

TUNBRIDGE WELLS BOROUGH COUNCIL

RECORD OF DECISIONS

(in terms of Access to Information Rule 18)

CABINET

Wednesday 3 September 2008

Present: Councillor Roy Bullock (Chairman)

Councillors Paul Barrington-King, Len Horwood, Mrs Catherine Mayhew and Mrs Elizabeth Thomas.

Officers in Attendance: Lee Colyer, Financial Services Manager; Robert Cottrill, Director of Planning and Development; Sean Clark, Head of Finance and Governance; Laurence Doig, Scrutiny Officer; Paul Fisher, Deputy Monitoring Officer; Holly Goring, Research and Information Officer; Wendy Newton-May, Senior Committee Administrator; Louise Phillips, Planning Policy Team Leader; Richard Powell, Director of Services to the Community; and Sheila Wheeler, Chief Executive.

APOLOGIES FOR ABSENCE

CAB056/08 Apologies for absence were reported from Councillor James Scholes.

DECLARATIONS OF PREJUDICIAL INTEREST

CAB057/08 In accordance with the Council's Code of Conduct, Part 5, Councillor Barrington-King declared a personal interest in Decision CAB069/08 because one of the nominees was a business associate of his. He took no part in the discussion or voting on this item.

NOTIFICATION OF VISITING MEMBERS WISHING TO SPEAK

CAB058/08 No notifications had been received from other visiting Members wishing to speak at this meeting.

MINUTES OF THE JOINT TRANSPORTATION BOARD DATED 7 JULY 2008

CAB059/08 The Minutes of the Joint Transportation Board dated 7 July 2008 were submitted for Members' approval.

RESOLVED – That the recommendations of the Joint Transportation Board dated 7 July 2008 be agreed.

APPROVAL OF CABINET MINUTES DATED 17 AND 31 JULY 2008

CAB060/08 The Minutes of the Cabinet meetings dated 17 and 31 July 2008 were considered and were confirmed as a correct record.

It was noted that decision CAB033/08 (17 July 2008 meeting), should have stated that the petition received objecting to the possible relocation of the Tourist Information Centre contained 1,700 signatures. The Leader confirmed that he had since received further signatures, bringing the total to 2,346.

CONSIDERATION OF REPORTS FROM OVERVIEW AND SCRUTINY SELECT COMMITTEES

CAB061/08 No reports had been submitted.

CABINET DECISIONS

DECISION NO. CAB062/08

NON-EXEMPT

PORTFOLIO:

LEADER

PORTFOLIO HOLDER:

Councillor Bullock

REPORT TITLE:

Forward Plan (080903/CAB001)

PRIORITIES:

Delivering high quality services to our customers.

DECISION MADE:

That, subject to the following addition, the Forward Plan be approved:

Property Transaction Report – update on changes to leases and rents etc on the Council's assets, to be presented to 2 October Cabinet.

REASONS FOR DECISION:

To comply with Access to Information Procedure Rule 14.

Contact Officer: Wendy Newton-May, Senior Committee Administrator
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DECISION NO. CAB063/08

NON-EXEMPT

PORTFOLIO:

CORPORATE SERVICES

PORTFOLIO HOLDER:

Councillor Horwood

TITLE OF REPORT:

Fees and Charges Setting for 2009/2010
(080903/CAB002)

PRIORITIES:

Ensuring that we are well managed, proactive and deliver value for money services.

DISCUSSION:

Members were provided with details on the process and methodology used to propose new fees and charges for 2009/10. The appendices to the report set out the current and proposed fees and charges for material areas of income.

It was noted that, to improve the management of key income streams, an Income Management Group had been established with a remit to improve the collection, monitoring and management of income across the Council. The group met regularly and shared financial and usage information to seek improvements to the management of key income streams.

The Financial Services Manager advised that each Service had been responsible for considering its own level of charge, whether to charge at all or whether to provide concessions. In addition, these decisions had all been made with the aim of facilitating the delivery of Council and service priorities.

In response to a question raised regarding the Land Charges search fee remaining the same as last year's, Members were advised that, in previous years this area had made a surplus which required rectifying. The figure was now consistent with neighbouring authorities.

The Head of Finance and Governance advised the Cabinet that the new method of consolidating Service charges had initially concentrated on high level fees and charges; other areas would be introduced in future years.

DECISION MADE:

- (1) That the Head of Leisure and Well-Being be authorised to enter into negotiations with the Tennis Foundation and a suitable tennis coaching provider to achieve "Self-Service" and "Beacon" status for the public tennis courts; and
- (2) That the fees and charges for Leisure Services, Revenue Services, Planning Services and Environmental and Street Scene Services be confirmed.

REASONS FOR DECISION:

For Members and Officers to work towards delivering the required outcomes from the various strategies and plans and demonstrate value for money.

