

**TUNBRIDGE WELLS BOROUGH COUNCIL****RECORD OF DECISIONS**

(in terms of Access to Information Rule 18)

**CABINET****Thursday 12 July 2007**

**Present: Councillor Bullock (Chairman)  
Councillors Horwood, Mrs Mayhew, Scholes  
and Mrs Thomas.**

**Officers in Attendance:** William Benson, Director of Change and Business Support, Nigel Bolton, Head of Leisure Services, David Candlin, Head of Economic Development and Regeneration, Sean Clark, Head of Financial and Property Services, Robert Cottrill, Director of Planning and Development, David Crosby, Head of Housing Services, Lois Howell, Head of Legal, HR and Democratic Services, Samantha Timms, Committee Administrator, Richard Powell, Director of Services to the Community, and Sheila Wheeler, Chief Executive.

**APOLOGIES FOR ABSENCE**

CAB018/07 The Chief Executive reported apologies for absence from Councillor Barrington-King.

**DECLARATIONS OF INTEREST**

CAB019/07 None were received.

**APPROVAL OF CABINET MINUTES DATED 7 JUNE 2007**

CAB020/07 It was agreed that the minutes of the Cabinet meeting held on 7 June 2007 be confirmed as correct record.

**MINUTES OF THE JOINT TRANSPORTATION BOARD DATED 29 MAY 2007**

CAB021/07 The Minutes of the Joint Transportation Board dated 29 May 2007 were submitted for Members' approval.

**RESOLVED** – That the recommendations of the special Joint Transportation Board, dated 29 May 2007, as set out in appendix a, be supported.

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**RECOMMENDATION TO COUNCIL****EXEMPT ITEM****LOCAL GOVERNMENT ACT 1972, SECTION 100A (4)**

**RESOLVED** – It was proposed and seconded that, under Section 100A(4) of the Local Government Act 1972 and the Local Government (Access to Information) (Variation) Order 2006, the public be excluded from the meeting for the item of business referred to below on the grounds that it may involve the likely disclosure of exempt information as defined in Part 1 of the Schedule 12A of the Act namely: -

**DECISION NO. CAB022/07**

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

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**DECISION NO. CAB022/07****NEXEMPT****PORTFOLIOS:****CORPORATE SERVICES AND PLANNING AND DEVELOPMENT****PORTFOLIO HOLDERS:****Councillors Horwood and Mrs Thomas****TITLE OF REPORT:****\* Land at 18 Victoria Road, Tunbridge Wells (070712/CAB009)****PRIORITIES:****A2 Caring for our environment  
A3 Having housing suitable for local people****DISCUSSION:**

Members were reminded that a report was submitted before them on 8 March 2007. Since that meeting, the Planning Service had contacted the owner to ask him to provide evidence of a fixed intention to either improve or to sell the property. The owner stated that he had intended to commence building work but to no avail, nor had the evidence to confirm such works been received.

Members were asked to agree that the Council acquires the property either by negotiated or compulsory purchase for the purpose of improvement and redevelopment of the land by demolishing the existing building and constructing a new residential unit(s).

**DECISION MADE:**

That Cabinet recommend to full Council:

- (1) That the Head of Financial and Property Services be authorised to negotiate the acquisition of and acquire on behalf of the Council the property for a sum not exceeding the amount stated in the report (including incidental fees);
- (2) That the Head of Legal, HR and Democratic Services be authorised to obtain a Compulsory Purchase Order (which action shall run concurrently with the negotiations to acquire the property on a voluntary basis and shall cease if voluntary acquisition is achieved) and, if a compulsory purchase order is confirmed, to pay compensation for the acquisition for a sum not exceeding the amount stated in the report (including incidental expenses);
- (3) That the Head of Financial and Property Services be authorised to negotiate the sale of the property to a developer for purposes which support the Corporate Objectives;
- (4) That the expenditure of the amount stated in the report, for the above purpose, be approved; and
- (5) That the Council seeks to market the development to both private sector developers and the Council's RSL partners with the final disposal and scheme delegated to the Head of Financial and Property Services in consultation with the Portfolio Holders for Corporate and Housing and Access Services.

**REASONS FOR DECISION:**

To authorise the Council to acquire by negotiated purchase or compulsorily a derelict empty property

**Contact Officer: Bronwyn Creed, Solicitor and Alan Bringloe, Enforcement Team Leader**  
**Tel: 01892 526121 or e-mail: [bronwyn.creed@tunbridgewells.gov.uk](mailto:bronwyn.creed@tunbridgewells.gov.uk) or**  
**[alan.bringloe@tunbridgewells.gov.uk](mailto:alan.bringloe@tunbridgewells.gov.uk)**

**CABINET DECISIONS – NON-EXEMPT****DECISION NO.CAB023/07****NON-EXEMPT****PORTFOLIO:**

N/A

**PORTFOLIO HOLDER:**

N/A

**TITLE OF REPORT:**

Forward Plan (070712/CAB001)

**PRIORITY:**

Delivering high quality services to our customers

**DECISION MADE:**

That the Forward Plan of Key Decisions be approved, subject to the following additions:

Safer and Stronger Communities Portfolio Holder:  
 CPA Culture Block Inspection – 2 August  
 Works to Museum – 2 August

Environment and Street Scene Portfolio Holder:  
 Street Naming and Numbering Policy – 20 September  
 Consultation Results on Sunday Car Parking – 20 September

Joint Portfolio Holders: Corporate Services and the Leader  
 Cranbrook Offices Update – 20 September

All Portfolio Holders:  
 2008/09 to 2012/13 Budget Paper – 20 September

**REASONS FOR DECISION:**

To comply with Access to Information Procedure Rule 14.

