

TUNBRIDGE WELLS BOROUGH COUNCIL

RECORD OF DECISIONS

(in terms of Access to Information Rule 18)

CABINET

Thursday 12 June 2008

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

Officers in Attendance: Sarah Andrews, Equality Policy Officer; William Benson, Director of Change and Business Support; Nigel Bolton, Head of Leisure Services; David Candlin, Head of Economic Development and Regeneration; Robert Cottrill, Director of Planning and Development; Sean Clark, Head of Financial and Property Services; Laurence Doig, Overview and Scrutiny Officer; Kat Hicks, Senior Overview and Scrutiny Officer; Richard Powell, Director of Services to the Community; Samantha Timms, Senior Committee Administrator; Gary Stevenson, Head of Environment and Street Scene; Raymond Warren, Performance and Improvement Manager; Neil Weeks, Head of Legal Services/Monitoring Officer; Sheila Wheeler, Chief Executive; and Angela Woodhouse, Overview and Scrutiny Partnership Manager.

APOLOGIES FOR ABSENCE

CAB003/08 No apologies for absence were received.

DECLARATIONS OF PREJUDICIAL INTEREST

CAB004/08 No declarations of interest were made.

NOTIFICATION OF VISITING MEMBERS WISHING TO SPEAK

CAB005/08 In accordance with Cabinet Procedure Rule 5.3 and after giving due notice to the Chairman, Councillor Weeden attended and spoke on decision CAB010/08; Councillor Mrs Crowhurst attended and presented decision CAB017/08 and Councillor Cunningham attended and presented decision CAB011/08.

MINUTES OF THE JOINT TRANSPORTATION BOARD DATED 28 APRIL 2008

CAB006/08 The Minutes of the Joint Transportation Board dated 28 April 2008 were submitted for Members' approval.

Councillor Bullock asked that the Chief Executive write a letter to the Kent County Portfolio Holder, Keith Ferrin, regarding the scheme to improve traffic flow along Longfield Road/Great Lodge Retail Park Junction. The Leader asked that the letter stress the disruption being caused by the lack of action to implement the approved schemes and urged that the works be completed in the shortest possible time scales. This letter should be copied to Councillor Weeden and KCC, Head of Transportation, Mr Harrison-Mee.

RESOLVED – That the recommendations of the Joint Transportation Board dated 28 April 2008 be agreed.

APPROVAL OF CABINET MINUTES DATED 24 APRIL AND 20 MAY 2008

CAB007/08 The Minutes of the Cabinet dated 24 April and 20 May 2008 were considered and were confirmed as a correct record.

CONSIDERATION OF REPORT FROM SELECT COMMITTEE – ENVIRONMENT AND SAFER AND STRONGER COMMUNITIES SELECT COMMITTEE DATED 12 FEBRUARY 2008. DRAFT CONTAMINATED LAND INSPECTION STRATEGY REVIEW

CAB008/08 At its meeting on 12 February 2008, the Environment and Safer and Stronger Communities Select Committee had discussed the Draft Contaminated Land Inspection Strategy Review. The Committee was asked to make comments on the Strategy and submit their views to Cabinet ([080612/CAB001](#)). The Select Committee had made the following recommendation to Cabinet:

- (1) That Cabinet adopt the more rigorous standard of assessing contamination of “minimal risk” for land remediated under the development control process.

RESOLVED –

- (1) That the Select Committee be thanked for their report; and
- (2) That the Select Committee’s recommendation be agreed to adopt the more rigorous standard of assessing contamination of “minimal risk” for land remediated under the development control process.

DECISION NO. CAB009/08

NON-EXEMPT

PORTFOLIO:

ENVIRONMENT & STREET SCENE

PORTFOLIO HOLDER:

Councillor Barrington-King

TITLE OF REPORT:

Review of Contaminated Land Inspection Strategy. Application of Part II A of the Environmental Protection Act 1990 ([080612/CAB012](#))

PRIORITIES:

The review/update and implementation of the Contaminated Land Inspection Strategy is applicable to the corporate priorities:

Care for our Environment
Have housing suitable for local people

The implementation of the strategy would work towards identifying and remediating contaminated land reducing and preventing negative environmental impact It would also ensure that any new housing developments which may be affected by land contamination were remediated. In addition it would ensure any existing housing developments built on land which might have been historically contaminated would be investigated and remediated as necessary.

