

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

(in terms of Access to Information Rule 18)

**CABINET****Thursday 5 February 2009**

**Present: Councillor Roy Bullock (Chairman)**  
**Councillors Paul Barrington-King, Len Horwood, Mrs Catherine Mayhew,**  
**James Scholes and Mrs Elizabeth Thomas**

**Officers in Attendance:** William Benson, Director of Change and Business Support; Nigel Bolton, Head of Leisure Services and Well-Being; David Candlin, Head of Economic Development and Regeneration; Lee Colyer, Financial Services Manager; Robert Cottrill, Director of Planning and Development; Sean Clark, Head of Finance and Governance; Laurence Doig, Overview and Scrutiny Officer; Paul Fisher, Deputy Monitoring Officer; Val Green, HR Manager; Kat Hicks, Senior Overview and Scrutiny Officer; Samantha Timms, Senior Committee Administrator; Richard Powell, Director of Services to the Community; and Sheila Wheeler, Chief Executive.

**APOLOGIES FOR ABSENCE**

CAB163/08 No apologies for absence were received.

**DECLARATIONS OF PREJUDICIAL INTEREST**

CAB164/08 In accordance with the Council's Code of Conduct, Part 5, Councillors Horwood and Scholes both declared a personal and prejudicial interest in decision CAB176/08 because they have investments in one or more of the listed banks, above the agreed amount. They both withdrew from the meeting during the consideration and voting on this.

It was also noted that all Cabinet Members, together with visiting Members, had a personal interest in decision CAB171/08 because the decision would have an effect on their allowances.

**NOTIFICATION OF VISITING MEMBERS WISHING TO SPEAK**

CAB165/08 In accordance with Cabinet Procedure Rule 5.3 and after giving due notice to the Chairman, the following Councillors attended and spoke on the decisions as listed below:

Councillor Jukes – decision CAB167/08

Councillor Neve – decisions CAB168/08 and CAB169/08

Councillor Tompsett attended but did not take part in any discussion.

**APPROVAL OF CABINET MINUTES DATED 8 JANUARY 2009**

CAB166/08 The Minutes of the Cabinet meeting dated 8 January 2009 were considered and were confirmed as a correct record.

## **CONSIDERATION OF REPORTS FROM OVERVIEW AND SCRUTINY SELECT COMMITTEES – MEDWAY DEPOT AND NORTH FARM DEPOT REVIEW – INTERIM REPORT**

CAB167/08 At its meeting on 16 December 2008, the Corporate Services Select Committee had discussed the Medway Depot and North Farm Depot Review ([090205/CAB002](#)). The Select Committee had made the following recommendations to Cabinet:

“That Cabinet note that officers would be providing the Select Committee with the information requested below and following receipt of this information a full report will be presented to Cabinet on 16 April:

- (1) A detailed break-down be supplied to the Select Committee of the receipts from the sale of the Medway Depot site and its related assets used to fund the purchase of land at North Farm and the construction of the depot;
- (2) Clarification be given as to why the cost of fees for the project increased by £172,000;
- (3) A summary be provided to the Select Committee on the North Farm Depot, with details of costings for the work that had been in the original specification but that had not been undertaken; and
- (4) An update report be brought to the Select Committee, describing how the expected outcomes and deliverables (compared to the original brief/project specification) of the Medway/North Farm Depots have been achieved. It should include details of any ongoing operational difficulties and an update on the affordable housing units.”

**RESOLVED** – That the Select Committee be thanked for their interim report and note that a full report would be submitted to Cabinet in due course.

## **CONSIDERATION OF REPORTS FROM OVERVIEW AND SCRUTINY SELECT COMMITTEES – CALL-IN OF PUBLIC CONVENIENCES**

CAB168/08 Cabinet decision CAB141/08, Public Conveniences, had been called-in by the Chairman of the Corporate Services Select Committee and one other Councillor because it was felt that there had been inadequate consultation with stakeholders prior to the decision and there had been an absence of adequate evidence on which Cabinet could base a decision. The call-in had been considered by a joint meeting of the Environment, Safer and Stronger Communities Select Committee and the Corporate Services Select Committee at a meeting on 8 January 2009 and the Joint Committee had resolved that:

“Cabinet defer the decision:

- (i) to carry out further formal public consultation;
- (ii) to allow private businesses adequate opportunity to take up the community toilet scheme if appropriate;
- (iii) to allow Parish Councils to make alternative provisions if required; and

- (iv) to extend the cleaning contract for 'up to' one year."

The Leader of the Council informed members of the Cabinet that he had received a petition of over 90 signatures objecting to the possible closure of the public conveniences in Sissinghurst.

The Cabinet accepted the petition and asked that the Chief Executive use it as background information to any future discussion or decision on the Sissinghurst public conveniences.

The Portfolio Holder, Councillor Barrington-King, gave an update and stated that a draft programme for consultation with Parish Councils was currently being worked upon. Discussions were also taking place as to different options available. Cabinet noted the positive feedback received from Horsmonden Parish Council, in that finding alternative ways on maintaining the cleansing of the public toilets for their area. This would be discussed further with the Parish Council.

Cabinet also thanked the Tunbridge Wells Town Forum for their suggestions of charging; these suggestions/options would all be taken into consideration.

