

COMMUNITIES, HOUSING AND ENVIRONMENT COMMITTEE MEETING

Date: Tuesday 20 March 2018
Time: 6.45 pm
Venue: Town Hall, High Street, Maidstone

Membership:

Councillors Barned (Chairman), M Burton, Field, Garten, Joy, D Mortimer
(Vice-Chairman), Mrs Ring, Mrs Robertson and Webster

The Chairman will assume that all Members will read the reports before attending the meeting. Officers are asked to assume the same when introducing reports.

AGENDA

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| 1. Apologies for Absence | |
| 2. Notification of Substitute Members | |
| 3. Urgent Items | |
| 4. Notification of Visiting Members | |
| 5. Disclosures by Members and Officers | |
| 6. Disclosures of Lobbying | |
| 7. To consider whether any items should be taken in private because of the possible disclosure of exempt information. | |
| 8. Minutes of the Meeting Held on 16 January 2018 | 1 - 4 |
| 9. Presentation of Petitions (if any) | |
| 10. Questions and answer session for members of the public (if any) | |
| 11. Committee Work Programme | 5 |
| 12. Key Performance Indicators Update Quarter 3 2017/18 | 6 - 15 |
| 13. Third Quarter Budget Monitoring 2017/18 | 16 - 24 |
| 14. Charging Food Businesses for Food Hygiene Rating Scheme Rescore Inspections | 25 - 31 |
| 15. Community Toilet Scheme Update | 32 - 44 |

Issued on Monday 12 March 2018

Continued Over/:

Alison Broom

Alison Broom, Chief Executive

PUBLIC SPEAKING AND ALTERNATIVE FORMATS

If you require this information in an alternative format please contact us, call **01622 602899** or email committee@maidstone.gov.uk.

In order to speak at this meeting, please contact Democratic Services using the contact details above, by 5 p.m. one clear working day before the meeting. If asking a question, you will need to provide the full text in writing. If making a statement, you will need to tell us which agenda item you wish to speak on. Please note that slots will be allocated on a first come, first served basis.

To find out more about the work of the Committee, please visit www.maidstone.gov.uk.

Should you wish to refer any decisions contained in these minutes to the **Head of Policy and Resources Committee**, please submit a Decision Referral Form, signed by **three** Councillors, to the **Head of Policy and Communications** by: 26 January 2018

MAIDSTONE BOROUGH COUNCIL

COMMUNITIES, HOUSING AND ENVIRONMENT COMMITTEE

MINUTES OF THE MEETING HELD ON TUESDAY 16 JANUARY 2018

Present: Councillors Barned, M Burton, Garten, Joy,
D Mortimer, Perry, Mrs Ring and Mrs Robertson

89. **APOLOGIES FOR ABSENCE**

It was noted that apologies had been received from Councillors Webb and Webster.

It was also noted that Councillor D Mortimer was running late.

90. **NOTIFICATION OF SUBSTITUTE MEMBERS**

It was noted that Councillor Perry was substituting for Councillor Webster.

91. **URGENT ITEMS**

There were no urgent items.

92. **NOTIFICATION OF VISITING MEMBERS**

There were no Visiting Members.

93. **DISCLOSURES BY MEMBERS AND OFFICERS**

There were no disclosures by Members and Officers.

94. **DISCLOSURES OF LOBBYING**

There were no disclosures of lobbying.

95. **EXEMPT ITEMS**

RESOLVED: That the agenda items be taken in public as proposed.

96. **MINUTES OF THE MEETING HELD ON 12 DECEMBER 2017**

RESOLVED: That the Minutes of the meeting held on 12 December 2017 be approved as a correct record and signed.

97. PRESENTATION OF PETITIONS

There were no petitions.

98. QUESTIONS AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC

There were no questions from members of the public.

99. COMMITTEE WORK PROGRAMME

The Committee considered the Committee Work Programme.

The Chairman advised that there would be an additional Crime and Disorder Committee meeting to be held on 20 March 2018 which would start at 6.00 p.m. This meeting would be held before the Communities, Housing and Environment Committee meeting which would start at 6.45 p.m.

It was noted that two reports had been moved to the April Committee meeting which were:-

- Homelessness Reduction Act
- Delivering Affordable Housing

RESOLVED: That the Committee Work Programme be noted.

100. STRATEGIC PLAN 2015-20, 2018-19 REFRESH

The Committee considered the report of Mrs Angela Woodhouse, the Head of Policy, Governance and Communications which set out the draft refreshed strategic plan.

Mrs Woodhouse advised the Committee that the current plan had been refreshed to ensure contextual information was up to date and areas of focus in relation to the action areas for 2018-19 were agreed.

Members were minded to accept the proposed changes to the areas related to the Committee.

RESOLVED: That the refreshed Strategic Plan attached at Appendix A be noted and no further amendments be proposed from the Committee.

Voting: For: unanimous

101. MEDIUM TERM FINANCIAL STRATEGY & BUDGET PROPOSALS 2018/19

The Committee considered the report of Miss Ellie Dunnet, the Head of Finance which set out the budget proposals for services within the remit of the Committee.

The Committee noted that the cumulative budget gap was currently set at £4.6 million.

Miss Dunnet highlighted a number of spending pressures attributable to the Committee.

In response to a question from a Member, Miss Dunnet advised that the anticipated income for Heather House had not been realised due to the temporary closure of the facility but it was expected that the income would meet expectations for the next financial year.

Councillor D Mortimer arrived at 6.40 p.m.

RESOLVED:

1. That the revenue budget proposals for services within the remit of this Committee, as set out in Appendix C to the report, be agreed for submission to Policy and Resources Committee;
2. That the capital budget proposals for services within the remit of this Committee, as set out in Appendix E to the report, be agreed for submission to Policy and Resources Committee.

Voting: For: unanimous

102. FEES & CHARGES

The Committee considered the report of Miss Dunnet, the Head of Finance which set out the proposed fees and charges for 2018/19 for the services within the remit of the Committee.

In response to Members' questions, Officers advised that:-

- Discussions are ongoing with KCC regarding the Marden/Ulcombe Caravan Sites. The Officer would update the Member outside the meeting
- Officers were exploring the frequency of the garden waste collections and if the proposals prove cost effective then a report will be brought before the Committee
- That the contaminated land search fee was restricted by case law
- That the dog fouling penalty would be increased as part of the Dog Control Orders

RESOLVED:

1. That the proposed discretionary fees and charges as set out in Appendix 1 to the report be agreed;
2. That the centrally determined fees and charges as set out in Appendix 1 to the report be noted.

Voting: For: unanimous

103. DURATION OF MEETING

6.30 p.m. to 6.47 p.m.

Report Title	Work Stream	Committee	Month	Lead	Report Author
Introduction of Food Hygiene Rating Charges for Rescoring Revisits	Updates, Monitoring Reports and Reviews	CHE	Mar-18	John Littlemore	Tracey Beattie
Key Performance Indicator Update Q3	Updates, Monitoring Reports and Reviews	CHE	Mar-18	Angela Woodhouse	Anna Collier
3rd Quarter Budget Monitoring	Updates, Monitoring Reports and Reviews	CHE	Mar-18	Mark Green	Elle Dunnet
Community Toilet Scheme	Updates, Monitoring Reports and Reviews	CHE	Mar-18	Jennifer Shepherd	John Edwards
Crime and Disorder Overview and Scrutiny	Updates, Monitoring Reports and Reviews	CHE	Mar-18	John Littlemore	Matt Roberts
Update on Heather House	Updates, Monitoring Reports and Reviews	CHE	Apr-18	John Littlemore	Matt Roberts
Homelessness Reduction Act	Updates, Monitoring Reports and Reviews	CHE	Apr-18	John Littlemore	Tony Stewart
Delivering Affordable Housing	Changes to Services & Commissioning	CHE	Apr-18	William Cornall	John Littlemore
Environmental Health Annual Report	Updates, Monitoring Reports and Reviews	CHE	Apr-18	John Littlemore	Tracey Beattie
Crime and Disorder Overview and Scrutiny	Updates, Monitoring Reports and Reviews	CHE	Jul-18	John Littlemore	Matt Roberts
Crime and Disorder Overview and Scrutiny	Updates, Monitoring Reports and Reviews	CHE	Sep-18	John Littlemore	Matt Roberts
Mid Kent Waste Contract Review & Clean and Safe Strategy	Updates, Monitoring Reports and Reviews	CHE	TBC	Jennifer Shepherd	Jennifer Shepherd
Fleet maintenance arrangements	Changes to Services & Commissioning	CHE	TBC	Jennifer Shepherd	Ian Packer / John Edwards
Commercial Waste Future Proposal	Regeneration and Commercialisation	CHE	TBC	Jennifer Shepherd	John Edwards
Safeguarding Policy Update	Updates, Monitoring Reports and Reviews	CHE	TBC	John Littlemore	Matt Roberts
West Kent CCG Forward Plan/Maidstone and Tunbridge Wells NHS STP	Updates, Monitoring Reports and Reviews	CHE	TBC	TBC	TBC