**Contact Officer: Samantha Timms, Senior Committee Administrator**  
**Tel: 01892 554219 or e-mail: [sam.timms@tunbridgewells.gov.uk](mailto:sam.timms@tunbridgewells.gov.uk)**

**DECISION NO.CAB024/07****NON-EXEMPT****PORTFOLIO:****LEADER****PORTFOLIO HOLDER:****Councillor Bullock****TITLE OF REPORT:****Appointments to Outside Bodies – LGA Rural Assembly  
(070723/CAB002)****PRIORITY:****A5 – Delivering high quality services to our customers****DISCUSSION:**

Members discussed the appointment to the LGA Rural Assembly and agreed that Councillor Waldock should be appointed as one of the Council's representatives.

**DECISION MADE:**

That Councillor Waldock be appointed as one of the Council's representative for the LGA Rural Assembly.

**REASONS FOR DECISION:**

To agree a representative for the LGA Rural Assembly.

**Contact Officer: Samantha Timms, Senior Committee Administrator**  
**Tel: 01892 526121 or e-mail: sam.timms@tunbridgewells.gov.uk**

**DECISION NO. CAB025/07****NON-EXEMPT****PORTFOLIO:****SAFER AND STRONGER COMMUNITIES****PORTFOLIO HOLDER:****Councillor Scholes****TITLE OF REPORT:****Play Strategy for the Borough of Tunbridge Wells (070712/CAB003)****PRIORITY:****All****DISCUSSION:**

The Head of Leisure Services highlighted the process for developing a five-year Play Strategy for the borough and the benefits to be gained and sought authority to approve and adopt the strategy and action plan.

Members noted that the Play Strategy, in addition to enabling the Council to access BLF funding, the projects would improve play provision and contribute to achieving the Council's corporate priority of developing safer and stronger communities. The Strategy would also contribute to the delivery of three of the four priorities of the Leisure Strategy.

The Head of Leisure Services stated that it was a tight time scale as the Play Strategy funding bid must be submitted to the BLF by 10 September 2007. He went on to explain that delegated authority was sought for the Head of Leisure Services in consultation with the Leader, the Portfolio Holder for Safer and Stronger Communities and the Portfolio Holder for Corporate Services.

**DECISION MADE:**

That the Head of Leisure Services, in consultation with the Leader of the Council, the Portfolio Holder for Safer and Stronger Communities and the Portfolio Holder for Corporate Services be given delegated authority to approve and adopt the Play Strategy and action plan.

**REASONS FOR DECISION:**

To approve and adopt the Tunbridge Wells Borough Play Strategy and Action Plan.

**Contact Officer: Nigel Bolton, Head of Leisure Services**  
**Tel: 01892 526121 or email [nigel.bolton@tunbridgewells.gov.uk](mailto:nigel.bolton@tunbridgewells.gov.uk)**

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**DECISION NO. CAB026/07****NON-EXEMPT****PORTFOLIO:**

**SAFER AND STRONGER COMMUNITIES**

**PORTFOLIO HOLDER:**

**Councillor Scholes**

**TITLE OF REPORT:**

**Capital Grant – Artificial Turf Pitch, Mascalls School, Paddock Wood (070712/CAB004)**

**PRIORITIES:**

**Developing Safer and Stronger Communities**

**DISCUSSION:**

The Head of Leisure Services provided Cabinet with an update on the provision of an Artificial Turf Pitch at Mascalls School, Paddock Wood and sought approval to an increased capital grant towards the project.

Cabinet was informed that since the Council's original grant offer of £34,000, the project costs had risen from £300,000 to £500,000.

**DECISION MADE:**

- (1) That the Head of Leisure Services be authorised to pay an increased grant of £45,000 to Mascalls School towards the provision of an Artificial Turf Pitch; and
- (2) That the additional budgetary provision be met from the Community Investment Fund; and
- (3) That the grant be conditional on a Community Use Agreement with Mascalls School, Paddock Wood being agreed.