#### **RESOLVED –**

- (1) That the Joint Committee be thanked for their report;
- (2) That further consultation be carried out in accordance with the Consultation Strategy;
- (3) That private businesses be given adequate opportunity to take up the community toilet scheme if appropriate;
- (4) That Parish Councils be allowed to make alternative provisions if required; and
- (5) That the cleaning of Selected public conveniences continue for up to a further year.

#### **CONSIDERATION OF REPORTS FROM OVERVIEW AND SCRUTINY SELECT COMMITTEES – TOURIST INFORMATION CENTRE**

CAB169/08 At its meeting on 25 November 2008, the Local Economy and Housing Select Committee had discussed the Tourist Information Centre ([090205/CAB015](#)). The Select Committee had made the following recommendation to Cabinet:

- “(2) Cabinet be recommended that
- (i) The TIC remain in the Pantiles;
  - (ii) The Targetfollow offer of charging a peppercorn rent be taken up; and
  - (iii) Officers pursue other funding streams, including the offer from Arriva, in consultation with Targetfollow.”

The Director of Planning and Development stated that a detailed report was submitted to Cabinet on 2 December 2008, and agreed that further work should be undertaken before any decision should be made.

**RESOLVED –**

- (1) That the Select Committee be thanked for their report; and
- (2) That no comment be made at this time as further information was being sought, as per decision CAB126/08, and that a full report would be submitted to Cabinet in due course.

**CONSIDERATION OF REPORTS FROM OVERVIEW AND SCRUTINY SELECT COMMITTEES – RURAL TOURISM AND ECONOMIC DEVELOPMENT OFFICER POST**

CAB170/08 At its meeting on 25 November 2008, the Corporate Services Select Committee had discussed the Rural Tourism and Economic Development Officer Post ([090205/CAB016](#)). The Select Committee had made the following recommendation to Cabinet:

“That Cabinet be recommended to fund the Rural Tourism and Local Economic Development Officer post on a permanent basis.”

**RESOLVED –**

- (1) That the Select Committee be thanked for their report; and
- (2) That the Rural Tourism and Local Economic Development Officer post be funded for the year 2009/10.

**RECOMMENDATIONS TO COUNCIL****DECISION NO. CAB171/08****NON-EXEMPT****PORTFOLIO:****CORPORATE SERVICES****PORTFOLIO HOLDER:****Councillor Horwood****REPORT TITLE:****\* Members' Remuneration ([090205/CAB007](#))****PRIORITY:**

Not Applicable

**DISCUSSION:**

Cabinet welcomed the Chairman of the Joint Independent Remuneration Panel (JIRP). Geoff Tomlinson gave a presentation to Members outlining the JIRP's report that was shown as appendix A to the report.

Members discussed the child care issue and that some Members used non-professional carers, however, in the JIRP's report it refers to professional carers. Mr Tomlinson stated that Members should still be able to receive carers' allowance but at the smaller end of the allowance.

IT expenses were also discussed and Cabinet agreed that this allowance should be removed in year two.

Cabinet thanked Geoff Tomlinson for his attendance and presentation.

Members on having received all the necessary information agreed with the Members' Allowances and recommended that full Council agree them.

**DECISION MADE:**

- (1) That the Joint Independent Remuneration Panel be thanked for their report and hard work;
- (2) That the scheme within Appendix A as amended by the phased approach in Appendix B be recommended to full Council (shown in appendix B to these minutes);
- (3) That the amendment that the Childcare Allowance should be based on 'per family' and not 'per child' be approved, except where that child is placed in a nursery or pre-school, be approved;
- (4) That the reimbursement of IT expenses be removed from the 2010/11 Financial Year;
- (5) That Lead Members' allowances be not increased by the JIRP's recommended sum and should remain at £2,760 until a full review of the effectiveness of this position is carried out in 2010;
- (6) That there be only two levels of Chairman's allowance, namely: Level 1 Scrutiny and Planning Chairmen and Level 2, all other Chairmen including Chairman of Standards Committee;
- (7) That the allowance for Level 2 Chairmen be set at the average of the recommended allowances;
- (8) That the allowances for Level 2 Vice-Chairmen be determined in a similar manner to Chairmen and to include the Vice-Chairman of Standards Committee;
- (9) That the JIRP examine the recommended allowances for the Independent Members of Standards and Audit Committees and determine if the same formula as that used to determine basic allowances i.e. the formula Hours x40% x Hourly rate, be used to calculate their allowances.

**REASONS FOR DECISION:**

There is an annual requirement for Council to set a scheme for Members' Remuneration.

**Contact Officer: Sean Clark, Head of Finance and Governance**  
**Tel: 01892 526121 or e-mail: sean.clark@tunbridgewells.gov.uk**

**The Director of Change and Business Support gave a short SIMALTO presentation for Members' information.**

**DECISION NO. CAB172/08****NON-EXEMPT****PORTFOLIO:****THE LEADER****PORTFOLIO HOLDER:****Councillor Bullock****REPORT TITLE:****\* Final Strategic Plan 2009-2014 (090205/CAB005)****PRIORITY:**

The report supports a number of Council priorities, not least those relating to supporting a thriving and diverse local economy, developing safer and stronger communities and ensuring we are well-managed, proactive and delivering value for money.