Agenda Item 12

Communities, Housing & Environment Committee

20 March 2018

Key Performance Indicator Update Quarter 3 17/18

Final Decision-Maker	Communities, Housing & Environment Committee
Lead Head of Service	Angela Woodhouse, Head of Policy, Communications, and Governance
Lead Officer and Report Author	Anna Collier, Policy and Information Manager and Ashley Sabo, Performance and Business Information Officer
Classification	Public
Wards affected	All

Executive Summary

Communities, Housing & Environment Committee are asked to review the progress of Key Performance Indicators that relate to the delivery of the Strategic Plan 2015-2020. The Committee is also asked to consider the comments and actions against performance to ensure they are robust.

This report makes the following recommendations to Communities, Housing & Environment Committee:

1. That the summary of performance for Quarter 3 of 2017/18 for Key Performance Indicators (KPIs) be noted.

Timetable

Meeting	Date
Communities, Housing & Environment Committee	20 March 2018

Key Performance Indicator Update Quarter 3 17/18

1. INTRODUCTION AND BACKGROUND

- 1.1 Having a comprehensive set of actions and performance indicators ensures that the Council delivers against the priorities and actions set in the Strategic Plan.
 - 1.2 Following the refresh of the Strategic Plan for 2017/18 the Committees agreed 28 Key Performance Indicators in April 2017.
 - 1.3 Performance indicators are judged in two ways. Firstly on whether performance has improved, sustained or declined, compared to the same period in the previous year. This is known as direction. Where there is no previous data, no assessment of direction can be made.
 - 1.4 The second way is to look at whether an indicator has achieved the target set and is known as PI status. If an indicator has achieved or exceeded the annual target they are rated green. If the target has been missed but is within 10% of the target it will be rated amber, and if the target has been missed by more than 10% it will be rated red.
 - 1.5 Some indicators will show an asterisk (*) after the figure. These are provisional values that are awaiting confirmation. Data for some of the indicators were not available at the time of reporting. In these cases a date has been provided for when the information is expected.
 - 1.6 Contextual indicators are not targeted but are given a direction. Indicators that are not due for reporting or where there is delay in data collection are not rated against targets or given a direction.
-

2. Quarter 3 Performance Summary

- 2.1 There are 28 key performance indicators (KPIs) which were developed with Heads of Service and unit managers, and agreed by the four Service Committees for 2017/18. 11 are reported to the Committee for this quarter.
- 2.2 Overall, 78% (7) of targeted KPIs reported this quarter achieved their target for quarter 3. For 71% of indicators, performance improved compared to the same quarter last year, where previous data is available for comparison.
- 2.3 There are 2 contextual indicators (indicators without targets) represented in the chart below as N/A, these indicators were requested for inclusion as they are important to assessing how the council is performing by examining the outcomes. These indicators are number of litter reports attended to and the number of households living in TA at the last night of the month.

RAG Rating	Green	Amber	Red	N/A	Total
KPIs	7	1	1	2	11
Direction	Up	No Change	Down	N/A	Total
Last Year	5	0	2	4	11
Last Quarter	6	0	5	0	11

3. Performance by Priority

Priority 1: Keeping Maidstone Borough an attractive place for all

- 3.1 For the period of October to December, 99.7% of land and highways had acceptable levels of litter against a target of 93.5%. The areas visited and graded for cleansing in this tranche of monitoring were High Street, Detling and Thurnham, Staplehurst and Headcorn. Littering levels were very low in these areas on assessment, with only a couple of roads falling below the required standard of Grade B.
- 3.2 For the same period, 97.8% of land and highways had acceptable levels of detritus, against a target of 84%. Resources have been focused on the removal of detritus over the past few months since the leafing period started and this has had a positive effect on the levels of detritus across the Borough.
- 3.3 130 reports of litter were attended in the borough during quarter 3. This is a decrease of 3 in comparison to quarter 2. This relates to the number of litter reports received which the team visit. Unfortunately there is no way to determine whether litter picking was required or not as this information is not captured in a way it can be reported on. The quarterly figure equates to 1.4 reports per day, which has been consistent over the past 3 quarters.
- 3.4 89.3% were cleared of fly-tips within 2 working days during quarter 3 against a target of 88%. The removal of fly tips has significantly improved this quarter. Many of the issues experienced last quarter have been resolved with staff sickness reduced, no further issues with the mobile technology and no requirement to divert resources to high speed roads. The cleansing manager has also made some minor resource changes to ensure the fly tipping is removed swiftly.
- 3.5 51.7% of household waste was sent for reuse, recycling, or composting during October and November. We are currently awaiting figures for December from Kent County Council. Tonnages for garden waste have been lower this quarter; however it is common for these to fall during the colder months.
- 3.6 During quarter 3, 89.3% of fly-tips with evidential value resulted in enforcement action. The outcomes for this indicator have remained high and significantly above target. It is anticipated this will improve further with the addition of a new waste crime officer to the team and the new street scene enforcement officers. Within this quarter there are also 3 prosecutions related to fly tipping.

3.7 The Housing and Enabling team have spent or allocated 86.6% of the Disabled Facilities Grant budget in quarter 3 against a target of 70.0%. This represents an allocation/spend of £836,314 against a budget of £966,000. The allocation is well ahead of the budget target and reflects the methods of working and the energy that the team has put in to deal with demand for this assistance.

Priority 2: Securing a successful economy for Maidstone Borough

3.8 The quarterly target of 150 for the number of applicants housed has been exceeded by 30 due to an increase in the amount of available vacant and new build properties received from our Registered Providers.

3.9 There were 43 affordable homes delivered during quarter 3. There has been good progress with schemes, and completions are picking up. As usual, the majority come forward in the final two quarters of the year. There have been 156 affordable completions as at 31 December 2017. The overall quarter target of 50 completions is slightly short by just 7 completions. However it is still expected that the year-end target of 200 affordable completions will be exceeded.

3.10 A total of 107 homeless preventions were made during quarter 3. This represents 40 homeless preventions completed within the Housing Advice Team; 57 with assistance from Discretionary Housing Payments; and 10 Sanctuary Scheme support. This is a slight decrease in comparison to the previous quarter; however there is a marked increase in comparison to quarter 3 of 2016/17.

3.11 The number of households in temporary accommodation (TA) on the last night of this quarter is the lowest figure seen since quarter 1 of 2015/16. Of these 73 households, only 26 are in nightly paid accommodation and the remainder are in stock owned by MBC or units of accommodation provided by Registered Providers (Housing Associations) and down from 51 compared to the last quarter.

4. RISK

4.1 This report is presented for information only, managers and heads of service can use performance data to identify service performance and this data can contribute to risk management.

5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

5.1 The Key Performance Indicator Update will be reported quarterly to the Service Committees; Communities Housing and Environment Committee, Strategic Planning, Sustainability and Transportation Committee, and Heritage Culture and Leisure Committee. Each Committee will receive a report on the relevant priority action areas. The report will also go to Policy & Resources Committee, reporting only on the priority areas of: A clean and safe environment, regenerating the Town Centre, and a home for everyone.

6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 6.1 The Council could choose not to monitor the Strategic Plan and/or make alternative performance management arrangements, such as frequency of reporting. This is not recommended as it could lead to action not being taken against performance during the year, and the Council failing to deliver its priorities.

7. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	The key performance indicators and strategic actions are part of the Council's overarching Strategic Plan 2015-20 and play an important role in the achievement of corporate objectives. They also cover a wide range of services and priority areas, for example waste and recycling.	Head of Policy, Communications & Governance
Risk Management	The production of robust performance reports ensures that the view of the Council's approach to the management of risk and use of resources is not undermined and allows early action to be taken in order to mitigate the risk of not achieving targets and outcomes.	Head of Policy, Communications & Governance
Financial	Performance indicators and targets are closely linked to the allocation of resources and determining good value for money. The financial implications of any proposed changes are also identified and taken into account in the Council's Medium Term Financial Plan and associated annual budget setting process. Performance issues are highlighted as part of the budget monitoring reporting process.	Senior Finance Officer (Client)

Staffing	Having a clear set of targets enables staff outcomes/objectives to be set and effective action plans to be put in place	Head of Policy, Communications & Governance
Legal	There is no statutory duty to report regularly on the Council's performance. However, under Section 3 of the Local Government Act 1999 (as amended) a best value authority has a statutory duty to secure continuous improvement in the way in which its functions are exercised having regard to a combination of economy, efficiency and effectiveness. One of the purposes of the Key Performance Indicators is to facilitate the improvement of the economy, efficiency and effectiveness of Council Services. Regular reports on the Council's performance assist in demonstrating best value and compliance with the statutory duty.	Keith Trowell, Interim Team Leader (Corporate Governance)
Privacy and Data Protection	We will hold data in line with the Data Quality Policy, which sets out the requirement for ensuring data quality. There is a program for undertaking data quality audits of performance indicators.	Keith Trowell, Interim Team Leader (Corporate Governance)
Equalities	The Performance Indicators reported on in this quarterly update measure the ongoing performance of the strategies in place. If there has been a change to the way in which a service delivers a strategy, i.e. a policy change, an Equalities Impact Assessment is undertaken to ensure that there is no detrimental impact on individuals with a protected	Equalities & Corporate Policy Officer

	characteristic.	
Crime and Disorder	None Identified	Policy & Information Manager
Procurement	Performance Indicators and Strategic Milestones monitor any procurement needed to achieve the outcomes of the Strategic Plan.	Head of Policy, Communications & Governance, & Section 151 Officer

8. REPORT APPENDICES

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

- Appendix 1: Key Performance Indicator Update Quarter 3 17/18

9. BACKGROUND PAPERS

None

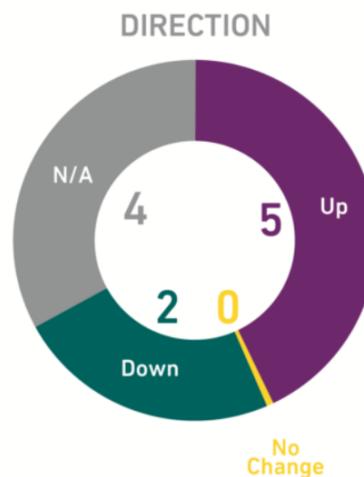
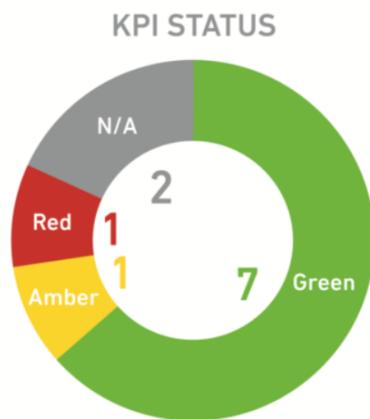
Performance Summary

This is the quarter 3 performance update on Maidstone Borough Council’s Strategic Plan 2015-20. It sets out how we are performing against Key Performance Indicators that directly contribute to the achievement of our priorities. Performance indicators are judged in two ways; firstly, whether an indicator has achieved the target set, known as PI status. Secondly, we assess whether performance has improved, been sustained or declined, compared to the same period in the previous year, known as direction.

Key to performance ratings

RAG Rating	
	Target not achieved
	Target slightly missed (within 10%)
	Target met
	Data Only

Direction	
	Performance has improved
	Performance has been sustained
	Performance has declined
N/A	No previous data to compare



RAG Rating	Green	Amber	Red	N/A	Total
KPIs	7	1	1	2	11
Direction	Up	No Change	Down	N/A	Total
Last Year	5	0	2	4	11
Last Quarter	6	0	5	0	11

Priority 1: Keeping Maidstone Borough an attractive place for all

Providing a clean and safe environment

Performance Indicator	Value	Target	Status	Last Year	Last Quarter
The percentage of relevant land and highways with acceptable levels of litter	99.67%	93.50%		N/A	
The percentage of relevant land and highways with acceptable levels of detritus	97.84%	84.00%			
Number of litter reports attended to	130			N/A	
Percentage of fly-tips cleared or assessed to within 2 working days	89.26%	88.00%			
Percentage of household waste sent for reuse, recycling and composting (NI 192)	51.72%	52.50%			
Percentage of fly-tips with evidential value resulting in enforcement action.	56.4%	20%		N/A	

Encouraging good health and wellbeing

Performance Indicator	Value	Target	Status	Last Year	Last Quarter
Percentage spend and allocation of Disabled Facilities Grant Budget (YTD)	86.6%	70.0%		N/A	

Priority 2: Securing a successful economy for Maidstone Borough

A home for everyone

Performance Indicator	Value	Target	Status	Last Year	Last Quarter
Number of households housed through housing register	180	150			
Number of affordable homes delivered (gross)	43	50			
Number of households prevented from becoming homeless through the intervention of housing advice	107	75			
Number of households living in temporary accommodation last night of the month (NI 156 & SDL 009-00)	73				

Agenda Item 13

COMMUNITIES, HOUSING AND ENVIRONMENT COMMITTEE

20 March 2018

Third Quarter Budget Monitoring 2017/18

Final Decision-Maker	Communities, Housing and Environment Committee
Lead Director	Director of Finance & Business Improvement
Lead Officer and Report Author	Mark Green – Director of Finance & Business Improvement (Lead Officer) Paul Holland – Senior Finance Manager Client Accountancy (Report Author)
Classification	Public
Wards affected	All

Executive Summary

This report provides the committee with an overview of the revenue budgets and outturn for the third quarter of 2017/18, and highlights financial matters which may have a material impact on the Medium Term Financial Strategy or the Balance Sheet. It also now includes an update on the capital programme for this committee.

As at the 31 December 2017, this Committee was showing an overall positive variance of £728,405. The individual variances for each service area are detailed within **Appendix 1**.

The position for the Council as a whole at the end of the third quarter shows that there is currently an underspend but that the forecast for the end of the year shows this figure reducing. However there are still a number of underlying pressures across all the Committees that need to be addressed to ensure that this position is sustained to the end of the year

This report makes the following recommendations to this Committee:

1. That the revenue position at the end of the third quarter and the actions being taken or proposed to improve the position where significant variances have been identified be noted.
2. That the position with the capital programme be noted.

Timetable

Meeting	Date
Communities, Housing and Environment Committee	20 March 2018
Policy and Resources Committee	14 February 2018

Third Quarter Budget Monitoring 2017/18

1. INTRODUCTION AND BACKGROUND

- 1.1 The Director of Finance & Business Improvement is the Responsible Financial Officer, and has overall responsibility for budgetary control and financial management. However in practice, day to day budgetary control is delegated to service managers, with assistance and advice from their director and the finance section.
 - 1.2 The Medium Term Financial Strategy for 2017/18 onwards was agreed by full Council on 1 March 2017. This report advises and updates the Committee on the current position with regards to revenue expenditure against the approved budgets.
-

2. REVENUE BUDGET

- 2.1 Attached at **Appendix 1** is a table detailing the current budget and expenditure position for this Committee's services in relation to the third quarter of 2017/18, to December 2017. The appendix details the net budget per cost centre for this Committee. Actual expenditure is shown to the end of December 2017 and includes accruals for goods and services received but not yet paid for.
- 2.2 The columns of the table in the Appendix show the following detail:
 - a) The cost centre description;
 - b) The value of the total budget for the year;
 - c) The amount of the budget expected to be spent by the end of December 2017;
 - d) The actual spend to that date;
 - e) The variance between expected and actual spend;
 - f) The forecast spend to year end; and
 - g) The expected significant variances at 31 March 2018.
- 2.3 **Appendix 1** shows that of a net annual expenditure budget of £8,042,550 it was expected that £5,679,190 would be spent up until the end of December. At this point in time the budget is reporting an under spend of £728,405, however the current forecast indicates that the outturn position for this committee will see a reduction to an under spend of £97,000.
- 2.4 Explanations for variances within individual cost centres which exceed or are expected to exceed £30,000 have been provided in accordance with the Council's constitution.