**REASON FOR DECISION:**

To enable the provision of a new facility for school and community use

**Contact Officer: Nigel Bolton, Head of Leisure Services**  
**Tel: 01892 526121 or e-mail: [nigel.bolton@tunbridgewells.gov.uk](mailto:nigel.bolton@tunbridgewells.gov.uk)**

DECISION NO. CAB027/07

NON-EXEMPT

PORTFOLIO:

SAFER AND STRONGER COMMUNITIES

PORTFOLIO HOLDER:

Councillor Scholes

TITLE OF REPORT:

Capital Projects – Financial Assistance to Parish and Town Councils and Voluntary Organisations – Linden Park Cricket Club (070607/CAB006)

PRIORITIES:

Developing Safer and Stronger Communities

DISCUSSION:

Cabinet was briefed on the application for capital grant funding from Linden Park Cricket Club. Members were informed that the grant required £40,000 towards the cost of constructing a pavilion at the Higher Cricket Ground to replace that destroyed by an arson attack in April 2006.

Members noted that the old building was made from wood and the replacement building would be brick. Cabinet also noted that Linden park Cricket Club continues to hold fund raising events and that their Fund Raising Committee meets regularly.

DECISION MADE:

That the Head of Leisure Services be authorised to pay a grant of up to £40,000 to Linden Park Cricket Club towards the cost of constructing a pavilion subject to the remainder of the financial package being available.

REASON FOR DECISION:

To approve a capital grant to allow building works to begin at Linden Park Cricket Club.

Contact Officer: Elise Rendall, Sports Development Manager  
Tel: 01892 526121 or e-mail: [elise.rendall@tunbridgewells.gov.uk](mailto:elise.rendall@tunbridgewells.gov.uk)

DECISION NO. CAB028/07

NON-EXEMPT

PORTFOLIO:

CORPORATE SERVICES

PORTFOLIO HOLDER:

Councillor Horwood

TITLE OF REPORT:

Cranbrook Offices (070712/CAB008)

PRIORITY:

Ensuring that the Council are well managed, proactive and deliver value for money services; Developing safer and stronger communities; and Having housing suitable for local people.

**DISCUSSION:**

The Director of Change and Business Support highlighted to Cabinet additional information that had been requested from the 7 June 2007 Cabinet meeting. Members were invited to provide guidance on which options to pursue and develop in greater detail.

The Director of Change and Business Support informed Cabinet that the Corporate Services Select Committee had met on 10 July and it had discussed the report in detail; The Director of Change and Business Support mentioned the four recommendations that the Select Committee had agreed, namely:

- That the Committee supports the two recommendations;
- That the Urban Practitioner's report be noted;
- That the gap between the closure of the existing offices and the re-provision of facilities elsewhere be minimal; and
- That detailed costings relating to the likely expense of securing the building and providing alternative facilities for existing users be provided.

Members noted these recommendations.

The Chairman and Leader of the Council advised that the Cabinet had received a presentation from Angley School on the School's proposals an hour before Cabinet met; he went on to say that correspondence had also been received the night before from the Chairman of the Community Centre Working Group and the Cranbrook Consortium Business Plan the afternoon before. Cabinet agreed that all the information provided would need to be considered.

**DECISION MADE:**

- (1) That the further information that had been provided in response to the report from Urban Practitioners, be noted and that the following options be pursued and developed in greater detail:
  - The proposals from Angley School and the Cranbrook Consortium Business Plan
  - The potential to co-locate a community facility as part of a redevelopment of the library site with KCC
  - Option H, the sale of the entire site for a private housing (but assuming 1,500 m<sup>2</sup>)
- (2) That a working group be set up to look at public sector and other assets in and around Cranbrook including local ward Councillors, a Portfolio Holder, representative of KCC and the Chairman of Cranbrook Parish Council and relevant Council Officers.

**REASON FOR DECISION:**

To provide Members with the current information and to choose a way forward.

**Contact Officer: William Benson, Director of Change and Business Support**  
**Tel: 01892 526121 or e-mail: [william.benson@tunbridgewells.gov.uk](mailto:william.benson@tunbridgewells.gov.uk)**

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**DECISION NO.CAB029/07****NON-EXEMPT****PORTFOLIO:****CORPORATE SERVICES****PORTFOLIO HOLDER:****Councillor Horwood****TITLE OF REPORT:****Consultation on the Adoption of the New Code of Conduct for Members (070712/CAB006)****PRIORITIES:****Corporate Services****DISCUSSION:**

Cabinet was informed that the Department of Communities and Local Government had issued a new model Code of Conduct for use by all local authorities in England. Local Authorities were required to adopt the new model Code as a minimum, but could include additional provisions.

The Head of Legal, HR and Democratic Services stated that the new Code must be adopted by 1 October 2007 and after that date the new Code would apply automatically without amendment. She went on to say that the Standards Committee would be meeting on 3 September to discuss the new Code of Conduct, Cabinet's comments and preferred option would be considered at that meeting. An extraordinary Council meeting had also been arranged for 26 September 2007 to approve the chosen option and Code of Conduct.

**DECISION MADE:**

That Standards Committee be informed that Cabinet chose option A to be recommended to full Council and that the development of the Member Protocol be referred to the Constitution Review Working Party.

**REASONS FOR DECISION:**

To allow Cabinet to comment and state their preferred option for the new Code of Conduct and have their views submitted to Standards Committee.