**DISCUSSION:**

Cabinet discussed the Strategic Plan, which set out the Council's priorities over the next three years, as well as identifying clear criteria for success and allowing the Council to demonstrate progress against its objectives.

A number of strategic objectives were noted under the newly adopted headings as outlined in the Vision 2026, which together underpin the design and delivery of Council services, the prioritisation and allocation of resources and the achievement of value for money.

The priorities outlined in the Plan would provide the context in which the Council would operate over the next five years; in particular the Plan seeks to strengthen medium-term planning; support the Vision 2026 for the Council; inform and support the refresh of the Sustainable Community Plan in 2009; and support the commitments in Kent Agreement Two.

Cabinet had previously considered this report in detail at its meeting on 18 December and approved that it be released for consultation. Officers advised the Cabinet of the comments made by the Corporate Services Select Committee at its meeting on 13 January 2009 and these were identified for Members' information at Appendix A to the report.

The officers' responses to the Select Committee's suggestions/ recommendations were highlighted within the report.

Cabinet was informed that additional comments had now been received from staff, the Town Forum, In touch, Kent Probation, Kent Regional Representative National Landlords Association, Local Children's Services Partnership, Tunbridge Wells High School, Royal Tunbridge Wells Civic Society, Friends of Woodbury Park Cemetery, and two members of the public, as circulated to Cabinet.

There was a range of comments received from the above organisations, but there were no objections. The Council would continue to build on existing work with those partners who have responded to take forward the more detailed points to achieve outcomes. No major changes were made to the plan as a result of the consultation responses.

Cabinet raised a few changes in relation to the overall Plan, all of which would be amended prior to being submitted to full Council for approval and were as follows:

- Insert three further Key Performance Indicators (KPIs) relating to the financial health of the organisation to aid effective performance management in 2009/10. Namely: Non-pay costs within 1% of projected; major income streams to be within 1% of projected budgets; and establishment costs within 1% of projected.
- Insert two further Key Performance Indicators relating to 'green' action plan on page 33. Namely: NI 197 Improved Local Biodiversity and NI 188 Planning to adapt to Climate Change.

**DECISION MADE:**

- (1) That the Select Committee be thanked and a response be given to the Select Committee regarding their recommendations;
- (2) That the Director of Planning and Development, in consultation with the Leader, make any necessary changes prior to being submitted to full Council for approval; and
- (3) That the Strategic Plan 2009-14 be submitted to full Council for final adoption.

**REASONS FOR DECISION:**

The Plan sets out a number of strategic objectives and key performance indicators, which together underpin the design and delivery of Council services, the prioritisation and allocation of resources and the achievement of value for money.

**Contact Officer: Raymond Warren, Interim Head of Community and Corporate Planning**

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**DECISION NO. CAB173/08**

**NON-EXEMPT**

**PORTFOLIO:**

**CORPORATE SERVICES**

**PORTFOLIO HOLDER:**

**Councillor Horwood**

**REPORT TITLE:**

**\* Medium Term Financial Strategy (090205/CAB008)**

**PRIORITY:**

The Medium Term Financial Strategy should contribute to all of the Council's objectives whilst ensuring that we are well managed, proactive and deliver value for money services.

**DISCUSSION:**

Members were advised that, in order to deliver the Strategic Plan, a robust financial base was required, as well as a degree of certainty into the future. They discussed the Medium Term Financial Strategy (MTFS) that had been produced to complement the Strategic Plan to support the delivery of the Council's Priorities.

The document set out the Council's strategic approach to the management of its finances, assets and council tax. In addition, it was noted that the MTFS covered other issues such as the use of reserves and the current reliance on investment interest to support revenue expenditure. The Strategy covered the period 2009 – 2014 and laid the foundation for a 20-year vision for the Council.

Cabinet had previously considered this report in detail at its meeting on 18 December and approved that it be released for consultation. Officers advised the Cabinet of the comments made by the Corporate Services Select Committee at its meeting on 13 January 2009 and these were identified for Members' information at Appendix 1 to the report. The Officers' responses to the Select Committee's suggestions/ recommendations were highlighted within the report.

**DECISION MADE:**

- (1) That the Select Committee be thanked and the response as outlined in the Cabinet report be given to the Corporate Services Select Committee; and
- (2) That Cabinet recommends the Medium Term Financial Strategy to full Council for adoption.

**REASONS FOR DECISION:**

The Medium Term Financial Strategy outlines key financial considerations that the Council needs to consider in order to deliver its priorities.

**Contact Officer: Sean Clark, Head of Finance and Governance**  
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**DECISION NO. CAB174/08****NON-EXEMPT****PORTFOLIO:****CORPORATE SERVICES****PORTFOLIO HOLDER:****Councillor Horwood****REPORT TITLE:****\* Asset Management Plan (090205/CAB009)****PRIORITY:**

The Asset Management Plan should contribute to all of the Council's objectives whilst ensuring that we are well managed, proactive and deliver value for money services.

**DISCUSSION:**

It was noted that the Asset Management Plan was a key strategic planning document that would support the Council in delivering its priorities by complementing the Strategic Plan and Medium Term Financial Strategy.