Communities, Housing and Environment Committee	Positive Variance Q3 £000	Adverse Variance Q3 £000	Year End Forecast Variance £000
CCTV - The variance has arisen from a combination of previously agreed savings targets which have not been realised and a shortfall of income against the budgeted figure. A review is due to be carried out which will address how the service can be delivered within budget in future.		-72	-105
Street Cleansing – The position has improved slightly since the 2 nd quarter report, but overtime payments remain high due to staff sickness and there has been additional spend on fly-tipping and materials.		-66	-62
Commercial Waste – The service has been generating additional income.	31		40
Homelessness Temporary Accommodation – There continues to be a rise in the number of households requiring temporary accommodation. In addition there has been some delays in getting the properties purchased for accommodation available for use. However as these become available the variance will reduce in the final quarter.		-96	-81
Homelessness Prevention – The underspend includes a £200,000 Homelessness Support Grant which will be carried forward to 2018/19. The projected year-end variance represents an underspend on the Homefinder scheme.	254		25
Community Partnerships & Resilience Section – This variance is caused by vacant posts in this team.	41		66
Depot Services Section – This variance is caused by vacant posts in this team which have now been filled.	31		30
Housing & Inclusion Section - This variance is caused by vacant posts and staff on maternity leave in this team.	46		42
Grounds Maintenance – Commercial – This is a new area that has been established following a restructure, and it is doing particularly well so far in delivering external projects such as Section 106 works. However being a new area there remains some uncertainty about the year-end outturn position.	138		142

3. CAPITAL PROGRAMME

- 3.1 Service committees will now receive an update on their capital programme schemes. Policy and Resources Committee will continue to receive an overarching report for the whole programme.
- 3.2 The capital programme was approved by Council on 1 March 2017. Funding for the programme remains consistent with previous decisions of Council in that the majority of resources come from New Homes Bonus along with a small grants budget.
- 3.3 The current programme for this Committee is set out in **Appendix 2** and shows the current budget and actual expenditure to the end of December. The current budget includes the approved budget plus any unused resources brought forward from 2016/17, as well as reflecting any slippage identified at the end of the first quarter. The Appendix details the profile of expenditure that is forecast for the remainder of the year.

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 In considering the current position on the revenue budget and the capital programme at the end of December 2017 the committee can choose to note those actions or it could choose to take further action.
- 4.2 The committee is requested to note the content of the report and agree on any necessary action to be taken in relation to the budget position.

5. RISK

- 5.1 The Council has produced a balanced budget for both capital and revenue expenditure and income for 2017/18 This budget is set against a backdrop of limited resources and an difficult economic climate. Regular and comprehensive monitoring of the type included in this report ensures early warning of significant issues that may place the Council at financial risk. This gives this committee the best opportunity to take actions to mitigate such risks.

6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 6.1 This report is not expected to lead to any consultation.

7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 7.1 The third quarter budget monitoring reports will be considered by the

relevant Service Committees in February and March 2018, including a full report to Policy and Resources committee on 14 February.

- 7.2 Details of the actions taken by service committees to manage the pressures in their budgets will be reported to Policy and Resources committee if appropriate.

8. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	This report monitors actual activity against the revenue budget and other financial matters set by Council for the financial year. The budget is set in accordance with the Council's Medium Term Financial Strategy which is linked to the strategic plan and corporate priorities.	Director of Finance & Business Improvement
Risk Management	This has been addressed in section 6 of the report.	Director of Finance & Business Improvement
Financial	Financial implications are the focus of this report through high level budget monitoring. The process of budget monitoring ensures that services can react quickly to potential resource problems. The process ensures that the Council is not faced by corporate financial problems that may prejudice the delivery of strategic priorities.	Director of Finance & Business Improvement
Staffing	The budget for staffing represents approximately 50% of the direct spend of the council and is carefully monitored. Any issues in relation to employee costs will be raised in this and future monitoring reports.	Director of Finance & Business Improvement

Legal	The Council has a statutory obligation to maintain a balanced budget and this monitoring process enables the committee to remain aware of issues and the process to be taken to maintain a balanced budget for the year.	Keith Trowell, Interim Team Leader (Corporate Governance)
Privacy and Data Protection	No specific issues arise.	Director of Finance & Business Improvement
Equalities	The budget ensures the focus of resources into areas of need as identified in the Council's strategic priorities. This monitoring report ensures that the budget is delivering services to meet those needs.	Director of Finance & Business Improvement
Crime and Disorder	No specific issues arise.	Director of Finance & Business Improvement
Procurement	No specific issues arise.	Director of Finance & Business Improvement

9. REPORT APPENDICES

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

- Appendix 1: Third Quarter 2017/18 Revenue Monitoring – Communities, Housing and Environment
- Appendix 2: Third Quarter 2017/18 Capital Programme – Communities, Housing and Environment

10. BACKGROUND PAPERS

None.

Communities, Housing & Environment Committee
APPENDIX 1 - Third Quarter Budget Monitoring - Full Summary to December 2017

Cost Centre	Budget for Year	Budget to December	Actual	Variance	Forecast	Year End Variance	Explanation
Community Safety	£66,440	£45,580	£30,175	£15,405	£66,440	£0	
Building Safer Communities (BSC)	£0	£0	-£4,428	£4,428	£0	£0	
C C T V	£191,310	£143,483	£215,052	-£71,569	£296,310	-£105,000	The variance has arisen from a combination of previously agreed savings targets which have not been realised and a shortfall of income against the budgeted figure. A review is due to be carried out which will address how the service can be delivered within budget in future.
Drainage	£31,700	£23,775	£3,542	£20,234	£31,700	£0	
Licences	-£6,800	-£3,693	£910	-£4,603	-£6,800	£0	
Licensing Statutory	-£71,040	-£42,550	-£43,589	£1,038	-£71,040	£0	
Licensing Non Chargeable	£7,030	£5,273	£5,485	-£212	£7,030	£0	
Dog Control	£24,150	£15,776	£18,034	-£2,258	£24,150	£0	
Health Promotion	£1,750	£1,313	£0	£1,313	£1,750	£0	
Health Improvement Programme	£8,800	£6,600	£7,688	-£1,088	£8,800	£0	
Pollution Control - General	£232,110	£174,178	£2,747	£171,431	£232,110	£0	The variance is a result of an unspent grant from DEFRA of £206,000 which will be rolled forward into 2018/19 if it is not used this year.
Contaminated Land	£0	£0	-£350	£350	£0	£0	
Environmental Enforcement	£13,580	-£9,440	-£15,472	£6,032	£13,580	£0	
Food Hygiene	£8,840	£5,801	£226	£5,575	£8,840	£0	
Sampling	£3,300	£2,200	£0	£2,200	£3,300	£0	
Occupational Health & Safety	£23,670	£16,586	-£3,485	£20,071	£23,670	£0	
Infectious Disease Control	£1,000	£750	£750	£0	£1,000	£0	
Noise Control	£1,200	£1,050	£421	£629	£1,200	£0	
Pest Control	-£12,000	-£9,000	-£9,149	£149	-£12,000	£0	
Public Conveniences	£128,460	£94,093	£109,724	-£15,631	£128,460	£0	
Licensing - Hackney & Private Hire	-£68,400	-£48,767	-£45,165	-£3,602	-£68,400	£0	
Street Cleansing	£967,940	£726,255	£792,761	-£66,506	£1,029,940	-£62,000	The position has improved slightly since the 2nd quarter report, but overtime payments remain high due to staff sickness and there has been additional spend on fly-tipping and materials.
Household Waste Collection	£1,111,550	£834,288	£822,887	£11,401	£1,111,550	£0	
Commercial Waste Services	-£69,550	-£52,163	-£84,110	£31,948	-£109,550	£40,000	The service has been generating additional income.
Recycling Collection	£638,250	£279,765	£267,025	£12,740	£638,250	£0	
Switch Cafe Project	£0	£0	£0	-£0	£0	£0	
Social Inclusion	£40,510	£30,383	£9,607	£20,775	£40,510	£0	
Public Health - Obesity	£0	-£458	-£37,903	£37,446	£0	£0	This area includes grant that has not yet been used.
Public Health - Mental Health	£0	£1,850	£100	£1,750	£0	£0	If it is not used this year it will be rolled forward into 2018/19.
Public Health - Physical Activity	£0	£3,400	-£3,400	£6,800	£0	£0	
Public Health - Misc Services	£13,620	£10,215	£2,220	£7,995	£13,620	£0	
Grants	£206,270	£206,270	£199,975	£6,295	£206,270	£0	
Delegated Grants	£2,100	£2,100	£855	£1,245	£2,100	£0	
Parish Services	£130,170	£130,170	£130,132	£38	£130,170	£0	