**Contact Officer: Lois Howell, Head of HR, Legal and Democratic Services****Tel: 01892 526121 or e-mail: lois.howell@tunbridgewells.gov.uk****DECISION NO. CAB030/07****NON-EXEMPT****PORTFOLIO:****CORPORATE SERVICES****PORTFOLIO HOLDER:****Councillor Horwood****TITLE OF REPORT:****Local Authority Business Growth Incentive Scheme (070712/CAB007)****PRIORITY:****Cross Cutting**

**DISCUSSION:**

Members were updated on the current situation with the Local Authority Business Growth Incentive (LABGI) and their approval was sought for the allocation of the receipt to support Economic Development, Spend to Save Initiatives, One Off Projects in Priority Areas and to Support Ongoing Inspection Activity.

**DECISION MADE:**

(1) That the money be spent in the following four areas:

- to support economic development activity;
- to develop and support 'invest to save' opportunities where up-front expenditure would lead to lower ongoing costs in future years;
- to meet until now unfunded or under-funded one-off spend on projects or initiatives in priority areas; and
- to support ongoing inspection activity.

(2) That final allocations be supported by a business plan (or equivalent) and the authority to allocate funds be delegated to the Head of Financial and Property Services, in consultation with the Portfolio Holder for Corporate Services, with progress being reported as part of the quarterly revenue budget reports.

**REASON FOR DECISION:**

To approve the allocation of the receipt to support Economic Development, Spend to save initiatives, one off projects in priority areas and to support ongoing inspection activity.

**Contact Officer: Sean Clark, Head of Financial and Property Services**

**Tel: 01892 526121 or e-mail: sean.clark@tunbridgewells.gov.uk**

**DECISION NO.CAB031/07**

**NON-EXEMPT**

**JOINT PORTFOLIOS:**

**LEADER AND CORPORATE SERVICES**

**PORTFOLIO HOLDERS:**

**Councillors Bullock and Horwood**

**TITLE OF REPORT:**

**Council Priorities and Budget Strategy (070712/CAB011)**

**PRIORITIES:**

**All**

**DISCUSSION:**

The Head of Financial and Property Services highlighted to Cabinet the context against which the Council's Strategic Plan for 2008-13 and Medium Term Financial Strategy would be developed. He also informed them that it set out the Council's budget strategy for 2008/09.

By setting out Cabinet's initial proposals for prioritising its services and activities and delivering a balanced budget, this report will enable service managers to begin the service planning process and to develop proposals (with their respective portfolio holder(s)) for savings, growth and changes to service delivery.

**DECISION MADE:**

- (1) That the commitment to the Council's priorities and objectives as set out in the Strategic Plan 2007-10 be reaffirmed;
- (2) That Officers and Portfolio Holders should work together to expand the priorities and key deliverables for the next five years;
- (3) That Officers and Portfolio Holders should work to develop longer-term aspirations for the Borough in the form of a Vision for the Council;
- (4) That in undertaking the above, account should be taken of the recently published triennial customer satisfaction survey;
- (5) That a Council Tax increase should be limited at up to five per cent;
- (6) That the Council should continue to deliver a balanced budget;
- (7) That the Council should continue to reduce its reliance on investment interest to support ongoing revenue activity as set out in the Medium Term Financial Strategy;
- (8) That funding should continue to be directed into priority areas as set out in the Strategic Plan;
- (9) That the savings required to achieve a balanced budget, Gershon savings and additional resources being channelled into the Council's priorities should be delivered from efficiencies and non-priority areas (including those explicitly set out in last year's Strategic Plan and budget report);
- (10) That the Council's capital programme should be reviewed against the Council's priorities;
- (11) That the views of the Corporate Services Select Committee should be sought on the proposed approach to developing the Council's priorities and on the draft budget strategy; and
- (12) That the Officers of the Council undertake a prioritising exercise both within and between services.

**REASONS FOR DECISION:**

To update Members on the Council's Priority and Budget Strategy.

**Contact Officer: William Benson, Director of Change and Business Support**  
**Tel: 01892 526121 or e-mail: [wiliam.benson@tunbridgewells.gov.uk](mailto:wiliam.benson@tunbridgewells.gov.uk)**

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**DECISION NO.CAB032/07**
**NON-EXEMPT****PORTFOLIOS:****LEADER AND CORPORATE SERVICES****PORTFOLIO HOLDERS:****Councillors Bullock and Horwood****TITLE OF REPORT:****Business Continuity Management Plan (070712/CAB012)**

**PRIORITY:**

**Ensuring that we are well managed, pro-active and deliver value for money services**

**DISCUSSION:**

The Director of Services to the Community informed Members that the Council has a statutory obligation to prepare a Business Continuity Plan setting out how it intends to make arrangements to provide key services, in the event of a major disruption to its operations. The Council's preparedness in this regard is a significant consideration in the Use of Resources assessments carried out by the Audit Commission.

