

TONBRIDGE & MALLING BOROUGH COUNCIL

SCRUTINY COMMITTEE

16 MARCH 2004

Report of the Central Services Director

Part 1- Public

1 REVIEW OF COUNCIL LAND POLICIES – RECOMMENDATIONS OF REVIEW GROUP

To consider the recommendations from the Council Land Review Group on proposed changes to policies related to Council land and to make recommendations to Cabinet on the review.

1.1 Review Process

- 1.1.1 The Land Review Group, under the Chairmanship of Cllr Geraldine Bowden, met on three occasions to address the issues identified in the scoping report presented to this committee in September 2003. The review process included an initial meeting to receive background information and a site visit to view a sample of council land holdings and to consider a property policy framework. A final meeting was held to consider a revised draft of the Asset Management Plan and the incorporation of those policies into the Plan. An updated Asset Management Plan, taking on board the consideration of the review's key issues, has therefore been the main output from this review.
- 1.1.2 Members of the Scrutiny Committee are invited to consider the proposed changes to the Council's land policies and the Draft Asset Management Plan, and to endorse the recommendations of the Review Group for further consideration by the Cabinet.

1.2 Asset Management Plan

- 1.2.1 The updated plan is attached [**Annex 1**]. This document was first produced in 2000 when it became a national requirement. The last time it was assessed by the Government Office of the South East (GOSE) in 2002 it received the highest category of rating. This meant that the Council were no longer required to submit the plan to GOSE, although it is good practice to keep it up to date and relevant.
- 1.2.2 The Review Group has focused its work on the development of a new property policy framework to underpin the Council's approach property management. This framework has been incorporated into the revised Asset Management Plan which has also been updated to include

developments and progress over the last year. The Plan is recommended for endorsement by Scrutiny Committee.

- 1.2.3 Members will note that the Appendices that accompany the AMP have not been included. Copies of the Council's Best Value Performance Plan – April 2003 to March 2004, the Asset Register of major land ownership and buildings and the Property Performance Plans which form the majority of the appendices, were circulated to members of the Review Group at their meeting on 5 November 2003 and remain unchanged.

1.3 Key Issues for the Scrutiny Land Review

- 1.3.1 The Key Issues for review were identified in the report to members of this committee at its meeting on 16 September 2003. Each Key Issue has been addressed by the updated AMP as follows:

1.3.2 Identified Key Issues:

- Whether the current policies relating to land holdings, both formal and informal, are appropriate.

The Review Group recommends the draft policies set out at paragraph 1.5 of the Asset Management Plan. It has been a definite positive outcome of this review that tangible policies have, for the first time, been set down.

- How Council land assets could be used to achieve the Council's key strategic objectives.

Actions over the past year, as summarised in the AMP (paragraph 1.5), demonstrate that land assets can and are used to achieve strategic objectives. The very significant effort that went into the disposal of the former East Malling Depot clearly contributed to the Council's objective "to improve the availability and quality of housing for people most in need". Similarly, the sale of land at Vale Rise, which was not at the highest price available, contributed to the area investment framework objective to achieve a beneficial employment use of the site. The general policy of land disposal also, of course, contributes effectively to the Council's objective to maintain adequate reserves. In the light of this record the Review Group do not believe it is necessary to identify new ways to deal with this issue.

- Whether other areas of Council owned land could be identified for potential disposal or transfer.

The Review Group recommends the new policy "that a programme be established to dispose of [small miscellaneous areas of amenity land] subject to their retention not contributing to

achievement of the Council's aims and priorities". Such disposals have, in the past, been more reactive and ad hoc, and a more structured approach is a step forward that provides benefits in several respects. More major assets will, of course, be disposed of as opportunities arise. No other areas of Council owned land have been identified for potential disposal or transfer.

- Whether better value could be achieved by using different approaches.

The Review Group have addressed this issue at two levels. Firstly, as is set out in the proposed property policies, the Council, unlike some other authorities that apply more rigid doctrines, adopt a flexible disposal policy "to ensure that the best method for individual transactions is adopted" and therefore do not operate conflicting approaches. At another level the Review Group have considered whether entirely different approaches should be used to any of those presently followed. The Review Group believe that the current service arrangements represent good practice. This view has been supported in the past by both the District Auditor, in his study of the Property Service, and GOSE in its consideration of the AMP. In addition, practices employed in similar authorities do not indicate that the current arrangements need to be altered.

