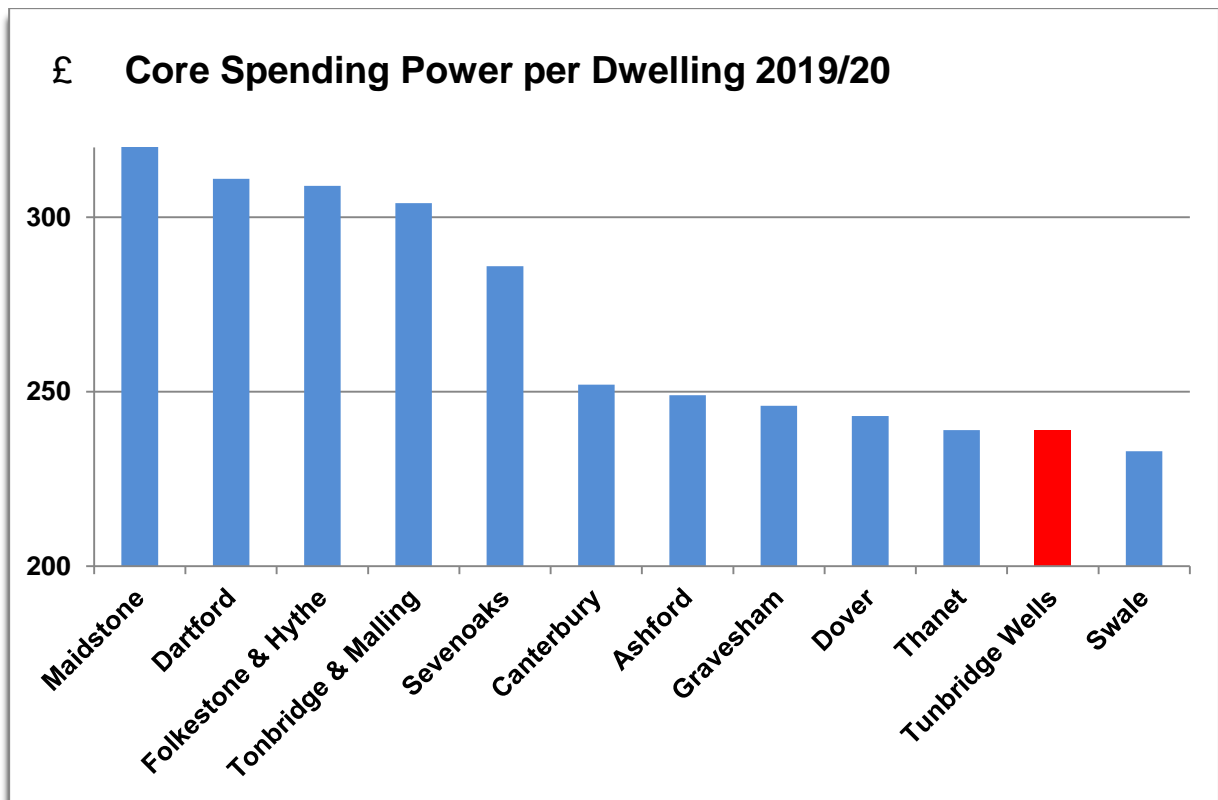
Revenue Income 2019/20



A further subjective breakdown of the budget per cost centre will be available on the Council's website.

Spending Power

2.26 The Government has developed a universal benchmarking indicator called 'Spending Power' to enable comparisons between councils of the income they receive from national and local tax payers. This indicator appears to be the best available for identifying how much funding each council receives per household to provide local services. The graph below shows that using the Government's own calculation TWBC has one of the lowest spending powers in Kent at just £239 per household (£230 in 2018/19).



2.27 This graph explains why despite being very efficient (as evidenced by the external auditor's clean Annual Audit Letters) and delivering excellent value for money (2015 Residents' Survey) this Council still faces financial challenges to set a balanced budget. In addition any budget gap will widen as more services that generate an income are nationalised (Local Land Charges) and those that cost money are localised (business rate appeals).

Digital Transformation

2.28 It is not possible to keep working harder and faster with fewer resources and still provide safe, effective services. The Council will need to find new ways of working smarter and deliver services in a more digitally efficient form which meets with the way the public now interact with service providers. The Council has a Digital Services and Transformation Team in place to improve operational delivery and transform the way that services are provided. Details of these projects are reported quarterly to Cabinet and the resulting efficiencies will be incorporated in the budget setting process.

Budget Calculations and Adequacy of Reserves

2.29 When the budget is set in February the Council's Section 151 Officer must give his view on the robustness of the estimates and adequacy of reserves.

2.30 The Council's Medium Term Financial Strategy (MTFS) 2017/18 to 2021/22 was agreed by Full Council on 22 February 2017 and projected the financial impact of the Council's current and proposed policies in the short and medium term. This report and the projections in Appendix A will form an update to the current MTFS.

2.31 It is important to recognise that there are a number of factors that can affect some budgets and where variances could be significant requiring closer budget management; these areas include:

Risk Area	Management
Planning Inquiry Costs	Whilst the primacy of planning is paramount, decisions taken by the Planning Committee can lead to formal planning inquiries which have the potential for substantial costs to arise which are not budgeted for.
Business Rates Retention Scheme	Part of the Council's government grant is now linked to the amount of business rates in the Borough. However, the Government has also transferred the liability for business rate appeals already in the system. To help mitigate the impact of appeals the Council maintains a Grant Volatility Reserve and is part of a Kent & Medway Business Rate Pool/Pilot.
Economic Conditions	The majority of the Council's income is derived from sources which are subject to the prevailing economic conditions. Economic conditions can also alter the demand for Council services and those provided by partners and the voluntary sector.
Employee Costs	The move to local pay offers some protection but a watching brief is still required especially regarding the vacancy factor. Changes to pensions, national insurance and the introduction of an apprenticeship levy have been included where known but similar further changes can have a significant cost. Demand for some professionals exceeds supply and this is exacerbated by the higher salaries available in London and parts of the private sector.
Welfare Reform	Dependant on rent levels, unemployment rates and the huge uncertainty surrounding much of the legislative changes from Welfare Reform.
Parking Income	Dependant on usage and the economic environment.
Planning and Building Control Income	Dependant on the economy and the impact of legislative changes which limit the full recovery of the cost of providing these services.
Crematorium Income	Dependant on mortality rates.
Contracts	Dependant on inflation indices and a competitive market.
Utilities	Global supply and demand plus above inflation price rises.
Land Charges	The Infrastructure Act will see Local Land Charges centralised into a single computer system. No details of timeframe or how the Land Registry will provide the service have been released.
Investment Returns	New cash deposits are dependent on interest rates and levels of balances. Property investments are dependent on the type of asset and rental demands.

Targeted Options to Reduce Net Expenditure	Assumes that savings identified are delivered and there are no unintended consequences.
Capital Receipts	Capital is tied up in non-operational assets which if released will help to reduce the use of cash reserves to fund the capital programme.
Capital Programme	Major capital schemes carry a significant risk and are managed through the Council's Strategic Risk Register.
Government Policy and Announcements by Ministers	There has been a significant increase in the volume of legislation and announcements which can undermine strategic planning and compromise budget assumptions.

Capital and Revenue Reserves

2.32 The Medium Term Financial Strategy maintains the following as an adequate level of reserves:

	Minimum
General Reserves (Revenue)	£2.0 million
Capital Reserves	£2.0 million

2.33 The reserves and balances are currently forecast to meet the above levels although maintaining this position relies on delivering not just a balanced budget in 2019/20 but a sustainable budget for the future.

2.34 In addition to the revenue and capital budget, the Council has earmarked reserves which form part of the Budget and Policy Framework and are available to fund the specific purpose of the reserve in accordance with the virement procedure rules. The projected balances of these reserves are shown below:-

Reserves	Opening Balance 1/4/2018	Movements in Reserves 2018/19	Forecast Closing Balance 31/03/2019
	£000's	£000's	£000's
General Fund	4,000	0	4,000
Earmarked Reserves	12,437	6,466	5,971
Calverley Square Reserve	316	-735	1,051
Capital Grants & Contributions	1,383	0	1,383
Capital Receipts Reserve	2,025	1,025	1,000
Amelia Scott Reserve	1,750	1,012	738
Total Reserves	21,911	7,768	14,143

Capital Programme

2.35 At the Full Council meeting on 21 February 2018 the capital programme for 2018/19 to 2021/22 was approved.

2.36 Over the course of the past year the Council has made significant efforts to dispose of surplus land and property identified in the Asset Management Plan (AMP) with a view both to deliver capital receipts and to reduce operational running costs. The AMP provides a framework for further such work over the coming year and this work will be funded from a proportion of the capital receipts received (subject to the necessary approvals).

2.37 The four-year capital programme will be rolled forward for another year. Any subsequent additions will be considered using the formal application approval process throughout the year.

2.38 Below is a summary of new applications to the capital programme which will require Full Council to agree the additional gross funding of £2,643,340.

New Capital Schemes	Gross Cost £000s	Funding £000s	Net TWBC Funding £000s
Replacement of Benhall Mill Depot to enable land disposal	688,000	0	688,000
Permanent Power Supply for Ice Rink in Calverley Grounds	176,000	(176,000)	0
Refurbishment of Packs in the Woods (residential house)	105,800	0	105,800
Town Hall New Fire Alarm	88,000	(29,000)	59,000
Video Conferencing Equipment	12,000	(12,000)	0
Southwood Road Play Area Refurbishment	41,860	(41,860)	0
Calverley Grounds Tennis Courts & Outdoor Gym Equipment	42,680	(42,680)	0
Street Lighting Columns	150,000	0	150,000
Acquisition of Access Land at Hornbeam Avenue	216,000	0	216,000
Asset Management Software	40,000	0	40,000
Acquisition of 3 sites as part of the sports strategy	1,083,000	(397,660)	685,340
Gross Cost of Capital Schemes	2,643,340	(699,200)	1,944,140
Asset Disposals		(2,000,000)	(2,000,000)
Net Funding Requirement of Capital Schemes	2,643,340	(2,699,200)	(55,860)

2.39 The table below shows the forecast impact on reserves at the end of each financial year of delivering the revenue budget and capital programme.

	31-Mar-18 Actual £000's	31-Mar-19 Forecast £000's	31-Mar-20 Forecast £000's	31-Mar-21 Forecast £000's	31-Mar-22 Forecast £000's	31-Mar-23 Forecast £000's
General Fund	4,000	4,000	4,000	4,000	4,000	4,000
Earmarked Reserves	12,437	5,971	4,162	5,496	4,881	4,446
Calverley Square Reserve	316	1,051	856	1,184	924	924
Capital Grants & Contributions	1,383	1,383	1,383	1,383	1,383	1,383
Capital Receipts Reserve	2,025	1,000	1,000	1,000	1,000	1,000
Amelia Scott Reserve	1,750	738	2,025	0	0	0
Total Reserves	21,911	14,143	13,426	13,063	12,188	11,753
Outstanding Financing						
33 Monson Road	-1,710	-1,639	-1,568	-1,497	-1,426	-1,355
Dowding House	-2,227	-2,138	-2,049	-1,960	-1,871	-1,782
Calverley Square	0	-5,000	-13,000	-58,000	-77,000	-75,460
Royal Victoria Place	0	-1,050	-1,008	-966	-924	-882
Waste Bins & Caddies	0	-680	-612	-544	-476	-408
Total Outstanding Financing	-3,937	-10,507	-18,237	-62,967	-81,697	-79,887

Note: Schemes not funded from reserves need to be charged to revenue and this repayment is reflected in the reduction in financing over the life of the asset.

- 2.40 Any major new capital scheme will need to be funded from a corresponding new capital receipt or borrowing if the minimum level of reserve balances is to be maintained.
- 2.41 In accordance with section 25 of the Local Government Act 2003 the Chief Financial Officer is required to report formally to the Council on the robustness of the estimates and adequacy of reserves. It should be noted that section 26 of the Act gives the Secretary of State power to set a minimum level of reserves for which an authority must provide in setting its budget.
- 2.42 At the time of writing this report, I am satisfied with the robustness of the estimates and adequacy of reserves.



Lee M Colyer CPFA
Director of Finance, Policy and Development (s151 Officer)

3. AVAILABLE OPTIONS

- 3.1 The budget-setting process is well rehearsed and has largely been successful in delivering a balanced budget and engaging with the public. There may be other alternatives but ultimately the Council must produce a budget which meets its statutory responsibilities.

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 To agree the content and recommendations of the report to set a balanced budget that will meet the Council's priorities.
-

5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 5.1 This is the fourth report in the process of setting the 2019/20 budget and builds on the previous views and recommendations of the Finance and Governance Cabinet Advisory Board and Cabinet.
- 5.2 A well-rehearsed process of public engagement has been used. Communication has occurred with the Town Forum, Parishes and the Overview and Scrutiny Committee to encourage engagement and feedback.
- 5.3 The draft budget was placed on the Council's consultation portal with a closing date of 16 January 2019. The comments and responses will be included in Appendix C.

RECOMMENDATION FROM CABINET ADVISORY BOARD

- 5.4 The Finance and Governance Cabinet Advisory Board were consulted on this decision on 15 January 2019 and agreed the following:

That the recommendations set out in the report be supported.

RECOMMENDATION FROM CABINET

- 5.5 The Cabinet considered the report at its meeting on 7 February 2019 and resolved as follows:

That Full Council be recommended:

1. That the changes to the base budget along with the assumptions and approach set out throughout the report be approved;
 2. That the responses to the budget consultation set out at Appendix C to the report be approved;
 3. That the rolling forward of the capital programme including additional gross funding of £2,643,340 for new schemes listed within the report be approved;
 4. That the 2019/20 Pay Policy Statement, set out at Appendix D to the report, be approved; and
 5. That an increase in the 'Basic Amount' of Council Tax of £5.19 for a Band D property be approved.
-

6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 6.1 Following the decision by Full Council the budget will be placed onto the Council's website.

7. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Legal including Human Rights Act	The Five Year Plan and budget form part of the Council's Policy Framework.	Head of Legal Partnership
Finance and other resources	This report forms part of the Council's Budget and Policy Framework.	Director of Finance, Policy and Development
Staffing establishment	Where savings proposals impact on staff then this will be managed in accordance with Human Resources policies.	Head of HR, Customer Service and Culture
Risk management	An assessment of the risk factors underpinning the budget accompanies the final budget report. The Strategic Risk Register also includes a risk on funding streams which is being monitored by Cabinet and the Audit and Governance Committee.	Head of Audit Partnership
Environment and sustainability	The budget has regard to the environmental sustainability priorities within the Five Year Plan.	Sustainability Manager
Community safety	The budget has regard to the community safety priorities within the Five Year Plan.	Community Safety Manager
Health and Safety	The budget has regard to the health and safety obligations and priorities within the Five Year Plan.	Health and Safety Advisor
Health and wellbeing	The budget has regard to the health and wellbeing priorities within the Five Year Plan.	Healthy Lifestyles Co-ordinator
Equalities	Changes to service delivery may impact on equalities; however heads of service will ensure that an equality assessment is in place where this has been identified.	Corporate Governance Officer

8. REPORT APPENDICES

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

- Appendix A: MTFS Update: Five Year Budget projections
 - Appendix B: Net budget cost per service
 - Appendix C: Summary of consultation responses
 - Appendix D: Pay Policy Statement
-

9. BACKGROUND PAPERS

- None

Appendix A

5 YEAR BUDGET PROJECTIONS

Year	Annual (Surplus) / Deficit	£000s	Explanation
0	2019/20	-	Balanced without use of the General Fund
1	2020/21	191	Fair Funding Review
2	2021/22	140	Inflationary pressures
3	2022/23	245	Inflationary pressures
4	2023/24	268	Inflationary pressures
5	2024/25	288	Inflationary pressures
NET 5 YEAR (SURPLUS)/ DEFICIT		1,132	IMPACT ON THE GENERAL FUND

Major Assumptions

- 1 These projections assume Council Tax increases by 3 per cent a year.
- 2 Fees and Charges income is forecast to increase by 3 per cent each year.
- 3 No year on year increase in car parking income.
- 4 Employment costs increase by 2.5 per cent each year.
- 5 Inflationary pressures on contracts of 4 per cent each year.
- 6 Fair funding review reduces the retained business rates baseline by £200,000

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BUDGET PER SERVICE

Budget Code	Description	2018/19 Budget 1	2019/20 Budget 1	Variance
		£	£	£
5001	Chief Executive	150,300	169,290	18,990
5002	Director of Finance, Policy & Development	151,820	145,370	(6,450)
5003	Director of Change & Communities	123,210	126,140	2,930
5010	Head of Finance & Procurement	(1,207,910)	(1,273,110)	(65,200)
5011	Mid Kent Client Services	1,692,240	1,670,560	(21,680)
5012	Head of HR, Customer Service & Culture	931,480	1,707,290	775,810
5013	Head of Housing, Health & Environment	4,403,340	5,639,500	1,236,160
5014	Head of Community Hubs	793,950	0	(793,950)
5018	Head of Economic Development & Property	385,670	248,920	(136,750)
5020	Head of Planning	704,370	884,800	180,430
5022	Head of Communities & Engagement	1,520,620	0	(1,520,620)
5024	Head of Policy & Governance	1,132,070	1,271,660	139,590
5025	Head of Facilities & Community Hubs	1,285,300	1,176,750	(108,550)
5026	Head of Digital Services & Communications	713,620	733,380	19,760
	Budget sub-total per Service	12,780,080	12,500,550	(279,530)
5032	Capital Adjustments	0	200,310	200,310
5035-7	Net Investment Income	(685,440)	(794,850)	(109,410)
5046/9	Transfer (from) to reserves	204,030	692,440	488,410
	Net Budget Requirement	12,298,670	12,598,450	299,780
5040	Retained Business Rates & Government Grants	(4,376,620)	(4,430,150)	(53,530)
5042	Council Tax	(7,854,400)	(8,168,300)	(313,900)
5043	Collection Fund (Surplus)/Deficit	(67,650)	0	67,650
	Revenue Budget	0	0	0

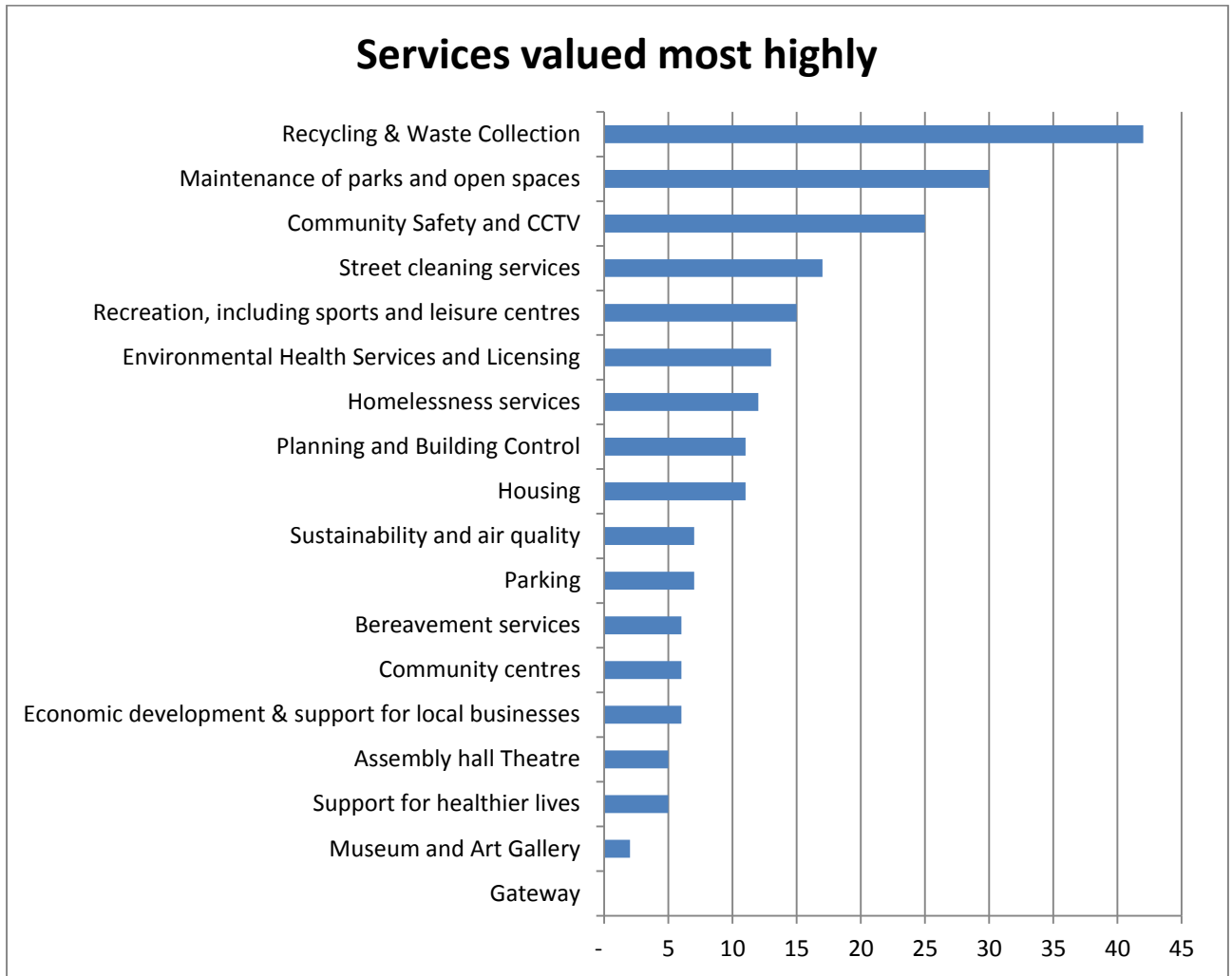
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Budget Consultation 2019/20 Results

56 respondents completed the questionnaire

Q1) Which of the following services do you value most highly?
(please select a maximum of 4)

Results:

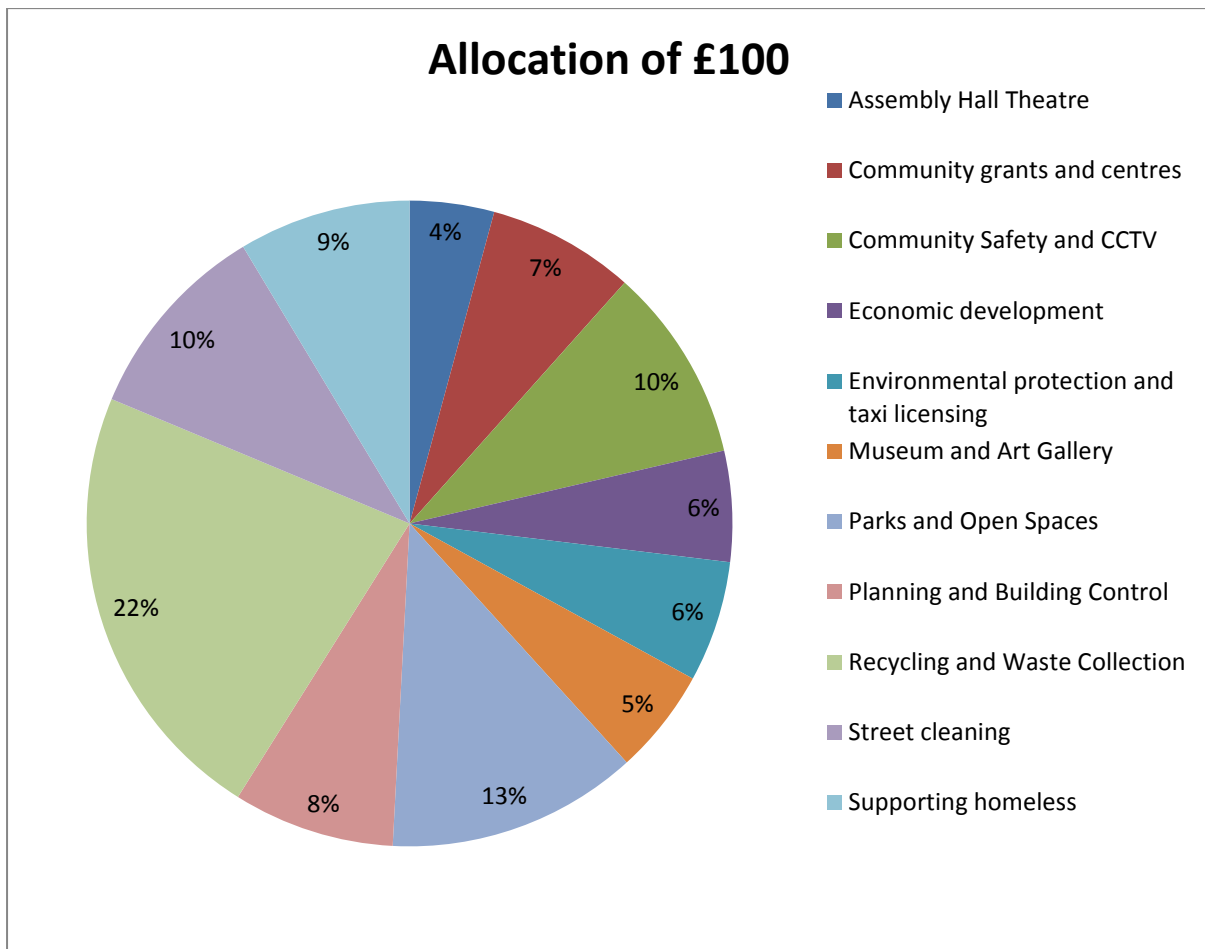


Response:

This broadly reflects the financial allocation of each service with the exception of Planning and Building Control which requires a greater portion of financial resources as charges are set at below cost by central government.

Q2) If our budget was £100 how would you allocate it across the following categories.