DISCUSSION:

The Head of Environment and Street Scene informed Members of the review of the Council's Contaminated Land Inspection Strategy and the feedback from the consultation. The review of the strategy was primarily to take account of changes in legislation and guidance that govern the way in which potentially contaminated land was investigated and assessed, in addition to accounting for milestones that had been reached and the setting of new milestones.

Cabinet was informed that the Environment and Safer and Stronger Communities Select Committee had previously considered the original draft of the document and Cabinet approved it for public consultation.

Cabinet agreed that the reviewed and updated strategy provided a sound basis for the Council to move forward in a clear, open and consistent way.

DECISION MADE:

- (1) That the Select Committee be thanked for their contribution to the Policy formulation;
- (2) That the draft "Contaminated Land Inspection Strategy Application of Part II A of the Environmental Protection Act 1990", be approved; and
- (2) That option 1 be adopted with regard to the standard of remediation required for sites going through the development control process.

REASONS FOR DECISION:

To ensure that the Council continues to fulfil its statutory obligations under the Environmental Protection Act 1990.

To ensure that the standard of remediation in development sites is of sufficient standard to provide a negligible level of risk to residents of exposure to land contamination.

Contact Officer: Duncan Haynes, Principal Environmental Health Officer
Tel: 01892 526121 or e-mail: duncan.haynes@tunbridgewells.gov.uk

CONSIDERATION OF REPORT FROM SELECT COMMITTEE – LOCAL ECONOMY AND HOUSING SELECT COMMITTEE DATED 13 MARCH 2008, PLANNING COMMITTEES STRUCTURE AND FREQUENCY OF MEETINGS

CAB010/08 At its meeting on 13 March 2008, the Local Economy and Housing Select Committee had discussed the structure of the Planning Committees. The Committee had been asked by Cabinet on 25 October 2007 to consider the structure and frequency of Planning Committee meetings in the light of the Audit Commission Report.

The Select Committee had interviewed a number of witnesses to ascertain whether the current structure and frequency of Planning Committee meetings were fit for purpose. After a lengthy debate, it was agreed by the Committee that a detailed review of the benefits and disadvantages of one-committee, two-committees and three-committees systems should be conducted by the Committee.

The Select Committee had made the following recommendation to Cabinet:

That the Select Committee's recommendation be agreed to provide a review of the benefits and disadvantages of one-committee, two-committees and three-committees.

- (i) Two Planning Committees should remain in place while the review is ongoing; and
- (ii) Following the detailed review, the Committee should make recommendations on whether the two-Committee system should be replaced or if it could be improved.

Cabinet asked that Scrutiny review the current system that was in place in 12 months' time. This would include how the reduction in Committee members has worked and also the availability of having substitute members.

Councillor Weeden, visiting member, stressed that any consultation that takes place with regard to the one or more Committees should include all Councillors and Parish Councils.

RESOLVED –

- (1) That the Select Committee be thanked for their report;
- (2) That the Select Committee's recommendation be agreed to provide a review of the benefits and disadvantages of one or more committees, as detailed above; and
- (3) That a post implementation review of the effectiveness of the changes to the Planning Committee's structure following Annual meeting of the Council decision, be carried out and reported to Cabinet in circa 12 months time.