- Whether best practice elsewhere indicates a basis for adjusting our procedures and approach.

As indicated in the preceding point practice is monitored elsewhere. The Estates Officer is a member of the Kent Property Managers Group, where experience, performance information and innovation are shared. The Group believe that to justify the disruption of a major change, in relation to the relatively minor cost of the whole service, there would have to be definite benefits. Potential changes that can be supported with that level of confidence have not been identified.

- Whether the planned computerised land record (terrier) is appropriate.

At its first meeting, the Review Group received an explanation of the plans for a computerised land record and a demonstration of how this particular system fitted in with the corporate GIS system. This system will enable the delivery of the policies identified at 1.5 of the AMP and contribute to the Council's commitment to E-government and is therefore recommended by the Group.

1.4 Recommendation

1.3.3 It is recommended that Scrutiny Committee endorse the updated AMP and the conclusions set out in 1.3.2 above for adoption by the Cabinet.

Background papers: Nil

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TONBRIDGE & MALLING BOROUGH COUNCIL

ASSET MANAGEMENT PLAN

LAND & BUILDINGS 2004

February 2004

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NB. Although produced as appendices these documents provide a significant amount of detail that substantially supports the contents of the Plan.

This Asset Management Plan runs from 1 January 2004 until 31 December 2004

1. INTRODUCTION

1.1. Background

The need for strategic planning and management of property assets has continued to be a critical element of Government management of a 'single pot' of capital allocated on the basis of needs and performance in addition to the statutory requirements of Best Value under the Local Government Act 1999.

Central Government initiatives and the changing nature of local authority service delivery are continuing to highlight the importance of best practice in the management of property assets.

The Council maintains a relatively modest property portfolio following the transfer of all its housing stock in 1991 to the Tonbridge & Malling Housing Association (T&MHA), and a continuing programme of disposals of surplus assets. The present property portfolio is currently valued at £36.78m comprising operational and non-operational assets. The Council's Cabinet is corporately responsible for the management of all Council land and property assets. At officer level the Council approaches the management of property assets from a corporate perspective. Management Team has overall responsibility, through the Central Services Director, for property assets and facilities management. Since 1991 the Council has implemented a capital investment programme and a five year rolling programme of planned repairs and maintenance, which has left it with no repairs and maintenance backlog.

The 2004 AMP reflects the move forward from a planning and strategy statement, in the previous plans, to a more pro-active implementation stage. It has been developed by officers, reviewed by Management Team, and will be considered by Members as part of this year's Scrutiny Committee review.

1.2. Corporate Objectives and Asset Management

The Borough Council's Strategic Objective on property is "to continue improving the match between the Council's property holdings and its service delivery, organisational and financial needs". In pursuance of this objective the Council has actively encouraged the most efficient use of property assets, including cross service and shared occupation with other organisations.

This document seeks to provide the necessary framework and mechanism for good property asset management on an authority wide basis.

The principal aims are to ensure that the opportunity cost of financial resources tied up in land and buildings is maintained at a minimum practical level and that capital and revenue expenditure on the portfolio is directed efficiently and effectively to provide value for money.

1.3. Links to Capital Strategy and Performance Plan

The Council's annual Capital Strategy (together with long term capital programmes including expenditure and planned capital receipts) reviews and documents the principles and framework which underpin its long term capital investment and expenditure proposals. The principal aim of this document is to provide a context for a programme of capital investment (known as the Capital Plan) that will assist in the achievement of the Council's strategic priorities and objectives. One of the key principles which underpins the Council's Capital Strategy is the continuing development of the Asset Management Plan and the Performance Plan. As such these are seen as an integrated process in which all relevant officers are involved.

The Borough Council's Best Value Performance Plan, April 2003 to March 2004 is based on continuing public consultation and contains a detailed assessment of performance to date and targets for 2003/04 and beyond. Performance measurement feeds into the AMP and is a key element of the 'Best Value' framework.

1.4. Timing

This document follows the feedback process for the 2001/2 AMP document which was the subject of assessment and evaluation by GOSE when the Authority received a 'good' assessment. The Council is not required to submit subsequent Asset Management Plans to GOSE for assessment.