Results:

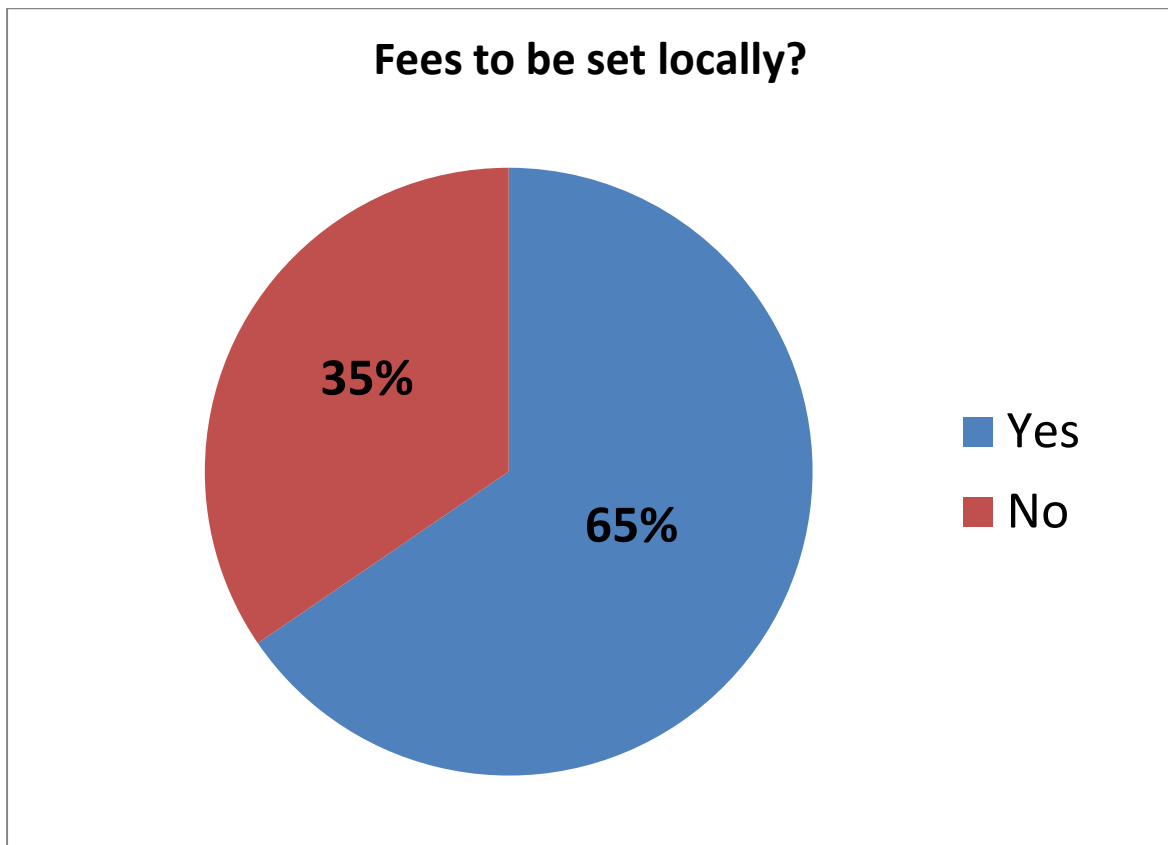


Response: The results show a broad spread of allocation across the services with money allocated towards those services that require the greatest budgets.

Q3) Other comments included;
High subsidy for the Assembly Hall Theatre
The location of the new theatre
Concerns about the civic complex site
Need to keep the borough clean to encourage respect
Need for glass recycling
More help for businesses
Excessive salaries
Priority should be just the basic functions
Build council houses
Create a West Kent unitary council

Q4) The fees the Council is able to charge for some services are set by central Government and do not cover costs. Would you support the principle of the Council being able to set charges locally for services such as planning and licensing, rather than them being subsidised by Council Tax payers?

Results



Response: The Council will continue to press government for the ability to set all fees and charges locally.

Royal Tunbridge Wells Town Forum Consultation Response to TWBC Draft Budget 2019/20

Finance Working Group's Response to Budget 2019/20	Council Response
<p>Income Side of the Budget. We first considered the income forecasts for the year 2019/20 and subsequent four years. This shows a worrying picture of increasing imbalance between monies we raise and monies we spend, culminating in a deficit of £451k in 2023/24. We are not worried about the deficit for 2019/20 at £76k, since this is both small and you already have plans for dealing with this. It is the subsequent years which give rise for concern.</p>	<p>We are very grateful for the constructive input from the Town Forum.</p> <p>The Council has an excellent track record of balancing the budget. There will always be forecast deficits and these still remain within manageable levels.</p>
<p>We refer to KCC, Police, Fire Services which between them account for four fifths of Council Tax you collect from the public. We already see how fast central government is to rescind the ceiling on Council Tax increases when it comes to social services for the elderly, now followed by its abolition in the case of the Police and who knows what else in the four years to come.</p>	<p>The Town Forum and other resident groups are better placed to challenge the Council Tax proposals of KCC, the Police and Fire Authorities.</p>
<p>We asked why income will fall for Car Parking and he assured us by saying that this is a one-off. The other major fall in income is likely to be Universal Credit management (down by £108k): this is caused by you having to hire skilled staff to manage this new and complex scheme. It is unsatisfactory that Tunbridge Wells should have to make further operating economies to make up for spending by others.</p>	<p>Agreed.</p>
<p>Much more effort should be made by TWBC to point out to our residents that we are acting as tax collectors for other bodies, over whom you have no control. This being the case, we are very worried that the deficit could be greater than you are predicting.</p>	<p>The share of the Council Tax increases in monetary terms will be shown in the budget report and a pie chart of the percentage charged by each authority will be shown in the electronic Council Tax leaflet.</p> <p>We will continue to emphasise that on average only £5.19 of the increase in Council Tax relates to TWBC.</p>
<p>Capital Account. The Council goes from having capital reserves at the start of</p>	<p>The Council will still maintain an appropriate level of reserves. The newly created</p>

Appendix C

<p>2019/20 to being a net debtor on this account of £82m by March 2024. The Town Forum has always been keen to establish that we do not raid reserves to fund income overspends, and you have done well in this respect in the past years. The reason for the sea change in our fortunes is not that but is the Calverley Grounds Scheme for Council Offices, Car Park and New Theatre, the costs of this being met by borrowing. You believe that the value of the two new assets on the balance sheet will match the loans on the other side. You should remember the accounting convention for valuing assets of this nature is, that they should be valued as 'the lesser of cost or net realisable value'. The last fifty years have led us to think that inflation will see to it that cost is always the lesser of the two values, but we could be facing a situation where this does not apply: while the offices and car parking will continue to have capital value, if the theatre fails to perform as expected, then 'net realisable value' might come out far lower than cost.</p>	<p>buildings at Calverley Square will appear as assets on the Council's Balance sheet. Once completed the new Theatre, Underground Car Park and Lettable Offices will be valued at fair market value in their existing use.</p>
<p>We understand your plans for reducing the deficit by appealing to grant-making bodies, and to the public and local business for donations, but the product of this is far from certain in the economic climate we are entering.</p>	<p>The Marlow Theatre sought funding at the peak of the recession and was able to achieve £10m of external funding.</p> <p>The funding strategy for Calverley Square is not reliant upon any external funding.</p>
<p>We support your initiative in bringing more business and more tourists to the Town, but our support has always been conditional on constructive plans for the future use of existing assets such as the Town Hall and Assembly Hall. You have yet to tell us what is going to happen to these iconic buildings, and we do not believe this decision should be wholly commercially driven but are concerned about the implications for the future of the whole project.</p>	<p>The Council has commissioned expert professional advice on the options for the Civic Complex.</p>

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Pay Policy Statement 2019/20

Purpose

Tunbridge Wells Borough Council believes strongly in transparency and accountability. In addition to publishing the huge range of information we are required to provide by statute, we have always sought to provide additional information in an accessible fashion. In respect of pay, we have always included a table within our statement of accounts that sets out senior officer salaries in bands comparing pay with previous years. From April 2012 all councils are required under Section 38 (1) of the Localism Act 2011 to provide an annual pay policy statement.

The Act specifies that the following must be included in the statement:

- The level and elements of remuneration for each chief officer
- The policy on the remuneration of chief officers upon recruitment
- Any increases and additions to their remuneration including performance-related pay, bonuses, charges, fees, allowances, benefits in kind and termination payments
- A definition of the 'lowest paid employees' and the policy on the remuneration of this group
- The policy on the relationship between the remuneration of its chief officers and other officers

The purpose of this statement is to enable local taxpayers to take an informed view of whether local decisions on all aspects of remuneration are fair and make best use of public funds.

Chief Officers

This term is defined as including both statutory and non-statutory chief officers and their deputies. Tunbridge Wells Borough Council has interpreted this as meaning the following roles:

- Chief Executive (Head of the Paid Service)
- Director of Change and Communities
- Director of Finance, Policy and Development (Section 151 Officer)
- Mid Kent Services Director, is a partnership employee, employed by Maidstone Borough Council and information regarding their pay is published by Maidstone Borough Council
- Heads of Service
- The Head of Legal Services (Monitoring Officer) is a partnership employee, employed by Swale Borough Council and therefore information regarding their pay is published by Swale Borough Council

Remuneration of Chief Officers

Chief Officer	Grade	Market Median (salary at 100% of the grade) £pa	Bonus	Additional benefits and allowances
Chief Executive	CEX	120,000	0	Election fees as Returning Officer
Director of Change and Communities	DIR	92,000	0	
Director of Finance, Policy and Development (Section 151 Officer)	DIR	92,000	0	Retention allowance £10,000
Head of Housing, Health & Environment	SM1	77,300	0	
Head of Economic Development & Property	SM1	77,300	0	Retention allowance £15,000
Head of Planning	SM1	77,300	0	
Head of HR, Customer Service & Culture	SM1	77,300	0	
Head of Finance & Procurement (Deputy S151 Officer)	SM2	66,500	0	Retention allowance £4,936; £1,000 Deputy S151 Officer
Head of Digital Services & Communications	SM2	66,500	0	
Head of Policy & Governance	SM3	57,400	0	
Head of Facilities & Community Hubs	SM3	57,400	0	

The above are effective from 1 April 2019.

Salaries on recruitment

Tunbridge Wells Borough Council is committed to the principles of contribution pay (as set out in a report to the General Purposes Committee on 19 April 2010), and appoints all new starters to the entry zone of the grade (95 per cent) with one exception. The same principle applies to posts that are re-graded to a higher grade through the job evaluation process.

Lowest paid employees

This term is defined as meaning those employed on the lowest pay scale in the Council's pay structure. The lowest pay scale is Grade B. Following a review of

salaries and a desire to keep pace with the living wage from 1 April 2019, Grade B will start at 100 per cent of the grade, £17,360, and not at 95 per cent.

Pay determination and pay progression

The Council's contribution pay scheme and severance policies apply equally to all staff, as does the career average pension scheme. Salary ranges are based on the South East Public and Not for Profit sector (excluding London). With the exception of Grade B, each grade runs from 95 -105 per cent, where 100 per cent is the market median and progression along the scale is based solely on contribution and the achievement of agreed objectives. A formal review of pay benchmarking took place in October 2017 and necessitated a cost of living upgrade across all grades from April 2018. The Council reviews its pay scales annually and undertakes a formal benchmarking exercise at least every 3 years, and will continue to do so. There will be no cost of living increase in April 2019.

Pay multiplier

Tunbridge Wells Borough Council has calculated the mean and median salaries of its staff, and the ratios between those and the highest paid member of staff as follows:

Mean Salary 2019/20 = £31,826

Median Salary 2019/20 = £28,405

Chief Executive as a ratio to Mean Salary = 3.96

Chief Executive as a ratio to Median Salary = 4.44

Chief Executive as a ratio to Grade B 100% Salary = 7.25

This Council believes that, as a general principle, the Chief Executive's salary should be no more than ten times that of the lowest paid member of staff.

Grade determination

The Council uses the HAY job evaluation scheme to evaluate the grades of all its jobs from the lowest to the highest paid. The scheme was introduced in 2001. In 2010, the Council commissioned a review of its grading structure and pegged its pay to the market median for the South East Public and Not for Profit sector (excluding London). It was also agreed that the Council would consider on an annual basis whether or not it should re-commission a benchmarking exercise to ensure that the Council remains aligned to the market mid-point of the South East Public and Not for Profit sector (excluding London). This was approved by the General Purposes Committee on 19 April 2010. The Council's benchmarked position was reviewed for the first time in 2014 and again in 2017. The method for this was to adjust individual grades to reflect their market rate. This, together with some adjustment of grades to remove overlaps, and the deletion of the lowest grade ensured that salaries are above the National Living Wage.

Market supplements/ Retention allowance

Where the evaluated grade of a particular job results in a salary which is below the market mean for that specific role, there is provision for the salary to be increased by the addition of a market supplement or a retention allowance. Market supplements and retention allowances are reviewed at regular intervals as agreed by Management Board and may be withdrawn by giving appropriate notice.

Leave

Senior Staff listed in this pay statement are entitled to 32 days annual leave, with three further days after five years' continuous local government service and an additional 5 days after 30 years' continuous local government service.

Benefits and Allowances

The Council's benefits and allowances apply equally to all staff, regardless of grade. Benefits for Senior Staff listed in this policy include (in common with all staff): career average pension scheme; salary sacrifice schemes for childcare vouchers; a cycle to work scheme; car loans; a day off a year for volunteering activities within the borough (either individually or as a team-building event); discounted membership of local sports centres and an Employee Assistance Programme giving access to up to six free counselling sessions free of charge. Staff that are required to hold membership of professional bodies as a result of their employment are entitled to reimbursement of their membership fees. Normally this is confined to membership of one professional body only.

Details of allowances currently paid to staff are set out in a report to the General Purposes Committee on 19 April 2010. In respect of elections, the Chief Executive has been appointed as Returning Officer under Section 35 of the Representation of the People Act 1983. This is a personal appointment separate from his other duties and the Returning Officer fee is calculated in accordance with an agreed Kent Scale of Fees. All Council employees are able to volunteer to carry out additional duties associated with elections and will be paid separately for this in accordance with the Kent Scale.

National Living Wage

From 1 April 2016 it became a legal requirement for all workers over the age of 25 to be paid the National Living Wage and the Council is compliant with this requirement. From 1 April 2019 workers over the age of 25 will be paid £8.21 per hour and casual workers under the age of 25 will be paid £7.70 per hour.

Full Council

27 February 2019

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

Yes

Council Tax 2019/20

Final Decision-Maker	Full Council
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	Sheila Coburn – Head of Revenues and Benefits
Lead Officer/Author	Lee Colyer – Director of Finance, Policy and Development
Classification	Non-exempt
Wards affected	All

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

That Council approve the Council Tax for 2019/20 as set out in the resolution at Appendix A to the report.

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

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

The Council's budget involves the allocation of financial resources to deliver the Council's Key Objectives.

Timetable: Council Tax strategy formed part of the Budget report

<i>Meeting</i>	<i>Date</i>
Management Board	19 December 2018 (verbal update)
Discussion with Portfolio Holder	10 December 2018
Finance and Governance Cabinet Advisory Board	15 January 2019
Cabinet	7 February 2019
Full Council	27 February 2019

Council Tax 2019/20

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to enable the Council to calculate the Council Tax for 2019/20.
- 1.2 If the 2019/20 Budget report elsewhere on this agenda is agreed then the Borough Council's basic amount of Council Tax at Band D for 2019/20 will be £178.76, an increase of £5.19 (3 per cent) on the rate for 2018/19.

Members are reminded that section 106 of the Local Government Finance Act 1992 applies to any meeting where consideration is given to matters relating to, or which might affect, the calculation of Council Tax.

Any Member of a Local Authority, who is liable to pay Council Tax, and who has any unpaid Council Tax amount overdue for at least two months, even if there is an arrangement to pay off the arrears, must declare the fact that he/she is in arrears and must not cast their vote on anything related to TWBC's Budget or Council Tax.

2. INTRODUCTION AND BACKGROUND

- 2.1 The Localism Act 2011 made significant changes to the Local Government Finance Act 1992, and now requires the billing authority to calculate a council tax requirement for the year, not just its budget requirement as previously.
- 2.2 Since the Cabinet meeting on 7 February 2019 the precept levels of other precepting bodies have been received. These are detailed below.

Town and Parish Councils

- 2.3 The Town and Parish Council Precepts for 2019/20 are detailed in Appendix B and total £2,533,423. The increase in average Band D Council Tax for Town and Parish Councils is 4.1 per cent and results in an average Band D Council Tax figure of £55.44 for 2019/20.

Kent County Council

- 2.4 Kent County Council met on 14 February 2019 and set their precept at £59.375 million, adjusted by a Collection Fund contribution of £nil. This results in a Band D Council Tax of £1,299.42, a 4.99 per cent increase on the rate for 2018/19.

Kent Police and Crime Commissioner

- 2.5 Kent and Medway Police and Crime Panel met on 6 February 2019 and set their precept at £8.826 million, adjusted by a Collection Fund contribution of £nil. This results in a Band D Council Tax of £193.15 an increase of £24 (14.2 per cent) on the rate for 2018/19.

Kent Fire and Rescue Service

- 2.6 Kent Fire and Rescue Service met on 12 February 2019 and set their precept at £3.553 million, adjusted by a Collection Fund contribution of £nil. This results in a Band D Council Tax of £77.76, a 2.98 per cent increase on the rate for 2018/19.

Council Tax Summary

- 2.7 If the formal Council Tax Resolution at Appendix A is approved, the relevant budget or precept will be divided by the taxbase. The resulting basic amount of Council Tax at Band D will be as follows (Note: For TWBC this statutory calculation is an average charge across the Borough):

	2018/19 £	2019/20 £	Increase %
General Expenses	123.25	126.96	
Special Expenses - average if charged to all	50.32	51.80	
Total Tunbridge Wells Borough Council	173.57	178.76	3.0
KCC excluding Social Care levy	1,169.64	1,206.72	
KCC Social Care levy	68.04	92.70	
Total Kent County Council	1,237.68	1,299.42	5.0
Kent Police and Crime Commissioner	169.15	193.15	14.2
Kent Fire and Rescue Service	75.51	77.76	3.0
Town and Parish Council (average)	53.24	55.44	4.1
Average Band D Council Tax for the Borough	1,709.15	1,804.53	5.6

3. AVAILABLE OPTIONS

- 3.1 Whilst alternatives to the composition of the budget can be considered there are no alternatives to the process available within the Council's statutory powers.

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 To agree the content and recommendations of the report to set the Council Tax across the Borough.

5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 5.1 This is the fourth report in the process of setting the 2019/20 budget and builds on the previous views and recommendations of the Finance and Governance Cabinet Advisory Board and Cabinet.
- 5.2 A well-rehearsed process of public engagement has been used. Presentations have been made to the Town Forum, Parish Chairmen and the Overview and Scrutiny Committee to encourage engagement and feedback.

- 5.3 The draft budget was subject to a survey promoted through the Local magazine. The comments and responses are included in the Budget 2019/20 report elsewhere on this agenda.

6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 6.1 Full Council will make the final decision on setting the level of Council Tax which will then be placed on to the Council's website.

7. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Legal including Human Rights Act	The Five Year Plan and budget forms part of the Council's Policy Framework.	Monitoring Officer
Finance and other resources	This report forms part of the Council's Budget and Policy Framework.	Head of Finance and Procurement
Staffing establishment	Where savings proposals impact on staff then this will be managed in accordance with Human Resources policies.	Head of HR
Risk management	A summary of the risk factors underpinning the budget is included within the report. The Strategic Risk Register also includes a risk on funding streams which is being monitored by Cabinet and the Audit and Governance Committee.	Head of Audit Partnership
Environment and sustainability	The budget has regard to the environmental sustainability priorities within the Five Year Plan.	Sustainability Manager
Community safety	The budget has regard to the community safety priorities within the Five Year Plan.	Community Safety Manager
Health and Safety	The budget has regard to the Health and Safety obligations and priorities within the Five Year Plan.	Health and Safety Advisor
Health and wellbeing	The budget has regard to the health and wellbeing priorities within the Five Year Plan.	Healthy Lifestyles Co-ordinator
Equalities	Changes to service delivery may impact on equalities; however heads of service will ensure that an equality assessment is in place where this has been identified.	Corporate Governance Officer

8. REPORT APPENDICES

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

- Appendix A: Council Tax Resolution 2019/20
 - Appendix B: Parish and Town Council Precepts 2019/20
 - Appendix C: Sample Council Tax Bills 2019/20
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9. BACKGROUND PAPERS

None

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The Council is recommended to resolve as follows:

1. It be noted that on **6 December 2018** the Council calculated
 - (a) the Council Tax Base **2019/20** for the whole Council area as **45,693.60** [Item T in the formula in Section 31B(3) of the Local Government Finance Act 1992, as amended (the "Act")] and,
 - (b) for dwellings in those parts of its area to which a parish precept relates as in the attached Appendix.
2. Calculate that the Council Tax requirement for the Council's own purposes for **2019/20** (excluding parish precepts) is **£8,168,300**.
3. That the following amounts be calculated for the year **2019/20** in accordance with Sections 31 to 36 of the Act:
 - (a) **£86,929,530** being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by parish councils.
 - (b) **£76,227,810** being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
 - (c) **£10,701,720** being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31A(4) of the Act).
 - (d) **£234.21** being the amount at 3(c) above (Item R), all divided by Item T (1 (a) above), calculated by the Council, in accordance with Section 31B(1) of the Act, as the basic amount of its Council Tax for the year (including parish precepts).
 - (e) **£4,900,520** being the aggregate amount of all special items and parish precepts referred to in Section 34(1) of the Act (as per the attached Appendix).
 - (f) **£126.96** being the amount at 3(d) above less the result given by dividing the amount at 3(e) above by Item T (1 (a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no special items relate (this is the Council Tax for General Expenses to which special expenses and parish precepts are added as applicable).

(g) Parts of the Council's area

Special Expenses Areas:

	£
Capel	191.50
Rusthall	241.17
Royal Tunbridge Wells	241.30
Southborough	250.15

Parish and Town Areas:

	£
Benenden	170.65
Bidborough	237.34
Brenchley & Matfield	189.04
Cranbrook & Sissinghurst	255.39
Frittenden	168.87
Goudhurst	261.65
Hawkhurst	201.98
Horsmonden	214.72
Lamberhurst	187.61
Paddock Wood	279.65
Pembury	220.82
Sandhurst	238.04
Speldhurst	188.09

being the amounts given by adding to the amount at 3(f) above the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned above divided in each case by the amount at 1(b) above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amount of its council tax for the year for dwellings in those parts of its area to which one or more special items relate. (i.e. The total of the Band D Council Tax for the Borough General, Special Expenses and Parish and Town Councils. NB. **Excludes** Kent County Council, Police and Fire Authorities).

Total Borough + Special + Parish	BAND A 6/9 £	BAND B 7/9 £	BAND C 8/9 £	BAND D 9/9 £	BAND E 11/9 £	BAND F 13/9 £	BAND G 15/9 £	BAND H 18/9 £
Benenden	113.77	132.73	151.69	170.65	208.57	246.50	284.42	341.30
Bidborough	158.23	184.60	210.97	237.34	290.08	342.83	395.57	474.68
Brenchley & Matfield	126.03	147.03	168.03	189.04	231.05	273.06	315.07	378.08
Capel	127.66	148.95	170.22	191.50	234.05	276.62	319.16	383.00
Cranbrook & Sissinghurst	170.26	198.64	227.01	255.39	312.14	368.90	425.65	510.78
Frittenden	112.58	131.35	150.10	168.87	206.39	243.93	281.45	337.74
Goudhurst	174.43	203.51	232.57	261.65	319.79	377.94	436.08	523.30
Hawkhurst	134.65	157.10	179.53	201.98	246.86	291.75	336.63	403.96
Horsmonden	143.15	167.01	190.86	214.72	262.43	310.15	357.87	429.44
Lamberhurst	125.07	145.92	166.76	187.61	229.30	271.00	312.68	375.22
Paddock Wood	186.43	217.51	248.57	279.65	341.79	403.94	466.08	559.30
Pembury	147.21	171.75	196.28	220.82	269.89	318.97	368.03	441.64
Royal Tunbridge Wells	160.87	187.68	214.49	241.30	294.92	348.55	402.17	482.60
Rusthall	160.78	187.58	214.37	241.17	294.76	348.36	401.95	482.34

Appendix A

Sandhurst	158.69	185.15	211.59	238.04	290.93	343.84	396.73	476.08
Southborough	166.76	194.56	222.35	250.15	305.74	361.34	416.91	500.30
Speldhurst	125.39	146.30	167.19	188.09	229.88	271.69	313.48	376.18

being the amounts given by multiplying the amounts at 3(f) and 3(g) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

- (h) That it be noted that for the year **2019/20** the major precepting authorities have stated the following amounts in precepts issued to the Council, in accordance with section 40 of the Local Government Finance Act 1992 for each of the categories of dwellings below –

2019/20	BAND A £	BAND B £	BAND C £	BAND D £	BAND E £	BAND F £	BAND G £	BAND H £
KCC excl. social care	804.48	938.56	1072.64	1206.72	1474.88	1743.04	2011.20	2413.44
KCC social care levy	61.80	72.10	82.40	92.70	113.30	133.90	154.50	185.40
KCC Total	866.28	1010.66	1155.04	1299.42	1588.18	1876.94	2165.70	2598.84
Kent Police and Crime Commissioner	128.77	150.23	171.69	193.15	236.07	278.99	321.92	386.30
Kent Fire & Rescue Service	51.84	60.48	69.12	77.76	95.04	112.32	129.60	155.52

That, having calculated the aggregate in each case of the amounts at 3(g) and 3(h) above, the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the following amounts as the amounts of Council Tax for the year **2019/20** for each of the categories of dwellings shown below –

2019/20	BAND A 6/9 £	BAND B 7/9 £	BAND C 8/9 £	BAND D 9/9 £	BAND E 11/9 £	BAND F 13/9 £	BAND G 15/9 £	BAND H 18/9 £
Benenden	1160.66	1354.10	1547.54	1740.98	2127.86	2514.75	2901.64	3481.96
Bidborough	1205.12	1405.97	1606.82	1807.67	2209.37	2611.08	3012.79	3615.34
Brenchley & Matfield	1172.92	1368.40	1563.88	1759.37	2150.34	2541.31	2932.29	3518.74
Capel	1174.55	1370.32	1566.07	1761.83	2153.34	2544.87	2936.38	3523.66
Cranbrook & Sissinghurst	1217.15	1420.01	1622.86	1825.72	2231.43	2637.15	3042.87	3651.44
Frittenden	1159.47	1352.72	1545.95	1739.20	2125.68	2512.18	2898.67	3478.40
Goudhurst	1221.32	1424.88	1628.42	1831.98	2239.08	2646.19	3053.30	3663.96
Hawkhurst	1181.54	1378.47	1575.38	1772.31	2166.15	2560.00	2953.85	3544.62
Horsmonden	1190.04	1388.38	1586.71	1785.05	2181.72	2578.40	2975.09	3570.10
Lamberhurst	1171.96	1367.29	1562.61	1757.94	2148.59	2539.25	2929.90	3515.88
Paddock Wood	1233.32	1438.88	1644.42	1849.98	2261.08	2672.19	3083.30	3699.96
Pembury	1194.10	1393.12	1592.13	1791.15	2189.18	2587.22	2985.25	3582.30
Royal Tunbridge Wells	1207.76	1409.05	1610.34	1811.63	2214.21	2616.80	3019.39	3623.26
Rusthall	1207.67	1408.95	1610.22	1811.50	2214.05	2616.61	3019.17	3623.00
Sandhurst	1205.58	1406.52	1607.44	1808.37	2210.22	2612.09	3013.95	3616.74
Southborough	1213.65	1415.93	1618.20	1820.48	2225.03	2629.59	3034.13	3640.96
Speldhurst	1172.28	1367.67	1563.04	1758.42	2149.17	2539.94	2930.70	3516.84

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PARISH AND TOWN PRECEPTS 2019/20