Cost Centre	Budget for Year	Budget to December	Actual	Variance	Forecast	Year End Variance	Explanation
Strategic Housing Role	£13,500	-£2,265	-£21,033	£18,768	£13,500	£0	
Housing Register & Allocations	£10,000	£9,500	£11,343	-£1,843	£10,000	£0	
Private Sector Renewal	-£47,370	-£48,028	-£49,990	£1,962	-£47,370	£0	
HMO Licensing	-£13,380	-£10,035	-£6,488	-£3,547	-£13,380	£0	
Homeless Temporary Accommodation	£416,270	£312,203	£408,511	-£96,309	£497,270	-£81,000	There continues to be a rise in the number of households requiring temporary accommodation. In addition there has been some delays in getting the properties purchased for accommodation available for use. However as these become available the variance will reduce in the final quarter.
Homelessness Prevention	£288,100	£47,078	-£207,582	£254,660	£263,100	£25,000	The underspend includes a £200,000 Homelessness Support Grant which will be carried forward to 2018/19. The projected year-end variance represents an underspend on the Homefinder scheme.
Aylesbury House	£23,080	£12,268	£10,012	£2,256	£23,080	£0	
Magnolia House	-£8,270	-£8,582	-£6,678	-£1,904	-£8,270	£0	
St Martins House	£0	£0	-£2,552	£2,552	£0	£0	
Marsham Street	£40,160	£30,120	£39,022	-£8,902	£40,160	£0	
Sundry Temporary Accom (TA) Properties	£3,980	£3,589	-£4,755	£8,344	£3,980	£0	
Pelican Court (Leased TA Property)	£0	-£17,958	£21	-£17,979	£0	£0	
2 Bed Property - Temporary Accommodation	£3,990	£6,050	-£6,188	£12,237	£3,990	£0	
3 Bed Property - Temporary Accommodation	-£80	£2,129	-£3,594	£5,723	-£80	£0	
4 bed Property - Temporary Accommodation	-£970	£387	-£676	£1,063	-£970	£0	
Marden Caravan Site (Stilebridge Lane)	£18,950	£15,283	£11,245	£4,037	£18,950	£0	
Ulcombe Caravan Site (Water Lane)	£6,860	-£265	£2,975	-£3,240	£6,860	£0	
Head of Environment and Public Realm	£86,750	£65,115	£62,546	£2,569	£86,750	£0	
Community Partnerships & Resilience Section	£476,370	£356,603	£315,144	£41,459	£410,370	£66,000	This variance is caused by vacant posts in this team.
Licensing Section	£104,460	£78,345	£74,912	£3,433	£104,460	£0	
Environmental Protection Section	£235,860	£184,850	£168,641	£16,209	£235,860	£0	
Food and Safety Section	£290,620	£227,833	£197,786	£30,046	£290,620	£0	
Depot Services Section	£636,760	£477,570	£445,942	£31,628	£606,760	£30,000	This variance is caused by vacant posts in this team which have now been filled.
Head of Housing & Community Services	£102,960	£77,220	£77,887	-£667	£102,960	£0	
Housing & Enabling Section	£197,540	£148,155	£140,562	£7,593	£197,540	£0	
Housing & Inclusion Section	£552,390	£401,563	£355,516	£46,046	£510,390	£42,000	This variance is caused by vacant posts and staff on maternity leave in this team.
Housing & Health Section	£263,340	£179,343	£175,469	£3,873	£263,340	£0	
Fleet Workshop & Management	£707,210	£530,408	£511,907	£18,500	£707,210	£0	
MBS Support Crew	-£52,300	-£39,225	-£28,814	-£10,411	-£52,300	£0	
Grounds Maintenance - Commercial	£59,810	£44,858	-£93,574	£138,431	-£82,190	£142,000	This is a new area that has been established following a restructure, and it is doing particularly well so far in delivering external projects such as Section 106 works. However being a new area there remains some uncertainty about the year-end outturn position.
	£8,042,550	£5,679,190	£4,950,785	£728,405	£7,945,550	£97,000	

**MAIDSTONE BOROUGH COUNCIL
COMMUNITIES, HOUSING AND ENVIRONMENT COMMITTEE
BUDGET MONITORING - 3RD QUARTER 2017/18**

Capital Programme Heading	Adjusted Estimate 2017/18 £	Actual to December 2017 £	Budget remaining before slippage £	Q4 Profile £	Projected Total Expenditure £
COMMUNITIES, HOUSING & ENVIRONMENT					
Housing Incentives	110,060	27,541	82,519	15,000	42,541
Housing - Disabled Facilities Grants Funding	691,810	269,730	422,080	200,000	469,730
Housing Investments	3,914,280	3,627,145	287,135	287,135	3,914,280
Purchase of Lenworth House	247,500	247,500	0	0	247,500
Gypsy Site Fencing Works	42,300	0	42,300	0	0
Brunswick Street Housing Development	1,081,810	990,764	91,046	150,000	1,140,764
Union Street (Recommended Option)	191,960	98,723	93,237	180,000	278,723
King Street Housing Development	35,000	7,294	27,706	0	7,294
Street Scene Investment	50,000	48,787	1,213	0	48,787
Flood Defences	4,330	4,334	-4	0	4,334
Total	6,369,050	5,321,818	1,047,232	832,135	6,153,953

Communities, Housing and Environment Committee

20 March 2018

Charging Food Businesses for Hygiene Rating Scheme Rescore Inspections

Final Decision-Maker	Communities, Housing and Environment Committee
Lead Head of Service/Lead Director	John Littlemore, Head of Housing and Communities
Lead Officer and Report Author	Tracey Beattie, Mid Kent Environmental Health Manager
Classification	Public
Wards affected	All

Executive Summary

The national Food Hygiene Rating Scheme introduced nationally from 2010 has been successful in promoting food hygiene for the public in Maidstone. This report presents the considerations surrounding the introduction of a charge for re-inspection under the scheme for both businesses and the authority. The fee has been set to cover the cost of re-inspection and allows food businesses the opportunity of reducing the current (up to) six month re-inspection period to no more than three months once the request and fee are received.

This report makes the following recommendations to this Committee:

1. To approve the introduction of a charge for re-inspections for rescoring from 1 April 2018.

Timetable

Meeting	Date
Communities, Housing and Environment Committee	20 March 2018

Charging Food Businesses for Food Hygiene Rating Scheme Rescore Inspections

1. INTRODUCTION AND BACKGROUND

- 1.1 In 2010 the Food Standards Agency (FSA) introduced a national Food Hygiene Rating Scheme to make public food business' compliance with food hygiene standards. The scores are published on a national website and by local authorities issuing certificates for businesses to display in their premises. The scores range from five (best) to zero (worst).
- 1.2 The scheme has safeguards for businesses either not satisfied with the score they have been issued (anything below 5), or have completed the work required by the inspecting food officer. Businesses can appeal, have a 'right to reply' or request a re-inspection following a mandatory three month gap between the initial inspection (and initial score) and the re-inspection and rescore.
- 1.3 The FSA have recently enabled local authorities to charge businesses the cost of undertaking these rescoring inspection visits under the Localism Act 2011 on a cost recovery basis.