The report asked Cabinet to note that a Business Continuity Plan has now been prepared. The document will be continually updated and improved. In addition, service specific plans that would be developed.

**DECISION MADE:**

- (1) That the Business Continuity Plan for Tunbridge Wells Borough Council and arrangements set out therein for its update and further development be noted; and
- (2) That the Business Continuity Plan be referred to the Select Committee for Corporate Affairs for its information and comment.

**REASONS FOR DECISION:**

To keep Members informed and up to date on the Business Continuity Plan for Tunbridge Wells Borough Council.

**Contact Officer: Richard Powell, Director of Services to the Community**  
**Tel: 01892 526121 or e-mail: richard.powell@tunbridgewells.gov.uk**

**EXEMPT ITEM****LOCAL GOVERNMENT ACT 1972, SECTION 100A (4)**

**RESOLVED** – It was proposed and seconded that, under Section 100A(4) of the Local Government Act 1972 and the Local Government (Access to Information) (Variation) Order 2006, the public be excluded from the meeting for the item of business referred to below on the grounds that it may involve the likely disclosure of exempt information as defined in Part 1 of the Schedule 12A of the Act namely: -

**DECISION NO. CAB033/07**

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

**DECISION NO. CAB033/07****NON-EXEMPT****PORTFOLIO:**

**HOUSING AND CUSTOMER ACCESS**

**PORTFOLIO HOLDER:**

**Councillor Mrs Mavhew**

**TITLE OF REPORT:**

**Proposed Improvements to Cinderhill Wood Gypsy Site, Matfield**  
**(070712/CAB009)**

**PRIORITY:**

**Having housing suitable for local people**

**DISCUSSION:**

The Head of Housing Services informed Members of the improvement works that were required to the Cinderhill Wood Gypsy site. Cabinet were asked to approve a further bid for Government funding for up to 75% of the total cost of upgrading the site to meet required standards.

**DECISION MADE:**

- (1) That the revised proposals for the refurbishment of the Cinderhill Wood Gypsy site be approved in principle;
- (2) That consultation be carried out with the site residents, Brenchley Parish Council and other stakeholders on the revised proposals;
- (3) That delegated authority be given to the Housing and Customer Access Portfolio Holder to agree any minor changes to the revised proposals resulting from the consultation process in conjunction with the Head of Housing Services and the Head of Financial & Property Services;
- (4) That a planning application be submitted for the revised proposals, including any changes made following the consultation process;
- (5) That a further bid for Gypsy and Traveller Site Grant be submitted to the South East Regional Housing Board; and
- (6) That delegated authority be given to the Housing and Customer Access Portfolio Holder to sign-off the bid in conjunction with the Head of Housing Services and the Head of Financial & Property Services.

**REASONS FOR DECISION:**

To enable improvement works required to bring Cinderhill Wood Gypsy site up to modern standards and address health and safety issues relating to the site.

**Contact Officer: David Crosby, Head of Housing Services**

**Tel: 01892 526121 or e-mail: david.crosby@tunbridgewells.gov.uk**

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**(NOTE:**

- (1) In accordance with Cabinet Procedure Rule 5.2 on public speaking at Cabinet meetings, Mr Thomas attended and spoke on CAB027/07 and Mr Rogers and Parish Councillor Mrs Marley attended and both spoke on decision CAB028/07;
- (2) In accordance with Cabinet Procedure Rule 5.3, Councillors Davies, Dr Hall and Weeden attended the meeting and spoke on the following decisions:

Councillor Davies – CAB028/07

Councillor Dr Hall – CAB028/07

Councillor Weeden – CAB027/07, CAB028/07, CAB030/07 and CAB031/07

Councillors Davies and Dr Hall both left the meeting after the discussion of decision CAB028/07.)

**APPENDIX****SPECIAL JOINT TRANSPORTATION BOARD****TUESDAY 29 MAY 2007**

MINUTES of the special Joint Transportation Board held at the Town Hall, Royal Tunbridge Wells on 29 May 2007.

**PRESENT:** County Councillors Manning (Chairman), Bullock, King and Scholes  
Borough Councillors Davies, Neve, Simmons, Weeden (Vice-Chairman) and Williams  
Parish Representative: Councillor Patterson

**OTHER MEMBERS PRESENT:** Borough Councillors Bulman, Crawford, Mrs Mayhew and Rusbridge.

**OFFICERS:** David Bond, Transport Manager (KCC); Behdad Haratbar, Head of Transport Planning (KCC); Adrian Holland, Acting Head of Operations, Mid-Kent Division (KCC); Lloyd Holliday, Traffic Manager (KCC), Gary Stevenson, Head of Environment and Street Scene Services, (TWBC) and Lene Beynon, Borough Engineer (TWBC).

**APOLOGIES:** Borough Councillor Smith.

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**CHAIRMAN AND VICE-CHAIRMAN**

TB01/07 In accordance with Borough Council minute CAB002/07, County Councillor Manning assumed the chairmanship of the board for 2007/08. It was noted that Borough Councillor Weeden had been appointed as vice-chairman.