1.5. Progress Since Last Year

Progress has been made on the Council's key corporate projects identified in the 2002-03 AMP including, as examples:-

- Completion of works on phase two of the rationalisation and enhancement of the Council's existing office accommodation at Kings Hill.
- Completion of negotiations and works enabling the disposal of the former East Malling Depot and land at Beaufigther Road (producing further major capital receipts and meeting the Council's enabling role for social housing with Tonbridge & Malling Housing Association).
- Completion of the disposal of the former Vale Rise Depot. The sale of this area of land for employment use enabled the Council to fulfil an identified strategic objective.
- Attention has been focused on bringing forward the centralised property data system through appropriate training and computer system upgrades and implementation of a corporate system of property performance indicators (pPIs).
- The agreement of the Martin Square Traders' Association to the periodic rent review of shop and maisonette premises at Martin Square.

- The successful negotiation of the periodic rent reviews of the Council's industrial ground rents at Vale Rise, Tonbridge.
- Negotiations were completed with Snodland Town Council, agreeing a lease of part of the Borough Council owned Rocfort Road car park for the purpose of a one day weekly market.
- The Council's Scrutiny Committee Land Review Group considered and supported property and land policies as follows:
 - a) That the non-operational estate be held to deliver an optimum return on capital in a sustainable manner.
 - b) That it is the Council's policy to generate both capital and reserve from the commercial estate.
 - c) That in taking decisions relating to property assets the non-financial benefits delivered by Property to support corporate objectives be identified and taken into account.
 - d) That the commercial and industrial portfolio be categorised and that a basis for assessing performance be adopted that reflects corporate objectives and statutory duties of the Council and the portfolio's ability to contribute to the achievement of those objectives on an ongoing basis.
 - e) That the principle be established that non operational assets which do not produce an adequate return on capital, having regard to their opportunity costs and non-financial benefits, should be disposed of but only where there is no statutory or other obligation to retain and no potential benefit to the Council or community by retention.
 - f) That capital receipts generated by property disposals or active management be re-invested in line with the Council's Capital Strategy.
 - g) That small miscellaneous areas of amenity land be included in the Council's electronic property database and classified according to various parameters, including Local Members' views towards retention or disposal. Thereafter a programme be established to dispose of them, by way of licence, lease or freehold sale, subject to their being no statutory or other obligation to retain and no potential benefit to the Council or community by retention.
 - h) That any disposal of amenity land will include appropriate safeguards by covenant, restrictions or clawback to ensure that the Council benefits appropriately from any enhancements or changes of use.

- i) That potential purchasers of land and property (freehold and leasehold) owned by the Council be charged a fee for the transaction based on an assessment of the Council's reasonable legal, surveyor and administration costs.
- j) That the Council's property records be fully computerised.
- k) That in settling the terms for disposals or rentals of land and property, the Council will achieve best open market value available unless a Council aim or priority impacts upon the property such as to justify settling lesser terms.
- l) That where the maisonette units can be released at Martin Square and Twisden Road, these should be offered in the first instance to Tonbridge & Malling Housing Association in furtherance of the Council's Strategic Housing Objectives.
- m) That where the Council's property assets are surplus to the Council's requirements, the full range of methods of disposal should be investigated; including private treaty, auction, sealed bids and informal tender, so as to maximise the potential sale price.

Review of Delegations

- n) That in any review of delegations within the Council's Constitution consideration be given to the relevant portfolio holder having the authority to approve disposals and management of land and property (freehold and leasehold) up to a specified level and subject to appropriate consultations which would include local Members and the local Planning Committee.

2. Planning and Consultation

2.1. Consultation

The benefit and importance of regular client and public consultation is a key concept of the Borough Council's Performance Plan as well as the 'Best Value' process. The Council's Management Team acts as the Asset Management group providing the focus for consultation and contact point for internal stakeholders. The Management Team through the Central Services Director is responsible for reviewing and implementing advancement of improved asset management in the authority.

Each major project is the subject of extensive consultation. On each occasion stakeholders are identified and the optimum means of effectively consulting is used. In addition, the Council regularly consults its Citizens' Panel about a range of issues and any results relevant to the Asset Management Plan, e.g. on the perceptions of the value of Area Offices, will be fed into the development process. Consultation will also continue to take place with other organisations to explore

the joint use of facilities, thus effecting customer based change. Lastly, Property Services staff maintain regular formal and informal liaison with Service representatives to ensure that their needs are being met.