	Tax Base 2018/19	Tax Base 2019/20	Variance	% Variance	2019/20 PRECEPT	2019/20 Band D Equivalent	2018/19 Band D Equivalent	2018/19 PRECEPT	Precept Variance	On the Bill	Annual Change	Change per day
	07/12/17	06/12/18			£	£	£	£	%	%	£	£
Area Totals												
1 BENENDEN	905.10	915.60	10.50	1.16%	40,000	43.69	43.67	39,530	1.2	0.0	0.02	0.00
2 BIDBOROUGH	537.60	538.57	0.97	0.18%	59,445	110.38	108.03	58,077	2.4	2.2	2.35	0.01
3 BRENCHLEY & MATFIELD	1,399.00	1,432.82	33.82	2.42%	88,947	62.08	53.64	75,043	18.5	15.7	8.44	0.02
4 CAPEL	921.16	929.66	8.50	0.92%	58,000	62.39	57.54	53,000	9.4	8.4	4.85	0.01
5 CRANBROOK & SISSINGHURST	2,592.59	2,622.43	29.84	1.15%	336,800	128.43	128.52	333,200	1.1	-0.1	- 0.09	- 0.00
6 FRITTENDEN	396.00	393.67	-2.33	-0.59%	16,500	41.91	39.14	15,500	6.5	7.1	2.77	0.01
7 GOUDHURST	1,335.97	1,348.53	12.56	0.94%	181,629	134.69	114.25	152,640	19.0	17.9	20.44	0.06
8 HAWKHURST	1,977.33	1,989.77	12.44	0.63%	149,265	75.02	66.73	131,957	13.1	12.4	8.29	0.02
9 HORSMONDEN	1,022.25	1,019.44	-2.81	-0.27%	89,469	87.76	88.04	90,000	-0.6	-0.3	- 0.28	- 0.00
10 LAMBERHURST	741.20	741.97	0.77	0.10%	45,000	60.65	57.00	42,250	6.5	6.4	3.65	0.01
11 PADDOCK WOOD	2,878.29	2,956.16	77.87	2.71%	451,366	152.69	152.28	438,301	3.0	0.3	0.41	0.00
12 PEMBURY	2,315.49	2,302.71	-12.78	-0.55%	216,122	93.86	88.05	203,889	6.0	6.6	5.81	0.02
ROYAL TUNBRIDGE WELLS	19,350.82	19,553.65	202.83	1.05%								
13 RUSTHALL	1,597.88	1,609.36	11.48	0.72%	78,000	48.47	48.81	78,000	0.0	-0.7	- 0.34	- 0.00
14 SANDHURST	602.65	607.69	5.04	0.84%	67,500	111.08	94.44	56,913	18.6	17.6	16.64	0.05
15 SOUTHBOROUGH	4,278.16	4,310.47	32.31	0.76%	507,380	117.71	115.23	492,960	2.9	2.2	2.48	0.01
16 SPELDHURST	2,400.59	2,421.10	20.51	0.85%	148,000	61.13	61.65	148,000	0.0	-0.8	- 0.52	- 0.00
TOTAL	45,252.08	45,693.60	441.52	0.98%	2,533,423			2,409,260	5.2			
Average parish charge across whole taxbase	45,252.08	45,693.60				55.44	53.24			4.1	2.20	0.01
Average parish charge for just parished areas	25,901.26	26,139.95				96.92	93.02			4.2	3.90	0.01

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Appendix C

SAMPLE INFORMATION FOR BAND D COUNCIL TAX BILLS PER PARISH FOR 2019/20

PARISH COUNCIL
KCC excluding Social Care
KCC Social Care
KENT COUNTY COUNCIL TOTAL
KENT POLICE AND CRIME COMMISSIONER
KENT FIRE & RESCUE SERVICE
TUNBRIDGE WELLS BOROUGH COUNCIL
PARISH COUNCIL
TOTAL

Benenden			
2018/19	2019/20	Change	Change
£	£	£	%
1,169.64	1,206.72	37.08	
68.04	92.70	24.66	
1,237.68	1,299.42	61.74	5.0
169.15	193.15	24.00	14.2
75.51	77.76	2.25	3.0
123.25	126.96	3.71	3.0
43.67	43.69	0.02	0.0
1,649.26	1,740.98	91.72	5.6

Bidborough			
2018/19	2019/20	Change	Change
£	£	£	%
1,169.64	1,206.72	37.08	
68.04	92.70	24.66	
1,237.68	1,299.42	61.74	5.0
169.15	193.15	24.00	14.2
75.51	77.76	2.25	3.0
123.25	126.96	3.71	3.0
108.03	110.38	2.35	2.2
1,713.62	1,807.67	94.05	5.5

PARISH COUNCIL
KCC excluding Social Care
KCC Social Care
KENT COUNTY COUNCIL TOTAL
KENT POLICE AND CRIME COMMISSIONER
KENT FIRE & RESCUE SERVICE
TUNBRIDGE WELLS BOROUGH COUNCIL
SPECIAL EXPENSES
PARISH COUNCIL
TOTAL

Brenchley & Matfield			
2018/19	2019/20	Change	Change
£	£	£	%
1,169.64	1,206.72	37.08	
68.04	92.70	24.66	
1,237.68	1,299.42	61.74	5.0
169.15	193.15	24.00	14.2
75.51	77.76	2.25	3.0
123.25	126.96	3.71	3.0
53.64	62.08	8.44	15.7
1,659.23	1,759.37	38.40	6.0

Capel			
2018/19	2019/20	Change	Change
£	£	£	%
1,169.64	1,206.72	37.08	
68.04	92.70	24.66	
1,237.68	1,299.42	61.74	5.0
169.15	193.15	24.00	14.2
75.51	77.76	2.25	3.0
123.25	126.96	3.71	3.0
2.12	2.15	0.03	1.4
57.54	62.39	4.85	8.4
1,665.25	1,761.83	34.84	5.8

PARISH COUNCIL
KCC excluding Social Care
KCC Social Care
KENT COUNTY COUNCIL TOTAL
KENT POLICE AND CRIME COMMISSIONER
KENT FIRE & RESCUE SERVICE
TUNBRIDGE WELLS BOROUGH COUNCIL
PARISH COUNCIL
TOTAL

Cranbrook & Sissinghurst			
2018/19	2019/20	Change	Change
£	£	£	%
1,169.64	1,206.72	37.08	
68.04	92.70	24.66	
1,237.68	1,299.42	61.74	5.0
169.15	193.15	24.00	14.2
75.51	77.76	2.25	3.0
123.25	126.96	3.71	3.0
128.52	128.43	-0.09	-0.1
1,734.11	1,825.72	91.61	5.3

Frittenden			
2018/19	2019/20	Change	Change
£	£	£	%
1,169.64	1,206.72	37.08	
68.04	92.70	24.66	
1,237.68	1,299.42	61.74	5.0
169.15	193.15	24.00	14.2
75.51	77.76	2.25	3.0
123.25	126.96	3.71	3.0
39.14	41.91	2.77	7.1
1,644.73	1,739.20	94.47	5.7

PARISH COUNCIL
KCC excluding Social Care
KCC Social Care
KENT COUNTY COUNCIL TOTAL
KENT POLICE AND CRIME COMMISSIONER
KENT FIRE & RESCUE SERVICE
TUNBRIDGE WELLS BOROUGH COUNCIL
PARISH COUNCIL
TOTAL

Goudhurst			
2018/19	2019/20	Change	Change
£	£	£	%
1,169.64	1,206.72	37.08	
68.04	92.70	24.66	
1,237.68	1,299.42	61.74	5.0
169.15	193.15	24.00	14.2
75.51	77.76	2.25	3.0
123.25	126.96	3.71	3.0
114.25	134.69	20.44	17.9
1,719.84	1,831.98	112.14	6.5

Hawkhurst			
2018/19	2019/20	Change	Change
£	£	£	%
1,169.64	1,206.72	37.08	
68.04	92.70	24.66	
1,237.68	1,299.42	61.74	5.0
169.15	193.15	24.00	14.2
75.51	77.76	2.25	3.0
123.25	126.96	3.71	3.0
66.73	75.02	8.29	12.4
1,672.32	1,772.31	99.99	6.0

PARISH COUNCIL
KCC excluding Social Care
KCC Social Care
KENT COUNTY COUNCIL TOTAL
KENT POLICE AND CRIME COMMISSIONER
KENT FIRE & RESCUE SERVICE
TUNBRIDGE WELLS BOROUGH COUNCIL
PARISH COUNCIL
TOTAL

Horsmonden			
2018/19	2019/20	Change	Change
£	£	£	%
1,169.64	1,206.72	37.08	
68.04	92.70	24.66	
1,237.68	1,299.42	61.74	5.0
169.15	193.15	24.00	14.2
75.51	77.76	2.25	3.0
123.25	126.96	3.71	3.0
88.04	87.76	-0.28	-0.3
1,693.63	1,785.05	91.42	5.4

Lamberhurst			
2018/19	2019/20	Change	Change
£	£	£	%
1,169.64	1,206.72	37.08	
68.04	92.70	24.66	
1,237.68	1,299.42	61.74	5.0
169.15	193.15	24.00	14.2
75.51	77.76	2.25	3.0
123.25	126.96	3.71	3.0
57.00	60.65	3.65	6.4
1,662.59	1,757.94	95.35	5.7

Appendix C

PARISH COUNCIL
KCC excluding Social Care
KCC Social Care
KENT COUNTY COUNCIL TOTAL
KENT POLICE AND CRIME COMMISSIONER
KENT FIRE & RESCUE SERVICE
TUNBRIDGE WELLS BOROUGH COUNCIL
PARISH COUNCIL
TOTAL

Paddock Wood			
2018/19	2019/20	Change	Change
£	£	£	%
1,169.64	1,206.72	37.08	
68.04	92.70	24.66	
1,237.68	1,299.42	61.74	5.0
169.15	193.15	24.00	14.2
75.51	77.76	2.25	3.0
123.25	126.96	3.71	3.0
152.28	152.69	0.41	0.3
1,757.87	1,849.98	92.11	5.2

Pembury			
2018/19	2019/20	Change	Change
£	£	£	%
1,169.64	1,206.72	37.08	
68.04	92.70	24.66	
1,237.68	1,299.42	61.74	5.0
169.15	193.15	24.00	14.2
75.51	77.76	2.25	3.0
123.25	126.96	3.71	3.0
88.05	93.86	5.81	6.6
1,693.64	1,791.15	97.51	5.8

PARISH COUNCIL
KCC excluding Social Care
KCC Social Care
KENT COUNTY COUNCIL TOTAL
KENT POLICE AND CRIME COMMISSIONER
KENT FIRE & RESCUE SERVICE
TUNBRIDGE WELLS BOROUGH COUNCIL
SPECIAL EXPENSES
PARISH COUNCIL
TOTAL

Rusthall			
2018/19	2019/20	Change	Change
£	£	£	%
1,169.64	1,206.72	37.08	
68.04	92.70	24.66	
1,237.68	1,299.42	61.74	5.0
169.15	193.15	24.00	14.2
75.51	77.76	2.25	3.0
123.25	126.96	3.71	3.0
63.83	65.74	1.91	3.0
48.81	48.47	-0.34	-0.7
1,718.23	1,811.50	31.53	5.4

Sandhurst			
2018/19	2019/20	Change	Change
£	£	£	%
1,169.64	1,206.72	37.08	
68.04	92.70	24.66	
1,237.68	1,299.42	61.74	5.0
169.15	193.15	24.00	14.2
75.51	77.76	2.25	3.0
123.25	126.96	3.71	3.0
94.44	111.08	16.64	17.6
1,700.03	1,808.37	46.60	6.4

PARISH COUNCIL
KCC excluding Social Care
KCC Social Care
KENT COUNTY COUNCIL TOTAL
KENT POLICE AND CRIME COMMISSIONER
KENT FIRE & RESCUE SERVICE
TUNBRIDGE WELLS BOROUGH COUNCIL
SPECIAL EXPENSES
PARISH COUNCIL
TOTAL

Southborough			
2018/19	2019/20	Change	Change
£	£	£	%
1,169.64	1,206.72	37.08	
68.04	92.70	24.66	
1,237.68	1,299.42	61.74	5.0
169.15	193.15	24.00	14.2
75.51	77.76	2.25	3.0
123.25	126.96	3.71	3.0
5.38	5.48	0.10	1.9
115.23	117.71	2.48	2.2
1,726.20	1,820.48	32.54	5.5

Speldhurst			
2018/19	2019/20	Change	Change
£	£	£	%
1,169.64	1,206.72	37.08	
68.04	92.70	24.66	
1,237.68	1,299.42	61.74	5.0
169.15	193.15	24.00	14.2
75.51	77.76	2.25	3.0
123.25	126.96	3.71	3.0
61.65	61.13	-0.52	-0.8
1,667.24	1,758.42	29.44	5.5

PARISH COUNCIL
KCC excluding Social Care
KCC Social Care
KENT COUNTY COUNCIL TOTAL
KENT POLICE AND CRIME COMMISSIONER
KENT FIRE & RESCUE SERVICE
TUNBRIDGE WELLS BOROUGH COUNCIL
SPECIAL EXPENSES
TOTAL

Tunbridge Wells			
2018/19	2019/20	Change	Change
£	£	£	%
1,169.64	1,206.72	37.08	
68.04	92.70	24.66	
1,237.68	1,299.42	61.74	5.0
169.15	193.15	24.00	14.2
75.51	77.76	2.25	3.0
123.25	126.96	3.71	3.0
111.11	114.34	3.23	2.9
1,716.70	1,811.63	33.19	5.5

Full Council	27 February 2019
Is the final decision on the recommendations in this report to be made at this meeting?	Yes

Treasury Management Policy and Strategy 2019/20

Final Decision-Maker	Full Council
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 Treasury Management Policy and Strategy 2019/20, as set out at Appendix A to the report, be adopted.

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

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

This report supports all of the key objectives. The security of the Council's cash and 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	
<i>Meeting</i>	<i>Date</i>
Management Board	19 December 2018
Discussion with Portfolio Holder	10 December 2018
Cabinet Advisory Board	15 January 2019
Cabinet	7 February 2019
Council	27 February 2019

Treasury Management Policy and Strategy 2019/20

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 This report presents the Treasury Management Policy and Strategy 2019/20 and recommends that Cabinet proposes that it is adopted by Full Council.
 - 1.2 The Treasury Management Policy and Strategy forms part of the Council's financial management arrangements, ensuring a framework for decisions is in place to help maintain the Council's financial position, and support the Council in delivering its priorities.
 - 1.3 The Prudential Indicators, Treasury Indicators and Treasury Management Targets included within this strategy help monitor the Council's position throughout the year.
-

2. INTRODUCTION AND BACKGROUND

- 2.1 A requirement under the Chartered Institute for Public Finance and Accountancy (CIPFA) Treasury Management Code is to prepare a Treasury Management Policy and Strategy setting out the Council's policies for managing investments and borrowing.
 - 2.2 Under CIPFA's Prudential Code 2017 the Council should set out Prudential Indicators for the next three years to ensure that the Council's capital investment plans are affordable, prudent and sustainable.
 - 2.3 The suggested Treasury Management Policy and Strategy 2019/20 is presented in **Appendix A** to this report.
 - 2.4 As well as this annual strategy, the CIPFA Treasury Management Code requires the Council reports as a minimum, a mid year report and an annual treasury report.
 - 2.5 This Council meets this requirement by presenting a treasury management monitoring report to Cabinet quarterly with the fourth quarter taking the form of an annual report for the year.
-

3. AVAILABLE OPTIONS

- 3.1 The Council must prepare a Treasury Management Policy and Strategy for approval by Cabinet and Full Council.
-

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 To agree the content of the Treasury Management Policy and Strategy.
-

5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 5.1 The Council takes advice from Link Asset Services on treasury management activities including investments, borrowing and capital financing.

RECOMMENDATION FROM CABINET ADVISORY BOARD

- 5.2 The Finance and Governance Cabinet Advisory Board were consulted on this decision on 15 January 2019 and agreed the following:

That the recommendations set out in the report be supported.

RECOMMENDATION FROM CABINET

- 5.3 The Cabinet considered the report at its meeting on 7 February 2019 and resolved as follows:

That Full Council be recommended that the Treasury Management Policy and Strategy 2019/20, as set out at Appendix A to the report, be adopted.

6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 6.1 Once the adoption of the Treasury Management Policy and Strategy has been approved by Full Council it will be put into place commencing 1 April 2019.
-

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.	Lee Colyer, Director of Finance, Policy & Development
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.	Lee Colyer, Director of Finance, Policy & Development
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 Policy and Strategy 2019/20
-

9. BACKGROUND PAPERS

- None



Treasury Management Policy and Strategy

2019/20

CONTENTS

- 1. INTRODUCTION**
- 2. CIPFA REQUIREMENTS**
- 3. TREASURY MANAGEMENT POLICY STATEMENT**
- 4. TREASURY MANAGEMENT PRACTICES**
- 5. TREASURY MANAGEMENT STRATEGY**
 - 5.1 Current Investment Position**
 - 5.2 Prospects for Interest Rates**
 - 5.3 Borrowing Strategy**
 - 5.4 Prudential Indicators 2019/20 to 2021/22**
 - 5.5 Treasury Indicators 2019/20 to 2021/22**
- 6. ANNUAL INVESTMENT STRATEGY**
 - 6.1 Investment Policy**
 - 6.2 Specified and Non Specified Investments**
 - 6.3 Creditworthiness Policy**
 - 6.4 Interest Budget 2019/20**
 - 6.5 Treasury Management Targets 2019/20**
- 7. MINIMUM REVENUE PROVISION POLICY**
- 8. ROLE OF THE SECTION 151 OFFICER IN TREASURY MANAGEMENT**

1. INTRODUCTION

1.1 Background

The Treasury Management Policy and Strategy is one of the Council's key financial strategy documents and sets out the Council's approach to the management of its treasury management activities.

The Council is required to operate a balanced budget, which broadly means that cash raised during the year will meet cash expenditure. Part of treasury management is to ensure that this cash flow is adequately planned, with cash being available when it is needed. Surplus monies are invested in low risk counterparties or instruments, commensurate with the Council's low risk appetite, providing adequate liquidity initially before considering investment return.

The second main function of the treasury management service is the funding of the Council's capital programme. These capital plans provide a guide to the borrowing need of the Council, essentially the longer-term cash flow planning, to ensure that the Council can meet its capital spending obligations. This management of longer-term cash may involve arranging long or short term loans, or using longer-term cash flow surpluses. On occasion, when it is prudent and economic, any debt previously drawn may be restructured to meet Council risk or cost objectives.

The contribution the treasury management function makes to the authority is critical, as the balance of debt and investment operations ensure liquidity or the ability to meet spending commitments as they fall due, either on day-to-day revenue or for larger capital projects. The treasury operations will see a balance of the interest costs of debt and the investment income arising from cash deposits affecting the available budget. Since cash balances generally result from reserves and balances, it is paramount to ensure adequate security of the sums invested, as a loss of principal will in effect result in a loss to the General Fund.

Whilst any commercial initiatives or loans to third parties will impact on the treasury function, these activities are generally classed as non-treasury activities, arising usually from capital expenditure, and are separate from the day to day treasury management activities.

The Chartered Institute of Public Finance and Accountancy (CIPFA) defines treasury management as:

'the management of the authority's borrowing, investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks'.

Revised reporting is required for the 2019/20 reporting cycle due to revisions of the MHCLG Investment Guidance, the MHCLG Minimum Revenue Provision (MRP) Guidance, the CIPFA Prudential Code and the CIPFA Treasury Management Code. The

primary reporting changes include the introduction of a capital strategy, to provide a longer term focus to capital plans, and greater reporting requirements surrounding any commercial activity undertaken under the Localism Act 2011. The Capital Strategy is being reported separately.

1.2 Reporting Requirements

The Council is currently required to receive and approve, as a minimum, three main treasury reports each year, which incorporate a variety of policies, estimates and actuals.

1 - Prudential and treasury indicators and treasury strategy (this report) – this report is forward looking and covers:

- the capital plans (including prudential indicators)
- a minimum revenue provision policy (MRP) showing how capital expenditure is charged to revenue over time
- the treasury management strategy showing how investments and borrowings are to be organised, including treasury indicators
- an investment strategy showing the parameters on how investments are to be managed

2 – A mid year management report – this is primarily a progress report and will update Members on the capital position, amending any prudential indicators as necessary and whether any policies require revision. This Council additionally provides quarterly report updates.

3 – An annual treasury report – this is a backward looking review document and provides details of a selection of actual prudential and treasury indicators and actual treasury operations compared to the estimates within the strategy. This Council produces this as the fourth quarter monitoring report.

2. CIPFA REQUIREMENTS

The Council has adopted the Chartered Institute of Public Finance and Accountancy's Treasury Management Code.

The primary requirements of the Code are as follows:

- Creation and maintenance of a Treasury Management Policy Statement stating the policies, objectives and approach to risk management of the Council's treasury management activities (Section 3).
- Creation and maintenance of suitable Treasury Management Practices which set out the manner in which the Council will seek to achieve those policies and objectives, and prescribing how it will manage and control those activities (Section 4).
- Receipt by Full Council of an annual Treasury Management Strategy Statement (Section 5) including the Annual Investment Strategy (Section 6) and the Minimum Revenue Provision Policy (Section 7) for the year ahead.
- Production of a mid year review report and an annual report covering activities during the previous year (this Council presents a quarterly monitoring report to Cabinet with the fourth quarter taking the form of an annual review).
- Delegation by the Council of responsibilities for implementing and regular monitoring of its treasury management policies and practices and for the execution and administration of treasury management decisions (this Council delegates responsibility for implementation and monitoring treasury management to Cabinet and responsibility for the execution and administration of treasury management decisions to the Section 151 Officer. The role of the Section 151 Officer in treasury management is described in Section 8).
- Delegation by the Council of the role of scrutiny for treasury management strategy and policies to a specific named body (this Council delegates this responsibility to the Audit and Governance Committee).

3. TREASURY MANAGEMENT POLICY STATEMENT

The policies and objectives of the Council's treasury management activities are as follows:

1. This Council defines its treasury management activities as

'The management of the authority's investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks'.

2. This Council regards the successful identification, monitoring and control of risk to be the prime criteria by which the effectiveness of its treasury management activities will be measured. Accordingly, the analysis and reporting of treasury management activities will focus on their risk implications for the Council, and any financial instruments entered into to manage these risks.
3. This Council acknowledges that effective treasury management will provide support towards the achievement of its business and service objectives. It is therefore committed to the principles of achieving value for money in treasury management, and to employing suitable comprehensive performance management techniques, within the context of effective risk management.

4. TREASURY MANAGEMENT PRACTICES

The Council has created and maintains the following Treasury Management Practices (TMPs). These TMPs set out the manner in which the Council will seek to achieve its policies and objectives and how it will manage and control these activities.

TMP 1: Risk Management

TMP 2: Performance Management

TMP 3: Decision making and analysis

TMP 4: Approved instruments, methods and techniques

TMP 5: Organisation, clarity and segregation of responsibilities, and dealing arrangements

TMP 6: Reporting requirements and management information arrangements

TMP 7: Budgeting, accounting and audit arrangements

TMP 8: Cash and cash flow management

TMP 9: Money laundering

TMP 10: Training and qualifications

TMP 11: Use of external service providers

TMP 12: Corporate governance

The Treasury Management Practices are regularly updated and further details of these can be found within the Finance Section.

5. TREASURY MANAGEMENT STRATEGY

5.1 Current Portfolio Position

As at 30 November 2018 the Council had £37.8 million within its investments and bank account monies. The forecast equated principal for 2018/19 is estimated to be £40.1 million. The forecast average interest rate to be earned in 2018/19 is estimated at 1.73%. This compares to the current base rate of 0.75% and will earn the Council approximately £693,000 in interest. All the Council's investments are held within the United Kingdom.

As at 30 November 2018 the Council had borrowed funds of £4.0 million from the Public Works Loans Board. This was borrowed in July 2010 and has been used for property purchases.

5.2 Prospects for Interest Rates

The Council has appointed Link Asset Services as treasury advisor and part of their service is to assist the Council to formulate a view on interest rates. The following table gives their central view:

	Forecast
Dec 2018	0.75%
Mar 2019	0.75%
Jun 2019	1.00%
Sep 2019	1.00%
Dec 2019	1.00%
Mar 2020	1.25%
Jun 2020	1.25%
Sep 2020	1.25%
Dec 2020	1.50%
Mar 2021	1.50%
Jun 2021	1.75%
Sep 2021	1.75%
Dec 2021	1.75%
Mar 2022	2.00%

These forecasts have been reflected in the Council's interest budget calculations.

The flow of generally positive economic statistics after the quarter ended 30 June meant that the Monetary Policy Committee (MPC) came to a decision on 2 August to make the first increase in Bank Rate above 0.50% since the financial crash, from 0.50% to 0.75%. Growth has been healthy since that meeting, but is expected to weaken during the last quarter of 2018. At their November meeting, the MPC left Bank Rate unchanged, but expressed some concern at the Chancellor's fiscal stimulus in his Budget, which could increase inflationary pressures. However, it is unlikely that the MPC would increase Bank Rate in February 2019, ahead of the deadline in March for Brexit. The next increase in

Bank Rate is therefore forecast to be in May 2019, followed by increases in February and November 2020, before ending up at 2.0% in February 2022.

Investment returns are likely to remain low during 2019/20 but to be on a gently rising trend over the next few years. Borrowing interest rates have been volatile so far in 2018/19 and have increased modestly since summer.

5.3 Borrowing Strategy

The Council borrowed £20 million in July 2010 for funding property investment. As at the 1 April 2019 there will be a balance of £3 million outstanding, of which £2 million will be repaid during the financial year 2019/20.

The Council is currently maintaining an under-borrowed position. This means that the capital borrowing need (the CFR) has not been fully funded with loan debt as cash supporting the Council's reserves, balances and cash flow has been used as a temporary measure. This strategy is prudent as investment returns are low and counterparty risk is still an issue that needs to be considered. Against this background, and the risks within the economic forecast, caution will be adopted with the 2019/20 treasury operations. The Director of Finance, Policy & Development will monitor interest rates in financial markets and adopt a pragmatic approach to changing circumstances.

Link Asset Services forecast for the PWLB borrowing rates is as follows:

	5 year	10 year	25 year	50 year
Current	1.72%	1.85%	2.46%	2.59%
Dec 2018	2.00%	2.50%	2.90%	2.70%
Mar 2019	2.10%	2.50%	2.90%	2.70%
Jun 2019	2.20%	2.60%	3.00%	2.80%
Sep 2019	2.20%	2.60%	3.10%	2.90%
Dec 2019	2.30%	2.70%	3.10%	2.90%
Mar 2020	2.30%	2.80%	3.20%	3.00%
Jun 2020	2.40%	2.90%	3.30%	3.10%
Sep 2020	2.50%	2.90%	3.30%	3.10%
Dec 2020	2.50%	3.00%	3.40%	3.20%
Mar 2021	2.60%	3.00%	3.40%	3.20%

These rates include a Government reduction of 0.20% which is given to authorities who provide information on their plans for long term borrowing and associated capital spend.