**DECLARATIONS OF INTERESTS**

TB02/07 No declarations of interest were made.

**INTRODUCTION BY CHAIRMAN**

TB03/07 The Chairman introduced new Members and attending Officers and welcomed them to this special meeting of the Joint Transportation Board. Members were reminded that the Board existed in an advisory capacity, in the form of a partnership between Kent County Council and Tunbridge Wells Borough Council, to consider highways and transportation matters.

**RELOCATION OF TUNBRIDGE WELLS TOWN CENTRE TAXI RANKS**

TB04/07 The Head of Environment and Street Scene Services, Tunbridge Wells Borough Council submitted a report (070529/TB001) further to the previous report (070115/TB008), which provided Members with an update on the options for the provision on an enlarged taxi bay in the vicinity of the Millennium Clock (Lime Hill Road and Mount Ephraim Road) in Tunbridge Wells.

This report outlined two new proposals as shown below, which resulted from discussions following advice that the previously preferred option had been deemed unsuitable on the grounds of traffic movement and safety grounds.

- 1 Relocation of the disabled bay in Mount Ephraim Road and its re-designation as a taxi bay. The disabled bay spaces would be relocated to nearby Lime Hill Road and Civic Way by changing the designation to two 2 vehicle taxi bays in each of these roads. The net effect would be the provision of the same number of disabled bays and taxi rank spaces but the new taxi rank would be of a viable size and in a more prominent position in Mount Ephraim Road for customers to access.
- 2 Minor low level work to remove an existing build-out to extend the length of the existing taxi bay in Lime Hill Road from two to four cars

Mr D Fogel, a taxi driver, attended the meeting on behalf of his own and the local taxi business and indicated that although a better site would be preferable, they would be willing to compromise and accept option 1 above, subject to agreement by all parties and information on details of the size, design and cost of signage.

The Head of Transport Planning reiterated his personal commitment to find a suitable solution and the Head of Environment and Street Scene Services confirmed that he would be consulting with the Access Group at their next meeting on 31 May 2007.

**RECOMMENDED** – That the report be noted and that the Head of Environment and Street Scene Services report back to the next meeting with the view of the Access Group.

**CAPITAL WORKS' PROGRAMME 2006/2007** (Item 4(A) report of the Mid-Kent Divisional Manager.)

TB05/07 The Acting Head of Operations, submitted a report (070529/TB002) which updated Members on the proposed identified schemes that were intended for completion by Kent Highway Services, within the 2007/2008 programme. He explained that the items in appendices 1, 2, 3 and 4 had been prioritised based on the Annual Condition Assessment Survey and items in appendices 6, 8 and 9 were based on Highway Inspector Surveys. He also added that the first two schemes in Appendix 10 were up for further debate.

The following issues were raised and addressed as indicated:

1. In answer to a query on the omission of Albion Road from Appendix 9 Street Lighting, the Acting Head of Operations advised that this schedule had not been finalised prior to completion of the report but advised that it was likely to remain per the existing list.
2. It was mentioned that an interactive speed sign might already be situated on the A229 Cranbrook Road and the Transport Manager confirmed he would contact Borough Councillor Davies direct to clarify the situation.
3. Sherwood Road was highlighted as requiring attention and the Transport Manager confirmed that it would be inspected and the assessment included at the next meeting.
4. Members queried the assessment process used to prioritise schemes, the life expectancy of reconditioning, performance standards on repairs and the extent to which value for money was achieved. The Acting Head of Operations explained that assessments were not made on a visual basis only but schemes were identified based on a policy of preventative action.
5. An example was given of Bidborough Ridge, which had been dug up by a Utility Company shortly after works were completed and which had since deteriorated further.

6. The A26 was identified as having stretches in variable states of repair and some potentially requiring complete replacement. Complaints had also been received from constituents querying the reason for current roadworks in Southborough.
7. A suggestion was made that whilst the Sandrock Road Junction was under review, the right hand turn towards Dunorlan Park might be unnecessary and a saving might be made.
8. If moneys were to be released from savings made on footway maintenance, a bid was made for repairs to the footway on Hilbert Road (west side going north towards junction with King George VI) and the Acting Head of Operations undertook to arrange an inspection.
9. A request was made for an evaluation of Greggs Wood Road as a result of complaints from bus drivers and discussions with Arriva.
10. An enquiry was made regarding policy for the replacement of grass verges with grasscrete and comment made that reports were not provided detailing maintenance of grass verges. The Head of Transport Planning advised that legislation in this respect was quite complex but the Highways Act states that it is an offence to drive on a footpath and suggested such action should be reported to the police.

**RECOMMENDED** – That the Capital Works' Programme 2007/08 be noted and that Officers would respond further to questions raised above outside this meeting and summarise for update at the next meeting.