2.2. Corporate Property Management and Accountability

The Council recognised the corporate and strategic importance of property assets in 1990 with the designation of a Borough Property Services Officer and dedicated staff. The Borough Property Services Officer has been responsible for co-ordinating and assessing all property issues, including: regular property reviews, acquisition and disposal strategies and programmes, capital programme issue and property maintenance policy and implementation. A further review in January 2000 refined the management structure for Property Services and organisation interaction within the Council.

The Property Services Manager and Estates Officer reporting to the Central Services Director have direct responsibility for the service as well as strategic asset management, day to day property management and collecting information on the "suitability" of the various categories of the portfolio for their current and future use. Their roles and responsibilities have been clearly set out in their job descriptions communicated to service managers. They report to and are accountable to the Central Services Director, to the Management Team and Cabinet. Within the Cabinet a Member has lead responsibility for Property matters.

The Management Team co-ordinates the capital programme and asset management and undertakes the role of senior management forum. Its terms of reference are encapsulated in the Authority's objectives and priorities including those relating to Property. Asset Management issues frequently appear on the Management Team agenda.

2.3. Key Roles and Tasks

The relatively small scale of the Council's property portfolio and the limited number of major capital projects enables a close working relationship between individual services, the Estates Officer and Management Team. This has obviated the need for service level AMPs. Where major projects are involved then inter-service project teams are formed, under a senior officer, reporting directly to Management Team (e.g. Larkfield Leisure Centre, Tonbridge Swimming Pool, Gibson Building Enhancements).

Where appropriate, Member Working Groups are formed to undertake project consultation and feedback (e.g. Tonbridge Town Centre Group). In this way Members maintain very close 'ownership' of these significant projects. Other stakeholders are also involved through extensive partnership and consultation exercises, e.g. the joint working with several agencies on the major development mentioned above and the pre-planning consultation in respect of the East Malling Depot development.

3. Data Management

3.1. Statement of Assets held

The Council maintains a centrally coordinated Asset Register incorporating relevant financial information, of all major land ownerships and buildings. The Council maintains a 5 year rolling programme for the revaluation of assets held based on the categories of: Council offices, car parks and infrastructure, leisure premises, commercial/non operational assets and public toilets. An overall annual appraisal is also undertaken to identify disposal, acquisitions and other changes to assets impacting on value. A précis of the Asset Register is set out in Appendix 2. All properties are categorised into:

- Operational, sub-divided into direct, indirect and office/administration
- Non operational, sub-divided into investment and surplus.

The Council has historically held property information in a number of different forms, e.g. Ordnance Survey sheet records, Deed records, Asset Register, computer records. The urgent need to collate all existing records into a single computerised system linked to GIS is recognised and a phased programme has been implemented based upon the Integra system already installed on the Council's computer system. The capture and recording of base property information is ongoing together with the allocation of Basic Land or Property Units (BLPUs).

The Council already has a fully integrated and networked computer system, available to all officers, and as part of the phased introduction of GIS work has initially focused on Development Control. Considerable experience of the necessary training, installation and use of GIS is being obtained which will benefit the introduction of generally available property data throughout the Council.

The Council's Training and Development Officer undertakes regular reviews of staff training needs including those involved in property data collection and retrieval and arranges appropriate in-house or external training. All staff are also subject to annual appraisals when the need for any training can be reviewed.

3.2. Designation and Role of Property Records Officer and links with IT Strategy

The key importance of accountability and the constant need for regular updating and validating of property data information (including "intermediate" data) has been recognised with the re-designation of an officer, in 2001, as the Council's Property Records Officer, who has been appropriately trained, along with a Property Services colleague.

Future Strategy

The Authority's Management Team, as part of its review of IT Strategy and future property data requirements, has approved the upgrading of its Uniform 2000 platform to Uniform v.7/Spatial which is part of a programme of necessary improvements. This decision is in line with the Council's commitment to offer the opportunity for a step change in the utility of the property records function.