The Council will consider borrowing from the following:

- Temporary Borrowing from the money markets or other local authorities
- Public Works Loans Board (PWLB)
- Long term fixed rate market loans at rates significantly below PWLB rates

Appendix A

The Council will not borrow more than or in advance of its needs purely in order to profit from the investment of the extra sums borrowed. Any decision to borrow in advance will be within forward approved Capital Financing Requirement estimates, and will be considered carefully to ensure that value for money can be demonstrated and that the Council can ensure the security of such funds.

The Council will continue to take a flexible approach with regards to the funding of capital acquisitions. These schemes may involve the use of borrowing where it is considered to be advantageous and such decisions will be taken by the Director of Finance, Policy and Development in accordance with market conditions at that time.

5.4 Prudential Indicators 2019/20 to 2021/22

The Council's capital expenditure plans are a key driver of treasury management activities. The output of the capital expenditure plans is reflected in the prudential indicators, which are designed to assist Member's overview and confirm capital expenditure plans.

The Prudential Indicators for 2019/20 to 2021/22 are set out below:

- Capital Expenditure

This prudential indicator is a summary of the Council's capital expenditure plans, both those agreed previously, and those forming part of this budget cycle.

	2017/18 Actual £000's	2018/19 Estimate £000's	2019/20 Estimate £000's	2020/21 Estimate £000's	2021/22 Estimate £000's
Capital Expenditure	2,998	19,279	15,617	52,606	28,914

The table below summarises the above capital expenditure plans and how these plans are being financed by capital or revenue resources. Any shortfall results in a funding borrowing need.

	2017/18 Actual £000's	2018/19 Estimate £000's	2019/20 Estimate £000's	2020/21 Estimate £000's	2021/22 Estimate £000's
Capital Receipts	683	3,425	0	0	9,000
External Contributions	1,908	4,413	4,424	2,624	824
Earmarked Reserves	407	7,441	2,513	4,982	90
Net Financing Need	0	4,000	8,680	45,000	19,000

- The Council's Borrowing Need

This prudential indicator is the Council's Capital Financing Requirement (CFR). The CFR is the total historic outstanding capital expenditure which has not yet been paid for either

Appendix A

from revenue or capital resources. It is essentially a measure of the Council's indebtedness and so its underlying borrowing need. Any capital expenditure above, which has not immediately been paid for through a revenue or capital resource, will increase the CFR.

The CFR does not increase indefinitely, as the minimum revenue provision (MRP) is a statutory annual revenue charge which broadly reduces the indebtedness in line with each assets life, and so charges the economic consumption of capital assets as they are used.

	2017/18 Actual £000's	2018/19 Estimate £000's	2019/20 Estimate £000's	2020/21 Estimate £000's	2021/22 Estimate £000's
Capital Financing Requirement					
Total CFR	3,936	7,776	16,296	61,068	79,840
Movement in CFR	0	3,840	8,520	44,772	18,772
Movement in CFR represented by					
Net financing for year	0	4,000	8,680	45,000	19,000
Less MRP	0	-160	-160	-228	-228
Movement in CFR	0	3,840	8,520	44,772	18,772

- Core Funds and Expected Investment Balances

The application of resources to either finance capital expenditure or other budget decisions to support the revenue budget will have an ongoing impact on investments unless resources are supplemented each year from new sources. Detailed below are estimates of the year end balances for each resource and anticipated day-to-day cash flow balances.

	2017/18 Actual £000's	2018/19 Estimate £000's	2019/20 Estimate £000's	2020/21 Estimate £000's	2021/22 Estimate £000's
Reserve balances	16,753	11,362	8,729	10,114	9,549
Capital receipts	3,775	1,738	3,025	1,000	1,000
Other	1,383	1,383	1,383	1,383	1,383
Total Core Funds	21,911	14,483	13,137	12,497	11,932
Working Capital	5,089	7,517	6,863	5,503	4,068
Investments Estimate	27,000	22,000	20,000	18,000	16,000

- Ratio of Financing Costs to Net Revenue Stream

This indicator identifies the trend in the cost of capital, borrowing and long term obligation costs net of investment income, against net revenue stream

	2017/18 Actual £000's	2018/19 Estimate £000's	2019/20 Estimate £000's	2020/21 Estimate £000's	2021/22 Estimate £000's
Net Cost of Services	14,372	13,858	12,493	12,528	12,891
Borrowing Costs	145	98	50	2,113	2,092
Percentage	1.0%	0.7%	0.4%	16.9%	16.2%

5.5 Treasury Indicators 2019/20 to 2021/22

The Treasury Management Code requires that Local Authorities set a number of indicators for treasury performance in addition to the Prudential Indicators which fall under the Prudential Code.

The Treasury Indicators for 2019/20 to 2021/22 are set out below:

- Limits to Borrowing Activity

The operational boundary is the limit beyond which external debt is not normally expected to exceed. In most cases this would be a similar figure to the CFR, but may be lower or higher depending on the levels of actual debt and the ability to fund under borrowing by other cash resources.

	2018/19 Estimate £000's	2019/20 Estimate £000's	2020/21 Estimate £000's	2021/22 Estimate £000's
Operational Boundary	97,000	97,000	97,000	97,000

The authorised limit for external debt represents a control on the maximum level of borrowing. It represents a legal limit beyond which external debt is prohibited, and this limit needs to be set or revised by Full Council. It reflects the level of external debt which, whilst not desired, could be afforded in the short term, but is not sustainable in the longer term.

	2018/19 Estimate £000's	2019/20 Estimate £000's	2020/21 Estimate £000's	2021/22 Estimate £000's
Authorised Limit for External Debt	97,000	97,000	97,000	97,000

- Maturity Structure of Borrowing

These gross limits are set to reduce the Council's exposure to large fixed sums falling due for refinancing, and are required for upper and lower limits.

6. ANNUAL INVESTMENT STRATEGY

6.1 Investment Policy

The Council's investment policy has regard to the following:

- MHCLG's Guidance on Local Government Investments
- CIPFA Treasury Management in Public Services Code of Practice and Cross Sectoral Guidance Notes
- CIPFA Treasury Management Guidance Notes 2018

The Council's investment priorities will be:

- (a) the security of capital and
- (b) the liquidity of its investments
- (c) return

The Council aims to achieve the optimum return on its investments commensurate with proper levels of security and liquidity. The risk appetite of this Council is low in order to give priority to security of its investments.

The above guidance from the MHCLG and CIPFA places a high priority on the management of risk. This authority has adopted a prudent approach to managing risk and defines its risk appetite by the following means:

- minimum acceptable credit criteria are applied in order to generate a list of high creditworthy counterparties. This also enables diversification and thus avoidance of concentration risk. The key ratings used to monitor counterparties are the short term and long term ratings.
- Ratings will not be the sole determinant of the quality of an institution. It is important to continually assess and monitor the financial sector on both a micro and macro basis and in relation to the economic and political environments in which institutions operate. The assessment will also take account of information that reflects the opinion of the markets. To achieve this consideration the Council will engage with its advisors to maintain a monitor on market pricing and overlay that information on top of the credit ratings.

In accordance with guidance from the DCLG and CIPFA, and in order to minimise the risk to investments, the Council stipulates the minimum acceptable credit quality of counterparties for inclusion on the lending list. Furthermore, the Council recognises that ratings should not be the sole determinant of the quality of an institution and that it is important to continually assess and monitor the financial sector in relation to the economic and political environments in which institutes operate.

The Council will invest in property within the borough that is strategically important for the economic vitality of the borough and in doing so improves the longer term revenue and capital position of the Council.

The Council recognises that investment in other financial assets and property primarily for financial return, taken for non-treasury management purposes requires careful investment management. Such activity includes loans supporting service outcomes, investments in subsidiaries, and investment property portfolios.

The Council will ensure that all the organisation's investments are covered in the capital programme and investment strategy and will set out, where relevant, the organisation's risk appetite and specific policies and arrangements for non-treasury investments. It will be recognised that the risk appetite for these activities may differ from that for treasury management.

The organisation will maintain a schedule setting out a summary of existing material investments, subsidiaries, joint ventures and liabilities including financial guarantees and the organisation's risk exposure.

The borrowing of monies purely to invest or on-lend and make a return is unlawful and this Council will not engage in such activity.

6.2 Creditworthiness Policy

The primary principle governing the Council's investment criteria is the security of its investments, although the yield or return on the investment is also a key consideration. After this main principle the Council will ensure that:

- It maintains a policy covering the categories of investment types it will invest in, criteria for choosing investment counterparties with adequate security, and monitoring their security.
- It has sufficient liquidity in its investments. For this purpose it will set out procedures for determining the maximum periods for which funds may prudently be committed. These procedures also apply to the Council's prudential indicators covering the maximum principal sums invested.

The Director of Finance, Policy and Development will maintain a counterparty list in compliance with the following criteria and will revise the criteria and submit them to Cabinet for approval as necessary.

This Council uses Fitch as its main agency but also monitors ratings from the other agencies, Moodys and Standard and Poors. In line with Link Asset Services the Council focuses on the short and long term ratings of an institution. These are defined as follows:

Long Term	Long-term ratings consider periods of longer than 13 months and are a benchmark measure of the probability of default.
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Short Term Short-term ratings place greater emphasis on the liquidity necessary to meet financial commitments in a timely manner.

Link Asset Services provides the Council with information on Credit Default Swap spreads, which give an early warning of likely changes in credit ratings, which the Council also takes into account.

All credit ratings are monitored weekly and the Council is alerted to changes in ratings through its use of the Link Asset Services creditworthiness service. If a downgrade results in the counterparty no longer meeting the Council's minimum criteria, its further use as a new investment will be withdrawn immediately.

6.3 Proposed Limits 2019/20

The proposed investment criteria and limits for 2019/20 are:

- Banks – the Council will only use banks which are UK banks or are non-UK and domiciled in a country which has a minimum sovereign long term rating of AAA and have the following Fitch credit rating:

Long Term	Short Term	Maximum Investment	Maximum Duration
AA+ AA AA-	F1+	£20 million	5 years
A+ A A-	F1	£10 million	3 years

- Part Nationalised UK Banks – Royal Bank of Scotland.
This can be included provided it continues to be part nationalised or it meets the criteria in the Banks category above.
- The Council's own banker – Lloyds Banking Group
The Council has its bank account with Lloyds who as well as providing banking services accept Treasury Management Deposits. Having accepted that Lloyds is sufficiently secure to undertake our banking arrangements it is proposed to include them within the same top rating as banks. This will ensure that deposits and overnight current balances do not breach the current Treasury Management Policy.

Maximum Investment	Maximum Duration
£20 million	5 years

It is proposed that the limit applies to investment deposits and is in addition to the amount held in the Lloyds current account. This is because the Council has negotiated an advantageous rate of interest paid by Lloyds for its current account balances which is often more favourable than placing a longer term investment.

Appendix A

- Bank subsidiary and treasury operation - the Council will use these where the parent bank has provided an appropriate guarantee or has the necessary ratings outlined above.
- Building Societies – the Council will use all societies which meet the ratings for banks outlined above.
- Money Market Funds (rated AAA) – a maximum investment per body of £5 million up to a maximum duration of 5 years
- Local Authorities - a maximum investment per body of £5 million up to a maximum duration of 5 years
- UK Government DMADF account – a maximum investment of £30 million up to a maximum duration of 5 years.
- UK Government Gilts and treasury bills – a maximum investment of £10 million up to a maximum duration of 5 years.
- Bonds issued by multilateral development banks (AAA rated) – a maximum investment of £5 million up to a maximum duration of 1 year.
- Collective Investment Schemes (Pooled Funds) – on advice from Link Asset Services up to a maximum of £10 million.
- Investment in organisations for the purposes of improving the Council's Assets – following a satisfactory external credit report. A maximum investment of £5 million per body up to a maximum duration of 5 years.

The Director of Finance, Policy and Development will continue to consider all investment decisions on an individual basis and investments will not be made based only on satisfying the criteria set out above.

6.4 Interest Budget 2019/20

The interest income included in the 2018/19 budget was £623,000 and it is expected this will be over achieved by an additional £70,000. The interest cost from the current PWLB loan is budgeted at £97,710.

The estimated average funds available for investment in 2019/20 are £39.5 million. This includes money that it is expected is kept in the Council's bank account throughout the year rather than invested. The Council's existing investments in 2019/20 equate to £1.2 million of this at a rate of 1.00% resulting in interest of £12,000.

Appendix A

The Council currently has £9 million worth of units in The Local Authorities' Property Fund which pays a dividend to the Council on a quarterly basis. It is expected that the Council will keep the £9 million of units with the Fund during the course of 2019/20. An average rate, net of fees, of 4.86% has been applied which results in interest of £437,000.

It is estimated that, on average, a rate of 0.81% will be achieved on the remaining funds of £29.3 million resulting in interest of £238,000. The rate is low compared to the rest of the portfolio as much of this money will need to be kept short term to meet the Council's cash flow requirements. This, along with the £12,000 from existing investments and £437,000 from the Property Fund, brings the total interest budget to £687,000, an overall average rate of interest of 1.74%.

The interest to be charged on the existing PWLB loan for 2019/20 is £50,000.

In summary the estimated position is as follows:

Interest Received	£687,000
Interest Cost	£50,000
Net Interest	£637,000

6.5 Treasury Management Targets 2019/20

The Treasury Management targets for 2019/20 are:

- 1 To achieve an average investment rate of 1.74% in 2019/20;
- 2 Longer term investment decisions (in excess of one year) to be made in the context of a minimum investment rate of 0.75% in 2019/20, 1.00% in 2020/21 and 1.25% in 2021/22; and
- 3 Overall cash flow will be managed to achieve a nil borrowing requirement although borrowing will be considered an option where it is prudent to do so.

The annual strategy and targets will need to take into account changing market conditions. Therefore the Director of Finance, Policy and Development will make investment decisions in accordance with market conditions prevailing at the time. Changes to the general strategy position will be reported to the next appropriate Cabinet.

7. MINIMUM REVENUE PROVISION POLICY

Where a Local Authority finances capital expenditure by debt, it must put aside resources to repay that debt in later years. This amount is charged to the revenue budget for the repayment of debt and is known as Minimum Revenue Provision (MRP). It is also allowed to undertake additional voluntary payments if required, Voluntary Revenue Provision (VRP).

MHCLG regulations have been issued which require the Full Council to approve an MRP statement in advance of each year. The Councils can choose its method for calculating MRP long as there is a prudent provision.

The proposed Policy Statement for 2019/20 is below:

Minimum Revenue Provision Policy Statement

From 1 April 2008 for all unsupported borrowing (not supported by the Revenue Support Grant) there are two options for calculating MRP. They are:

- Asset Life Method – MRP will be based on the estimated life of the assets, in accordance with the regulations
- Depreciation Method – MRP will follow standard depreciation accounting procedures

For capital expenditure financed from borrowing or credit arrangements, the MRP for this Council will be Asset Life Method, with the asset life determined from the outset and MRP charged in the year following the one in which the expenditure occurred. Where expenditure is incurred over more than one year, then the MRP shall commence in the year following the year in which the asset becomes operational. If no life can be reasonably attributed to an asset, such as freehold land, the life should be taken to be a maximum of 50 years.

It is thought that this is the most appropriate method as this provides for the Council to make revenue provision over the estimated life of the asset for which the borrowing is undertaken. In effect, the charge to the Comprehensive Income and Expenditure account will be the amount borrowed in respect of the asset, divided by the number of years of estimated life of the asset, and will result in an equal annual amount being charged as MRP.

The regulations require Full Council approval in advance of the year to which the MRP applies. The Council can change the method of calculating MRP on an annual basis but once a method has been approved for a particular year, any assets purchased through borrowing that year must continue to have MRP charged in the same way. The Council cannot change the method of calculating MRP on individual assets.

MRP Overpayments

A change introduced by the revised MHCLG MRP Guidance was the allowance that any charges made over the statutory minimum revenue provision (MRP), voluntary provision or overpayments can, if needed, be reclaimed in later years if deemed necessary or prudent. In order for these sums to be reclaimed for use in the budget, this policy must disclose the cumulative overpayment made each year. Up until 31 March 2018 the total VRP overpayments have been nil.

8. ROLE OF THE SECTION 151 OFFICER IN TREASURY MANAGEMENT

The Section 151 officer has the following role in treasury management:

- Recommending clauses, treasury management policy/practices for approval, reviewing the same regularly, and monitoring compliance
- Submitting regular treasury management policy reports
- Submitting budgets and budget variations
- Receiving and reviewing management information reports
- Reviewing the performance of the treasury management function
- Ensuring the adequacy of treasury management resources and skills, and the effective division of responsibilities within the treasury management function
- Ensuring the adequacy of internal audit, and liaising with external audit
- Recommending the appointment of external service providers
- Preparation of a capital strategy to include capital expenditure, capital financing, non-financial investments and treasury management, with a long term timeframe
- Ensuring that the capital strategy is prudent, sustainable, affordable and prudent in the long term and provides value for money
- Ensuring that due diligence has been carried out on all treasury and non-financial investments and is in accordance with the risk appetite of the authority
- Ensure that the authority has appropriate legal powers to undertake expenditure on non-financial assets and their financing
- Ensuring the proportionality of all investments so that the authority does not undertake a level of investing which exposes the authority to an excessive level of risk compared to its financial resources
- Ensuring that an adequate governance process is in place for the approval, monitoring and ongoing risk management of all non-financial investments and long term liabilities
- Provision to members of a schedule of all non-treasury investments including material investments in subsidiaries, joint ventures, loans and financial guarantees
- Ensuring that members are adequately informed and understand the risk exposures taken on by an authority
- Ensuring that the authority has adequate expertise, either in house or externally provided, to carry out the above

Appendix A

- Creation of Treasury Management Practices which specifically deal with how non treasury investments will be carried out and managed

Full Council	27 February 2019
Is the final decision on the recommendations in this report to be made at this meeting?	Yes

Capital Strategy 2019/20

Final Decision-Maker	Full Council
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 Capital Strategy 2019/20, as set out at Appendix A to the report, be adopted.

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

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

The Council’s capital budget involves the allocation of financial resources to deliver the Council’s key objectives.

Timetable	
<i>Meeting</i>	<i>Date</i>
Management Board	19 December 2018
Discussion with Portfolio Holder	10 December 2018
Cabinet Advisory Board	15 January 2019
Cabinet	24 January 2019
Council	27 February 2019

Capital Strategy 2019/20

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 This report presents the Capital Strategy 2019/20 and recommends that Cabinet proposes that it is adopted by Full Council.
 - 1.2 The Capital Strategy forms part of the Council's policy and strategy documents, providing guidance on the Council's capital programme and the use of its capital resources. Its aim is to ensure that all elected Members fully understand the overall long-term policy objectives and resulting capital strategy requirements, governance procedures and risk appetite.
 - 1.3 The guidance in this strategy complements and supplements the Medium Term Financial Strategy and the Treasury Management Policy and Strategy.
-

2. INTRODUCTION AND BACKGROUND

- 2.1 The Chartered Institute for Public Finance and Accountancy (CIPFA) revised 2017 Prudential Code and Treasury Management Codes require, for 2019/20 onwards, all local authorities to prepare an additional report, a Capital Strategy report which will provide the following:
 - a high level long term overview of how capital expenditure, capital financing and treasury management activity contribute to the provision of services
 - an overview of how the associated risk is managed
 - the implications for future financial sustainability
 - 2.2 The Capital Strategy informs the Capital Programme and gives an indication of the likely factors that will have an impact in the budget setting process. The Capital Programme and its financing play an important role in shaping future budget considerations.
 - 2.3 The suggested Capital Strategy 2019/20 is presented in **Appendix A** to this report.
-

3. AVAILABLE OPTIONS

- 3.1 The Council must prepare a Capital Strategy for approval by Cabinet and Full Council.
-

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATION

4.1 To agree the content of the Capital Strategy.

5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

5.1 The Council takes advice from Link Asset Services on treasury management activities including investments, borrowing and capital financing.

RECOMMENDATION FROM CABINET ADVISORY BOARD

5.2 The Finance and Governance Cabinet Advisory Board were consulted on this decision on 15 January 2019 and agreed the following:

That the recommendations set out in the report be supported.

RECOMMENDATION FROM CABINET

5.3 The Cabinet considered the report at its meeting on 7 February 2019 and resolved as follows:

That Full Council be recommended that the Capital Strategy 2019/20, as set out at Appendix A to the report, be adopted.

6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

6.1 Once the adoption of the Capital Strategy has been approved by Full Council it will be put into place commencing 1 April 2019.

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	This report forms part of the Council's Budget and Policy Framework.	Lee Colyer, Director of Finance, Policy & Development
Staffing establishment	No implications	Clare Hazard, Accountancy Manager

Risk management	All capital expenditure carries an element of risk which will be considered as part of the decision-making process for individual schemes.	Lee Colyer, Director of Finance, Policy & Development
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: Capital Strategy 2019/20
-

9. BACKGROUND PAPERS

- None



Capital Strategy

2019/20

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- 1. INTRODUCTION**
- 2. THE COUNCIL'S VISION AND PRIORITIES**
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1. INTRODUCTION

The CIPFA revised 2017 Prudential and Treasury Management Codes require, for 2019/20 onwards, all local authorities to prepare a Capital Strategy report, which will provide the following:

- a high level long term overview of how capital expenditure, capital financing and treasury management activity contribute to the provision of services
- an overview of how the associated risk is managed
- the implications for future financial sustainability

The aim of this Capital Strategy is to ensure that all elected Members fully understand the overall long-term policy objectives and resulting capital strategy requirements, governance procedures and risk appetite.

The capital strategy has direct links to other key strategic and policy documents, such as:

- The Five Year Plan
- The Local Plan
- Asset Management Plan
- Treasury Management Policy and Strategy
- Budget and Medium Term Financial Strategy (MTFS)
- Transport Strategy
- Capital Programme
- Procurement Strategy

The Capital Strategy complements the key documents above by defining the approach, structure and governance for the effective financing and management of our capital investment needs and ambitions. It outlines how the Council's existing capital resources will be effectively managed to meet the planned needs and opportunities for meeting the ambitions for future longer term capital investments.

This strategy will be updated annually to reflect changes in circumstances that may affect the strategy.

2. THE COUNCIL'S VISION AND PRIORITIES

Capital plan schemes should emerge from, or be designed to achieve, the Council's strategic priorities and objectives set out in The Five Year Plan. The Strategy sets out the overarching vision of the Council and the priorities In order to achieve this, as follows:

Our Borough

- To support a **prosperous** borough
- To support a **well** borough
- To support an **inclusive** borough

Our Services

- To provide **digital** choice
- To provide **quality** services
- To provide **responsive** services

Our People

- To have effective **leadership**
- To have relevant **skills**
- To have high levels of **wellbeing**

Providing Value

- To ensure **innovation** in our services
- To ensure effective **partnership** working
- To ensure we operate in a **business-like** way

The Capital Strategy is supported by a wide range of Strategies and Plans where specific improvement projects and initiatives are cascaded down into section plans across the Council. These section and other plans also cover a range of other priorities, improvements and indicators that are set and managed by individual services.

The Council's capital investment decisions should be in support of its strategic priorities and objectives along with the established criteria used to guide the inclusion of capital plan schemes, and this is an integral part of the evaluation process for each project under consideration. No project should proceed to inclusion within the Capital Programme unless it furthers achievement of the Council's strategic priorities and objectives.

3. LOCAL CONTEXT

3.1 Demographic and Economic Growth

The population of Tunbridge Wells borough has grown by more than the national average, and this trend is set to continue with predicted population growth from 116,100 in 2014 to 122,700 in 2022.

The borough is a place where businesses, retailers and restaurants are keen to set up. Our predicted employment growth is 8.3 per cent by 2024, which is greater than the South East average. Our economy is dependent on the availability of a highly educated workforce. Tunbridge Wells has a higher proportion of jobs in the knowledge economy at 32.9 per cent compared with the average across Kent at 16.8%.

3.2 Access and Commuting

A growing population and successful businesses create significant pressures on our road and rail networks. Tunbridge Wells has some of the slowest journey to work times in Kent, and commuters regularly contend with delays and congestion, which impacts on the economy. However, funding for the highways infrastructure is prioritised by central Government according to the delivery of new homes and jobs. This presents us with a problem because we are already congested, and are restricted on where we can develop.

3.3 Housing Demand

Our economic success and population growth have put pressure on housing demand, and the cost of housing is increasing. The cost of an average semi-detached house has rose by 19 per cent in the four years from 2012 to 2016. To help alleviate this we need to find land for an additional 650 new homes each year.

This is a difficult challenge, given our congestion problems, and because many areas are classed as green belt or areas of outstanding natural beauty. Opportunities to develop are limited, but if we fail to meet it, the housing gap widens.

3.4 Educational Needs

There is growing pressure on places and a need for a number of new primary schools and secondary schools. Tunbridge Wells borough also has a mix of further education and higher education provision which we are keen to build on. We need a range of opportunities for learners and young people, including skilled manual and technical professions.

3.5 Social and Health Inequalities

Much of Tunbridge Wells borough is prosperous and healthy, and we continue to support residents in maintaining healthy lifestyles, and access to good homes, jobs and education. However, our success also masks the social and health inequalities that exist. Some areas are in the 10 per cent most deprived in the country.

3.6 The Rural Areas

Tunbridge Wells borough is home to a number of attractive towns and villages with a rich natural history, a pleasant built environment and thriving rural businesses. Approximately 70 per cent of the land is designated as an area of outstanding natural beauty. Part of the success of Royal Tunbridge Wells is its pleasant setting and easy access to high quality countryside. Our historic towns and villages act as important service centres and are a vital part of the tourism economy.

Larger towns such as Cranbrook, Paddock Wood, and Southborough are essential focal points for the local economy and access to services. Over many years we have worked with parish and town councils in our area to enhance these features and deliver improved services.

3.7 A Destination Town

Royal Tunbridge Wells is rooted in culture, leisure and the arts. It's what first made it a spa-town destination over 400 years ago. Today, the town continues to be a prominent destination, with cultural, leisure and arts opportunities complemented by our beautiful parks and open spaces, our spa town heritage and a wide range of sports and activity clubs on offer. This is a significant benefit to the local economy and for residents across the area.

More people enjoy cultural and arts activities in our area than the average across England. We can capitalise on this, but to do so we need to invest in our facilities.

Our residents value activities for promoting health and wellbeing, but we need to invest in our sports and recreation provision to encourage greater participation. The tourism that comes with being a destination town is an important part of our economy, estimated at £261 million in 2016. We will continue to support the industry, encouraging the growth in visitor accommodation, and promoting an all year round offer of attractions that visitors can enjoy.

3.8 Devolution

A national policy agenda for local Government is to devolve local services to public bodies. Devolution means that services which are currently provided and funded by central Government may be devolved to other public bodies. It also means that services we currently provide as a borough council may be devolved to parish and town councils, or community groups.

This is to ensure that services can be provided at the most local level, where knowledge and choice can be used to provide the best services for residents. The models for local Government are changing to recognise this, which is creating both opportunities and challenges.