CONSIDERATION OF REPORT FROM SELECT COMMITTEE — ENVIRONMENT, SAFER & STRONGER COMMUNITIES SELECT COMMITTEE REPORT, WASTE RECYCLING

CAB011/08 The Environment and Safer and Stronger Communities Select Committee commenced a review on Waste and Recycling within the Borough in November 2007. A working group had been formed consisting of a number of Councillors. The Select Committee had made the following recommendations to Cabinet:

- i) That the Council continue to use the media such as the borough magazine iLocal and the Council web pages on the internet to encourage participation from residents. That these incorporate regular features on waste minimisation and recycling techniques with ideas, case studies, promotions and examples of celebrating the successes of green residents;
- ii) That the current waste and recycling Council web pages are revamped and updated to give greater depth of information and discussion on sustainable necessities such as waste minimisation. They should include greater promotion of reuse and recycle aims, such as home composting, wormeries, water butts, vegetable patches, bags for life, cloth nappies and meal planning. Targets should be set which can include resident involvement and communities and individuals should be rewarded which/who do particularly well;
- iii) That the creation of mini recycling centres for residents to have access to who live in apartments or shared accommodation in Royal Tunbridge Wells;
- iv) That the Civic Amenity Vehicle be discontinued following sufficient warning notice of a change to service or combined with a short-term amnesty on white goods and bulky items. The savings from this service could be redirected to further the promotion of recycling and waste minimisation;
- v) That action be taken to engage the commercial sector over street scene management of the amount of waste placed in commercial 'biffa' style bins in the town centre, to encourage reductions of bin quantities and the volumes of waste created through the achievement of greater recycling rates;
- vi) That a *Tunbridge Wells Recycling Plan 2009-2012* be created to describe the aims, achievements and future direction for the Council. This should include stretching targets and a trajectory for their completion;
- vii) That the Business Transformation team investigate the bulky waste collection system and provide streamlining of the service;
- viii) That partnership working to be investigated with other Councils to share administration responsibilities for items such as reporting missed bins, fly-tipping, or bulky waste collection;
- ix) That an investigation be undertaken into the viability of partnership working to allow use or construction of a Materials Recycling Facility (MRF) to increase recycling rates and ease of use for kerbside recycling;
- x) That Kerbside collections of dry recyclables to include paper, cardboard, glass, cans and plastic to enhance the current bring sites already in situ; and
- xi) That the pilot plastic recycling scheme be made permanent.

Cabinet supported all of the Select Committee's recommendations, but had concerns relating to recommendations iii, iv, x and xi. It was agreed that those recommendations would be included in the waste and recycling collection contract tender process to enable the options to be evaluated, the remaining recommendations were agreed.

RESOLVED –

- (1) That the Select Committee be thanked for their report;
- (2) That the Select Committee's recommendations i,ii,v-ix be agreed as listed above; and
- (3) That recommendations iii, iv, x and xi be noted and be included in the waste and recycling collection contract tender process to enable options to be evaluated.

DECISION NO. CAB012/08

NON-EXEMPT

PORTFOLIO:

ENVIRONMENT & STREET SCENE

PORTFOLIO HOLDER:

Councillor Barrington-King

TITLE OF REPORT:

Household Waste and Recycling and Street Cleansing Contracts Procurement – Update (080612/CAB014)

PRIORITIES:

Care for our environment. Develop safer and stronger communities. Delivering high quality services to our customers. Ensuring that we are well managed, pro-active and deliver value for money services.

DISCUSSION:

Set out before Members were the service options that prospective contractors would be asked to submit tenders for and the report sought support for the development of an in-house bid and the further investigation of a possible joint submission with a neighbouring local authority.

Cabinet was informed that the process for securing the procurement of the new contracts to deliver the household waste and recycling and cleansing contracts for March 2009 was on track and that Kent County Council, as the waste disposal authority, was involved in the process of developing the waste and recycling service specification to ensure that it was possible to consider the best possible options for collection and disposal of material. Tender submissions for a range of service options would be requested to provide a choice covering the manner in which the service provided was also proposed.

Cabinet asked that the Lead Member be included in the Working Group and that an option to recycle all plastics be included. As part of the tender evaluation process due consideration should be given to minimizing the carbon impact, including route mileage and that this should also be considered as part of the street cleansing contract.

DISCUSSION Continued./

Cabinet highlighted a further risk with the operation of the services in relation to the current economic situation and the increasing cost of fuel and other inflationary pressures which was likely to impact on the tender submissions.

With regards to street cleansing, it was noted that the service currently performed to a high standard. To assist with delivering the service within the financial constraints it was noted that the specification should not include any significant increases in cleansing frequencies.