Contact Officer: Sean Clark, Head of Finance and Governance
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DECISION NO. CAB064/08**NON-EXEMPT****PORTFOLIO:****ENVIRONMENT AND STREET SCENE****PORTFOLIO HOLDER:****Councillor Barrington-King****REPORT TITLE:****Environmental Protection Team Service Levels
(080903/CAB003)****PRIORITIES:**

Caring for our Environment.
Delivering high quality services to our customers.
Improving customer service satisfaction.
Ensuring that we are well managed, proactive and deliver value for money services.

DISCUSSION:

Members were advised that the Environmental Protection Team had recently undertaken public consultation with its core stakeholders on its proposed Service Level and Enforcement Policy.

It was noted that the results of the consultation had been reported to the Environment and Safer and Stronger Communities Select Committee and the proposed changes had been incorporated into the Service Level document, together with additional material about enforcement options proposed by the Select Committee.

Members agreed that the service levels were challenging and were pleased to note that this Council currently performed at the top of the median quartile for BVPI 166 at 98.8%, with customer satisfaction levels for 2006/07 at 92%.

It was noted that any reduction in staff resources could affect the capability of achieving certain standards and therefore these would need to be modified accordingly; however Members were reassured this issue would be considered as part of a performance review.

DECISION MADE:

That the service levels for the Environmental Protection Team as set out in Appendix 1 to the report be agreed.

REASONS FOR DECISION:

- (1) The provision of service standards ensures that the Council continues to meet its statutory obligations under environmental protection and allied legislation; and
- (2) To enable service standards to be set that reflect the needs of service users and provide clarity over the level of service and range of issues that the Team deals with.

Contact Officer: David Bower, Environmental Health Officer and Duncan Haynes, Environmental Protection Manager
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DECISION NO. CAB065/08**NON-EXEMPT****PORTFOLIO:****HOUSING & COMMUNITY ACCESS****PORTFOLIO HOLDER:****Councillor Mrs Mayhew****REPORT TITLE:****Migrant Workers' Review – Cost Analysis Report
(080903/CAB004)****PRIORITIES:**

Work to address the needs of migrant workers in the borough sits under Council Priority A4 – Developing Safer and Stronger Communities. It recognises the diverse needs and promotes the equality of the borough's residents.

DISCUSSION:

Further to Decision CAB36/08, the Head of Community and Corporate Planning provided the Cabinet with a further report considering the Local Economy and Housing Select Committee's Migrant Workers' Review recommendations in greater detail, including costings of each.

The Head of Finance and Governance confirmed that if the welcome leaflet could be produced in-house and if the other recommendations could be accommodated within existing staffing levels, the financial implications were marginal and could be met from existing budgets.

Members discussed the Welcome Leaflet and reiterated their comments made at the last meeting, regarding its distribution and ensuring that the leaflet contained an awareness of drink and substance abuse to highlight the dangers of these to migrant workers – as well as the existence of alcohol control zones in the town centre.

It was suggested that the Local Economy and Housing Select Committee be asked to undertake a review of the efficacy of the leaflet and an evaluation of its success in twelve months, to ensure that this was the best method of publicising information.

DECISION MADE:

That the Select Committee's recommendations be agreed, as shown below:

(1) That a welcome leaflet for migrant workers should be produced to provide information on the following:

- Workers' rights;
- Housing;
- Healthcare, including mental health help available;
- Leisure activities;
- Education for both adults and children;

- Religious organisations;
- Money matters;
- Community services;
- Boot fairs;
- Advice organisations such as the CAB; and
- A map of the local area.

The leaflet should be distributed at key points of access for migrant workers including schools, churches, shopping centres, the Gateway (when open), hospitals, doctors' surgeries, train stations, key employers and employment agencies. An analysis of the costs of producing the leaflet should be undertaken. Additional funding could be generated through partnership working and advertising from local businesses;

- (2) That the Council should work with partners to build a bigger picture of the impact and needs of new migrant communities in the borough;
- (3) That the front page of the Council's website should include a highly-visible link to a translation website to assist those trying to access the site who have trouble reading English but are fluent in another language;
- (4) That the Council should use an existing public event to pass on key information to migrant workers in the borough to be organised in partnership with other organisations such as Citizens' Advice Bureaux and JobCentrePlus;
- (5) That Kent County Council investigate the viability of a roving teaching assistant to visit schools in Tunbridge Wells borough, specifically to assist pupils who do not speak English as a first language;
- (6) That the Council should investigate the ways in which the needs of migrant patients have been addressed by health services, in particular the borough's hospitals;
- (7) That the Community and Corporate Planning Service should promote the provision of English language classes through the welcome leaflet and other appropriate means;
- (8) That future consultation and engagement on the Council's policies and strategies should take account of hard-to-reach groups, including new migrant communities;
- (9) That Language Line or a similar service be used by Gateway staff when translation of documents or interpretation is needed; and

(10) That the Local Economy and Select Committee be asked to undertake a review of the efficacy of the Welcome Leaflet and an evaluation of its success in twelve months' time, as part of the Committee's work programme for 2009/10.