3.3. Condition Survey/Statistical Information

As part of a review of the Council building maintenance policy, the Council has maintained a Building Repairs Reserve (Appendix 3) for a period of 12 years. The purpose of this fund has involved the development and implementation of a rolling five year planned repairs and maintenance programme. The maintenance plan and statistics in relation to condition are reviewed annually and informed by a review of building condition information and available funds. A clear distinction is maintained between planned and reactive maintenance, with a high ratio of planned maintenance budgets. All Council property is therefore reviewed annually with the intention of ensuring appropriate property management and maintenance commensurate with corporate requirements.

4. Performance Monitoring and Measurement

Performance measurement, including stakeholder and user satisfaction, is now a key element of the Best Value framework, the AMP and the efficient use of corporate assets to meet corporate objectives. The Property Services Manager and Estates Officer are responsible for co-ordinating and reporting upon performance measurement to the Chief Executive, the Management Team, individual services and the Cabinet. Members are informed, as part of overall budget and performance monitoring, of the progress and performance of the capital programme.

4.1 Reporting Process

The Council has followed a rigorous policy of rationalising non-operational property assets and now retains only a very small commercial portfolio, which in accordance with a policy of asset disposal is expected to continue to diminish. Each proposal for property disposal is fully reported to Cabinet as part of the continuing policy together with the annual review of the Building Repairs Reserve.

4.2 Property Objectives

At a corporate level, this is set out in the Borough Council Strategic Objectives (para. 1.2. refers). This document recognises that the Council needs to continually monitor and evaluate the competitiveness of its in house property management services to ensure value for money. The Council has continued to review the objectives more recently through the Scrutiny Committee for the retention of the very limited commercial and industrial properties, including guidelines for rationalisation and target setting for commercial property rates of return. There are also section level performance plans for the buildings and estates sections which form an integral part of our performance management framework (Appendix 4). From this appendix it will be seen how the property objectives link into our explicit and general corporate aims, objectives and priorities.

4.3 National and Local Performance Indicators (pPIs)

After the assessment in the 2003/4 AMP the Estates Officer is progressing the detailed use of Property Performance Indicators as part of the AMP process and

the continued review, evaluation and assessment of the Council's property assets. Detailed further guidance has now been received from the Government on the format and content of the Property Performance Indicators and this will be assimilated within the review process. Local indicators will be developed in relation to the setting of quantifiable outcomes/targets for the areas covered by the AMP. Appendix 5 provides an overview of the Authority's position in respect of the five national pPIs.

The Estates Officer has taken the initiative to directly encourage all other Local Authorities in Kent, through the Kent Property Group, to agree a process of local comparison of the performance and competitiveness of property and property services. Action has also been taken, jointly with Ashford Council, to form a benchmarking group of similar authorities outside Kent.

The objective is to ensure that the Council is using and managing its financial resources and capital in terms of land and buildings in the most efficient and effective manner. This process will enable the monitoring of continuous improvement.

4.4 User and Stakeholder Satisfaction

User and stakeholder satisfaction is a key element in the measurement of performance and this is monitored directly including through a response card process eg. for property maintenance and customers of Leisure Services. The Management Team also acts as a direct conduit for all service, stakeholder and customer satisfaction, and regular meetings are held between Property Services staff and occupiers of our major operational buildings, e.g. the Leisure Centres

5. Programme Development

5.1. Key Areas

The Council has in recent years undertaken a number of major capital projects, including Tonbridge swimming pool, enhancements to Larkfield Leisure Centre and replacement Council offices, Kings Hill.

A review of the availability and suitability of Council-wide office accommodation was carried out in 1998, resulting in a decision to move from two inefficient buildings into one newly built office. The new office building utilises flexible layout and energy efficient design which has led to reductions in the running costs of Council office accommodation. Further enhancements were necessary to the original Gibson Building and these are being completed.

As part of this review of options the Council has continued to investigate the feasibility of shared use e.g. the cross service occupation of the Council's main area office in Tonbridge Castle. Other than projects already included in the Capital Plan the Council is awaiting the more fully fledged development of its Community Strategy (see below) before committing to definite future key investment areas.

5.2. Property related requirements

The Council's approved Capital Strategy identifies prioritised Council projects. The property implications are fully assessed as part of the process of prioritisation with full involvement of the Estates Officer; Service Managers, Chief Financial Officer, Management Team and Members.