DECISION MADE:

- (1) That the service options set out in paragraphs 8, 9 and 10 of the report be incorporated in the tender documentation;
- (2) That an in-house bid be developed; and
- (3) That further investigation be undertaken in relation to a possible joint submission with a neighbouring local authority.

REASONS FOR DECISION:

To provide Cabinet with further input into the development of the tender documentation and direction on the development of an in-house bid.

Contact Officer: Gary Stevenson, Head of Environment and Street Scene
Tel: 01892 526121 or e-mail: gary.stevenson@tunbridgewells.gov.uk

DECISION NO. CAB013/08**NON-EXEMPT****PORTFOLIO:****CORPORATE SERVICES****PORTFOLIO HOLDER:****Councillor Horwood****TITLE OF REPORT:****Forward Plan (080612/CAB004)****PRIORITIES:****Delivering high quality services to our customers****DECISION MADE:**

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

Cabinet – 17 July 2008 – Household Waste
 Cabinet – 17 July 2008 – Discretionary Rates' Relief Policy
 Cabinet – 17 July 2008 – Community Strategy and the Development Partner
 Cabinet – 17 July 2008 – Cranbrook Office Update

REASONS FOR DECISION:

To comply with Access to Information Procedure Rule 14.

Contact Officer: Samantha Timms, Senior Committee Administrator
Tel: 01892 554007 or e-mail: sam.timms@tunbridgewells.gov.uk

DECISION NO. CAB014/08**NON-EXEMPT**

JOINT PORTFOLIOS: **PLANNING & DEVELOPMENT AND ENVIRONMENT & STREET SCENE**

PORTFOLIO HOLDERS: **Councillors Mrs Thomas and Barrington-King**

TITLE OF REPORT: **Quality Bus Partnership for Royal Tunbridge Wells and Southborough (080612/CAB005)**

PRIORITIES:
 A1 – Promoting and maintaining a thriving and diverse local economy
 A2 – Caring for our Environment

DISCUSSION:

Cabinet was reminded that at its meeting on 27 March 2008, agreement to a Quality Bus Partnership for Royal Tunbridge Wells and Southborough between Tunbridge Wells Borough Council, Kent County Council and Arriva Southern Counties had been sought. A further report was required that set out the details of Tunbridge Wells Borough Council's financial and staff commitments.

Members noted that the Borough Council's commitment would include: Provide resources for enforcing parking restrictions on key bus routes; Seek to ensure that both existing and new developments are accessible to the local bus service network for journeys to and from the urban and commercial centres, as well as the residential areas of Royal Tunbridge Wells and Southborough; Secure, implement and maintain suitable attractive and appropriate arrangements for the provision of bus shelters; and Assist in identifying new market opportunities for local bus services and support initiatives to encourage greater use of public transport.

It was also noted that existing staff would continue to: enforce parking restrictions at bus clearways (bus stops) and key bus routes; work with Arriva on promotion of bus services and new initiatives such as the Shopper Hopper; include contributions to public transport facilities in planning conditions for new developments (Section 106 agreements); and work with KCC to improve bus stop infrastructure and access to bus stops.

A capital budget of £25,000 had previously been allocated to the Quality Bus Partnership and no further funding was committed by the staff or equipment through the five-year period of the Partnership.

DISCUSSION Continued./.

Bus shelters would be provided and maintained within existing budgets and through the commercial arrangement with J C Decaux.

Cabinet was informed that public enquiries relating to bus information being held within the Gateway had been received and it was agreed that this might be addressed through the Quality Bus Partnership.

DECISION MADE:

That the report be noted.

REASONS FOR DECISION:

To keep Members informed of any updates.