3.9 Resources and Finances

Public services are facing unprecedented funding pressures. We are providing for an increasing population, who are growing older, and have higher expectations. While all Councils are facing these challenges, Tunbridge Wells faces particular difficulties.

The grant that we receive from central Government disappeared in 2018/19. In the future, we will need to compete for central Government funding linked to economic and housing growth, but because of our challenges we can't compete on an equal footing with other areas.

4. THE FINANCIAL CONTEXT

4.1 Medium Term Financial Strategy

The MTFS together with the Council's strategic priorities and objectives are used to guide the inclusion of capital programme schemes and form the basis for any capital investment decisions. The MTFS will continue to be a major influence on the 2019/20 and subsequent Capital Programme schemes. The MTFS is updated once a year and the latest version is published on the Council's website.

Capital receipts derived from the sale of capital assets are used as a source of finance for new capital expenditure. The Council's assets are reviewed on a regular basis to identify the potential for disposal.

The demographic and economic features of the Borough give rise to a realistic assessment of very limited opportunities to attract funds from national and regional sources. Nevertheless, the Council will continue to investigate and exploit external funding opportunities.

Capital expenditure is currently funded from the capital and revenue initiatives reserve, grants from government and other bodies, developer contributions and capital receipts derived from the sale of assets.

All government support for the Council's capital expenditure is by way of capital grant. Government support through capital grants is usually ring-fenced for specific purposes. It is the Council's intention to try and secure capital grants, wherever possible, for schemes which advance the Council's strategic priorities and objectives.

4.2 Current Asset Portfolio

The Council holds a significant asset portfolio that supports both its operational activities and non-operational activities.

Category	£'000 31 Mar 18
Land & Buildings	£101,734
Vehicles, Plant & Equipment	£1,956
Infrastructure	£289
Community Assets	£8,231
Asset Under Construction	£2,598
Heritage Assets	£3,491
Investment Property	£1,690
Intangible Assets	£1,180
Total	£121,169

5. PARTNERSHIP WORKING

Our strategic partners help us to deliver our Five Year Plan vision for the Borough of 'encouraging investment and sustainable growth, and enhancing quality of life for all'.

To do this, we work together with a range of different organisations, on a local and regional basis, to achieve the **Eight Big Projects**, the **Partnership Projects** and the **corporate priorities** we have set out for Tunbridge Wells in our Five Year Plan corporate strategy.

5.1 Public Sector

Kent County Council:

Tunbridge Wells Borough Council has a strong strategic relationship with Kent County Council (KCC). KCC is helping us to deliver in a range of different ways across the Five Year Plan **Eight Big Projects** and the **Partnership Projects**, including working directly in partnership with us on the Cultural and Learning Hub, the Community Hubs, the Public Realm improvements, and the Sports Strategy. They are also significant consultees on the Local Plan, and support the Borough's ambitions to deliver a new theatre, new civic offices and new car parking for the town of Royal Tunbridge Wells.

Parish & Town Councils:

Alongside our close relationship with the County Council, we work closely with our local councils through the Parish Chairmen's Forum, and directly through some of our **Eight Big Projects** and the **Partnership Projects**, such as the Community Hubs for Southborough, Paddock Wood and Cranbrook, and acting as significant consultees on the Local Plan. We have also worked with our parish and town councils over the years to devolve services where appropriate, including off-street car parks, and public conveniences.

Mid Kent Services:

Mid Kent Services (MKS) is a delivery vehicle for delivering shared services across Tunbridge Wells Borough Council, Maidstone Borough Council, and Swale Borough Council. The three councils work in partnership with one another to deliver outcomes across a wide range of services, and have a close operational relationship. This ensures our Five Year Plan **corporate priorities** of 'innovation', 'partnership' and working in a 'business-like' way, to secure 'quality' and 'responsive' services.

West Kent Partnership:

The West Kent Partnership is a strategic economic partnership between Tunbridge Wells Borough Council, Sevenoaks District Council, and Tonbridge and Malling Borough Council. The three councils have similar demographic and socio-economic factors which influence their strategic approach to economic development. The West Kent Partnership provides a forum to discuss common approaches and influencing strategies regarding economic develop and infrastructure funding, which will benefit the whole of the West Kent region. This fits in with the Council's Five Year Plan **corporate priority** of ensuring a 'prosperous' borough.

Public Service Board:

The Public Service Board brings together a range of different public sector bodies who deliver services in the Borough of Tunbridge Wells, including DWP Jobs Centre Plus, the Probation Service, the Police, Town and Country Housing Group, the Police and Kent County Council, at an officer level. The board discusses strategy and policy implications for the area and explores future opportunities and issues arising. Tunbridge Wells Borough Council hosts the Public Service Board, and is the key authority in terms of driving forward the agenda. This fits in with our **corporate priorities** of 'innovation', 'partnership' and 'quality' and 'responsive' services.

Community Safety Partnership:

The Community Safety Partnership is formed from a range of different public authorities, including the Police, the NHS and local councils in order to actively reduce crime and disorder by working together. Tunbridge Wells Borough Council is an active partner in the CSP, and hosts a shared community safety partnership hub in the Town Hall. Working together with partners through the CSP is a statutory duty, but also meets the Five Year Plan **corporate priorities** of a 'well' borough, an 'inclusive' borough, 'partnership' working and 'responsive' services.

West Kent Improvement Board (WKIB):

The West Kent Improvement Board is a partnership between local authorities within the West Kent Clinical Commissioning Group (CCG) footprint (Tunbridge Wells Borough Council being one), the West Kent CCG, and other health and social care providers in the area. Its aim is to guide and influence delivery of the Sustainability and Transformation Plan (STP) for Kent and Medway, as it applies to West Kent. Tunbridge Wells Borough Council is an active partner in the WKIB and uses its resources to help deliver public health and sports initiatives related to the STP, including delivering services under the 'One You Kent' service. This fits in with our Five Year Plan **corporate priority** of ensuring a 'well' borough.

Licensing Partnership:

The Licensing Partnership is a delivery vehicle for shared service delivery in licensing. There are three other authorities, alongside Tunbridge Wells Borough Council, who are members of the partnership, and they work in a collaborative way to ensure excellent service delivery. This meets with the Five Year Plan **corporate priorities** of 'innovation' and 'partnership', and 'quality' and 'responsive' service delivery.

5.2 Private Sector

Tunbridge Wells Cultural Consortium (also community and third sector):

The Tunbridge Wells Cultural Consortium has been recently set up so that cultural and leisure offerings from businesses, community groups, the council and the third sector are co-ordinated and used to best effect in terms of attracting visitors and revenue to the town of Royal Tunbridge Wells. This is in line with the Borough Council's Cultural Strategy aspiration of 'being the cultural capital of West Kent'. Culture has been identified by the Borough Council as being key to securing long-term prosperity for the area, which fits in with the **corporate priority** of 'prosperous'.

Royal Tunbridge Wells Together:

This is a community interest company which has been set up by Tunbridge Wells Borough Council and key businesses in the town of Royal Tunbridge Wells including AXA PPP, RVP, TSP, Cripps and Marker Study. The CIC seeks to collaboratively make Royal Tunbridge Wells a key destination for retail, business, leisure and culture. Again this complements the Cultural Strategy and fits in with the **corporate priority** of 'prosperous' and working in 'partnership'.

Kent and Medway Economic Partnership (and SELEP):

The Kent and Medway Economic Partnership, and its parent organisation, the South East Local Economic Partnership are partnerships set up between local businesses and local authorities, with input from the education sector. The role of the partnership is to drive forward and monitor economic growth across the South East region, with Kent and Medway being a sub-region of this. Tunbridge Wells Borough Council is an active member of the Kent and Medway Economic Partnership, and sits on the KMEP Board. Active involvement in KMEP ensures the best outcomes for Tunbridge Wells, and fits in with the **corporate priorities** of 'prosperous' and working in 'partnership'.

5.3 Community and Third Sector

Town and Country Housing Group (TCHG):

TCHG is the main provider of social housing within the Borough, and provides social housing accommodation across Kent and East Sussex. The group's headquarters are in Royal Tunbridge Wells, and the Borough Council enjoys a close strategic relationship, working together to deliver one of the **partnership projects** in the Five Year Plan to improve social and health inequalities, where they are linked to housing, which also meets our **corporate priority** of ensuring a 'well' borough.

Royal Tunbridge Wells Town Forum:

The Royal Tunbridge Wells Town Forum is a community forum made up of representatives from residents groups, interest groups and other community groups within the town of Royal Tunbridge Wells. The Forum is supported administratively by the Borough Council. Forum members are consulted on specific topics, issues and ongoing projects that affect the town area, and also look into matters of interest to the community, which may not be on the Council's radar. The Forum is well attended, with between 40 to 50 members of the public attending each meeting, and their feedback is used where possible to inform policy and strategy development. This meets the **corporate priorities** of working in 'partnership' and providing 'responsive' services.

6. PRINCIPLES SUPPORTING THE CAPITAL STRATEGY

The key principles that underpin the Council's Capital Strategy are:

6.1 Strategic Priorities

Establishment of a direct relationship with the Council's strategic priorities and objectives, with the Capital Programme based upon investment needs and prioritised on an authority-wide basis. This demonstrates an explicit link with key strategic planning documents and recognition of the need for a corporate approach to cross-cutting issues such as the environment, social inclusion, affordable housing and community safety.

6.2 Public Consultation

The use of public consultation is, indirectly, an important part of developing the Capital Programme through its use in setting priorities and developing strategies, which may lead to capital projects coming forward.

6.3 Partnerships

Partnerships initiatives are considered in Section 5 which help shape policy objectives and which aim to deliver projects in conjunction with others.

6.4 Procurement Strategy

The Procurement Strategy seeks to ensure that good procurement practice is applied consistently throughout the Council. It sets out how the Council will address procurement and establishes its importance to the Council and the contribution it can make to improved service delivery.

6.5 Availability of External Funding

In support of the Council's strategic priorities and objectives to monitor and pursue available forms of external partnership and other funding opportunities.

6.6 Housing

As a non-stockholding Housing Authority, the Council has a key role to play in the delivery of the strategic housing function covering policy and enabling, private sector housing, and in identifying and addressing housing needs.

6.7 Use of the Council's Assets

Maintenance of an Asset Management Plan and performance measures for the use of Council owned assets to ensure optimum returns and early release of redundant assets in support of strategic investment priorities and to attract inward investment.

6.8 Consideration of the Impact on the Council's Revenue Budget

To ensure that capital investment decisions are consistent with the Council's Medium Term Financial Strategy, particularly the management of its revenue budget.

6.9 Value for Money

Each year the Council's external auditor gives an opinion on whether the Authority has put in place proper arrangements to secure economy, efficiency and effectiveness in its use of resources. All of the Capital Programme processes from identification and selection of schemes, through implementation to subsequent review of completed schemes can contribute to achieving value for money.

6.10 Investment in IT

Investment in IT in order to improve efficiency and economy and to meet customer aspirations for self service, particularly via the website; and to enable more flexible and different ways of working to be adopted to support and assist delivery of the Savings and Transformation Strategy.

7. IMPLEMENTATION AND MANAGING THE CAPITAL STRATEGY

The Council has developed a process for considering and evaluating potential capital schemes as an integral part of its Capital Strategy. This process for selecting schemes is described below.

Schemes are applied for annually during the budget setting process and categorised into an A List and B List, with the A List being the approved Capital Programme.

The Capital Programme sets out how capital resources are used to achieve the Council's priorities where they are quantifiable. The Council has agreed a number of corporate projects in principle, however budgetary provision is only made when the concepts reach a sufficient stage to enable a business case and costings to be produced.

The Council faces decisions over the use of its reserves in contributing to this agenda and the balance that it wishes to strike between maximising income from asset disposals and using its assets to deliver the Council's priorities.

The Capital Programme is now maintained on a four year rolling basis, with Full Council approving the funding in principle of new additions. Detailed applications are now required from Heads of Service for approval by Cabinet.

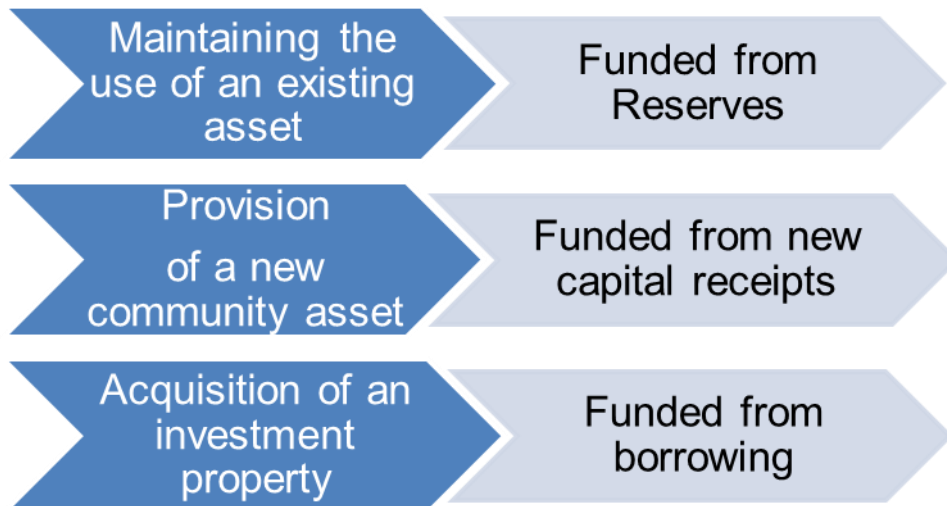
The main strategic objectives of the Capital Programme, which provides the underlying principles for financial planning, can be summarised as follows:

- To maintain a rolling capital programme which remains within the approved sustainability limits and takes into account any decisions or actions which may have a material impact on future years
- To maintain the Capital Receipts Reserve at no less than £1 million
- To ensure that capital resources are aligned with the Council's strategic plan and corporate priorities
- To maximise available resources by actively seeking external funding, use of planning contributions, use of on-street parking funds and disposal of surplus assets for cash or other contributions;
- To meet remaining commitments from the Capital and Revenue Initiatives Reserve so long as this resource can be maintained;
- Prudential borrowing to be undertaken only where there are sufficient monies to meet in full the implications of capital expenditure, both borrowing and running costs
- To engage local residents in the allocation of capital resources.

Appendix A

The level of reserves will decline as they are used to fund the Capital Programme. New schemes will need specifically to consider alternative funding options, taking into account the cost of using capital reserves and the impact of the revenue budget.

The following Capital Funding Strategy will be used when considering new capital schemes:



The Council has reducing reserves so will need to borrow for strategic purposes to deliver the policy of developing a Property Investment Portfolio (PIP) to provide more secure alternative income streams and to diversify the placing of reserves away from cash deposits for both the objective of diversification of risk and due to the erosion of the value of cash.

The Council is also prepared to borrow money where it is considered to be economically prudent for long term capital projects and assets.

Borrowing for capital purposes is governed by the Prudential Code of Borrowing, introduced in 2017. Local authorities have the freedom to borrow where they determine it to be affordable, sustainable and prudent. This would enable local authorities to fund new borrowing from savings in revenue expenditure or the generation of additional revenue income, for example investment in car parking where this increases income.

8. THE CAPITAL PROGRAMME

The result of the process described in Section 7 is the Council's Capital Programme. This covers a four year period and is monitored on a quarterly basis. At the end of each quarter a monitoring report is considered by the Council's Management Board and presented to Members at meetings of the Finance and Governance Cabinet Advisory Board and Cabinet.

The current capital programme for 2018/19 to 2021/22 totals £116,416,000, based on the Quarter 2 Capital Management report presented to Cabinet in December 2018. The proposed funding of the programme is shown below:

	£'000
Capital Programme 2018/19	£19,279
Capital Programme 2019/20	£15,617
Capital Programme 2020/21	£52,606
Capital Programme 2021/22	£28,914
Total Gross Expenditure	£116,416
Government Grants	£3,737
HLF Lottery Grant	£7,200
Section 106 Contributions	£340
Other External Contributions	£1,008
Borrowing (PWLB)	£76,680
Sale of Fixed Assets	£12,425
Earmarked Reserves	£1,552
Capital Initiatives Reserves	£13,474
Total Funding	£116,416

The Capital Strategy needs to ensure that any capital investment decisions are both affordable and achieve the priorities set out in the Five Year Plan. The Council is at the point where capital reserves are scarce and as such any investment in assets is likely to have implications on the revenue budget.

The Capital Strategy must therefore recognise the implications of capital investment decisions and ensure that they are in line with Council priorities and financing requirements are robustly evaluated and understood. The availability of staff resources to deliver the capital programme will need to be considered during the budget process.

9. POST IMPLEMENTATION REVIEWS

It is important that any issues relating to the implementation of a Capital Programme project are addressed as soon as possible; either during the project or shortly after completion. The wider issues of the effectiveness and value for money of a project are addressed through a formal system of post-implementation review. Lessons learnt inform future capital programme decision making and part of a system of continuous improvement. Monitoring reports are part of a system of continuous improvement.

10. COMMERCIAL ACTIVITIES

With reductions in funding that the Council has faced it is having to look at commercial activities to supplement its income and support service delivery. However, to minimise risk of potential loss of income in the longer term it needs to ensure that any investment opportunities are based upon sound decision making that considers the future likelihood of investment income reducing.

Therefore when making commercial investment decisions the Council will follow the principles set out below:

- Commercial capital investments will only be made to enhance the Council's asset portfolio and will be linked to the delivery of the Five Year Plan.
- Consideration will be given to the economic development potential of any investment decision.
- Expert advice will be sought to ensure any investment decision is based upon sound market intelligence, forecasts for future investment returns and yields that offer sound investment return without risking capital invested.
- Any borrowing linked to investment opportunities is secured upon the potential guaranteed element of the investment return so that any liability can be met from the activity undertaken.
- Investment opportunities will always ensure that the Council's investment is protected as far as possible either through increases in capital value or from guaranteed revenue income.

11. KNOWLEDGE AND SKILLS

The Council utilises the knowledge and skills of its internal officers when considering capital investment decisions and where necessary it also relies on the expert knowledge of specialist external advisors.

11.1 Internal Staff

The Council employs professionally qualified finance, legal and property officers who are able to offer advice and guidance when considering any capital investment decisions.

Finance staff are professionally qualified and have the necessary experience of how the Council works. They undertake Continuing Professional Development and maintain knowledge and skills through regular technical updates from appropriate bodies.

Legal staff are provided through the Mid Kent Services Legal Partnership. The team are professionally qualified solicitors or legal executives and are regulated by their respective professional bodies. Staff undertake Continuing Professional Development and their rules of conduct require that they have an appropriate level of skill and expertise to deal with the particular matter with which they are dealing.

The Property team is made up of a number of Chartered Surveyors who advise the Council on all property matters. They are members of the Royal Institution of Chartered Surveyors (RICS) and comply with the RICS's rules in relation to Continuing Professional Development.

11.2 External Advisors

The Council uses external advisors where necessary in order to complement the knowledge its own officers hold. Some of these advisors are contracted on long term contracts or are appointed on an ad-hoc basis when necessary. Link Asset Services provide treasury management advice, including investments, borrowing and capital financing.

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Full Council

27 February 2019

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

Yes

Revised Statement of Licensing Principles for Gambling Policy (Gambling Act 2005)

Final Decision-Maker	Full Council
Portfolio Holder	Councillor Dr Ronen Basu – Portfolio Holder for Sustainability
Lead Director	Paul Taylor – Director of Change and Communities
Head of Service	Gary Stevenson – Head of Housing, Health and Environment
Lead Officer/Author	Sharon Degiorgio – Senior Licensing Officer
Classification	Non-exempt
Wards affected	All

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

1. That the six-week consultation responses on the proposed Statement of Licensing Principles for Gambling Policy, as set out at Appendix B to the report, be noted; and
2. That the Revised Statement of Licensing Principles for Gambling Policy, drafted in accordance with the Gambling Commissions 5th edition Guidance and set out at Appendix A to the report, be adopted.

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

- A Confident Borough

In the interests of transparency the licensing regime is intended to ensure that the people of Tunbridge Wells can be confident that all premises that provide gambling facilities are subject to relevant codes of practice and guidance in managing their business activities in a controlled manner.

Timetable

<i>Meeting</i>	<i>Date</i>
Licensing Committee	4 December 2018
Full Council	27 February 2019

Revised Statement of Licensing Principles for Gambling Policy (Gambling Act 2005)

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 Section 349 of the Gambling Act 2005 requires all Licensing Authorities to prepare and publish a statement of licensing principles that they propose to apply in exercising their functions under the Act during the three year period to which the policy applies. Section 155 states that this function may not be delegated from Council and so this Committee will recommend a proposed document to Council following consultation.
 - 1.2 The authority's current Statement of Licensing Principles for Gambling Act 2005 Policy was approved by Full Council and adopted on 22 February 2017 to come into force 23 February 2017 following the publication of the revised Gambling Commission Guidance to Local Authorities 5th edition.
 - 1.3 The Gambling Act 2005 requires the Council to undertake a full review every three years irrespective of whether any amendments have been made within this period to fully meet our statutory obligations. The reviewed policy will be required to be effective for a three years period from 31 January 2019 to 30 January 2022.
 - 1.4 This report sets out the responses received from the consultation exercise. We have considered the consultees responses and amended where appropriate.
-

2. INTRODUCTION AND BACKGROUND

- 2.1 Tunbridge Wells Borough Council is the Licensing Authority under the provisions of the Gambling Act 2005 (the Act).
- 2.2 The Council is required to produce a Statement of Licensing Principles for the Gambling Act 2005 to demonstrate how applications received under the Act will be dealt with.
- 2.3 Section 153 of the Act requires that when exercising functions under the Act the Licensing Authority **shall aim to permit** the use of premises for gambling in so far as the authority thinks it is in accordance with:
 - a) any relevant code of practice s.24;
 - b) any relevant guidance issued by the Gambling Commission under s.25;
 - c) is reasonably consistent with the licensing objectives (subject to a and b above), and;
 - d) the statement published by the authority under s.349 (statement of licensing policy) (subjects to paragraphs a to c above).

- 2.4 The Gambling Commission (the Commission) introduced new provisions in its social responsibility code within the <https://www.gamblingcommission.gov.uk/PDF/LCCP/Licence-conditions-and-codes-of-practice.pdf> which require gambling operators to assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises, and to have policies, procedures and control measures to mitigate those risks. This change in national policy is intended to provide a well evidenced and transparent approach to considering and implementing measures to address the risks associated with gambling. In making these risk assessments licensees must take account of the Licensing Authority's Statement of Licensing Principles.
- 2.5 The gambling objectives are:
- i) preventing gambling from being a source of crime and disorder, being associated with crime and disorder or being used to support crime
 - ii) ensuring that gambling is conducted in a fair and open way and
 - iii) protecting children and other vulnerable persons from being harmed or exploited by gambling.
- 2.6 This revised draft Policy set out in Appendix A provides additional clarity in some areas. There are no changes to the intent or direction of the Policy, which sets out how the Council seeks to regulate gambling activities under its control and provides a framework for consistent decision making.
- 2.7 The consultation was undertaken for a period of six weeks from 7 September until 19 October 2018, based on the draft policy set out in the background papers.
- 2.8 The authority received four responses which are summarised together with the officer's comments in Appendix B.
- 2.9 Members will be required to consider these responses together with the officer's comments and to determine whether they need to be reflected in the Policy before referral to Full Council for adoption.
-

3. AVAILABLE OPTIONS

- 3.1 It is a statutory requirement for the Council to have a current statement of licensing principles in place covering the principles for its functions under the Act. Members are required to consider the outcome of the consultation and determine whether any further adjustments are required to be made to the draft amended policy.
-

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 A comprehensive updated policy will improve the consistency in delivering the service and will better inform applicants of the licensing process in an open and transparent way, enabling the Authority to continue to have a 'fit for purpose' policy in place.
-

5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 5.1 A detailed public consultation was undertaken on the revised draft document and the responses received are set out at Appendix B.
- 5.2 On 4 December 2018 the Licensing Committee resolved to recommend the Policy to Full Council.

6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 6.1 On consideration of the responses received and any amendments required to the draft policy, Members approve that the amended draft policy is adopted.

7. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Legal including Human Rights Act	The Licensing Authority must formally review its adopted Statement of Principles for the Gambling Act 2005 Policy. Section 349 of the Act requires the authority to review this every three years and keep it under review from time to time. Without an up-to-date Policy in place, this could leave the authority open to legal challenge over the legitimacy of any decisions made.	Robin Harris, Senior Lawyer (Contentious) 08.11.18
Finance and other resources	No issues identified	Sharon Degiorgio, Senior Licensing Officer 05.11.18
Staffing Establishment	No issues identified	
Risk Management	No issues identified	
Environment and sustainability	No issues identified	
Community Safety	No issues identified	
Health and Safety	No issues identified	
Health and Wellbeing	No issues identified	
Equalities	The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users. An Equality Impact Assessment has been carried out in considering this policy.	West Kent Equalities Officer 05.11.18

8. REPORT APPENDICES

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

- Appendix A – Revised Statement of Licensing Principles for Gambling Policy January 2019 -2022.
 - Appendix B – Summarised Feedback Table
-

9. BACKGROUND PAPERS

- Gambling Commission Guidance to licensing authorities 5th edition, September 2015, updated September 2016:
<https://www.gamblingcommission.gov.uk/PDF/GLA5.pdf>
- Existing Statement of Principles:
http://www.tunbridgewells.gov.uk/_data/assets/pdf_file/0006/91455/03.05.17-Ratified-Statement-of-Principles-Gambling-Act-2005.pdf
- Licence Conditions and Codes of Practice for Operators:
<https://www.gamblingcommission.gov.uk/PDF/LCCP/Licence-conditions-and-codes-of-practice.pdf>
- Licensing Committee Report 4 September 2018 with track changes:
<http://democracy.tunbridgewells.gov.uk/meetings/documents/g4246/Public%20reports%20pack%2004th-Sep-2018%2018.00%20Licensing%20Committee.pdf?T=10>
<http://democracy.tunbridgewells.gov.uk/meetings/documents/b50011704/Additional%20papers%20for%20information%2004th-Sep-2018%2018.00%20Licensing%20Committee.pdf?T=9>

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Tunbridge Wells Borough Council

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Gambling Act 2005
Statement of Licensing Principles Gambling Policy
January 2019 – 2022

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1. The Licensing Objectives

The Gambling Act 2005 ('The Act') requires that in exercising most of its functions under the Act, licensing authorities must have regard to the licensing objectives as set out in section 1 of the Gambling Act 2005. The licensing objectives are:

- **Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;**
- **Ensuring that gambling is conducted in a fair and open way;**
- **Protecting children and other vulnerable persons from being harmed or exploited by gambling.**

It should be noted that the Gambling Commission (the Commission) has stated "The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling".

Tunbridge Wells Borough Council as "The Licensing Authority" for the Tunbridge Wells Borough will aim to permit the use of premises for gambling as set out in section 153 of the Gambling Act 2005.