Cabinet had previously considered this report in detail at its meeting on 18 December and approved that it be released for consultation.

Officers advised the Cabinet of the comments made by the Corporate Services Select Committee at its meeting on 13 January 2009 and these were identified for Members' information at Appendix 1 to the report. The suggestions were responded to within the Head of Finance and Governance's report.

Cabinet discussed Corporate Services Select Committee's recommendation relating to a Councillor with suitable experience from the Corporate Services Select Committee to be identified as the Asset Member Champion; Cabinet agreed that this Member should be Councillor Jukes.

**DECISION MADE:**

- (1) That the Select Committee be thanked and the response as outlined in the Cabinet report be given to the Corporate Services Select Committee;
- (2) That Councillor Jukes be appointed as the Asset Member Champion, as recommended by Corporate Services Select Committee; and

(3) That Cabinet recommends the Asset Management Plan to full Council for adoption.

**REASONS FOR DECISION:**

The Asset Management Plan will support the Council in the delivery of its priorities through ensuring that the portfolio is directed towards priority areas and the cost of maintaining the portfolio is kept to a sustainable level.

**Contact Officer: Sean Clark, Head of Finance and Governance**  
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**DECISION NO. CAB175/08****NON-EXEMPT****PORTFOLIO:****CORPORATE SERVICES****PORTFOLIO HOLDER:****Councillor Horwood****REPORT TITLE:****\* The People Strategy (090205/CAB010)****PRIORITY:**

The Strategy supports all of the Council's corporate priorities and underpinning customer care commitments. Staff were the Council's largest resource and it is critical there is a strategy in place to ensure that staff resources are aligned to the Council's corporate priorities and that the Council has adequate arrangements in place to recruit, train and retain the right staff to deliver its objectives.

**DISCUSSION:**

Cabinet was presented with the People Strategy. The People Strategy set out how the Council's human resources could be managed to assist in delivering the Council's key goals from the Strategic Plan. The Strategy also discharged the Council's obligation to have a pay and workforce development strategy.

The Council had reviewed and developed a set of new 'Organisational Values' that outlined the characteristics, outlook and behaviours that the Council expects of its staff.

Cabinet had previously considered this report in detail at its meeting on 18 December and approved that it be released for consultation.

Officers advised the Cabinet of the comments made by the Corporate Services Select Committee at its meeting on 13 January 2009 and these were identified for Members' information at Appendix 1 to the report. The Officers' responses to the Select Committee's suggestions/recommendations were highlighted within the report.

**DECISION MADE:**

- (1) That the Select Committee be thanked and the response as outlined in the Cabinet report be given to the Corporate Services Select Committee; and
- (2) That Cabinet recommend to full Council that they adopt the People Strategy at their meeting on 19 February 2009.

**REASONS FOR DECISION:**

To enable the Strategy to be adopted and implemented.

**Contact Officer: Sean Clark, Head of Finance and Governance**  
**Tel: 01892 526121 or e-mail: sean.clark@tunbridgewells.gov.uk**

**DECISION NO. CAB176/08****NON-EXEMPT****PORTFOLIO:****CORPORATE SERVICES****PORTFOLIO HOLDER:****Councillor Horwood****REPORT TITLE:****\* Treasury Management and Strategy (090205/CAB011)****PRIORITY:**

The report supports the priority of "ensuring that we are well managed, proactive and deliver value for money services"

**DISCUSSION:**

Members were informed that in accordance with the Financial Procedures Rules, a report should be submitted to Cabinet to enable consideration to be given to any changes in the Treasury Management Policy. The report also proposed a Treasury Management Strategy, Treasury Management Prudential Indicators and borrowing limits for 2009/10.

**DECISION MADE:**

- (1) That the Treasury Management Policy Statement as set out in Paragraph 4 (as shown in appendix A to these minutes) be adopted;
- (2) That the proposed investment limits as shown in Paragraphs 25 and 30 (as shown in appendix A to these minutes) be approved;
- (3) That the use of and limits of specified investments and of non-specified investments, as set out in Paragraph 33 and Appendix C, be approved;
- (4) That the Treasury Management Strategy targets, as set out in Paragraph 34 (as shown in appendix A to these minutes) be approved;

- (5) That the Prudential Indicators for External Debt and Treasury Management, as set out in Appendix D, be approved;
- (6) That the Cabinet receive regular reports monitoring the Council's compliance with the Treasury Management Policy, Treasury Management Strategy and Prudential Indicators;
- (7) That at the year end the Cabinet receives a report on the performance of the treasury management function for that year including actual outturn of the Prudential Indicators; and
- (8) That an exception in the Treasury Parameters be made for the Council's Bank, HSBC, by increasing the investment limit to £10m subject to credit rating criteria being met.

**REASONS FOR DECISION:**

To approve the Treasury Management Policy Statement, Treasury Management Strategy Statement and Prudential Indicators for 2009/10.

**Contact Officer: Sean Clark, Head of Finance and Governance**  
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**DECISION NO. CAB177/08****NON-EXEMPT****PORTFOLIO:****CORPORATE SERVICES****PORTFOLIO HOLDER:****Councillor Horwood****REPORT TITLE:****\* Budget 2009/10 to 2013/14 (090205/CAB012)****PRIORITY:**

All

**DISCUSSION:**

Members considered the proposals and the results of consultation, regarding the medium term aims, the revenue budget, council tax and the capital programme for 2009/10.