Contact Officer: Lene Beynon, Borough Engineer Officer

Tel: 01892 554007 or e-mail: lene.beynon@tunbridgewells.gov.uk

DECISION NO. CAB015/08

NON-EXEMPT

PORTFOLIO:

SAFER & STRONGER COMMUNITIES

PORTFOLIO HOLDER:

Councillor Scholes

TITLE OF REPORT:

2012 Olympic and Paralympic Games Update (080612/CAB006)

PRIORITIES:

Involvement in the 2012 Olympic and Paralympic Games will contribute to the following priorities:

Promote and Maintain a thriving and diverse economy
Develop safer and stronger communities

DISCUSSION:

Cabinet was updated on the 2012 Olympics and Paralympics. The report sought Member approval to set up a Member Working Group to advise on options for potential further involvement in the Games in order that the Borough could receive the maximum benefits possible.

Members were informed that the 2012 Games would benefit the economic, social and general wellbeing of the community and once the 2008 Beijing Games were over, further opportunities for involvement in the 2012 Games would become clear.

DECISION MADE:

That a small Councillor Working Group be formed to consider options for the Council's involvement in the 2012 Olympic and Paralympic Games and report back to Cabinet in due course.

REASONS FOR DECISION:

To ensure that the Borough gets the maximum benefit possible from the 2012 Olympic and Paralympic Games.

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

DECISION NO. CAB016/08**NON-EXEMPT****PORTFOLIO:****PLANNING & DEVELOPMENT****PORTFOLIO HOLDER:****Councillor Mrs Thomas****TITLE OF REPORT:**

**Prosperous Places: Taking Forward the Review of Sub -
 National Economic Development and Regeneration
 (080612/CAB007)**

PRIORITIES:

A1 : Promoting and maintaining a thriving and diverse local economy
 A2 : Care for our environment
 A5 : Delivering high quality services to our customers
 A7 : Ensuring that we are well-managed, proactive and deliver value for money services

DISCUSSION:

Cabinet noted the key points in the Government's consultation paper 'Prosperous Places: Taking Forward the Review of Sub-National Economic Development and Regeneration'; this document was published in July 2007 and the consultation paper was published on 31 March 2008, with the deadline for views to be submitted by 20 June 2008. It was expected that the legislation would be in the next parliamentary session, beginning in November 2008.

The key points to note in the Review of Sub-National Economic Development and Regeneration and taking this forward were:

- A streamlined regional tier, introducing integrated strategies and giving SEEDA lead responsibility for regional planning. SEERA ceasing to exist.
- Strengthen the local authority role in economic development, including a new statutory duty to unitary and upper tier authorities to assess local economic conditions. District Councils have a duty to respond. Statutory economic duty should be shared.
- Three options for Economic Duty
 - Required to have regard to detailed statutory guidance
 - Non-statutory guidance but required to cover "priority areas"
 - None

DISCUSSION Continued./.

- Local authorities need to consider consultation mechanism, a leaders' forum with the new SEEDA role. How do we ensure that the requirements of Tunbridge Wells are met or even considered.
- SEEDA is unelected and responsible to Ministers. Loss of democracy and local engagement.
- Expects RDAs to work with local authority partners in each region to develop a change management programme.
- SEEDA could be responsible for assessing local authorities' capacity to deliver.
- If local authorities cannot agree with SEEDA the new spatial and economic plan it will be referred to Ministers to decide. Undermines any incentive on SEEDA to make sure that they develop a shared vision with local councils.
- Paper supports collaboration by local authorities across economic areas (sub-regional collaboration). Councils may wish to consider 'merger' or 'well-targeted and clearly focused reorganisation'.
- Regional strategy omits issues related to safeguarding the built and natural environment.

The key issues in the consultation papers and the implications for the Council were highlighted in the report for Members' information.

DECISION MADE:

- (1) That the report and the contents of *Prosperous Places: Taking Forward the Review of Sub-National Economic Development and Regeneration* be noted;
- (2) That a written response prepared based on Appendix 1 to these minutes, be agreed;
- (3) That the Borough Council's response be co-ordinated with responses elsewhere across Kent; and
- (4) That a covering letter be written between the Head of Economic Development and Regeneration and the Chief Executive, to accompany the Council's response.

REASONS FOR DECISION:

Members were asked to note the main aspects of the Prosperous Places document and consider the response from the Council to the consultation. The implications of the consultation were the loss of local democracy and accountability and the Council needed to state its case clearly.