REASONS FOR DECISION:

To respond to the recommendations made by the Local Economy and Housing Select Committee in their review of Migrant Workers.

Contact Officer: Nazeya Hussain, Head of Community and Corporate Planning
Tel: 01892 554007 or e-mail: nazeya.hussain@tunbridgewells.gov.uk

DECISION NO. CAB066/08**NON-EXEMPT****PORTFOLIO:****PLANNING AND DEVELOPMENT****PORTFOLIO HOLDER:****Councillor Mrs Thomas****REPORT TITLE:**

Tunbridge Wells Borough Local Development Framework: Revised Local Development Scheme (080903/CAB005)

PRIORITIES:

The Local Development Scheme sets out the programme for preparing and adopting the Borough Council's Local Development Framework (LDF). The LDF is central to the delivery of the objectives of the Sustainable Community Plan, setting out how its spatial aspects can be delivered in a sustainable way through the planning process.

DISCUSSION:

Members were advised that Section 15 of the Planning and Compulsory Purchase Act, 2004, required local planning authorities to prepare and maintain a Local Development Scheme (LDS), which was a rolling programme for preparing the Local Development Framework (LDF).

The proposed revised LDS for October 2008 was attached at Appendix B to the report for Members' information and the report set out the key reasons for revising the LDS, namely in order to take account of new national policy, the need to strengthen the evidence base in relation to housing, and in order to reflect changes to the work programme of particular documents.

Members discussed the terms of the Housing and Planning Delivery Grant (HPDG) and felt it unreasonable that the Borough Council would only receive 35% of the total grant available for the plan-making element of the HPDG. The Director of Planning and Development reassured Members that this Council would be eligible for more grant in subsequent years.

However, the Cabinet requested that a letter be written to

Richard McCarthy, Director General of Communities and Local Government, on behalf of the Planning and Development Portfolio Holder, expressing dissatisfaction at the method of distributing the grant to local authorities.

DECISION MADE:

- (1) That the revised LDS be approved for adoption by the Council and submitted to the Secretary of State;
- (2) That the revised LDS take effect from 13 October 2008, subject to the agreement of the Secretary of State;
- (3) That the Head of Planning Services, in consultation with the Portfolio Holder for Planning and Development, be authorised to make amendments to the LDS, in particular, those advised or required by the Secretary of State; and
- (4) That the Director of Planning and Development write to Richard McCarthy, Director General of Communities and Local Government, on behalf of the Planning and Development Portfolio Holder, expressing dissatisfaction at the method of distributing the grant to local authorities.

REASONS FOR DECISION:

To comply with Section 15 of the Planning and Compulsory Purchase Act, 2004.

Contact Officer: Louise Phillips, Planning Policy Team Leader
Tel: 01892 526121 or e-mail: louise.phillips@tunbridgewells.gov.uk

DECISION NO. CAB067/08**NON-EXEMPT****PORTFOLIO:****PLANNING AND DEVELOPMENT****PORTFOLIO HOLDER:****Councillor Mrs Thomas****REPORT TITLE:****Proposed Pilot Partnership Arrangement with Sevenoaks District Council (080903/CAB006)****PRIORITIES:**

This proposal supports the delivery of high quality services to our customers and the delivery of proactive, value for money, services.

DISCUSSION:

The Director of Planning and Development presented a report proposing that a pilot partnership arrangement be established between Sevenoaks District Council and Tunbridge Wells Borough Council to share the provision of a joint Head of Planning Service's post for an initial six-month period.

Members were reminded that this Council already had strong relationships with Sevenoaks District Council with regards to partnership working for Licensing and Equalities and this proposal would enable this Council to share its expertise and good working practices within Planning.

Concern was expressed that the proposal could lead to an increase in cost, as the recruitment of temporary staff and consultants may be required because the Planning Service would be reduced by 0.5 full time equivalent at Head of Service level. The Director of Planning and Development reassured the Cabinet that an increase in cost was not anticipated, although provisions for additional resources had been identified if necessary. Members also endorsed the need to maintain top quartile performance and customer satisfaction and were advised that contingencies had been built in to ensure no slippage in performance.

It was noted that the arrangements would need to dovetail with the Mid Kent Improvement Partnership, especially as Planning was identified as one of the earlier phases of that partnership.

Cabinet recognised that this partnership should lead to an improved quality of customer service and improved value for money.