Principles to be applied - Section 153

In exercising its functions under this part the Licensing Authority shall aim to permit the use of premises for gambling in so far as the authority think it –

- a) the Gambling Commission's code of practice;
- b) the Guidance to local authorities;
- a) the Licensing Authority's own statement of principles;
- b) the three licensing objectives.

In determining whether to grant a Premises Licence a Licensing Authority must not have regard to the expected demand for gambling premises that are the subject of the application.

Any objection to an application for a Premises Licence or request for a review of an existing licence should be based on the Licensing Objectives of the Gambling Act 2005. It should be noted that, unlike the Licensing Act 2003, the Gambling Act 2005 does not include as a specific Licensing Objective for the prevention of public nuisance. The licensing authority take the view that certain issues, incidents or events that might typically be classed as nuisance, public nuisance or antisocial behaviour might also be considered to be issues, incidents or events of disorder. The licensing authority will apply the ordinary meaning of disorder and consider each case on its own merits. The licensing authority will in all cases consider whether other relevant legislation would be more appropriate in the circumstances of any given application.

2. Introduction

The Tunbridge Wells Borough Council Area



Tunbridge Wells Borough Council is a member of the Licensing Partnership, which includes London Borough of Bexley, Maidstone Borough Council and Sevenoaks District Council. However this policy relates to Tunbridge Wells.

Licensing authorities are required by the Gambling Act 2005 to publish a Gambling Policy Statement, setting out the principles that they propose to apply when exercising these functions. This Statement may be reviewed from time to time but must be republished at least every three years. This policy was approved by Full Council on 12 December 2018 to come into force 31 January 2019.

In determining its policy the Licensing Authority shall have regard to Commission's Guidance and give appropriate weight to the views of those who respond to its consultation. This draft policy has been prepared in accordance with the Gambling Commission's 5th Edition Guidance to Licensing Authorities (September, 2015) and contains the minimum of amendments and no changes to the intent or direction of the previous policy, which is that the Council seeks to ensure that premises licensed for gambling uphold the licensing objectives.

The Commission has introduced the following amendments to the Guidance which:

- reflect regulatory and legislative changes since the 2012 version;
- reflect recent changes to the social responsibility provisions within the Commission's Licence Conditions and Codes of Practice;
- promote local partnership working between licensing authorities, the Commission and the industry to work in partnership to address local issues and concerns; and
- provide greater clarity about the wide range of powers afforded to licensing authorities to manage local gambling regulation through measures such as their statement of licensing policy.

The Licensing Authority will consult widely on the Gambling Policy statement before it is finalised and published.

The Act requires that the following parties be consulted by Licensing Authorities:

- the Chief Officer of Police for the Authority's area;
- one or more persons who appear to the Authority to represent the interests of persons carrying on gambling businesses in the Authority's area;
- one or more persons who appear to the Authority to represent the interests of persons who are likely to be affected by the exercise of the Authority's functions under the Act.

A list of those persons consulted is attached at appendix 5.

The consultation for the policy took place between 7 September 2018 and 19 October 2018, a period of 6 weeks. The policy was reviewed in January 2017 and therefore a shorter consultation is appropriate for this draft version. The Licensing Authority has followed, as far as is reasonably practicable given the time constraints, the Revised Code of Practice (April 2004) and the Cabinet Office Guidance on consultations by the public sector.

The full list of comments made and the consideration by the Licensing Authority of those will be available upon request to: The Licensing Administration Team via email licensing@sevenoaks.gov.uk or by telephoning 01732 227 004.

The policy is published on Tunbridge Wells Borough Council's website www.tunbridgewells.gov.uk.

This policy statement will not override the right of any person to make an application, make representations about an application or apply for a review of a licence, as each will be considered on its own merits and according to the statutory requirements of the Act.

3. Declaration

In producing the final licensing policy statement, this Licensing Authority declares that it will have had regard to the licensing objectives of the Gambling Act 2005, the Guidance issued by the Gambling Commission, as amended, and any responses from those consulted on the policy statement.

Appendices have been attached to this statement providing further information and guidance that is intended only to assist readers, and should not be interpreted as legal advice or as part of the Council's policy. Readers are strongly advised to seek their own legal advice if they are unsure of the requirements of the Gambling Act 2005, the Guidance, or regulations issued under the Act.

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4. Licensing Authority Functions

Function	Who deals with it
Be responsible for the licensing of premises where gambling activities are to take place by issuing Premises Licences	Licensing Authority
Issue Provisional Statements	Licensing Authority
Regulate members' clubs and miners' welfare institutes who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits	Licensing Authority
Issue Club Machine Permits to Commercial Clubs	Licensing Authority
Grant permits for the use of certain lower stake gaming machines at unlicensed Family Entertainment Centres	Licensing Authority
Receive notifications from alcohol licensed premises (under the Licensing Act 2003) of the use of two or fewer gaming machines	Licensing Authority
Issue Licensed Premises Gaming Machine Permits for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines	Licensing Authority
Register small society lotteries below prescribed thresholds	Licensing Authority
Issue Prize Gaming Permits	Licensing Authority
Receive and endorse Temporary Use Notices	Licensing Authority
Receive Occasional Use Notices	Licensing Authority
Provide information to the Gambling Commission regarding details of licences issued (see section 8 on 'information exchange')	Licensing Authority
Maintain registers of the permits and licences that are issued under these functions	Licensing Authority

Gambling Commission Functions

Function	Who deals with it
Issue and renewal of Operating Licences	Gambling Commission
Review Operating Licences	Gambling Commission
Issue Personal Licences	Gambling Commission
Issue Codes of Practice	Gambling Commission

Issue Guidance to Licensing Authorities	Gambling Commission
Licence remote gambling through Operating Licences	Gambling Commission
Issue licences in relation to the manufacture, supply, installation, adaptation, maintenance or repair of gaming machines	Gambling Commission
Deal with appeals against Commission decisions	Gambling Appeals Tribunal

The Licensing Authority is not involved in licensing remote gambling. This will fall to the Gambling Commission via operating licences.

Concerns about manufacture, supply or repair of gaming machines will not be dealt with by the Licensing Authority but will be notified to the Gambling Commission.

5. Operators

Gambling businesses are required to have an operator licence issued by the Gambling Commission before they can operate in Great Britain. Operator licences can be issued for up to ten different types of gambling activity and a separate licence is needed for both remote and non-remote gambling of the same types.

An operator licence gives a general authorisation for a business to provide gambling facilities, but a business wishing to provide non-remote gambling facilities in a Licensing Authority area is required to apply for a premises licence that is specific to the particular premises.

Operators are required to comply with conditions attached to both their operator and individual premises licences. They are also required to adhere to the mandatory provisions in the Gambling Commission's Social Responsibility Code of Practice and take account of the provisions in the Ordinary Code of Practice (although these are not mandatory).

The Licence Conditions and Codes of Practice (LCCP) were updated in April 2015, and have introduced significant new responsibilities for operators in relation to their local premises. With effect from April 2016, all non-remote licensees that run gambling premises will be required to assess the local risks to the licensing objectives arising from each of their premises and have policies, procedures and control measures to mitigate them.

Licensees are required to take into account the Licensing Authority's statement of principles in developing their risk assessments.

6. Risk Assessments

Gambling operators are required to undertake a risk assessment for all their existing premises from 6th April 2016. In undertaking their risk assessments, they must take into account relevant matters identified in the Licensing Authority's Statement of Policy.

The Licensing Authority expects applicants for Premises Licences in its area to submit a risk assessment with their application when applying for a new or variation to a premises

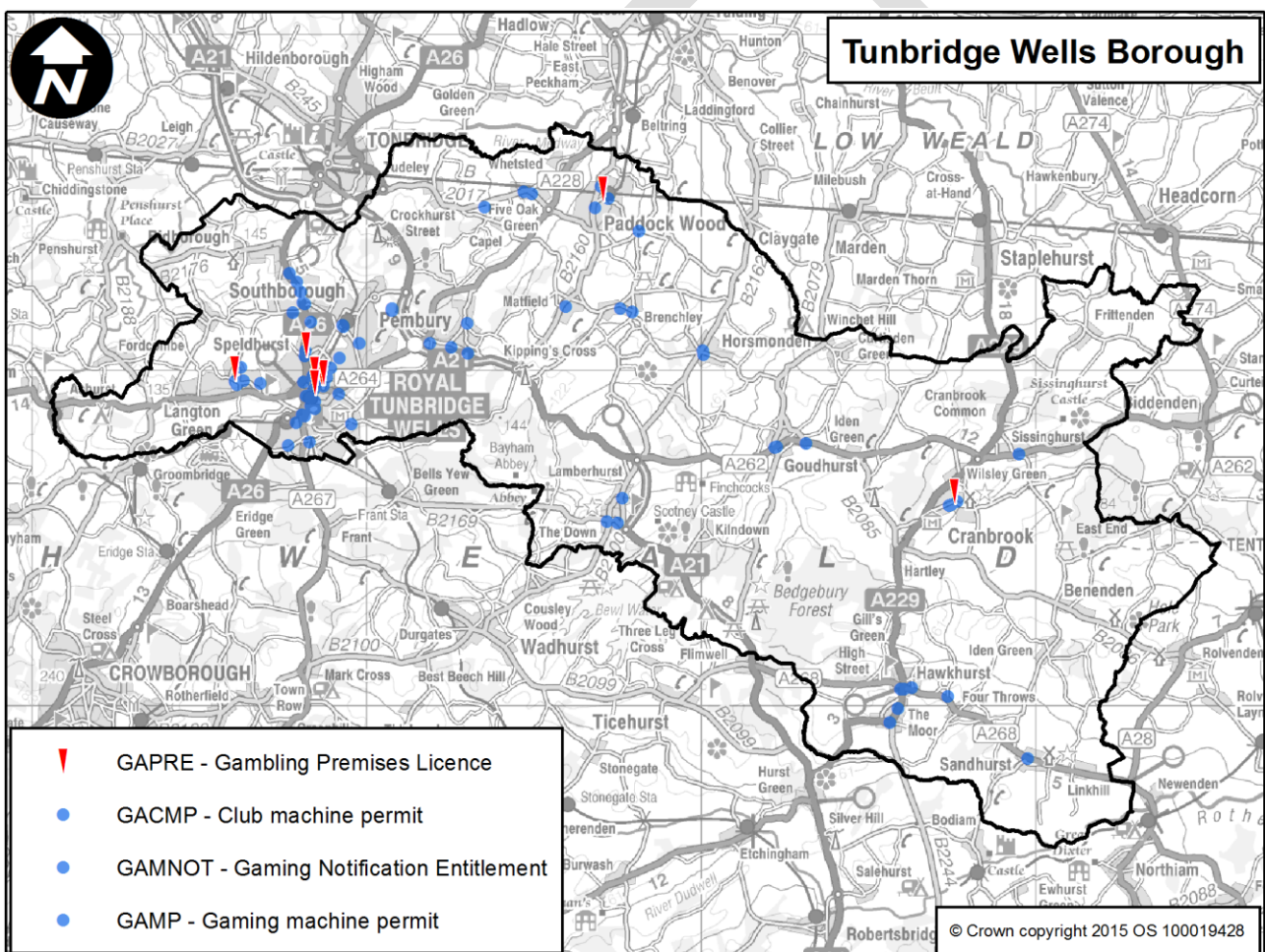
licence or when changes in the local environment or the premises warrant a risk assessment to be conducted again.

1. The risk assessment should demonstrate the applicant has considered, as a minimum:
 - local crime statistics;
 - any problems in the area relating to gambling establishments such as anti-social behaviour or criminal damage;
 - the location of any nearby sensitive premises, such as hostels and other facilities used by vulnerable persons e.g. drug and alcohol addictions;
 - whether there is a prevalence of street drinking in the area, which may increase the risk of vulnerable persons using the premises;
 - the type of gambling product or facility offered;
 - the layout of the premises;
 - the external presentation of the premises;
 - the location of nearby transport links and whether these are likely to be used by children or vulnerable persons;
 - the customer profile of the premises;
 - staffing levels;
 - staff training, knowledge and experience;
 - whether there is any indication of problems with young persons attempting to access adult gambling facilities in that type of gambling premises in the area.
2. The Licensing Authority would expect the local area risk assessment to be kept on the individual premises and be available for inspection.

7. Local Area Profile (LAP)

The Guidance indicates licensing authorities complete and map their own assessment of local risks and concerns by developing Local Area Profiles to help shape their statements (although there is no requirement to do this). In simple terms, the objective of the profile is to set out what the area is like, what risks this might pose to the licensing objectives, and what the implications of this are for the Licensing Authority and operators. Importantly, risk in this context includes potential and actual risks, thereby taking into account possible future emerging risks, rather than reflecting current risks only.

Gambling Premises are mapped out within the Borough (red markers) and those premises that have gaming machine permits (Licensed Premises and Club) and gaming permits (Clubs) to indicate the location of the premises. There are 11 betting gambling premises across the Borough and there are no areas of high density of gambling premises. Gambling premises and gambling activities are concentrated in and around Royal Tunbridge Wells, which the map demonstrates.



In assessing local area profiles, Licensing Authorities can also take into account the location of

- schools, sixth form colleges, youth centres etc., with reference to the potential risk of under-age gambling

- hostels or support services for vulnerable people, such as those with addiction issues or who are homeless, given the greater risk of problem gambling among these groups
- religious buildings
- any known information about issues with problem gambling
- the surrounding night time economy, and possible interaction with gambling premises
- patterns of crime or anti-social behaviour in the area, and specifically linked to gambling premises
- the density of different types of gambling premises in certain locations
- specific types of gambling premises in the local area (E.g., seaside resorts may typically have more arcades or FECs).

In drafting this document relevant bodies and organisations were contacted for evidence of existing problems. From the data provided by GamCare it identified a number of cases within the Borough. It should be noted that in recent years the majority of these reported cases related to online gambling activities. Based on the evidence available to date, the Borough does not appear to suffer from a significant number of problems from gambling activities.

Complaints are only one means to consider addressing risk as they are related to an event that has happened, rather than the probability of an event happening and the likely impact of that. This position will be kept under review, and in the event that it changes, further research will be carried out to discover the extent of the problems and to prepare a Local Area Profile (LAP). If there is a need or evidence to develop the LAP further this will be done outside the scope of this document and updated as information changes.

8. Responsible Authorities

In exercising the Licensing Authority's powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm, the following principles have been applied:

- the need for the body to be responsible for an area covering the whole of the Licensing Authority's area and
- the need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.

In accordance with the Commission's Guidance for Local Authorities the Licensing Authority designates the following for this purpose:

Kent Safeguarding Children's Board

The contact details of all the Responsible Bodies under the Gambling Act 2005 are listed at Appendix 3 of the policy.

9. Interested parties

The Licensing Authority is required by regulations to state the principles it will apply in exercising its powers under the Act to determine whether a person is an interested party.

Section 158 of the Gambling Act 2005 defines interested parties as persons who, in the opinion of the Licensing Authority;

- a) lives sufficiently close to the premises to be likely to be affected by the authorised activities;
- b) has business interests that might be affected by the authorised activities;
- c) represents persons who satisfy paragraph (a) or (b).

An interested party can make representations about licence applications or apply for a review of an existing licence.

Each application will be decided upon its merits. This Authority will not apply rigid rules to its decision-making. However, it will consider the Commission's Guidance issued to local authorities.

The Gambling Commission has emphasised that 'demand' cannot be a factor in determining applications.

The Guidance states that moral objections to gambling are not a valid reason to reject applications for premises licences, as such objections do not relate to the licensing objectives. All objections must be based on the licensing objectives.

The Commission has recommended that the Licensing Authority state within its Gambling Policy Statement that interested parties may include trade associations, trade unions, and residents and tenants' associations. However, this Authority will not generally view these bodies as interested parties unless they have a person who in the opinion of the Licensing Authority:-

- a) live sufficiently close to the premises to be likely to be affected by the authorised activities;
- b) have business interests that might be affected by the authorised activities; or
- c) represents persons who satisfy paragraph a) or b).

Interested parties can be persons who are democratically elected, such as Councillors and MP's. No evidence of being asked to represent an interested person will be required provided the Councillor/MP represents the relevant ward. Likewise, parish councils may be considered to be interested parties.

Apart from these exceptions this Authority will require written confirmation that a person/body/advocate/relative is authorised to represent an interested party. Where they can demonstrate that they represent person in (a) or (b) above, a letter of authorisation from one of these persons, requesting the representative to speak on their behalf will be sufficient.

Councillors who are not within the definition of an "interested party" may attend meetings of the Licensing Committee's Sub-Committees, but have no right to address the hearing unless appointed by an 'interested party' to assist or represent that party.

In determining whether a person lives or has business interests sufficiently close to the premises, that they are likely to be affected by the authorised activities, the Licensing Authority will consider the following factors:-

- the size of the premises;
- the nature of the premises;
- the distance of the premises from the location of the person making the representation;
- the potential impact of the premises (e.g. number of customers, routes likely to be taken by those visiting the establishment);
- the circumstances of the complaint. This does not mean the personal characteristics of the complainant but the interest of the complainant, which may be relevant to the distance from the premises;
- the catchment area of the premises (i.e. how far people travel to visit); and
- whether the person making the representation has business interests in that catchment area that might be affected.

If there are any doubts then please contact the Licensing Team via email at licensing@tunbridgewells.gov.uk or by telephone 01892 554 034.

10. Exchange of Information

Licensing Authorities are required to include in their Gambling Policy Statement the principles to be applied by the Authority, in exercising the functions, under sections 29 and 30 of the Act, with respect to the exchange of information between it and the Gambling Commission, the functions under section 350 of the Act with the respect to the exchange of information between it and the other persons listed in Schedule 6 to the Act.

The principle that this Licensing Authority will apply is that it will have regard to the provisions of the Gambling Act 2005 in its exchange of information, and the provision that the Data Protection Act (DPA) 1998 or General Data Protection Regulations (GDPR) will not be contravened. The Licensing Authority will have regard to any revised Guidance issued by the Gambling Commission on this matter as well as any regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.

We recognise the need to share information with other agencies about our inspections and compliance activities. The Council has various policies relating to General Data Protection Regulations (GDPR), which will be considered when deciding what information to share and the process for doing so. Kent & Medway Information Sharing Agreement. The Council is also a signatory to the Kent & Medway Information Sharing Agreement, which allows the sharing of information between Agencies for the purpose of the preventions and detection of crime and for public protection.

Information can be accessed by data subjects via a number of routes including a Freedom of Information Request or a Subject Access Request.

11. Public Register

The Licensing Authority is required to keep a public register and share information contained in it with the Gambling Commission and others. Regulations will prescribe what information should be kept in the register. Copies of the register may be obtained on payment of a fee.

12. Compliance and Enforcement

The Licensing Authority will act in accordance with the relevant legislation and Guidance as amended from the Gambling Commission and adopt the principles of better regulation set out in the Regulators Compliance Code.

The purpose of the Licensing Authority's enforcement protocol is to facilitate co-operation and co-ordination between enforcement agencies in pursuance of both the Gambling Act 2005 and the Licensing Act 2003.

A copy can be requested via email at licensing@sevenoaks.gov.uk or by telephoning the Licensing Administration Team 01732 227004.

In accordance with the Gambling Commission's Guidance for local authorities this Licensing Authority will endeavour to avoid duplication with other regulatory regimes, so far as is possible. .

The Licensing Authority, as recommended by the Gambling Commission's Guidance, has adopted a risk-based inspection programme.

Licensing authorities are required by regulation under the Gambling Act 2005, to state the principles to be applied by the authority in exercising the functions under Part 15 of the Act with respect to the inspection of premises; and the powers under section 346 of the Act to institute criminal proceedings in respect of the offences specified.

The Licensing Authority's principles are that:

It will adopt the Guidance for local authorities and it will endeavour to be:

- **Proportionate**
Intervention will only be when necessary. Remedies should be appropriate to the risk posed and costs identified and minimised.
- **Accountable**
Authorities must be able to justify decisions and be subject to public scrutiny.
- **Consistent**
Rules and standards must be joined up and implemented fairly.
- **Transparent**
Enforcement should be open and regulations kept simple and user friendly.
- **Targeted**
Enforcement should be focused on the problems and minimise side effects.

New premises, premises under new management, premises where complaints have been received or intelligence received relevant to the licensing objectives and premises or operators where compliance failings have been identified previously will attract a higher risk rating. Premises located in areas where there have been incidents of crime affecting or relating to gambling premises, or where the premises themselves have been the victims or involved in such crime, shall also attract a higher risk rating. The Council will conduct baselining assessments to assess initial risk ratings for gambling premises in its borough. The Licensing Authority operates a partnership approach to dealing with enforcement matters concerning licensed premises. This may include working with the Police or any of

the other responsible authorities under the Act, or working with colleagues from other Council departments or outside agencies.

The Licensing Authority needs to be satisfied premises are being run in accordance with the provisions of the Act, the licensing objectives, the Licence Conditions and Codes of Practice issued by the Gambling Commission and any conditions attached to the Premises Licence. To achieve this, the Licensing Authority will inspect premises, look at gambling facilities, gaming machines and policies and procedures, meet with licence holders and carry out general monitoring of areas as necessary.

Inspection and enforcement under the Act will be based on the principles of risk assessment, a graduated response and the targeting of problem premises. The frequency of inspections will be determined on risk-based criteria with high risk operations receiving more attention than premises carrying lower risk.

Premises found to be fully compliant will attract a lower risk rating. Those where breaches are detected will attract a higher risk rating.

The Licensing Authority will take appropriate enforcement action against those responsible for unlicensed premises/activity. Action will be carried out in accordance with the Enforcement Policy. The main enforcement and compliance role for the Licensing Authority in terms of the Gambling Act 2005 will be to ensure compliance with the premises licences and other permissions which it authorises. The Gambling Commission will be the enforcement body for Operating and Personal Licences. Concerns relating to manufacture, supply or repair of gaming machines, or concerns relating to on-line or remote gambling is part of the Commissions role.

13. Gambling Prevalence and Problem Gambling

Participation in gambling and rates of problem gambling published in April 2018 on the Gambling Commission website by NHS Digital showed that:

56% of people in England gambled in 2016

42% of people in England (excluding those who had only played National Lottery draws) gambled in 2016

0.7% of people in England identified as problem gamblers

1.2% of gamblers in England identified as problem gamblers

3.6% of people in England were at low or moderate risk of developing problems with their gambling

6.6% of gamblers in England are at low or moderate risk of developing problems with their gambling

Problem gambling can have a detrimental effect on personal finances as the attempt to chase losses becomes unmanageable. As well as spending wages, savings and spare cash, debts can also be a feature of problem gambling as a result of borrowings and loans to cover gambling losses. However, the effects of problem gambling can cost more than money.

Problem gamblers often say they feel isolated as a result of their solitary pursuits of chasing losses. There is a tendency to stay away from school, college or work in order to

gamble. In addition, there is often a preoccupation with gambling, a lack of interest in maintaining relationships and a lack of motivation to engage in social activities.

There is often reluctance amongst gamblers to spend money on items of clothing or household goods as this expenditure is often seen as funds for gambling. There can also be an unwillingness to pay utility bills as money would rather be used for gambling purposes.

Problem gambling can be progressive in nature and problem gamblers can end up engaging in criminal activity to fund their gambling. This can lead to lifelong consequences with criminal convictions

<http://www.gamblingcommission.gov.uk/news-action-and-statistics/Statistics-and-research/Levels-of-participation-and-problem-gambling/Levels-of-problem-gambling-in-England.aspx>

http://www.gamcare.org.uk/sites/default/files/file_attach/GamCare%20Annual%20Statistics%202016-17%20FINAL.pdf

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Appendix 1

Factors to be taken into account when considering applications for premises licences, permits and other permissions including matters that will be considered when determining whether to review a licence.

1. Permits

- i. **Unlicensed Family Entertainment Centre (FEC) gaming machine permits** (Statement of Principles on Permits - Schedule 10 para7)

Where a premises does not hold a Premises Licence but wishes to provide gaming machines it may apply to the Licensing Authority for this permit. The applicant must show that the premises will be wholly or mainly used for making gaming machines available for use (Section 238).

As unlicensed family entertainment centres will particularly appeal to children and young persons, weight shall be given to child protection issues. The Licensing Authority has considered and will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling, but includes wider child protection considerations. The policies and procedures are expected to include:

- What staff should do if they suspect that truant children are on the premises;
- How staff should deal with unsupervised young children on the premises;
- How staff should deal with children causing perceived problems on or around the premises;
- Safeguarding awareness training
- An enhanced criminal record check for staff or equivalent criminal records check for the applicant and also the person who has the day to day control of the premises;

The Licensing Authority will also expect applicants to demonstrate

- a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed family entertainment centres;
- that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act); and
- that staff are trained to have full understanding of the maximum stakes and prizes.

It should be noted that a Licensing Authority cannot attach conditions to this type of permit and that the “statement of principles” only applies to initial applications and not to renewals (paragraph 8(2)). For initial applications, the Licensing Authority need not (but may) have regard to the licensing objectives and shall have regard to any Gambling Commission Guidance.

Appendix A

The Gambling Commission's Guidance for local authorities states: "In their three year licensing policy statement, licensing authorities may include a statement of principles that they propose to apply when exercising their functions in considering applications for permits....., licensing authorities may want to give weight to child protection issues."

The Gambling Commission's Guidance also states: "An application for a permit may be granted only if the Licensing Authority is satisfied that the premises will be used as an unlicensed FEC, and if the Chief Officer of Police has been consulted on the application."

Statement of Principles: This Licensing Authority will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations.

The efficiency of such policies and procedures will each be considered on their merits. However, they may include:-

- appropriate measures/training for staff as regards suspected truant school children on the premises;
- measures/training covering how staff would deal with unsupervised very young children being on the premises;
- children causing perceived problems on/around the premises; and
- Safeguarding awareness training

With regard to renewals of these permits, the Licensing Authority may refuse an application for renewal of a permit only on the grounds that an authorised local authority officer has been refused access to the premises without reasonable excuse or that renewal would not be reasonably consistent with pursuit of the licensing objectives.

(ii) (Alcohol) Licensed Premises (Licensing Act 2003) Gaming Machine Permits – (Schedule 13 Para 4(1))

There is provision in the Act for premises licensed to sell alcohol for consumption on the premises to automatically have two gaming machines of categories C and/or D. The premises licence holders merely need to notify the Licensing Authority. The Licensing Authority may make an order disapplying the automatic entitlement in respect of any particular premises if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- gaming has taken place on the premises that breaches a condition of section 282 of the Gambling Act 2005;
- the premises are mainly used for gaming; or
- an offence under the Gambling Act 2005 has been committed on the premises.

If a premises wishes to have more than two machines, then it needs to apply for a permit and the Licensing Authority will consider that application based upon the licensing objectives, any Guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005, and “*such matters as they think relevant.*”

This Licensing Authority considers that “such matters” will be decided on a case by case basis, but generally there will be regard to the need to protect children and vulnerable persons from being harmed or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines. Premises should be configured so that children are not invited to participate in, have accidental access to, or closely observe gambling where they are prohibited from participating.