**YEW TREE ROAD/SPELDHURST ROAD/A26** (Item 4(C) report of the KCC Mid-Kent Divisional Manager)

TB06/07 The Mid-Kent Divisional Manager submitted a report (070529/TB006), which incorporated the conclusions of an informal meeting between four members of the Board and Officers and the Transport Manager outlined the options and recommended that option 2c – Extend 2 lane approach on Speldhurst Road and Option 3 – Alternative Staging were considered for implementation, with further consideration to be made on problem of Exit blocking.

The potential investment that might become available from the development of the Old Bell Hotel and adjoining site was mentioned but discounted.

Obtion 2b was raised as a preferable option and clarification was requested of the potential danger of the central island specific to southbound traffic. It was asked what the difference was between the merging traffic northbound, near Speldhurst Road and southbound near Yew Tree Road an the Transport Manager identified the following issues: that there was no need for northbound traffic to merge with any other traffic, whereas southbound there was a risk of traffic rather than turning left, going straight on and colliding with oncoming traffic. He said he would look at the potential land costs in more detail and whilst these were not likely to be high, statutory utility costs might be a more significant consideration.

A further option to remove all constraints, lights and signage to encourage all traffic to act more cautiously was not pursued and Borough Councillor Neve asked that it be recorded that he did not agree with any of the proposals except Option 3.

Members expressed concern over the potential total cost of £148,000 and subject to responsiveness from utility companies, the Transport Manager undertook to report back as soon as possible to update the Board on costs. In the meantime, the Head of Transport Planning confirmed that the revised estimated cost of £98,000 would need to be deducted from the unallocated funding balance available.

**RECOMMENDED** – That Kent Highways proceed on the basis of Option 2a and Option 3. Elements of 2b could be included if 2a was found to be unachievable or too costly.

**PROPOSED INTEGRATED TRANSPORT PROGRAMME FOR 2007/2008** (Item 4(B) report of the KCC Mid-Kent Divisional Manager)

TB07/07 The Mid-Kent Divisional Manager submitted a report (070529/TB005), which updated Members on the estimated costs of approved schemes. The approved funding for urban schemes in Tunbridge Wells was £390,000 and on the basis of the previously revised proposals for the Sandrock Road/Pembury Road Junction, £215,000 remained to be reallocated. This reduced to £117,000 as a result of the recommendation proposed in minute TB06/07 above and Members views were sought for their preferred options for spend.

The Head of Environment and Street Scene identified that the item New Bus Shelters in St John's Road £25,000 proposed under the Urban Package reserve schemes could be provided under the existing Borough Council bus shelter contract with J C Decaux.. He also enquired whether there might be alternative funding elsewhere within KCC budgets for the 'Real Time Passenger Information' but this was confirmed not to be the case.

The Head of Transport Planning proposed that the £117,000 balance be used to fund 'Construction of bus boarders/raised kerbs' in St John's Road from Table 3 Urban Package - reserve schemes together with the full schedule of items from Table 4 Rural Package – reserve schemes.

An alternative suggestion was made as above but to repair footpaths across the Borough instead of the schemes on Table 4 but this was not pursued and further discussion took place on allocation of the remaining small balance. .

**RECOMMENDED** –

1. That Kent Highways proceed with the first item from Table 3 Urban Package - reserve schemes plus Table 4 Rural Package – reserve schemes, all under advice to this Board.
2. That any balance of funds available be allocated by Kent Highways towards any small works from the remaining reserve schemes under advice to this Board.

**ANNUAL TRAFFIC REVIEW** (Item 4(D) report of the KCC Mid-Kent Divisional Manager)

TB08/07 The Mid-Kent Divisional Manager submitted a report (070529/TB007) which updated Members on details of Traffic Regulation Orders following further consultation with those residents immediately affected by the proposals and sought Members approval for the actions proposed. The report also mentioned that the restrictions previously reported to this Board would be implemented shortly and there was no additional consultation undertaken at these sites as there were no affected residents.

It was commented that a problem area at the junction of Ferndale Road into Hilbert Road had been phoned into the KCC Call Centre and appeared to have been omitted from the list of items for consideration.

In respect of the Options for Moor Hill (A229), Hawkhurst,. both the Head of Transport Planning and the Ward Member for Hawkhurst updated members of the Board in detail on their views and actions subsequent to the meeting of this Board on 15 January 2007 and there was considerable discussion on the following matters.

1. Objections were raised on the basis that:
  - due process had not been correctly followed
  - it was alleged that Officers might have acted outside their authority by amending the decision made by this Board
  - officers had not implemented the decision made at the meeting dated 15 January which stated that the restriction 'be implemented as advertised but with the provision of a limited waiting bay outside the wine merchants'
  - most of the additional objections received in respect of Option 1 related to residents' loss of parking.
  
2. It was ascertained that the Parish Council had not been consulted prior to the original decision and the Chairman questioned the Head of Transport Planning to satisfy himself that officers had subsequently gone through the correct process.
  