Current Process

- 1.4 The FSA's Brand Standard provides local authorities in England with advice and guidance on all aspects of implementation and operation of the Food Hygiene Rating Scheme. All authorities must adhere to the process and guidance.
- 1.5 Following a food hygiene inspection a business is advised of its hygiene rating and how it has been derived. Both the written report left with the food business and any letter sent to them clearly state the process for appeals, 'right to reply' mechanism or requests for re-inspection and rescore. The score is published on the FSA website (<http://ratings.food.gov.uk/>) 29 days after the inspection with a 'right of reply' offered to all businesses.
- 1.6 Should a business request a re-inspection they need to demonstrate that they have improved the hygiene conditions since the original inspection. There is a maximum wait of 6 months before the rescore occurs, consisting of an initial mandatory three month 'standstill' period followed by a three month period for the local authority to undertake the re-inspection. The re-inspection is unannounced and the business is informed that their rating may go up, down or remain the same dependent on what is observed at the re-inspection.
- 1.7 An appeal against a FHRS score has a different process. These may occur when a business does not agree with the score given to them by the

inspecting officer and must be made within 21 days of the inspection with the appeal decision made by both MKEH Food & Safety Team Leaders.

Proposed Arrangement

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

2. AVAILABLE OPTIONS

- 2.1 Option 1 – Not adopting this discretionary fee for re-inspections will leave the situation as it is with no charge for such visits. The cost of re-inspection will continue to be absorbed across the Food & Safety service. As such the process described in paragraphs 1.5 and 1.6 will remain in place. The disadvantage of this option is businesses will have to adhere to the three month 'standstill' period and continue to wait up to 6 months for a re-inspection and may only apply once. The authority will not be able to recover the cost of carrying out a re-inspection which is unnecessary for food safety reasons. There will also be a disparity with other neighbouring authorities who have already taken to option to charge for re-inspections.

- 2.2 Option 2 – Adopt the principle of charging for re-inspections. This would place the cost of the request onto non-complying food businesses who seek the confidence and marketing benefit of having a higher FHR score (5) although this is not guaranteed. Under the recharge process food businesses have the opportunity to apply for multiple re-inspections subject to payment of a fee each time and receive the visit within three months of applying.

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

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

3. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 3.1 The preferred option is Option 2. To introduce a charge for re-inspection. This option establishes the principle of businesses paying for services that benefit them and are part of the Brand Standard process for FHR score but are not essential to protect public safety. Re-inspecting and rescore benefits the business by avoiding negative publicity and increases public confidence.

Charging will encourage businesses to achieve a 5 score and 'get it right' the first time. It also gives the businesses the opportunity to have the re-inspections within a much shorter time frame and possibly repeat the process should this be necessary.

Businesses are likely to consider whether they apply for a request for re-inspections, as they will ensure that any work required by the first inspection is completed before the officer returns. This should result in more efficient use of officer time and improved public safety.

4. RISK

- 4.1 An assessment of the risk impact of the preferred option indicates a minimal impact on the MKEH Service and Maidstone BC. The process of re-inspection will occur in both options and introducing a charge will have minimal effect on service delivery, reputation, and legal risks. There is no impact on environment and financial risk is reduced. The likelihood of this impact is assessed as being rare.

5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

5.1 No consultation has been carried out for the report.

6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

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

7. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	We do not expect the recommendations will by themselves materially affect achievement of corporate priorities. However, they will support the Council's overall achievement of its aims as set out in section 3 [preferred alternative].	Tracey Beattie MKEH Manager
Risk Management	The risks associated with this proposal, including the risks if the Council does not act as recommended, have been considered in line with the Council's Risk Management Framework. That consideration is shown in this report at paragraph 4.1. We are satisfied that the risks associated are within the Council's risk appetite and will be managed as per the Policy.	Tracey Beattie MKEH Manager
Financial	We anticipate that accepting the recommendations will result in net extra income of £3,200. This income is above amounts already accounted within the	[Section 151 Officer & Finance Team]

	Council's financial planning.	
Staffing	We will deliver the recommendations with our current staffing	John Littlemore
Legal	Powers are available to local authorities in England under the Localism Act 2011 allowing for the recovery of costs of re-inspections/re-visits made at the request of a Food Business Operator to re-assess their food hygiene rating. It is for each authority to decide to use these powers and set the charge in line with their costs. When setting the charge the authority has a duty to ensure that taking one financial year with another, income does not exceed the costs of providing the service.	Keith Trowell, Interim Team Leader (Corporate Governance)
Privacy and Data Protection	Accepting the recommendations will not increase the volume of data held by the Council. The data will be held and processed in accordance with the data protection principles contained in Schedule 1 to the Data Protection Act 1998.	Keith Trowell, Interim Team Leader (Corporate Governance)
Equalities	The ability to charge for re-inspection, should the proposal be agreed, will result in a change of process. Whilst this is likely to be seen as an advantage to businesses as they will no longer have to wait a mandatory three months for a re-inspection, it is essential this change in process is communicated well. Any barriers to communications should be considered from an equalities perspective in respect	Equalities and Corporate Policy Officer

	of the protected characteristics.	
Crime and Disorder	The recommendations have no implications for crime and disorder.	Tracey Beattie MKEH Manager
Procurement	The recommendation will not require procurement of any service.	[Head of Service & Section 151 Officer]

8. REPORT APPENDICES

None

9. BACKGROUND PAPERS

None

Agenda Item 15

Communities, Housing and Environment Committee

Tuesday 20 March 2018

Community Toilet Scheme Update

Final Decision-Maker	Communities, Housing and Environment Committee
Lead Head of Service/Lead Director	Director of Regeneration and Place
Lead Officer and Report Author	Head of Environment and Public Realm Street Scene Operations Manager
Classification	Public
Wards affected	All, but specifically High Street Ward

Executive Summary

The Community Toilet Scheme was launched in 2008 to enable residents and visitors of Maidstone to use private toilet facilities provided by a number of local businesses. In March 2016, the Communities, Housing and Environment Committee agreed to refresh the scheme and a number of changes were implemented. This report provides an update on the changes made.

This report makes the following recommendations to this Committee:

1. That the updates made to the Community Toilet Scheme be noted.

Timetable

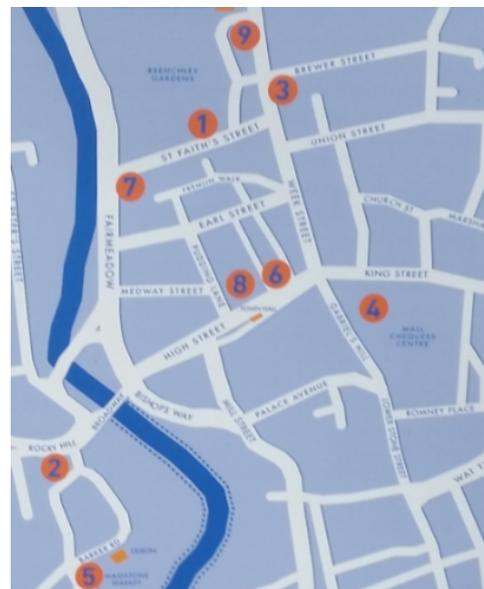
Meeting	Date
Communities, Housing and Environment Committee	Tuesday 20 March 2018

Community Toilet Scheme Update

1. INTRODUCTION AND BACKGROUND

- 1.1 The Council does not have a statutory duty to provide public conveniences, however historically has operated a number throughout the Borough. In 2008, the provision was reviewed and many of the toilets were closed or leased to Parish Councils. A small number remained within Parks, the Market and at Allington shopping parade.
- 1.2 Within the Town Centre, the toilets which were regularly vandalised were also closed and replaced with a Community Toilet Scheme, making use of private facilities already available. This type of scheme is now commonly used across the Country as it reduces the cost to the local authority and reduces the risk of vandalism and anti-social behaviour.
- 1.3 In March 2016, the Communities, Housing and Environment Committee agreed to retain, review and refresh the Community Toilet Scheme which had been in place since 2008. The scheme consisted of 13 facilities at that time, however it was highlighted that not all of them achieved the level of cleaning or the standards expected. It was therefore decided to remove some facilities from the scheme.
- 1.4 Since the scheme started in 2008, a number of new businesses had moved into Maidstone. One Maidstone agreed to approach businesses on Maidstone Borough Council's behalf to encourage them to participate in the scheme. This resulted in two new businesses joining the scheme; The Muggleton Inn and McDonalds (Tonbridge Road).
- 1.5 Unfortunately Fremlin's Walk decided to withdraw from the scheme, however continue to operate public toilets for shoppers. A number of other businesses indicated interest including Creams and Starbucks, however approval could not be obtained from their Head Offices.
- 1.6 This has resulted in a total of 9 businesses or facilities now signed up to the scheme. These are:

1. Maidstone Museum
2. McDonalds (Tonbridge Road)
3. McDonalds (Week Street)
4. The Mall, King Street
5. Maidstone Market
6. The Muggleton Inn (Wetherspoons)
7. Royal Albion
8. Royal Star Arcade
9. Society Rooms (Wetherspoons)



- 1.7 A copy of the legal agreement is included in Appendix 1.
- 1.8 The toilets are inspected every month by the Street Scene Operations Manager or the Cleansing Manager along with the Council's own public conveniences. A copy of the monitoring sheet is provided in Appendix 2. The standard of cleansing has been good, with very few issues identified. In addition, no complaints have been received regarding the scheme or the quality of the facilities provided.
- 1.9 Eleven new signs were installed around the Town Centre, new leaflets were produced and window stickers were provided to those participating in the scheme.



A copy of the leaflet is included in Appendix 3.

- 1.10 The signs were positioned at main car parks and routes into the Town Centre, as well as where previous requests had been received for them, including by The Kentish Lady and Maidstone Museum. The leaflets are available at The Mall, The Link and Maidstone Museum.
- 1.11 Details of the scheme are also available on the Council's website.

Public toilets

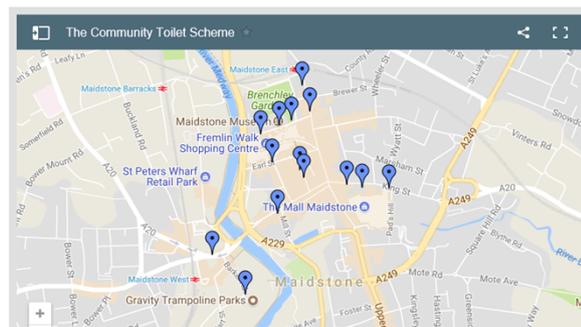
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- Community Toilet Scheme
- Town Centre
- Parks
- Out of Town

Community Toilet Scheme

We are working with a number of shops, pubs, cafes and businesses in the town centre to provide a Community Toilet Scheme. The businesses open up their toilets for free without you having to buy anything.

[View a map](#) of the businesses taking part in the scheme.



- 1.12 Each facility, excluding the Market and Museum, receives £150 per quarter for being part of the scheme. The Community Toilet Scheme therefore costs the Council £4,200 per year to operate.
- 1.13 The current budget for the provision of public conveniences within the Borough is £241,950 per year. Therefore the cost of the Community Toilet Scheme equates to less than 2% of the services budget, yet provides the same number of facilities to local residents and visitors.
- 1.14 The Community Toilet Scheme continues to deliver a cost effective solution to providing public conveniences within the Town Centre. In 2016, alternative options were considered, however presented significant cost and risk to the Council.
- 1.15 The Town Centre toilets at Brenchley Gardens and Fairmeadow experienced repeated vandalism and anti-social behaviour when open. Therefore in order for the Council to provide a facility in the Town Centre it would need to be manned for security reasons. The cost for providing this level of service in Mote Park is £31,000 in addition to business rates and utilities. Compared with the cost and safety of the Community Toilet Scheme, this option is not considered financially viable.
- 1.16 As new businesses move into the Town Centre, the Council will continue to seek new facilities to add to the scheme. The Community Toilet Scheme budget has been maintained at £6,400 per year allowing for some future growth in service.
- 1.17 The Council has also been contacted recently about the provision of disabled changing and toilet facilities in the Town Centre. As the Council does not now directly provide toilet facilities, it is not possible for the Council to install the appropriate equipment. However the Council will work with businesses in the Community Toilet Scheme to identify if there is an opportunity to install a hoist into one of the facilities. If this is possible, the Council will look to set aside £1,500 from the remaining Community Toilet Scheme budget for 2018/19 as a contribution towards the installation.
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2. RISK

- 2.1 This report is presented for information only and has no risk management implications.
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3. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 3.1 The Committee agreed to retain, review and refresh the Community Toilet Scheme in 2016. The updated scheme is now in operation and will continue to be monitored monthly to ensure standards are maintained.
-

4. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 4.1 The Community Toilet Scheme will continue to be promoted through the Council’s website and on appropriate Apps.
- 4.2 The participating businesses and One Maidstone will be engaged on the potential to provide a disabled changing facility for adults in the Town Centre over the next couple of months.

5. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	The Community Toilet Scheme supports the Council’s priority for a “Clean and Safe Borough” by providing a number of toilet facilities in the Town Centre at minimal cost to the Council.	Head of Environment and Public Realm
Risk Management	This report is presented for information only and has no risk management implications.	Head of Environment and Public Realm
Financial	There are no additional cost implications of this report as it is for information only. It is noted that there is a clear commitment on behalf of the Council to continue to work with businesses in the Community Toilet Scheme to improve facilities, particularly disabled changing facilities.	Section 151 Officer & Finance Team
Staffing		
Legal	There are no additional legal implications arising from the report as it is for information only. Any agreements entered into must be in a form approved by the Head of Legal Partnership.	Keith Trowell, Interim Team Leader (Corporate Governance)
Privacy and Data Protection	There are no specific privacy or data protection issues to address.	Keith Trowell, Interim Team Leader (Corporate Governance)

Equalities	The report is for information only and does not propose a change in service therefore will not require an equalities impact assessment. However, it remains important that the scheme and any changes to the facilities on offer is communicated well, particularly to hard-to -reach groups via the council's links with community forums.	Equalities and Corporate Policy Officer
Crime and Disorder		
Procurement		

6. REPORT APPENDICES

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

- Appendix 1 – Community Toilet Scheme Agreement
- Appendix 2 – Monitoring sheet
- Appendix 3 – CTS leaflet

7. BACKGROUND PAPERS

None

COMMUNITY GRANTS FUND COMMUNITY SERVICES GRANT

GRANT OFFER LETTER

Community Toilet Scheme

INTRODUCTION

1. Maidstone Borough Council is looking for local businesses to participate in the Community Toilet Scheme. The Council will provide a small annual sum, subject to the conditions set out below, as a contribution for participation in the scheme as titled above. This will involve participating businesses to open its doors to the public to use its public conveniences, even if they do not purchase anything. The aim of the Community Toilet Scheme is to ensure that visitors to Maidstone Town Centre are provided with a clean and safe toilet provision.

GRANT

2. Maidstone Borough Council is prepared to pay a grant for the financial year 2017/2018 of a sum of £600 which is pro-rata and paid in quarterly installments of £150 commencing 1st April. For subsequent years the first quarterly installment of £150 will be made on 1st April. Our funding cannot be added wholly or partly to your reserves.

PAYMENT ARRANGEMENTS

3. Payment of the grant will be made by Maidstone Borough Council and is subject to:
 - the facilities being available during your usual business opening hours during the term of the scheme; and
 - the facilities being in a clean and safe condition.
4. An approved sticker shall be displayed in a prominent place, such as a window or door, and assistance dogs will be permitted to enter the premises. Participation in the scheme will be reviewed annually.
5. Payment of the grant will be made by BACs into your nominated bank account.
6. You will keep all financial records and accounts, including receipts for items purchased with Maidstone borough Council funding, for at least three years from the Offer of Funding. You will make these available to Maidstone Borough Council on request. This does not release you from your statutory obligations to keep records for longer periods.

PUBLICITY

7. The organisation should ensure that, where appropriate, publicity is given to the scheme.
8. You will allow Maidstone Borough Council to use your business name and participation in the scheme in its own publicity materials.