DECISION MADE:

- (1) That the Director of Planning and Development in consultation with the Portfolio Holder for Planning and Development and the Deputy Monitoring Officer be authorised to enter into an agreement for Tunbridge Wells Borough Council to provide 18.75 hours per week of the existing Head of Planning Service's time to manage Sevenoaks District Council's planning teams for a pilot period of six months; and
- (2) That the Director of Planning and Development report to the Cabinet, on a regular basis, on performance levels, cost savings and other benefits accruing as a result of the partnership.

REASONS FOR DECISION:

To support the delivery of high quality services to our customers and the delivery of proactive, value for money, services and in order to assess the outcome of the trial period.

Contact Officer: Robert Cottrill, Director of Planning and Development
Tel: 01892 554007 or e-mail: robert.cottrill@tunbridgewells.gov.uk

DECISION NO. CAB068/08**NON-EXEMPT****PORTFOLIO:****THE LEADER****PORTFOLIO HOLDER:****Councillor Bullock****REPORT TITLE:****Appointment to Outside Bodies – St Barnabas' C of E Primary School Governing Body (080903/CAB007)****PRIORITIES:**A5: Delivering high quality services to our customers.
A6: Improving customer service and satisfaction.**DISCUSSION:**

The Cabinet was asked to consider nominating a representative to sit on the Governing Body at St Barnabas' C of E Primary School for a period of four years. Following consultation with Members of the Council three nominations had been received, including one from the current representative.

It was proposed and seconded that Councillor Mrs Moore be nominated. The Leader agreed to write to the other two nominees thanking them for their interest in this outside body, and in the case of Councillor Mrs Lewis, thanking her for her service as a Council representative.

DECISION MADE:

That Councillor Mrs Moore be appointed as this Council's representative to the St Barnabas' C of E Primary School Governing Body for a period of four years.

REASONS FOR DECISION:

To ensure that Tunbridge Wells Borough Council continues to have a representation on the organisation.

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

DECISION NO. CAB069/08**NON-EXEMPT****PORTFOLIO:****THE LEADER****PORTFOLIO HOLDER:****Councillor Bullock****REPORT TITLE:****Appointment to Outside Bodies – Kent Transport Board (080903/CAB008)**

PRIORITIES:

A5: Delivering high quality services to our customers.
A6: Improving customer service and satisfaction.

DISCUSSION:

The Cabinet was asked to consider nominating a representative to sit on the KCC's Kent Transport Board for a one- year appointment. Following consultation with Members of the Council two nominations had been received.

It was proposed and seconded that Councillor Weeden be nominated, and the Leader agreed to write to the other nominee thanking him for his interest in this outside body.

DECISION MADE:

That Councillor Weeden be appointed as this Council's representative to the Kent Transport Board for a period of one year.

REASONS FOR DECISION:

To ensure that Tunbridge Wells Borough Council continues to have representation on the organisation.

Contact Officer: **Samantha Timms, Senior Committee Administrator**
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DECISION NO. CAB070/08

NON-EXEMPT

PORTFOLIO:

THE LEADER

PORTFOLIO HOLDER:

Councillor Bullock

REPORT TITLE:

[Annual Residents' Survey 2008: Results from the Main Residents' Survey and Boost Surveys](#)

PRIORITIES:

The outcomes of this consultation are relevant to all of the Council's corporate priorities and cross cutting commitments.

DISCUSSION:

The Research and Information Officer presented a report advising Members that this Council had commissioned research consultants, BMG Research, to complete a survey with a representative sample of 1,000 households across the borough in January 2008. BMG Research was also commissioned to carry out a boost survey with three hard-to-reach groups: older people, residents of black and minority ethnic origin and migrant workers from the A2 and A8 countries.

The report provided Members with a clear overview of the main findings and highlighted the areas for improvement and future partnership focus.

It was noted that the findings from the main survey demonstrated that residents were very satisfied with their local area as a place to live. Satisfaction with service provision was also high and over two thirds were satisfied with the way the Council ran things. Generally the three hard-to-reach groups were satisfied with the local area and services provided.

By working in partnership with other key agencies, it was agreed that improvements could be made to further improve service delivery.

A question was raised asking whether the areas identified for further action were embedded within other plans. The Research and Information Officer advised that work in some areas was currently underway, whilst work in other areas was proposed to be undertaken shortly. It was noted that all actions agreed would be evaluated through the quarterly performance review system.

DECISION MADE:

- (1) That the results from both the main borough wide survey and boost survey (with three hard-to-reach groups), be noted;
- (2) That the results be used to assist the refresh of the Strategic Plan and input into the Vision;
- (3) That the results be shared with key partner agencies and further partnership focus placed on priority areas to improve resident satisfaction and enhance the quality of life for all; and
- (4) That an overarching risk analysis report be produced by the end of 2008, to assess the impact of the economic downturn on service take up and delivery.

REASONS FOR DECISION:

To advise Members of the survey results and the next steps proposed.

Contact Officer: Holly Goring, Research and Information Officer
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(NOTE: The meeting closed at 2.55pm.)