The financial forecasts through to 2011/12 were discussed and Members endorsed the actions identified to maintain a balanced budget. It was agreed that the Council was committed to creating a sustainable and balanced budget that would set the foundation for the redirection of resources to priority areas.

Cabinet had previously considered this report in detail at its meeting on 18 December and approved that it be released

for consultation. Officers advised the Cabinet of the comments made by the Corporate Services Select Committee at its meeting on 13 January 2009 and these were identified for Members' information at Appendix 1 to the report. The Officers' responses to the Select Committee's suggestions/recommendations were highlighted within the report.

Members were updated on the budget deficit that, due to other Cabinet approvals and decisions, had increased from £230,000 to £445,000. Of this increase, the £125,000 that related to Public Conveniences, the Economic Development/Tourism Officer and the Private Accredited Letting Scheme be met from Reserves due to their short term nature. The balance relating to Members' Allowances, Tunbridge Wells in Bloom and Effective Decision Making be added to the deficit for which savings needed to be found.

Cabinet then considered a range of savings that had been put forward and recommended a total savings package of £326,000 that brought the budget into balance.

It was also agreed that a meeting take place with the three Select Committee Chairmen to discuss areas of the Council's budget that they should scrutinise throughout the year.

**DECISION MADE:**

- (1) That the Select Committee be thanked and the response as outlined in the Cabinet report be given to the Corporate Services Select Committee;
- (2) That a meeting be arranged between the three Select Committee Chairmen and Cabinet to discuss areas of the Council's budget that they should scrutinise throughout the year;
- (3) That the range of savings' options put to Cabinet be agreed;
- (4) That Cabinet recommends this budget, as amended by the savings' options, to full Council;
- (5) That Cabinet recommends to full Council a council tax increase of 4.985%;
- (6) That Cabinet recommend to full Council the attached capital programme, appendix C to these minutes, subject to the caveats included within the schedule;
- (7) That all capital projects covered by future planning gains, grants awards or other external funding be deemed to be part of the Capital Programme on the approval of the Section 151 Officer in consultation with the Portfolio Holder for Corporate Services and any other relevant Portfolio Holder; and

(8) That officers be instructed to bring back reports to Cabinet and/or Council throughout 2009 with options to achieve a balanced and sustainable budget into the future.

**REASONS FOR DECISION:**

The Constitution requires the Cabinet to agree the budget proposals as a basis for consultation. These proposals complement the Strategic Plan and Medium Term Financial Strategy and so provide the framework for how the Council will deliver its priorities.

**Contact Officer: Sean Clark, Head of Finance and Governance**  
**Tel: 01892 526121 or e-mail: sean.clark@tunbridgewells.gov.uk**

**CABINET DECISIONS****DECISION NO. CAB178/08****NON-EXEMPT****PORTFOLIO:****CORPORATE SERVICES****PORTFOLIO HOLDER:****Councillor Horwood****REPORT TITLE:****Forward Plan (090205/CAB003)****PRIORITY:**

Delivering high quality services to our customers

**DECISION MADE:**

That the Forward Plan be approved.

**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**

**DECISION NO. CAB179/08****NON-EXEMPT****PORTFOLIO:****SAFER AND STRONGER COMMUNITIES****PORTFOLIO HOLDER:****Councillor Scholes****REPORT TITLE:****Future of Calverley Grounds Bandstand  
(090205/CAB004)****PRIORITIES:**

The removal of the bandstand accords with the Council's corporate commitment to deliver value for money services.

**DISCUSSION:**

Outlined to Cabinet were reasons for demolishing the bandstand in Calverley Grounds. Members were informed that although the bandstand was a main focal point in the park, its increasingly poor condition and appearance was making a negative impact on this popular park.

The Head of Leisure and Well-Being stated that articles inviting views about the future of the bandstand were published in the Courier and the Focus in January 2009 and follow-up articles in Parks Times. He went on to say that responses had been received from 16 individuals, seven of whom wished to see the bandstand repaired and retained. The other nine submitted ideas for replacing the bandstand.

The Town Forum was also consulted and their opinion was to demolish the bandstand and consultation be carried out for a use of an open stage in the summer months as a replacement. The Civic Society's opinion was that the bandstand should be replaced by a new multi-purpose, versatile structure which would enhance Calverley Grounds.

Cabinet was informed that to repair and retain the bandstand was neither feasible nor cost-effective. The removal of the bandstand would enable the central area of Calverley Grounds to be used a flexible and accessible space. The electrical connection would be retained for use to support any future activities.

The cost of demolishing the bandstand was outlined and planning permission would need to be sought.

**DECISION MADE:**

- (1) That the bandstand in Calverley Grounds be demolished whilst retaining the electrical connection, subject to obtaining the necessary planning approval; and
- (2) That a further report be submitted to Cabinet identifying future uses of revenue opportunities for this site.

**REASONS FOR DECISION:**

Repair and retention of the bandstand is neither feasible nor cost effective.