Measures which will satisfy the Licensing Authority that there will be no access may include the adult machines being in sight of the bar or in the sight of staff that will monitor that the machines are not being used by those under 18 years old. Notices and signage may also help. As regards the protection of vulnerable persons applicants may wish to consider the provision of information leaflets/helpline numbers for organisations such as GamCare.

It should be noted that the Licensing Authority can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.

It should also be noted that the holder of a permit must comply with any Code of Practice, as amended, issued by the Gambling Commission about the location and operation of the machine.

(iii) Prize Gaming Permits – (Statement of Principles on Permits - Schedule 14 Para 8 (3))

Given that the premises will particularly appeal to children and young persons, in considering what to take into account in the application process and what information to request from the applicant, the Licensing Authority will want to give weight to child protection issues and will ask the applicant to set out the types of gaming that he or she is intending to offer. The applicant will be expected to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations.

- What staff should do if they suspect that truant children are on the premises;
- How staff should deal with unsupervised young children on the premises;
- How staff should deal with children causing perceived problems on or around the premises;
- Safeguarding awareness training; and
- An enhanced criminal record check for staff or equivalent criminal records check for the applicant and also the person who has the day to day control of the premises;

The Licensing Authority will also expect applicants to demonstrate

- a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed family entertainment centres;
- that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act);
- that staff are trained to have full understanding of the maximum stakes and prizes; and
- that the gaming offered is within the law

In making its decision on an application for this permit the Licensing Authority need not (but may) have regard to the licensing objectives and shall have regard to any Gambling Commission Guidance.

The Gambling Act 2005, attaches mandatory conditions to all prize gaming permits. The Licensing Authority cannot attach conditions. The mandatory conditions are as follows:

The limits on participation fees, as set out in regulations, must be complied with;

- that all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;
- the prize for which the game is played must not exceed the amount set out in regulations (if a money prize) or the prescribed value (if non-monetary prize); and
- participation in the gaming must not entitle the player to take part in any other gambling.

(iv) Club Gaming and Club Machines Permits (Schedule 12 Para 1)

Members' Clubs and Miners' Welfare Institutes (but not Commercial Clubs) may apply for a Club Gaming Permit or a Club Gaming Machine Permit. The Club Gaming Permit will enable the premises to provide gaming machines (3 machines of categories B3A, B4, C or D), equal chance gaming and games of chance as set out in regulations. A Club Machine Permit will enable the premises to provide gaming machines (3 machines of categories B3A, B4, C or D).

If a club does not wish to have the full range of facilities permitted by a club gaming permit or if they are a commercial club not permitted to provide non-machine gaming (other than exempt gaming under section 269 of the Act), they may apply for a club machine permit which will enable the premises to provide gaming machines (three machines of categories B4, C or D).

The Guidance for local authorities states: "Members' Clubs must have at least 25 members and be established and conducted "wholly or mainly" for purposes other than gaming, it must be permanent in nature, not established to make a commercial profit and must be controlled by its members equally, unless the gaming is restricted to bridge and whist but there is no need for a club to have an alcohol licence.

The Licensing Authority is aware that it may refuse an application on one or more of the following grounds:

- (a) the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
- (b) the applicant's premises are used wholly or mainly by children and/or young persons, or by both;
- (c) an offence under the Act or a breach of a condition of a permit has been committed by the applicant while providing gaming activities;
- (d) a permit held by the applicant has been cancelled in the previous ten years; or
- (e) an objection has been lodged by the Gambling Commission or the police.

The Licensing Authority will need to satisfy itself that the club meets the requirements of the Gambling Act 2005 to hold a club gaming permit. In order to do this, it may require proof of additional information from the operator such as:

- Is the primary activity of the club something other than gaming?
- Are the club's profits retained solely for the benefit of the club's members?
- Are there 25 or more members?
- Are the addresses of members of the club genuine domestic addresses and do most members live reasonably locally to the club?
- Do members participate in the activities of the club via the internet?
- Do guest arrangements link each guest to a member?

- Is the 48 hour rule being applied for membership and being granted admission being adhered to?
- Are there annual club accounts available for more than one year?
- How is the club advertised and listed in directories and on the internet?
- Are children permitted in the club?
- Does the club have a constitution and can it provide evidence that the constitution was approved by members of the club?
- Is there a list of Committee members and evidence of their election by the club members?

When examining the club's constitution, the Licensing Authority would expect to see evidence of the following:

- Who makes commercial decisions on behalf of the club?
- Are the aims of the club set out in the constitution?
- Are there shareholders or members? Shareholders indicate a business venture rather than a non-profit making club.
- Is the club permanently established? (Clubs cannot be temporary).
- Can people join with a temporary membership? What is the usual duration of membership?
- Are there long term club membership benefits?

Aside from bridge and whist clubs, clubs may not be established wholly or mainly for the purposes of gaming. The Licensing Authority may consider such factors as:

- How many nights a week gaming is provided;
- How much revenue is derived from gambling activity versus other activity;
- How the gaming is advertised;
- What stakes and prizes are offered;
- Whether there is evidence of leagues with weekly, monthly or annual winners;
- Whether there is evidence of members who do not participate in gaming;
- Whether there are teaching sessions to promote gaming such as poker;
- Where there is a tie-in with other clubs offering gaming through tournaments and leagues;
- Whether there is sponsorship by gaming organisations;
- Whether participation fees are within limits

Fast Track Procedure (Schedule 12(10))

There is also a procedure available under the Act for premises that hold a Club Premises Certificate under the Licensing Act 2003 (Schedule 12, para 10). As the Gambling Commission's Guidance for local authorities' states: "Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the grounds upon which an authority can refuse a permit are reduced" and "The grounds on which an application under the process may be refused are:

- (a) that the club is established primarily for gaming, other than gaming prescribed under schedule 12;
- (b) that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- (c) that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled."

There are statutory conditions on club gaming permits that no child uses a category B3A, B4 or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

Appendix 2

2. Gambling Premises Licences

(i) Decision making - general:

Premises Licences will be subject to the requirements set-out in the Gambling Act 2005 and Regulations, as well as specific mandatory and default conditions detailed in regulations issued by the Secretary of State. The Licensing Authority is able to exclude default conditions and also attach others, where it is believed to be appropriate.

The Licensing Authority is aware that in making decisions about premises licences it should aim to permit the use of premises for gambling in so far as it thinks it is:

- in accordance with any relevant code of practice issued by the Gambling Commission;
- in accordance with any relevant Guidance issued by the Gambling Commission;
- reasonably consistent with the Licensing Objectives; and
- in accordance with the Authority's Statement of Licensing Policy.

Any conditions attached to licences by the Licensing Authority will be proportionate and will be:

- relevant to the need to make the proposed building suitable as a gambling facility;
- directly related to the premises and the type of licence applied for;
- fairly and reasonably related to the scale and type of premises; and
- are reasonable in all other respects.

Decisions upon individual conditions will normally be made on a case by case basis relying on mandatory and default conditions, although there will be a number of measures the Licensing Authority may consider utilising the examples above where the local circumstances or specific risks make it appropriate, such as the use of supervisors, appropriate signage for adult only areas etc. There are specific comments made in this regard under some of the licence types below. The Licensing Authority will also expect the licence applicant to offer his/her own suggestions as to the way in which the licensing objectives can be met effectively.

An applicant for a licence will need to specify what supervision is proposed for the area where machines are sited and to clarify how supervisors will be trained to recognise vulnerable adults.

The Licensing Authority will also consider specific measures which may be required for buildings which are subject to multiple premises licences. Such measures may include the supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in a non-adult gambling specific

premises in order to pursue the licensing objectives. These matters are in accordance with the Gambling Commission's Guidance and licence conditions and codes of practice. The

Appendix A

Licensing Authority will also ensure that where category C or above machines are on offer in premises to which children are admitted:

- all such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- only adults are admitted to the area where these machines are located;
- access to the area where the machines are located is supervised;
- the area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
- at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons less than 18 years of age.

These conditions will apply to premises including buildings where multiple premises licences are applicable.

The Licensing Authority is aware that tracks may be subject to one or more than one premises licence provided each licence relates to a specified area of the track. As per the Gambling Commission's Guidance, the Licensing Authority will consider the impact upon the third licensing objective and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

There are also conditions which the Licensing Authority cannot attach to premises licences which are:

- any condition on the premises licence which makes it impossible to comply with an operating licence condition;
- conditions relating to gaming machine categories, numbers, or method of operation;
- conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated) and
- conditions in relation to stakes, fees, winning or prizes.

(ii) **“Premises”:**

Premises are defined in the Act as “any place”. It is for the Licensing Authority to decide whether different parts of a building can be properly regarded as being separate premises and as the Guidance for local authorities' states, it “will always be a question of fact in the circumstances”. The Gambling Commission does not however consider that areas of a building that are artificially or temporarily separate can be properly regarded as different premises. The Licensing Authority will have regard to the Commission's Guidance on the division of premises and access between premises.

The Licensing Authority takes particular note of the Guidance for Local Authorities which states that in considering applications for multiple licences for a building (split premises) or

those for a specific part of the building to be licensed, licensing authorities should be aware that:

- the third licensing objective seeks to protect children from being harmed by gambling. In practice that means not only preventing them from taking part in gambling but also that they are not permitted to be in close proximity to gambling. Therefore premises should be configured so that children are not invited to participate in, have accidental access to, or closely observe gambling where they are prohibited from participating; and
- entrances and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised and that people do not 'drift' into a gambling area.

The Licensing Authority will pay particular attention to applications where access to the licensed premises is through other premises (which themselves may be licensed or unlicensed). Clearly, there will be specific issues that authorities should consider before granting such applications, for example, whether children can gain access; compatibility of the two establishments; and ability to comply with the requirements of the Act. But, in addition an overriding consideration should be whether, taken as a whole, the co-location of the licensed premises with other facilities has the effect of creating an arrangement that otherwise would, or should, be prohibited under the Act.

It should also be noted that an applicant cannot obtain a full premises licence until the premises in which it is proposed to offer the gambling are constructed. The Gambling Commission has advised that references to "the premises" are to the premises in which gambling may now take place. Thus a licence to use premises for gambling will only be issued in relation to premises that are ready to be used for gambling. The Licensing Authority agrees with the Gambling Commission that it is a question of fact and degree whether premises are finished to a degree that they can be considered for a premises licence. The Gambling Commission emphasises that requiring the building to be complete ensures that the authority can, if necessary, inspect it fully, as can other responsible authorities with inspection rights.

(iii) Location:

The Licensing Authority is aware that demand issues cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives can. As per the Gambling Commission's Guidance for local authorities, the Licensing Authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder. Should any specific policy be considered there would be a consultation and any such policy would not preclude any application being made and each application will be decided on its merits, with the onus upon the applicant showing how potential concerns can be overcome.

(iv) Planning:

Planning and licensing are different regulatory systems and will be dealt with separately. The Gambling Commission's Guidance states: "When dealing with a premises licence application for finished buildings, the Licensing Authority should not take into account whether those buildings have or comply with the necessary planning or building consents.

Those matters should be dealt with under relevant planning control, building and other regulations and not form part of the consideration for the premises licence. Section 210 of the 2005 Act prevents licensing authorities taking into account the likelihood of the proposal by the applicant obtaining planning or building consent when considering a premises licence application. Equally the grant of a gambling premises licence does not prejudice or prevent any action that may be appropriate under the law relating to planning or building."

(v) Duplication:

As stated above in section 12 on Compliance and Enforcement, as per the Gambling Commission's Guidance for local authorities the Licensing Authority will seek to avoid duplication with other regulatory regimes so far as possible.

(vi) Door Supervisors:

The Gambling Commission's Guidance advises local authorities that licensing authorities may require persons operating premises in which gambling takes place to take measures such as the supervision of entrances; segregation of gambling from non-gambling areas frequented by children (assuming such non-gambling areas are compatible with requirements of the Act); and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives.

Any person employed to fulfil a condition on a premises licence that requires door supervision should hold a relevant licence issued by the Security Industry Authority (SIA).

It is to be noted that door supervisors at licensed casino or bingo premises are exempt from the requirements of the Private Security Industry Act 2001. Where an authority imposes door supervision requirements on such licences, the personnel will not need licensing under the 2001 Act.

The Licensing Authority therefore has specific requirements for door supervisors working at casinos or bingo premises, where there are multiple licensable activities and/or the Police Licensing Officer has concerns about the licensing objectives being undermined.

Where the premises are licensed under the Licensing Act 2003 door supervisors will be required to hold a relevant licence issued by the Security Industry Authority (SIA).

(vii) Split Premises

The Gambling Commission's Guidance states that a building can, in principle, be divided into more than one premises and be subject to more than one Premises Licence provided they are for different parts of the building, and the different parts of the building can reasonably be regarded as being different premises. An example is given of units within a shopping mall, where each unit is separate self-contained premises contained within one building. It is also possible for licensed premises to be located next to each other.

Appendix A

The Gambling Commission state they do 'not consider that areas of a building that are artificially separated, for example by ropes or moveable partitions, can properly be regarded as separate premises'.

Whether different parts of a building can be reasonably regarded as different premises will depend on the circumstances of the individual building and how any division is proposed. To agree to accept applications to grant or vary a licence for a building which has been divided, the Licensing Authority will need to be satisfied the premises are genuinely separate premises, and not an artificially created additional part of single premises.

In considering whether different areas of a building are genuinely separate premises the Licensing Authority will take into account factors which will include:

- whether there are separate registrations for business rates in place for each premises;
- whether separate sets of staff work in the individual premises;
- whether there is a separate cash desk/reception for each of the premises;
- whether each premises has its own postal address;
- whether the premises are owned or operated by the same person;
- whether each of the premises can be accessed from a street or public passageway;
- whether the premises can only be accessed from any other gambling premises.

When considering proposals to divide a building into separate premises, the Licensing Authority will also need to be satisfied that the form of separation between the premises is appropriate.

The separation between one premises and another must be clearly defined. Any barrier used to separate one premises from another must be permanent and constructed so the public cannot go from one premises to another.

It may be acceptable for staff working in adjacent premises to have access through barriers between premises. The applicant must demonstrate that in providing staff access there are suitable control measures in place that will ensure the safety and security of staff and will prevent the public from using the same access point to enter the other premises.

The Gambling Act 2005 (Mandatory and Default Conditions) Regulations 2007 restrict access to different types of licensed gambling premises. In considering proposals to divide a building into different premises, the Licensing Authority will have to be satisfied that proposals to divide buildings are compatible with the mandatory conditions relating to access between premises.

The Guidance at paragraph 7.22 states "There is no definition of 'direct access' in the Act or Regulations, but Licensing Authorities may consider that there should be an area separating the premises concerned (for example a street or café), which the public go to for purposes other than gambling, for there to be shown to be no direct access."

It is the Licensing Authority's opinion that any area which separates licensed premises, and from which those premises can be accessed, must be genuinely separate premises which are habitually and actually used by members of the public other than those using the licensed premises.

The Licensing Authority does not consider that provisions which prohibit direct access between licensed premises are satisfied where licensed premises are separated by an area created artificially within a building principally for members of the public attending the licensed premises, irrespective of whether this area is unlicensed or provides non-gambling facilities, for example refreshments or cashpoint machines.

Where the Licensing Authority is satisfied that a building can be divided into separate premises it will expect applicants to ensure that:

- the premises are configured so that children are not invited to participate in, have accidental access to, or closely observe gambling to which they are prohibited from taking part;
- the premises are not configured so children are likely to enter an adult only area to join a parent gambling in that adult only area,
- entrances and exits from parts of a building covered by one or more Premises Licences are separate and identifiable so the separation of different premises is not compromised and people do not 'drift' into a gambling area. In this context it should be possible to access the premises without going through another licensed premises or premises with a permit;
- customers should be able to participate in the activity named on the Premises Licence.

This is not an exhaustive list and the Licensing Authority will consider other aspects based on the merits of the application.

(viii) Access to Premises

The Gambling Act 2005 (Mandatory and Default Conditions) Regulations set out access provisions for each type of licensed gambling premises. The broad principle is there can be no direct access from one licensed gambling premises to another, except between premises which allow those aged under-18 to enter and with the further exception that licensed betting premises may be accessed via other licensed betting premises.

'Direct access' is not defined, but the Licensing Authority will consider there should be an area such as a street or café to which the public attend for purposes other than gambling for there to be no direct access.

Type of Premises	Access Provisions
Casino	<ul style="list-style-type: none"> • The principal access to the premises must be from a 'street'; • No entrance to a casino must be from premises that are used wholly or mainly by children and/or young persons; • No customer must be able to access a casino directly from any other premises which holds a gambling premises licence.
Adult Gaming Centre	<ul style="list-style-type: none"> • No customer must be able to access the premises directly from any other licensed gambling premises.
Betting Shop	<ul style="list-style-type: none"> • Access must be from a 'street' or from other premises with a betting licence;

	<ul style="list-style-type: none"> No direct access is permitted from a betting shop to another premises used for the retail sale of merchandise or services. In effect there cannot be any entrance to a betting shop from a shop of any kind unless that shop is in itself a licensed betting premises.
Track	<ul style="list-style-type: none"> No customer must be able to access the premises directly from a casino or Adult Gaming Centre.
Bingo Premises	<ul style="list-style-type: none"> No customer must be able to access the premises directly from a casino, an Adult Gaming Centre or a betting premises, other than a track.
Family Entertainment Centre	<ul style="list-style-type: none"> No customer must be able to access the premises directly from a casino, an Adult Gaming Centre or a betting premises, other than a track.

(ix) Licensing objectives:

The Licensing Authority has considered the Commission’s Guidance to local authorities in respect of the licensing objectives.

Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;

Ensuring that gambling is conducted in a fair and open way;

Protecting children and other vulnerable persons from being harmed or exploited by gambling.

(x) Reviews:

Interested parties or responsible authorities can make requests for a review of a premises licence; however, it is for the Licensing Authority to decide whether the review is to be carried out. This will be on the basis of whether the request for the review is relevant to the following matters:

- it is in accordance with any relevant code of practice issued by the Gambling Commission;
- it is in accordance with any relevant Guidance issued by the Gambling Commission;
- it is reasonably consistent with the licensing objectives; and
- it is in accordance with the authority’s statement of licensing policy.

Consideration will be given as to whether the request is frivolous, vexatious, or will certainly not cause the Licensing Authority to wish to alter/revoke/suspend the licence, or whether it is substantially the same as previous representations or requests for review.

The Licensing Authority can also initiate a review of a licence on the basis of any reason that it thinks is appropriate.

(xi) Provisional Statements:

The Licensing Authority notes the Guidance from the Gambling Commission which states:

S.204 of the Act provides for a person to make an application to the Licensing Authority for a provisional statement in respect of premises that he or she:

- expects to be constructed
- expects to be altered
- expects to acquire a right to occupy.

In terms of representations about premises licence applications, following the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless they concern matters which could not have been addressed at the provisional statement stage, or they reflect a change in the applicant's circumstances.

In addition, the authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

- (a) which could not have been raised by objectors at the provisional licence stage; or
- (b) which in the authority's opinion reflect a change in the operator's circumstances.
- (c) Where the premises has not been constructed in accordance with the plan and information submitted with the provisional statement application. This must be a substantial change to the plan and licensing authorities should discuss any concerns they have with the applicant before making a decision.

(xii) Adult Gaming Centres (AGC):

The Licensing Authority particularly notes the Commission's Guidance which states: "No-one under the age of 18 years of age is permitted to enter an AGC. Licensing authorities will wish to have particular regard to the location of an entry to AGCs to minimise the opportunities for children to gain access. This may be of particular importance in areas where young people may be unsupervised and an AGC is in a complex, such as a shopping centre or airport."

Because gaming machines provides opportunities for solitary play and immediate payouts, they are more likely to engender repetitive and excessive play. The Licensing Authority in considering Premises Licences for AGC's will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to, for example, ensure that under 18 year olds are not attracted to, or gain access to, the premises.

The Licensing Authority will expect applicants to offer their own measures to meet the licensing objectives although appropriate measures/licence conditions may cover issues such as:

- Proof of age schemes
- CCTV
- Supervision of entrances/machine areas
- Physical separation of areas
- Location of entry
- Notices/signage
- Specific opening hours
- Self-barring schemes
- Provision of information leaflets/helpline numbers for organisations such as GamCare

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

(xiii) **(Licensed) Family Entertainment Centres (FECs):**

Family Entertainment Centres are wholly or mainly used for having gaming machines available for use.

The Licensing Authority will, as per the Gambling Commission's Guidance refer to the Commission's website to see any conditions that apply to operator licences covering the way in which the area containing the category C machines should be delineated. This Licensing Authority will also make itself aware of any mandatory or default conditions on these premises licences.

As gaming machines are a form of gambling which is attractive to children and licensed FEC's will contain both Category D machines on which they are allowed to play, and Category C machines on which they are not. Since gaming machines provide opportunities for solitary play and for immediate payouts, they are more likely to engender repetitive and excessive play. The Licensing Authority, in considering applications for FEC Premises Licences, will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority, for example, that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas.

The Licensing Authority will expect applicants to offer their own measures to meet the licensing objectives although appropriate measures/licence conditions may cover issues such as:

- CCTV
- Supervision of entrances/machine areas
- Physical separation of areas
- Location of entry
- Notices/signage

- Specific opening hours
- Self-barring schemes
- Provision of information leaflets/helpline numbers for organisations such as GamCare
- Measures/training for staff on how to deal with suspected truant school children on the premises

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

(xiv) Tracks:

The Licensing Authority is aware that the Gambling Commission may provide specific Guidance as regards tracks. The Licensing Authority shall have regard to this Guidance in the discharge of its functions.

(xv) Casinos:

The Licensing Authority has not passed a 'no Casino' resolution under Section 166(1) of the Gambling Act 2005; therefore this would allow the authority to grant a Casino licence.

Any future decision to pass or not pass such a resolution will be made by the Council's Licensing Committee and will need to be endorsed by the Full Council, but will only be taken after a full consultation process has been undertaken within its area.

(xvi) Bingo:

The Licensing Authority will have regard to the Gambling Commission's Guidance

The Licensing Authority expects that where children are permitted in bingo premises, any Category B or C machines are located in an area which is separated from the rest of the premises by barriers or in a separate room, where it is made clear that entry is permitted only for those aged 18 or over. Appropriate signage should be provided to this effect and the area should be monitored by staff, either through direct supervision or by monitored CCTV.

To avoid a situation where a premises holds a bingo Premises Licence primarily to benefit from the gaming machine allowance, the Licensing Authority will need to be satisfied that bingo is regularly played in any premises for which a Premises Licence is issued and that the premises presentation is clearly that of a bingo premises and readily identifiable as such to any customer using the premises.

(xvii) Temporary Use Notice (TUN):

There are a number of statutory limits as regards Temporary Use Notices. It is noted that it falls to the Licensing Authority to decide what constitutes a 'set of premises' where Temporary Use Notices are received relating to the same building/site (see Gambling Commission's Guidance for Local Authorities).

(xviii) Occasional Use Notice (OUN):

The Licensing Authority has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. The Licensing Authority will need to consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice.

(xvii) Small Society Lotteries

The Council will adopt a risk-based approach towards our compliance responsibilities for small society lotteries. We consider the following list, although not exclusive, could affect the risk status of the operator:

- Submission of late returns (returns must be submitted no later than three months after the date on which the lottery draw was held)
- Submission of incomplete or incorrect returns
- Breaches of the limits for small society lotteries

Non-commercial gaming is permitted if it takes place at a non-commercial event as either an incidental or principal activity at the event. Events are non-commercial if no part of the proceeds is for private profit or gain. The proceeds of such events may benefit one or more individuals if the activity is organised:

- By, or on behalf of, a charity or for charitable purposes
- To enable participation in, or support of, sporting, athletic or cultural activities.

Charities and community groups should contact us on 01892 550 034 or email licensing@tunbridgewells.gov.uk to seek further clarification.

(xix) (xvii) Travelling Fairs:

It will fall to the Licensing Authority to decide whether, where category D machines and/or equal chance prize gaming without a permit are to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.

The Licensing Authority will also consider whether the applicant falls within the statutory definition of a travelling fair.

It has been noted that the 27-day statutory maximum for the land being used as a fair, is per calendar year and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. This Licensing Authority will work with its neighbouring authorities to ensure that land which crosses its boundaries is monitored so that the statutory limits are not exceeded.

(xx) Betting Premises

This policy applies to applications for off-course betting premises. This is betting that takes place other than at a track, typically in a betting shop.

The Licensing Authority must be satisfied that the primary use of the premises is to operate as betting premises. The applicant will be expected to demonstrate they are offering sufficient facilities for betting or otherwise should not make gaming machines available on the premises.

In determining applications for betting premises, the Licensing Authority shall consider the following:

- proof of age schemes
- CCTV
- entry control system
- staff numbers
- staff training
- counter layout
- supervision of entrances/ machine areas
- machine privacy screens
- notices/ signage
- opening hours
- provision of responsible gambling information

This list is not exhaustive, and is merely indicative of example measures the Licensing Authority will expect applicants to offer to meet the licensing objectives.

Betting machines made available at betting premises that accept bets on live events such as horse racing (SSBT's or self-service betting terminals) are not gaming machines and therefore do not count towards the total number of gaming machines that may be permitted at betting premises. However, where a machine is made available to take bets on 'virtual' races (e.g. results/images generated by a computer to resemble a real race or event), that IS a gaming machine and counts towards the maximum permitted number of gaming machines, and is subject to the relevant statutory limits on stakes and prizes.

Section 181 of the Gambling Act 2005 permits the Licensing Authority to restrict the number of SSBT's, their nature and the circumstances in which they may be made available by attaching a relevant condition to a Premises Licence for a betting office. When considering whether to do so, the Licensing Authority will consider, among other things, the ability of employees to monitor the use of the machines by children and young persons or by vulnerable people.

The Licensing Authority when considering the number, nature and circumstances of self-service betting terminals an operator wants to offer will take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines.

Where an SSBT includes functionality to be marketed or presented in languages other than English, the Licensing Authority will seek to ensure the operator has considered the ordinary code provision set by the Gambling Commission about making the following information also available in the relevant languages:

- information on how to gamble responsibly and access the help referred to in the Gambling Commission's Licence Conditions and Codes of Practice;
- the player's guide to any game, bet or lottery under the provisions of the Gambling Commission's Licence Conditions and Codes of Practice;
- the summary of the contractual terms on which gambling is offered, which is a condition of the licence holder's Operating Licence issued by the Gambling Commission.

Help with gambling related problems:

A list of organisations where people may seek help will be available on the Licensing Authority's website.