INELIGIBLE EXPENDITURE

9. The Grant must not be used for:
 - (a) expenditure on activities of a political or exclusively religious nature;
 - (b) expenditure supported from other Government sources, local authority grants, charges paid by leaseholders, or EC structural funds, to the extent that the combined community services grant and other support total more than 100% of scheme costs;
 - (c) expenditure on works or activities which any other person has a statutory duty to undertake e.g. health and education provision;
 - (d) recoverable VAT incurred;
 - (e) any liability arising out of negligence or breach of contract;
 - (f) any employment matter including, but not limited to payments for unfair dismissal, redundancy to staff or pension costs;
 - (g) expenditure relating to the payment of creditors on insolvency of the Grantee, that does not specifically relate to matters the subject of this grant.
10. This list is not comprehensive. You must consult the Environmental Contracts and Operations Manager if there is any doubt as to whether particular costs are eligible for a Community Toilet Scheme grant.

FINANCIAL ACCOUNTABILITY

11. You must ensure that the requirements set out in this offer letter are complied with; and in particular:-
 - (a) notify Maidstone Borough Council immediately (through the Street Scene Operations Manager) if any financial irregularity in the use of the grant is suspected, and indicate the steps being taken to rectify such irregularities. Irregularity means any fraud or other impropriety, mismanagement or use of funds for purposes other than that approved;
 - (b) you will notify us immediately in writing if you intend to move to new premises;
 - (c) you will allow entry to Council officers to undertake inspection of the facilities which may be without prior notification at any time within the funding period;
 - (d) you will also acknowledge that Maidstone Borough Council provides this funding in any financial information that you provide in annual reports;

SAFEGUARDING

13. You will ensure that all practitioners employed or contracted by you who come into contact with children and young people (under 18 years of age and 'vulnerable' young people under the age of 24) in their everyday work are familiar with and follow your organisation's procedures and protocols for promoting and safeguarding the welfare of children, and that you assure Maidstone Borough Council that your procedures and protocols are in accordance with its Safeguarding Children Policy and Procedures that can be viewed on the Council's website.

BREACH OF CONDITIONS AND RECOVERY OF GRANT

14. Maidstone Borough Council may reduce, suspend or withhold payments or require all or part of the grant to be repaid if there has been a failure by the business to comply with the requirements set out in this offer letter in particular where:

- (a) the availability, safety and cleanliness of the provision in the opinion of the Council, does not accord with the provisions of this Agreement or the law;
- (b) any attempt is made to transfer or assign any rights, interests or obligations created under this offer letter or substitute any person in respect of any such rights, interests or obligations without the agreement in advance of Maidstone Borough Council;
- (c) the composition of the Organisation changes as a result of insolvency or dissolution or ceases (or threatens to cease) to operate.
- (d) Maidstone Borough Council shall be entitled to cancel the grant and to recover from the Grantee the amount of any loss resulting from such cancellation, including all grant monies paid, if the Grantee (his employees or any person acting on his behalf) shall have offered or given any person of the Council any gift or consideration as an inducement or reward to obtaining the Grant and the Grantee or any person employed by him acting on his behalf shall have committed any offences under the Bribery Act 2010, or any amendment of them, or shall have given any fee or reward the receipt of which is an offence under sub-section (2) of Section 11 7 of the Local Government Act 1972.

15 Maidstone Borough Council may at its entire discretion, reduce, suspend or withhold the grant payment or require all or part of the grant to be repaid, if they believe that:

- (a) The grant has not been used for the purpose for which it was given; or
- (b) insufficient measures are being taken to investigate and resolve any irregularity (whether reported or not);
- (c) claims are found not to relate to the scheme approved or are found to be falsified or misrepresented.
- (d) there are any other reasons why continuing to fund the scheme would be undesirable or unaffordable.

16 Please now read the 'Acceptance Offer' and sign if agreeable.

ACCEPTANCE OF OFFER

17. If you wish to accept this offer of the grant, please sign both copies of this letter in the space indicated and sign and date and return one copy to John Edwards, Street Scene Operations Manager, Environmental Services Section, Maidstone Borough Council Depot, Bircholt Road, Park Wood Trading Estate, Maidstone, Kent, ME15 9XY (E) johnedwards@maidstone.gov.uk.
18. Please note that the fact that this grant funding has been offered for participation in the scheme by your business cannot in any way be construed as the giving of any consents required for participation by you. In all cases, you must ensure you have the necessary authority (legislative or otherwise) for operating your business and providing toilet provision as part of the Community Toilet Scheme.
- 19 You must ensure that you and anyone acting on your behalf, complies with the law in force in England, and in particular:-
- (a) takes all necessary steps to secure the health, safety and welfare of all persons involved in providing the toilet provision as part of the Community Toilet Scheme and can demonstrate that relevant safeguards, insurances and policies are in place; and
 - (b) meets the requirements of the Equality Act 2010. The Equalities and Human Rights Commission have issued a series of guides giving advice on the equality duty.

Signature

Name: John Edwards
Position: Street Scene Operations Manager
Organisation: Maidstone Borough Council Date / / 2017

(Authorised to sign on behalf of Maidstone Borough Council)

GRANT OFFER ACCEPTANCE

Signature

Name:
Position:
Organisation: Date



Community Toilet Scheme Monthly Monitoring

Date	Time	Mirror Clean	Hot running water	Refill Soap	Empty Rubbish bin	Basins Sinks clean	Toilet Seat Clean	Floor Clean	Refill Toilet Papers	Walls clean	Lights working	Checklist completed
Fremlin's Walk												
26/02/18	9am	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Maidstone Museum												
26/02/18	9.15	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
McDonald's (Barker Road)												
26/02/18	9.30	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
McDonald's (Week Street)												
26/02/18	10.05	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
The Mall												
26/02/18	10.20	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Maidstone Market												
26/02/18	10.35	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Mugleton Inn												
26/02/18	10.45	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Royal Albion												
26/02/18	11.05	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Royal Star Arcade												
26/02/18	12.20	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Society Rooms												
26/02/18	12.45	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y

Supervisor : John Edwards

Signature : [Signature]

Date: 26/02/18



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Maidstone Community Toilet Scheme

Need a toilet? Look for this sticker!



How the scheme works

Participating premises display one of our stickers in their window showing the facilities available e.g. male, female, wheelchair accessible, baby-changing facilities. Members of the public can use the toilet facilities during the premises' opening hours; however, businesses retain the right to refuse entry to anyone whose behaviour is unacceptable.



Window signs

Participants of the Community Toilet Scheme will display one of these signs in their window. Wherever you see this sign means you are welcome to use the toilet facilities without having to make a purchase.

Community Toilet Scheme for businesses

Is your business happy to allow non-customers to use your toilet facilities?

Do you think your business would benefit from being involved in the Community Toilet Scheme? If you are interested in being involved in the scheme, please apply online.

www.maidstone.gov.uk

A partnership initiative with local business
and Maidstone Borough Council

www.maidstone.gov.uk



Maidstone Community Toilet Scheme

Community Toilet Scheme

Maidstone Borough Council is working with local businesses like shops, restaurants and pubs, to help improve the provision of public toilet facilities within the Town Centre. Through this scheme you will have more access to clean, safe and accessible toilets.

A number of organisations are participating in the scheme which means that you are able to use their toilet facilities during normal opening hours without having to make a purchase.



Maidstone Museum

St Faith's Street • Tues to Sat 10am - 5pm,
Sun 12pm - 4pm (1 Apr - 31 Oct only)



McDonalds

Broadway • Sun to Wed 6pm - 11pm
Thurs to Sat 6am - 12am



McDonalds

Week Street • Sun to Wed 6am - 11pm
Thurs to Sat 6am - 12am



Mall Chequers Centre

Mon to Sat 9am - 5.30pm
Sun 10.30am - 4.30pm



Maidstone Market

Lockmeadow • Mon 7am - 4pm,
Tues 5am - 4pm,
Wed & Thurs 7am - 5pm,
Fri 7am - 1pm, Sat 6am - 3pm



Mugleton Inn

High Street • Mon to Thurs 8am - Midnight
Fri and Sat 8am - 1am
Sun 8am - Midnight



Royal Albion

St Faith's Street • Mon to Sun
11am-11pm



Royal Star Arcade

Market Buildings • Mon to Sat
9am - 5.30pm



Society Rooms | Wetherspoons

Week Street • Mon to Thurs 8am - Midnight
Sun 8am - 12pm, Fri & Sat 8am - 1am