**Contact Officer: Nigel Bolton, Head of Leisure and Well-Being**  
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**DECISION NO. CAB180/08****NON-EXEMPT****PORTFOLIO:****THE LEADER OF THE COUNCIL****PORTFOLIO HOLDER:****Councillor Bullock****REPORT TITLE:****Supporting Effective Decision-Making (090205/CAB006)****PRIORITIES:**

The proposals support the full range of Council's priorities including the supporting customer care commitments.

**DISCUSSION:**

The report brought together a number of new and existing mechanisms for supporting effective decision-making by Cabinet, in particular, to increase the Cabinet's capacity to deal with a number of cross-cutting and partnership issues; to improve the Council's advocacy capacity; involve non-Cabinet members in the decision-making process; to provide a mechanism by which non-Cabinet members could gain additional experience to improve succession planning within the Council.

Cabinet was reminded that as the Cabinet portfolios increased a number of 'Lead Members' had been appointed to provide support to portfolio holders. The list of 'Lead Members' was included within the report for Members' information. In addition, a number of Council 'champions' had been appointed. The role of the 'champions' was to act as ambassadors and promote the area(s) for which they have responsibility; a list of 'champions' was included within the report for Members' information.

Cabinet also appoint working parties/groups from time to time, namely: Local Development Framework Members' Working Party, Member Learning and Development Group (Member Charter Steering Group) and Public Transport Forum.

The Director of Change and Business Support explained to Members that in addition to the Council's own priorities set out in the Strategic Plan, the Council was also committed to a number of broader objectives, as set out in the Sustainable Community Plan and the Kent Agreement 2. To ensure that the priorities are delivered, a number of thematic delivery groups had been established based around nine themes, namely: Safer, Stronger, Economic Development, Housing, Cleaner and Greener, Children and Families and Health.

It was felt that there was a need to broaden political involvement and it was proposed that two additional working groups be established to complement the Public Transport Forum. The working groups would be called 'Public Health and Well-Being' and 'Children and Young People'. The Terms of Reference for each group were appended to the report for Members' information.

Cabinet, after due consideration, agreed that the two additional working groups be established.

**DECISION MADE:**

- (1) That the establishment of the Public Health and Well-Being and Children and Young People working groups be approved and members be appointed by the Leader of the Council from the membership of the Council as a whole; and
- (2) That the cost of such working groups be funded as part of the Council's Budget Strategy.

**REASONS FOR DECISION:**

The recommendations would improve Member involvement in cross-cutting partnership priority areas and support effective decision-making.

**Contact Officer: William Benson, Director of Change and Business Support**  
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**DECISION NO. CAB181/08****NON-EXEMPT****PORTFOLIO:****CORPORATE****PORTFOLIO HOLDER:****Councillor Horwood****REPORT TITLE:****2007/2008 Performance Outturn – Audit Commission  
(090205/CAB0013)****PRIORITIES:**

All

**DISCUSSION:**

The report outlined the 2007/2008 Best Value Performance Indicator (BVPI) results that had been recently published by the Audit Commission. The report showed performance comparisons to other Kent authorities and all District Councils nationally.

Cabinet noted that 46 per cent of all BVPIs were in the top quartile of all local authorities nationally, which exceeded the results of all other districts in Kent. The Officer indicated the areas where the Council was outperforming other districts, namely: buildings accessible to people with disabilities; accuracy of Housing Benefit and Council Tax Benefit claims; percentage of new homes built on brownfield land; the amount of waste sent for composting; and speed of major and minor planning applications.

The Officer stated that the final year of BVPI reporting had allowed the Council to demonstrate that its performance was among the best in the country and a clear leader among the other districts in Kent. The service planning process and the Portfolio Statements had set more challenging targets each year according to the Council's priorities; this had enabled the Council's momentum of improvement to be maintained.

Appended to the report for Members' information were national quartile comparisons.

**DECISION MADE:**

- (1) That the progress on BVPIs for 2007/08 and their comparative performance to other Kent districts be noted; and
- (2) That all staff be congratulated on their performance last year and that high performance levels continue.

**REASONS FOR DECISION:**

To inform Cabinet of the BVPI performance for 2007/08.

**Contact Officer: Matthew Vincent, Corporate Policy and Improvement Officer**  
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**EXEMPT ITEMS**

**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 I of the Schedule 12A of the Act namely: -

**DECISION NO CAB183/08**

Paragraph (1) - Information relating to any individual.

Paragraph (2) - Information which is likely to reveal the identity of an individual.

**DECISION NO CAB182/08**

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

**DECISION NO. CAB182/08****EXEMPT****PORTFOLIO:****CORPORATE SERVICES****PORTFOLIO HOLDER:****Councillor Horwood****REPORT TITLE:****Property Transactions from 1 June to 31 December 2008  
(090205/CAB014 exempt)****PRIORITIES:**

Delivering high quality services to our customers.

**DISCUSSION:**

Cabinet was reminded that results of delegations made by the Director of Change and Business Support should be reported to Cabinet at six monthly intervals. These transactions to 31 December 2008 were highlighted to Cabinet for their information.

Cabinet considered whether to recommend a change to this requirement to remove the need for Cabinet to receive these reports for noting and that they be delegated to the Portfolio Holder for decision.