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Appendix 3

Responsible Authorities:

Further information about the Gambling Act 2005 and the Council's licensing policy can be obtained from:

Licensing Team

Tunbridge Wells Borough Council
Mount Pleasant Road
Royal Tunbridge Wells
Kent. TN1 1RS

Tel: 01892 554 034

e-mail: licensing@tunbridgewells.gov.uk

Website: www.tunbridgewells.gov.uk

Local Planning Authority

Tunbridge Wells Borough Council
Town Hall
Royal Tunbridge Wells
Kent

TN1 1RS

Tel: 01892 526121

e-mail: planning@tunbridgewells.gov.uk

Chief Police Officer – (West Division)

Divisional Licensing Co-ordinator
Community Safety Unit
Gibson Building
Gibson Drive
West Malling
ME19 4LZ

Tel: 01732 379 255

e-mail:

west.division.licensing@kent.pnn.police.uk

Fire and Rescue Authority

West Kent Fire Safety Officer
Tonbridge Fire Station
424 Vale Road
Tonbridge
Kent. TN9 1SW

Tel: 01622 692 121

tonbridge.firesafety@kent.fire-uk.org

Information can also be obtained from:

Gambling Commission

Victoria Square House
Victoria Square
Birmingham. B2 4BP

Tel: 0121 230 6666

Fax 0121 230 6720

e-mail: info@gamblingcommission.gov.uk

Website:

www.gamblingcommission.gov.uk

Environmental Protection

Tunbridge Wells Borough Council
Town Hall
Royal Tunbridge Wells
Kent

TN1 1RS

Tel: 01892 526121 EXT 3235

e-mail: ehadmintwbc@midkent.gov.uk

Kent Safeguarding Children's Board

KCC Social Services
2nd Floor, Sessions House
County Road, Maidstone
Kent ME14 1XQ

03000 421 126

email: kscb@kent.gov.uk

Tel: 03000 421 126

HM Revenue and Customs

Excise Processing Teams
Gambling Duties
BX9 1GL Tel: 0845 302 1431

Website: www.hmrc.gov.uk

nrubetting&gaming@hmrc.gsi.gov.uk

Appendix 4

TABLE OF DELEGATIONS OF LICENSING FUNCTIONS

Gambling Act 2005	Functions	Delegation
	Final approval of three year licensing policy	Full Council
	Policy not to permit casinos	Full Council
	Fee Setting (when appropriate)	Full Council
Section 29	Duty to comply with requirement to provide information to Gambling Commission	Officers
Section 30	Functions relating to the exchange of information	Officers
Section 163	Determination of application for Premises Licence in respect of which representations have been made (and not withdrawn) Determination of application for Premises Licence where no relevant representations received	Licensing Sub-Committee Officers
Section 162	Attachment of condition to Premises Licence or exclusion of default condition	Licensing Sub-Committee
Section 162	Decision as to whether representation is vexatious, frivolous, or would certainly not influence the authority's determination of application	Officers in consultation with Chairman or Vice-Chairman at the Licensing Committee
Section 187	Determination of application to vary Premises Licence in respect of which representations have been made (and not withdrawn) Determination of application to vary Premises Licence in respect of which no representation received	Licensing Sub-Committee Officers
Section 188	Determination of application for transfer of Premises Licence in respect of which representations have been made (not withdrawn) Determination of application for transfer of Premises Licence where no representations received	Licensing Sub-Committee Officers
Section 193	Revocation of Premises Licence for failure to pay annual fee	Officers
Section 194	Determination that a Premises Licence has lapsed	Officers
Section 195	Reinstatement of lapsed Premises Licence in respect of which representations have been made (and not withdrawn) Reinstatement of lapsed Premises Licence where no representation is received	Licensing Sub-Committee Officers
Section 198	Rejection of application for review of Premises Licence on various grounds	Officers in consultation with the Chairman or Vice-Chairman of the Licensing Committee
Section 200	Initiation of review of Premises Licence	Officers
Section 201	Determination that representation about review of Premises Licence is frivolous, vexatious or will certainly not influence a	Officers in consultation with the Chairman or Vice-Chairman of the Licensing Committee

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	review of a Premises Licence	
Section 202	Determination of action following review of Premises Licence	Licensing Sub-Committee
Section 204	Determination of application for provisional statement in respect of Premises Licence where representations have been made (and not withdrawn) Determination of application for provisional statement in respect of which no representations received	Licensing Sub-Committee Officers
Section 205	Decision to disregard representations made in respect of application for a Premises Licence after issue of provisional statement	Officers in consultation with the Chairman or Vice-Chairman of the Licensing Committee
Section 218	Issue of counter notice to Temporary Use Notice where number of permitted days are exceeded	Officers
Section 221	Objection to Temporary Use Notice	Officers
Section 222	Issue of counter notice in response to Temporary Use Notice	Licensing Sub-Committee
Section 284	Making of Order to remove exemptions from specified premises	Licensing Sub-Committee
Section 304	Power to designate officer of a Licensing Authority as an authorised person for a purpose relating to premises	Officers
Section 346	Institution of criminal proceedings in respect of an offence under the provisions of the Act	Officers in consultation with the Chairman or Vice-Chairman of the Licensing Committee
Schedule 10		
Paragraph 8	Determination of application for Family Entertainment Centre Gaming Machine Permit	Head of Administration (or in his absence the Central Services Manager) (Refusal to be exercised only in consultation with Chairman or Vice-Chairman of the Licensing Committee)
Paragraphs 14 and 15	Notification of lapse of Family Entertainment Centre Gaming Permit	Officers in consultation with the Chairman or Vice-Chairman of the Licensing Committee
Schedule 11		
Paragraph 44	Registration of society for small society lottery	Officers
Paragraph 48	Refusal of application for registration of society for small society lottery	Officers in consultation with the Chairman or Vice-Chairman of the Licensing Committee
Paragraph 50	Revocation of registration of society for small society lottery	Officers in consultation with the Chairman or Vice-Chairman of the Licensing Committee
Paragraph 54	Cancellation of registration of society for small society lottery for non-payment of annual fee	Officers
Schedule 12		
Paragraphs 5	Determination of application for Club	Licensing Sub-Committee

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and 10 and 24	Gaming Permit and Club Registration Permit and for renewal of permit in respect of which representations have been made (and not withdrawn) Determination of application for Club Gaming Permit and Club Registration Permit and for renewal of permit where no representations received	Officers
Paragraph 15	Determination of application for variation of Club Gaming Permit and in respect of which Club Registration Permit and cancellation of permit representations have been made (and not withdrawn) Determination of application for variation of Club Gaming Permit and Club Registration Permit and cancellation of permit where no representations	Licensing Sub-Committee Officers
Paragraph 21	Cancellation of Club Gaming Permit and Club Registration Permit	Licensing Sub-Committee
Paragraph 22	Cancellation of Club Gaming Permit and Club Registration Permit for failure to pay annual fee	Officers
Schedule 13		
Paragraphs 4, 15 and 19	Determination of application for grant, variation or transfer of Licensed Premises Gaming Machine Permit	Officers (Refusal and limitation on number of machines only in consultation with Chairman or Vice-Chairman of the Licensing Committee Licensing
Paragraph 16	Cancellation of Licensed Premises Gaming Machine Permit or variation of number or category of machines in respect of which representations received (and not withdrawn)	Sub-Committee
Paragraph 17	Cancellation of Licensing Premises Gaming Machine Permit and variation of number or category of machine where no representations received Cancellation of Licensed Premises Gaming Machine Permit for failure to pay annual fee	Officers Officers
Schedule 14		
Paragraphs 9 and 18	Determination of application for Prize Gaming Permit and application for renewal of Permit	Officers (Refusal only in consultation with Chairman or Vice-Chairman of Licensing Committee
Paragraph 15	Determination that Prize Gaming Permit has lapsed	Officers

Appendix 5

LIST OF CONSULTEES

Tunbridge Wells Borough Council Website
Borough Councillors
Parish and Town Councils
West Kent Area Commander, West Kent Police
North Kent Area Commander, North Kent Police
Area Youth & Community Officer, KCC Youth & Community,
Local Services Team Leader, KCC Education & Libraries
Chief Executive, Town & Country Housing Group,
Regional Housing Manager, MOAT Housing Society
Licensing Co-ordinator, Kent Police, Strategic Crime Reduction Department
Director, West Kent Council of Voluntary Services

Licensed premises in the Tunbridge Wells Area
Tunbridge Wells Borough Chamber of Commerce
The Gambling Commission
West Kent Licensing Officer
Planning Department
Fire Safety District Manager, Kent Fire & Rescue Service
Ladbrokes Betting & Gaming Limited
The British Beer & Pub Association
Association of British Bookmakers
District Manager, Children & Families, KCC Social Services
Kent County Council, Trading Standards
Gambling Policy Team, HM Customs & Excise
Done Brothers T/A Betfred
Coral Racing Limited, Head Office
Gamcare
Gamble Aware

This list is not definitive.

SUMMARY OF GAMING MACHINES BY PREMISES

Appendix 6

Premises type	Machine category							
	A	B1	B2	B3	B3A	B4	C	D
Large casino (machine/table ratio of 5-1 up to maximum)	Maximum of 150 machines Any combination of machines in categories B to D (except B3A machines), within the total limit of 150 (subject to machine/table ratio)							
Small casino (machine/table ratio of 2-1 up to maximum)	Maximum of 80 machines Any combination of machines in categories B to D (except B3A machines), within the total limit of 80 (subject to machine/table ratio)							
Pre-2005 Act casino (no machine/table ratio)	Maximum of 20 machines categories B to D (except B3A machines), or any number of C or D machines instead							
Betting premises and tracks occupied by pool betting	Maximum of 4 machines categories B2 to D							
Bingo premises					Maximum of 20% of total number of gaming machines which are available for use on the premises categories B3 or B4		No limit on category C or D machines	
Adult gaming centre					Maximum of 20% of total number of gaming machines which are available for use on the premises categories B3 or B4		No limit on category C or D machines	
Family entertainment centre (with premises licence)							No limit on category C or D machines	
Family entertainment centre (with permit)							No limit on category D machines	
Clubs or miners' welfare institute (with permits)					Maximum of 3 machines in categories B3A or B4 to D*			
Qualifying alcohol-licensed premises							1 or 2 machines of category C or D automatic upon notification	
Qualifying alcohol-licensed premises (with gaming machine permit)							Number of category C D machines as specified on permit	
Travelling fair							No limit on category D machines	
	A	B1	B2	B3	B3A	B4	C	D

1 Bingo premises licence are entitled to make available for use a number of category B gaming machines not exceeding 20% of the total number of gaming machines on the premises. Where a premises licence was granted before 13 July 2011, they are entitled to make available eight¹⁰⁷ category B gaming machines, or 20% of the total number of gaming machines, whichever

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is the greater. Category B machines at bingo premises are restricted to sub-category B3 and B4 machines, but not B3A machines.

2. Adult gaming centres are entitled to make available for use a number of category B gaming machines not exceeding 20% of the total number of gaming machines which are available for use on the premises and any number of category C or D machines. Where a premises licence was granted before 13 July 2011, they are entitled to make available four category B gaming machines, or 20% of the total number of gaming machines, whichever is the greater. Category B machines at adult gaming centres are restricted to sub-category B3 and B4 machines, but not B3A machines.
3. Only premises that are wholly or mainly used for making gaming machines available may hold an unlicensed FEC gaming machine permit or an FEC premises licence. Category C machines may only be sited within licensed FEC's and where an FEC permit is in force. They must be in a separate area to ensure the segregation and supervision of machines that may only be played by adults. There is no power for the licensing authority to set a limit on the number of machines under the FEC permit.
4. Members' clubs and miners' welfare institutes with a club gaming permit or with a club machine permit, are entitled to site a total of three machines in categories B3A to D but only one B3A machine can be sited as part of this entitlement.
5. Commercial clubs with club machine or gaming permits are entitled to a total of three machines in categories B4 to D.

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Appendix 7

SUMMARY OF MAXIMUM STAKE AND MAXIMUM PRIZE BY CATEGORY OF GAMING MACHINE.

Category	Maximum stake	Maximum prize
B1	£5	£10,000*
B2**	£100	£500
B3	£2	£500
B3A	£2	£500
B4	£2	£400
C	£1	£100
D non-money prize (not crane grab)	30p	£8
D non-money prize (crane grab)	£1	£50
D money prize	10p	£5
D combined money and non-money prize (coin pusher/penny falls)	20p	£20 (of which no more than £10 may be a money prize)
D combined money and non-money prize (other than coin pusher or penny falls)	10p	£8 (of which no more than £5 may be a money prize)

1

¹ The stakes are subject to change – <https://www.gamblingcommission.gov.uk/news-action-and-statistics/news/2014/Changes-to-gaming-machine-stake-and-prize-limits.aspx>

Appendix 8

STATEMENT OF PRINCIPLES FOR UNLICENSED FAMILY ENTERTAINMENT CENTRES, GAMING MACHINE PERMITS & PRIZE GAMING PERMITS GAMBLING ACT 2005

Contents

1. The Gambling Act 2005
2. Purpose of this document
3. Unlicensed Family Entertainment Centres (UFECs)
4. Prize Gaming Permits
5. Statement of Principles for UFEC gaming machine permits and prize gaming permits
6. Supporting documents
7. Child Protection Issues
8. Protection of Vulnerable Persons
9. Miscellaneous Matters

1. The Gambling Act 2005

Unless otherwise stated any references in this document to the Council is to Tunbridge Wells Borough Council as the Licensing Authority.

The Act requires the Council, as the Licensing Authority, to aim to permit the use of premises for gambling in so far as the authority thinks it:

- In accordance with a relevant code of practice,
- In accordance with any relevant Guidance issued by the Gambling Commission,
- Reasonably consistent with the licensing objectives, and
- In accordance with the Licensing Authority policy issued under the Act.

The licensing objectives are:

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
- Ensuring that gambling is conducted in a fair and open way
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

2. Purpose of this document

This document has been prepared to assist persons considering making an application for either an unlicensed family entertainment centre (UFEC) gaming machine permit or a prize gaming under the Gambling Act 2005.

Tunbridge Wells Borough Council fully endorses the licensing objectives detailed above and expects all applicants to work in partnership to promote these objectives through clear and effective management of each gambling operation whether in respect of a permit or premises licence.

In respect of UFEC gaming machine permits it has been prepared in accordance with Paragraph 7 of Schedule 10 of the Act and in respect of prize gaming permits it has been prepared in accordance with paragraph 8 of Schedule 14 of the Act. The document should be read in conjunction with Tunbridge Wells Council Statement of Licensing Policy and Principles. – Gambling Act 2005.

The purpose of the document is to clarify measures that the Council will expect applicants to demonstrate when applying for either of these permits so the Council can determine the suitability of the applicant and the premises for a permit.

Within this process the Council will aim to grant the permit where the applicant is able to demonstrate that:

- They are a fit and proper person to hold the permit, and
- They have considered and are proposing suitable measures to promote the licensing objectives and they have a legal right to occupy the premises to which the permit is sought.

The measures suggested in this document should be read as guidance only and the Council will be happy for applicants to suggest measures above and beyond those listed in the document and or to substitute measures as appropriate.

3. Unlicensed Family Entertainment Centres

The term 'unlicensed family entertainment centre' is one defined in the Act and refers to a premises which provides category D gaming machines together with various other amusements such as computer games and "penny-pushers".

The premises is 'unlicensed' in that it does not require a premises licence but does require a permit to be able to provide its category D gaming machines. It should not be confused with a 'licensed family entertainment centre' that does require a premises licence because it contains both category C and D gaming machines.

Unlicensed family entertainment centres (UFECs) will be most commonly located at seaside resorts, in airports and at motorway service centres, and will cater for families, including unaccompanied children and young persons. The Council will only grant a UFEC gaming machine permit where it is satisfied that the premises will be operated as a bona fide unlicensed family entertainment centre.

Applicants for UFEC permits are expected to provide a scale plan of the premises with their application showing entrances/exits, location of CCTV cameras, cash desk, and machine locations as well as other features such as a bowling alley for example or play area which may form part of the premises.

The Licensing Authority will require applicants to demonstrate as a minimum that:

- A full understanding of the maximum stakes and prizes of gambling that is permissible in unlicensed FECs;
- Problem gambling information will be provided in the premises commensurate with its size and layout;
- The applicant has a written policy in place to deal with complaints and disputes which can be given to a customer on request;
- The applicant has no relevant convictions (those that are set out in Schedule 7 of the Act);
- Staff are trained to recognise problem gambling and signpost a customer to problem gambling information;
- There is no direct access from the UFEC to an AGC or a licensed FEC area where adult only gaming machines are provided;
- Staff have been trained in how to deal with complaints and disputes in line with the applicant's policy.
- There are policies and procedures in place to protect children and vulnerable persons from harm

In line with the Act, while the Council cannot attach conditions to this type of permit, the Council can refuse applications if they are not satisfied that the issues raised in this "Statement of Principles" have been addressed through the application.

Applicants only need to address the "Statement of Principles" when making their initial applications and not at renewal time. (Permits are granted for a period of ten years.)

4. Prize Gaming Permits

Section 288 defines gaming as prize gaming if the nature and size of the prize is not determined by the number of people playing or the amount paid for or raised by the gaming. The prizes will be determined by the operator before play commences. Prize gaming can often be seen at seaside resorts in amusement arcades where bingo is offered and the prizes are displayed.

A prize gaming permit is a permit issued by the Council to authorise the provision of facilities for gaming with prizes on specified premises.

Applicants should be aware of the conditions in the Gambling Act 2005 by which prize gaming permits holders must comply. The conditions in the Act are:

- The limits on participation fees, as set out in regulations, must be complied with
- All chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and

completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played

- The prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize) and participation in the gaming must not entitle the player to take part in any other gambling

In line with the Act, while the Council cannot attach conditions to this type of permit, the Council can refuse applications if they are not satisfied that the issues raised in this “Statement of Principles” have been addressed through the application.

Applicants only need to address the “Statement of Principles” when making their initial applications and not at renewal time. Permits are granted for a period of ten years.

5. Statement of Principles for UFEC gaming machine permits and prize gaming permits

Supporting documents

The Council will require the following supporting documents to be served with all UFEC gaming machine permit and prize gaming permit applications:

- Proof of age (a certified copy or sight of an original birth certificate, driving licence, or passport – all applicants for these permits must be aged 18 or over);
- Proof that the applicant has the right to occupy the premises. Acceptable evidence would be a copy of any lease, a copy of the property’s deeds or a similar document;
- An enhanced criminal record certificate. (This should be no greater than one month old.) This will be used to check that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act.)

In the case of applications for a UFEC gaming machine permit evidence that the machines to be provided are or were supplied by a legitimate gambling operator who holds a valid gaming machine technical operating licence issued by the Gambling Commission a plan of the premises to which the permit is sought showing the following items:

- The boundary of the building with any external or internal walls, entrances and exits to the building and any internal doorways where any category D gaming machines are positioned and the particular type of machines to be provided (e.g. Slot machines, penny falls, cranes)
- The location where any prize gaming will take place (including any seating and tables) and the area where any prizes will be displayed
- The positioning and types of any other amusement machines on the premises
- The location of any fixed or semi-fixed counters, booths or offices on the premises whereby staff monitor the customer floor area the location of any ATM/cash

machines or change machines the location of any fixed or temporary structures such as columns or pillars

- The location and height of any stages in the premises; any steps, stairs, elevators, balconies or lifts in the premises
- The location of any public toilets in the building.

(Unless agreed with the Council, the plan should be drawn to a standard scale with a key showing the items mentioned above. The standard scale is 1:100)

6. Child Protection Issues

The Council will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations.

The Council will assess these policies and procedures on their merits, and they should (depending on the particular permit being applied for) include appropriate measures / training for staff as regards the following:

- Maintain contact details for any local schools and or the education authority so that any truant children can be reported
- Employ policies to address the problems associated with truant children who may attempt to gain access to the premises and gamble when they should be at school
- Employ policies to address any problems that may arise during seasonal periods where children may frequent the premises in greater numbers, such as half terms and summer holidays
- Maintain information at the premises of the term times of any local schools in the vicinity of the premises and also consider policies to ensure sufficient staffing levels during these times
- Display posters displaying the 'Child Line' phone number in discreet locations on the premises e.g. toilets
- Maintain an incident register of any problems that arise on the premises related to children such as children gambling excessively, truant children, children being unruly or young unaccompanied children entering the premises (The register should be used to detect any trends which require attention by the management of the premises.)
- Ensure all young children are accompanied by a responsible adult
- Maintain policies to deal with any young children who enter the premises unaccompanied
- Enhanced criminal records checks for all staff who will be working closely with children

NB: Any supporting evidence of the above measures e.g. Training manuals or other similar documents/written statements should be attached to the application.

7. Protection of Vulnerable Persons.

It is a requirement of the Gambling Commission Licence Conditions and Codes of Practice, under Section 3, that licensees must have and put into effect policies and procedures intended to promote socially responsible gambling.

The Council will expect the applicant to show that there are policies and procedures in place to protect vulnerable persons.

It is noted that neither the Act nor the Gambling Commission Guidance defines the term 'vulnerable persons'. The Licensing Authority consider the term 'vulnerable persons' to include people who gamble more than they want to; people who gamble beyond their means and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, changes in circumstances such as bereavement, loss of employment or ill health or due to alcohol or drugs.

The Council will assess these policies and procedures on their merits; however they may (depending on the particular permit being applied for) include appropriate measures / training for staff as regards the following:

- Display Gamcare helpline stickers on all gaming machines
- Self Exclusion schemes
- Posters and leaflets with GamCare Helpline and website displayed, offering assistance to problem gamblers in a location that is both prominent and discreet
- Training for staff members which focuses on building an employee's ability to maintain a sense of awareness of how much (e.g. how long) customers are gambling, as part of measures to detect persons who may be vulnerable
- External advertising to be positioned or designed not to entice passers-by
- Consider appropriate positioning of ATM and change machines (including the display of Gamcare stickers on any such machines)

NB: Any supporting evidence of the above measures e.g. Training manuals or other similar documents/written statements should be attached to the application.

The Licence Conditions and Codes of Practice state that licensees must make an annual financial contribution to one or more organisation(s) which between them research into the prevention and treatment of gambling-related harm, develop harm prevention approaches and identify and fund treatment to those harmed by gambling.

8. Miscellaneous Matters

The applicant should also be mindful of the following possible control measures (depending on the particular permit being applied for) to minimise crime and disorder and the possibility of public nuisance as follows:

- Maintain an effective CCTV system to monitor the interior and exterior of the premises
- Keep the interior and exterior of the premises clean and tidy
- Ensure the external lighting is suitably positioned and operated so as not to cause nuisance to neighbouring and adjoining premises
- Consider the design and layout of the outside of the premises to deter the congregation of children and youths
- Restrict normal opening hours to 8.45am to midnight daily

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- Not permit any person who is drunk and disorderly or under the influence of drugs, to enter or remain on the premises
- Take such steps as are reasonably practicable to eliminate the escape of noise from the premises
- Ensure, where possible the external doors to the premises remain closed, except when in use, by fitting them with a device for automatic closure or by similar means
- Ensure that the premises are under the supervision of at least one responsible, adequately trained person at all times the premises are open

NB: Any supporting evidence of the above measures e.g. Training manuals or other similar documents/written statements should be attached to the application.

Applicants may obtain an enhanced Disclosure Barring Service disclosure on application to Disclosure Scotland at <https://www.mygov.scot/disclosure-types/>

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**Summarised Feedback – Statement of Licensing Principles
Gambling Act 2005 Draft Policy 2019/2022**

Name	Comment & Policy Reference	Officer Comments
<p>Jane Blade, Gambling Commission Compliance Manager 10 September 2018 10:28</p>	<ol style="list-style-type: none"> 1. There is no reference here that I could see to you asking for the local area risk assessment to be kept on the premises. We recommend that you do this, as it is not a legal requirement, but can be asked for in your SOP to ensure it is available for you to see when doing inspections and to ensure that staff have seen it. 2. The list of responsible authorities is incorrect – refer to s.157 of the GA05. Also, you can update HMRC with the email address - nrubetting&gaming@hmrc.gsi.gov.uk 3. The sections on uFEC and Prize Gaming Permits seem to be duplicated in two different places? 	<p>1. Officer agree and has inserted the following:</p> <p><i>The Licensing Authority would expect the local risk assessment to be kept on the individual premises and be available for inspection.</i></p> <p>2. Amend accordingly.</p> <p>3. Whilst being similar they do contain different guidance and it's not considered practical at this stage in the process to re-draft, though we could consider at a future update.</p>

	<p>4. We would suggest you remove the section on stakes and prizes for gaming machines and refer people to the GC website for the up to date list, as this can change.</p> <p>I hope that helps, and please note this is not a representation, just points for you to consider!</p>	<p>4. For ease of reference in hard copy format, keep this section, however link has been added to footnote with Gambling Commission website</p>
<p>Tracy Kelly Southborough Town Clerk 28 September 2018 09:11</p>	<p>Councillors agreed at their Full Council meeting on 27th September 2018 to respond to this consultation as individuals and not as the Council as a whole.</p>	<p>No individual responses received</p>
<p>Graham Scothern Store Manager Tesco Metro – Tunbridge Wells Fri 07/09/2018 17:05</p>	<p>We do not have any gambling equipment in my shop So not sure why we have been sent the email</p>	<p>Company previously held a Club Machine Permit for staff members.</p>
<p>Iain Corby Deputy Chief Executive – Gamble Aware 07 August 2018 13:58</p>	<p>Thank you for consulting us on your draft Statement of Principles under the Gambling Act 2005.</p> <p>GambleAware is an independent charity tasked to fund research, education and treatment services to help to reduce gambling-related harms in Great Britain. We work in partnership with the Gambling Commission and its independent advisors, the Responsible Gambling Strategy Board, to deliver many aspects of the National Responsible Gambling Strategy.</p> <p>Due to the resource constraints on a small charity, we are not able to offer specific feedback on your policy. However, we do strongly commend two recent publications by the Local Government Association which set out the range of options available to local authorities to deal with gambling-related harms using existing powers.</p>	<p>This response was received following the officers initial request for information/statistical data for inclusion within the draft document.</p> <p>Officers subsequently sent the consultation document, however no further response has been received.</p>

	<p>https://www.local.gov.uk/tackling-gambling-related-harm-whole-council-approach https://www.local.gov.uk/gambling-regulation-councillor-handbook-england-and-wales</p> <p>We fully support local authorities which conduct an analysis to identify areas with increased levels of risk for any reason, but particularly where there are higher than average resident or visiting populations from groups we know to be vulnerable to gambling related harm – children, the unemployed, the homeless, certain ethnic-minorities, lower socio-economic groups, those attending mental health (including gambling disorders) or substance addiction treatment services – and include additional licence requirements to mitigate this increased level of risk.</p> <p>We do not hold data at local authority level for treatment services. We are undertaking a needs assessment for treatment services which we expect will report early in 2019, and this will give councils insight into the expected level of need in their areas. The report will be published on our website here when it is available:</p> <p>https://about.gambleaware.org/research/research-publications/</p>	
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MOTIONS ON NOTICE

MOTION 1

Submitted by: Councillor Joy Podbury

“This Council, in all its business both commercial and public, will promote the elimination of single-use plastics across the borough and support the Government’s proposals with this aim.”

MOTION 2

Submitted by: Councillor Mark Ellis

“TWBC should set up a new Cabinet Advisory Board for Economic Development.”

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