3. Questions were raised about safety in that:
  - parking might or might not affect speeding and safety issues
  - a fatality had occurred in the area, although no prosecution of a driver had occurred.
  - the proposed restriction would end just before a blind bend.
  - parking would preclude the ease of passage for pedestrians with pushchairs.
  - two options were now supplied and which of these would be the safest.
  - although they did not appear to have been a requirement under the current process, safety audits had not been completed in respect of either option
  - if safety audits should be completed on this occasion they should also be a prerequisite for any future report.

Members considered the additional details supplied by the report and the subsequent discussions and made recommendations as set out below.

**RECOMMENDED –**

- (1) That the restriction on Barden Road Speldhurst be approved for implementation as consulted;
- (2) That the restriction on Broadwater Down, Royal Tunbridge Wells be approved for implementation as consulted;
- (3) That the restriction on Church Road, Southborough as a reduced version of what was originally advertised be approved for implementation as consulted;
- (4) That the restriction on High Street and Common View Rusthall be approved for implementation as consulted;
- (5) That the restriction on High Street and Cornford Park, Pembury be approved for implementation as consulted;
- (6) That the restriction on Lower Green Road and Amberleaze Drive, Pembury be approved for implementation as consulted;
- (7) That the restriction on Meadow Road, Southborough be approved for implementation as consulted;
- (8) That the options for restriction on Moor Hill, Hawkhurst be deferred pending submission to the next meeting of a safety report on each option;
- (9) That the restriction on Speldhurst Road, Royal Tunbridge Wells as proposed be abandoned; and
- (10) That the restriction on Upper Grosvenor Road, Royal Tunbridge Wells be approved for implementation as consulted.

(NOTE: Borough Councillor Weeden requested that a recorded vote be taken in respect of the options for restriction on Moor Hill, Hawkhurst and the votes cast were as follows:

- **In favour of the above recommendation:** Borough Councillors Davies, Neve and Williams; County Councillors Manning and Scholes.
- **Against the above recommendation:** Borough Councillor Weeden.
- **Abstention:** Borough Councillor Simmons)

**TEMPORARY STREET FURNITURE** (Item 5(A) report of the Director of Kent Highway Services)

TB09/07 The Director of Kent Highway Services submitted a report (070529/TB003) that provided Members of the Board with details of Kent Highways proposed policy for the Location and Licensing of Temporary Street Furniture on the Public Highway, in compliance with the requirements of the Traffic Management Act 2004. A copy of the Policy wording was circulated separately from the Agenda, prior to the meeting of this Board and the Traffic Manager attended the meeting to seek Members' views. It was mentioned by a Borough Councillor that reference might be made to a report compiled several years previously by a County officer (James Whitehorn).

Suggestion was made for consultation with the Access Group and it was also commented that there might have been a lack of consultation with Business. It was noted that the definition of street furniture included tables, chairs and also advertising ('A') boards. The Traffic Manager clarified, however, that if ('A') boards were located within the curtilage of a shop-front, the intention was not to charge the £115 fee, although there would otherwise be a requirement to comply with the licensing procedure. The inspection fee of £24 was also queried in relation to ('A') boards. From a business perspective, it was suggested that the policy should clearly differentiate between tables/chairs and other items such as boards, and also the relevant fees applicable. The Traffic Manager undertook to take these comments into consideration.

Some Members commented that they received complaints about ('A') boards and there was often confusion on how to complain and it was suggested that an article might be published in the Borough Newsletter (Local) to clarify the situation. In answer to a Member query, the Traffic Manager advised that under the proposed policy, one complaint would be sufficient to instigate an inspection.

**RECOMMENDED** – That subject to the views of this board, approval be given to the publication of the Policy for the Location and Licensing of Temporary Street Furniture on the Public Highway.

**MANAGEMENT OF HIGHWAY TREES** (Item 5(B) report of the Director of Kent Highway Services)

TB10/07 The Director of Kent Highway Services submitted a report (070529/TB004) that advised Members of the Board on the proposed processes to be undertaken to manage and monitor tree maintenance including the use of 'Confirm' software for this purpose.

**RECOMMENDED** – That the report be noted.

(NOTE:

- (1) In accordance with Council Procedure Rule 12 on public speaking at Board/Committee meetings, the following member of the public attended and spoke on the minute number indicated: Mr Fogel TB04/07;
- (2) Borough Councillors Bulman, Crawford, Mrs Mayhew and Rusbridge attended the meeting, with the Chairman's permission;

- (3) Borough Councillors Bulman and Crawford took part in the discussion but not the voting on minute TB05/07; Borough Councillors Bulman and Rusbridge took part in the discussion but not the voting on minute TB06/07 and Councillor Rusbridge took part in the discussion but not the voting on minute TB09/07
- (4) County Councillor King left the meeting during consideration of minute TB06/07. County Councillor Bullock and Borough Councillor Bulman both left the meeting during consideration of minute TB07/07. Borough Councillor Mrs Mayhew left the meeting after consideration of minute TB04/07. Borough Councillors Davies and Parish Councillor Patterson left the meeting after consideration of minute TB08/07. Borough Councillor Neve left the meeting during consideration of minute TB09/07. County Councillor Scholes left the meeting after consideration of minute TB09/07.)