Cabinet, after due consideration agreed that further consideration should be given as to future reports.

**DECISION MADE:**

- (1) That the report be noted; and
- (2) That further consideration be given as to the submission of future reports.

**REASONS FOR DECISION:**

The Constitution requires delegated property transactions to be reported to Cabinet on a six monthly basis. Members may also wish to consider whether to recommend a change to this requirement to remove the need for Cabinet to receive a report for noting.

**Contact Officer: Melissa Robertson, Estate Officer****Tel: 01892 526121 or e-mail: [melissa.robertson@tunbridgewells.gov.uk](mailto:melissa.robertson@tunbridgewells.gov.uk)****URGENT BUSINESS**

In accordance with Section 100B(4) of the Local Government Act, 1972, the Chairman agreed that the following item of business be taken in order to make a decision on the early retirement of the Director of Services to the Community.

**DECISION NO. CAB183/08****EXEMPT****PORTFOLIO:****LEADER****PORTFOLIO HOLDER:****Councillor Bullock****REPORT TITLE:****Confidential Staffing Issue (090205/CAB017 urgent exempt)****PRIORITIES:**

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

**DISCUSSION:**

Cabinet was asked to consider a request from the Director of Services to the Community for early retirement on compassionate grounds.

The Chief Executive informed Cabinet that the Chairman of General Purposes Committee and the District Auditor had been informed.

Cabinet after due consideration, agreed that the early release from employment be granted and the lump sum as per paragraph 5, option (a) of the report be made.

**DECISION MADE:**

- (1) That the early release from employment of the Director of Services to the Community with a date to be agreed by the Chief Executive, be supported; and
- (2) That payment of the additional cost of early retirement be made by lump sum as per paragraph 5 option (a) of the report.

**REASONS FOR DECISION:**

To seek agreement for early retirement.

**Contact Officer: Sheila Wheeler, Chief Executive****Tel: 01892 526121 email [sheila.wheeler@tunbridgewells.gov.uk](mailto:sheila.wheeler@tunbridgewells.gov.uk)**

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**(NOTE:**

- (1) A number of reports had been taken out of sequence from the agenda; the order of reports taken was 6(B) and 10(A). Following item 10(A), the meeting then followed the order of reports as set out on the agenda;
- (2) In accordance with Cabinet Procedure Rule 5.2 on public speaking at Cabinet meetings, the following attended and spoke on the decisions indicated: Mr Hancock, decision CAB 168/08; and Mrs March, Horsmonden Parish Councillor, decision CAB168/08;

- (3) Councillors Davies and Neve left the meeting after consideration of CAB170/08 (12.02pm). Councillor Tompsett arrived at the meeting during decision CAB179/08 (12.23pm); and
- (4) The meeting closed at 1.40pm)

**APPENDIX A****Decision CAB176/08, recommendation (1) refers****Treasury Management Policy Statement**

1. The policies and objectives of the Council's treasury management activities are as follows:
  1. This Council defines its treasury management activities as:
 

*"The management of the authority's cash flows, its banking, the money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks;"*
  2. This Council regards the successful identification, monitoring and control of risk to be the prime criteria by which the effectiveness of its treasury management activities will be measured. Accordingly, the analysis and reporting of treasury management activities will focus on their risk implications for the organisation; and
  3. This Council acknowledges that effective treasury management will provide support towards the achievement of its business activities and service objectives. It is therefore committed to the principles of achieving best value in treasury management, and to employing suitable performance measurement techniques, within the context of effective risk management.

**Decision CAB176/08, recommendation (2) refers**

25. The limits proposed for 2009/10 are as follows:

Fitch Rating (minimum)				Maximum Investment £	Maximum Duration
LT	ST	Ind	Sup		
AA	F1+	B	2	£5 million	5 years
AA-	F1+	B	2	£5 million	2 years
A+	F1	B	2	£3 million	1 year
A	F1	B	3	£3 million	3 months

**Table 3: Investment Limits**

30. The Council can also invest with other UK Local Authorities and the limits are as specified below:

Local Authorities	Maximum Investment £	Maximum Duration
Unitary Councils	£5 million	5 years
County Councils	£5 million	5 years
Police Authorities	£5 million	5 years
Other Local Authorities	£5 million	5 years

**Table 4: Local Authority Limits**

**Decision CAB176/08, recommendation (3) refers**

33. These Investment instruments are listed in Appendix C under the 'Specified' and 'Non-Specified' Investments categories and sets out:
- (a) the advantages and associated risk of investments under the category of "non-specified" category;
  - (b) the upper limit to be invested in each 'non-specified' asset category;
  - (c) and which instruments would best be used by the Council's in-house fund manager(s) or after consultation with the Council's treasury advisors.

There are no proposed changes in the use of Investment instruments for this Council.