5.3. Links with corporate objectives and fit of existing to future needs

The Council will continue to review and monitor present property assets with a view to improving service delivery.

The Estates Officer is involved on a day to day basis directly with service providers in respect of management, repairs, acquisitions and disposals of property assets. The Estates Officer reports directly through the Central Services Director to Management Team on property issues and advice necessary to ensure that the corporate portfolio is an integral part of achieving the Council's corporate objectives.

5.5. Links with Housing Strategy Statement 2002 – 2005

The Council's Housing Strategy Statement 2002 – 2005 seeks to ensure that good quality, affordable homes are available to all households resident in the Borough and that each home is adequate in size and suitably located for the occupants. The Council supports the concept of sustainable and balanced communities recognising the wider social and environmental factors that have a strong impact on the quality of home life.

Further to the transfer of all the Council's housing stock to the Tonbridge & Malling Housing Association in 1991 the Council has maintained a supporting and 'enabling role' policy in respect of any retained Council land assets. In this context the Tonbridge & Malling Housing Association was a member of the joint project team responsible for the co-ordination of the disposal of the Council's former East Malling Depot.

5.5. Links with Community Strategy

The Borough's Community Strategy - 'Serving You Better' was adopted in April 2003. The Strategy sets out a context for joint working on issues of concern to the local community and provides a context for the development of other Council plans. The Council's property policies, as set out above, are aligned with the priorities and objectives set out in such plans.

5.6. Planned maintenance programme

The Building Repairs Reserve has now been operating for twelve years and has provided a focus and process for ensuring appropriate and adequate planned and response maintenance. The objectives, planning and mechanisms for this fund will continue to be assessed and monitored. The position in regard to this Reserve is reported to the Management Team quarterly and amendments made if necessary.

5.7. Prioritising between projects

The Council has established through its capital strategy, Building Repairs Reserve and service delivery, a robust system for option appraisal and corporate prioritising between projects based on corporate and service priorities. The details of the system for how projects are prioritised is set out in this Plan's sister document, the Capital Strategy, as is the methodology for establishing and monitoring output and outcome targets for capital projects.

6. Under-use and Disposal

6.1. Present policies

The Council has throughout the last ten years maintained a policy of reviewing and challenging all land assets in order to identify under-used or surplus assets. A substantial disposal programme has been completed over the last decade, leaving a small portfolio of operational and non-operational assets. A continuing review of commercial and industrial non-operational assets is at present being undertaken, with a view to challenging the criteria for justifying the retention of non-operational property. This process is co-ordinated by the Council's Estates Adviser, under the direction of the Chief Executive and Central Services Director. The Council's Cabinet is always engaged for decisions on major disposal issues. There is an assumption that properties should be disposed of unless there are sound justifications for their retention.

Given the relatively small size of the Council's property asset base and our successful disposal programme, it has not often been appropriate to consider alternative uses for property, but some years ago extensive consultation was undertaken on the possibility of including the Angel Centre in Tonbridge as part of a major development in the town centre. The Gibson refurbishment project resulted in part of the underused dining room being converted to office accommodation.

7. Spending and Outputs/Outcomes

7.1. Capital Plan

For many years the Council has maintained a Capital Plan, which currently projects six years ahead. It is reviewed and monitored each financial year. A copy of the current Capital Plan is annexed to the Capital Strategy which also provides greater detail on all financing elements of capital development. The annual review incorporates an assessment of continuing forecasts, actual capital receipts and expected capital receipts over the plan period. The presence of the Building Repairs Reserve for a period of twelve years means there is a stable basis for future assessment of maintenance costs.

7.2. Performance Management

The performance management process is a key element in the assessment and monitoring of the capital programme and will increasingly act as a monitoring process for future expenditure. It is acknowledged that in all of the Council's

objectives and priorities due attention will continue to be paid to property asset implications.

8. **Monitoring and Review of the AMP**

8.1. **Maintaining the Currency of the AMP**

The AMP provides a framework for the annual monitoring process. Subsequent AMPs will continue to have the benefit of feedback from the Best Value process, client services and stakeholders. Each review will need to demonstrate that asset use is being considered corporately and that the whole authority has been involved in the production and development of this process.