**Decision CAB176/08, recommendation (4) refers****Treasury Management Strategy Targets**

34. In the context of current market conditions and the policy requirements of the Budget 2009/10 and the Medium Term Financial Strategy, the Treasury Management Strategy targets for 2009/10 are:
1. To achieve an average investment rate of 3.36% in 2009/10
  2. Longer term investment decisions (in excess of one year) to be made in the context of a target minimum investment rate of 2.25% in 2009/10, 2.50% in 2010/11 and 2.50% in 2011/12
  3. Overall cash flow will be managed to achieve, as far as practicable, a nil borrowing requirement although borrowing will be considered an option where prudent.
  4. The target for the bank position is +/- £500,000



## APPENDIX B

Type of Allowance	2008/09	2009/10	Increase	Est	Est	Increase	Suggested	Recommended	Budget
				No	£		Increase		
Basic Allowance	3,630	5,279	1,649	48	253,392	79,152	550	4,180	200,640
Minority Group Leaders - Less than 5 members	-	2,548	2,548	1	2,548	2,548	2,548	2,548	2,548
Leader	7,320	21,480	14,160	1	21,480	14,160	4,700	12,020	12,020
Cabinet Member	5,490	10,740	5,250	5	53,700	26,250	1,750	7,240	36,200
Lead Member	2,760	5,370	2,610	5	26,850	13,050	870	3,630	18,150
Chair of:-									
Scrutiny Select Committees	3,660	5,279	1,619	3	15,837	4,857	1,619	5,279	15,837
Licensing	1,830	2,640	810	1	2,640	810	810	2,640	2,640
General Purposes	930	1,320	390	1	1,320	390	390	1,320	1,320
Joint Transportation Board	930	1,320	390	1	1,320	390	390	1,320	1,320
Standards Committee	930	-	-	-	-	-	-	-	-
Audit Committee	930	2,640	1,710	1	2,640	1,710	1,710	2,640	2,640
Planning Committee	1,830	5,279	3,449	2	10,558	6,898	3,449	5,279	10,558
Vice Chair of:-									
Scrutiny Select Committees	-	1,320	1,320	3	3,960	3,960	1,320	1,320	3,960
Licensing	-	660	660	1	660	660	660	660	660
General Purposes	-	330	330	1	330	330	330	330	330
Joint Transportation Board	-	330	330	1	330	330	330	330	330
Standards Committee	-	-	-	-	-	-	-	-	-
Audit Committee	-	660	660	1	660	660	660	660	660
Planning Committee	930	1,320	390	2	2,640	780	390	1,320	2,640
Co-Optees Allowance:-									
Chair of Standards	1,050	1,056	6	1	1,056	6	6	1,056	1,056
Non Borough Members of Standards/Audit Cttees	120	528	408	8	4,224	3,264	408	528	4,224

Per Meeting

60

406,145 160,205

Proposed	317,733
Current 09/10	256,380
Increase	61,353

**APPENDIX C**

2009/10

**Net  
Capital  
Cost**  
£000's

<b>Ref</b>	<b>Scheme</b>	<b>Corporate Priority</b>	<b>Recommendation</b>	
	<u>Leisure and Wellbeing</u>			
1	New Hawkenbury pavilion	Safer and stronger	Agree with a report back	80
2	Demolition of band stand	Ensuring value for money	Agree	20
3	Hawkenbury upgrade of play area	Safer and stronger	Agree with a report back	24
4	Southview Road play area	Safer and stronger	Agree with a report back	54
5	Bayham playing pitch drainage improvements	Safer and stronger	Agree	12
6	Cadogan playing pitch drainage improvements	Safer and stronger	Agree	12
7	Hilbert playing pitch drainage improvements	Safer and stronger	Agree	13
8	Hawkenbury playing pitch drainage improvements	Safer and stronger	Agree but consider rephasing	35
9	Grant to parishes and VO for play areas	Safer and stronger	Agree with a report back	20
10	DDA works to museum and library plus lift	Safer and stronger	Agree with a report back	215
11	Assembly Hall replacement of raked seating	Safer and stronger	Agree with a report back	89
12	New cremators with mercury filtration system	Safer and stronger	Agree with a report back	

13	Assembly Hall replacement of stage house curtains	Safer and stronger	Agree with a report back	50
14	Dunorlan play area	Safer and stronger	Agree	0
15	Hilbert replacement wheeled sports facilities	Safer and stronger	Agree	0
16	Showfields provision of informal ball games area	Safer and stronger	Agree	0
17	Goudhurst construction of pavilion	Safer and stronger	Agree with a report back	0
<u>Environmental and Street Scene</u>				
18	CCTV - replacement of monitoring and recording equipment.	Safer and stronger	Agree with a report back	60
19	1 replacement van for Environmental Protection Team	Caring for the Environment	Agree	13
19a	2 replacement vans for Pest Control	Caring for the Environment	Agree with a report back	19
20	Kerbside collection Recycling Containers	Caring for the Environment Thriving and diverse local economy	Report back but agree a maximum budget of £50,000	150
21	Quality bus partnership		Agree	10
22	TWBC Street lighting - replacement of defective lighting columns	Caring for the Environment	Agree	10
<u>Housing</u>				
23	Disabled facilities Grants continue mandatory funding	Housing suitable for local needs	Agree	262
24	Housing Renewal Grants continue discretionary funding	Housing suitable for local needs	Agree through to 2010/11	200

Other

25	Conservation Area Enhancements	Caring for the Environment	Agree	50
26	Heritage partnership fund	Caring for the Environment	Agree	80
27	Various use of S106 receipts	Various	Agree	
28	Mayors Car		Agree	21

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**TOTAL****1,499**

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