Contact Officer: David Candlin, Head of Economic Development and Regeneration
Tel: 01892 526121 or e-mail: david.candlin@tunbridgewells.gov.uk

DECISION NO. CAB017/08**NON-EXEMPT****PORTFOLIO:****HOUSING AND COMMUNITY ACCESS****PORTFOLIO HOLDER:****Councillor Mrs Mayhew****TITLE OF REPORT:****Annual Equality Report (080612/CAB008)****PRIORITIES:**

The Annual Equality report set out how the Council are delivering services focused on community needs which contributes to a number of outcomes supporting our Corporate Priorities to 'develop safer and stronger communities' and to 'deliver high quality services'.

DISCUSSION:

Cabinet was reminded that Council adopted the draft Comprehensive Equality Policy and Scheme in April 2007, with the gender, age, religion/belief and sexual orientation equality section in October 2007.

It was noted that an Annual Equality Report had been produced, which contained details of the processes that the Council had used to deliver the equalities commitments, the progress at corporate level and the outcomes that had been delivered at service level. A short summary document had been produced to promote the outcomes.

It was also noted that the Council was only one of three District Councils in England to have moved from Level 1 to Level 3 of the Equality Standard in a single year.

Cabinet thanked Councillors Chater and Mrs Crowhurst, the Lead Members for equalities as well as officers for their hard work.

Cabinet was asked to approve the Annual Equality Report for publication.

DECISION MADE:

That the Annual Equality Report be published.

REASONS FOR DECISION:

To ensure that the Council demonstrates how it was delivering improvements within its services to meet community needs and to comply with the provisions of the equalities legislation.

Contact Officer: Sarah Andrews, Equality Policy Officer**Tel: 01892 526121 or e-mail: sarah.andrews@tunbridgewells.gov.uk**

DECISION NO. CAB018/08**NON-EXEMPT****PORTFOLIO:****LEADER****PORTFOLIO HOLDER:****Councillor Bullock****TITLE OF REPORT:****Appointment to Outside Bodies – Local Government Rural Commission (080612/CAB009)****PRIORITIES:**A5: Delivering high quality services to our customers
A6: Improving customer service and satisfaction**DISCUSSION:**

The Council had been asked to nominate two representatives on the Local Government Association – Rural Commission. The Rural Commission provided the forum within the LGA for member authorities with an interest in rural affairs.

Cabinet after giving due consideration, agreed that Councillors Waldock and Edwards be appointed. Cabinet thanked all other Councillors for their nominations.

DECISION MADE:

That Councillors Waldock and Edwards be appointed to the Local Government Association – Rural Commission for the forthcoming 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**Tel: 01892 526121 or e-mail: sam.timms@tunbridgewells.gov.uk****DECISION NO. CAB019/08****NON-EXEMPT****PORTFOLIO:****LEADER****PORTFOLIO HOLDER:****Councillor Bullock****TITLE OF REPORT:****Start Time of Meetings (080612/CAB010)****PRIORITIES:**A3 – Having housing suitable for local people
A4 – Developing safer and stronger communities**DECISION MADE:**

That the start time of meetings of the Cabinet during the current municipal year remains at 10.30am.

REASONS FOR DECISION:

To establish a start time for future meetings of the Cabinet.

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

DECISION NO. CAB020/08**NON-EXEMPT****PORTFOLIO:****LEADER****PORTFOLIO HOLDER:****Councillor Bullock****TITLE OF REPORT:****Cranbrook Community Facilities (080612/CAB011)****PRIORITIES:**

The report potentially supports a number of Council priorities including: 'Ensuring that we are well managed, proactive and deliver value for money services'; 'Developing safer and stronger communities'; and 'Having housing suitable for local people'.

DISCUSSION:

Cabinet was reminded that a number of reports on the future of its Cranbrook Council Offices had been received in the past. On 15 November 2007 and following a call-in by Corporate Services Select Committee, it was requested that officers should pursue a feasibility study for the Library site to accommodate community facilities.

Members were updated on the progress of the study and outlined was the consultation that had taken place with members of the Weald Centre Team. Members noted that Cabinet would consider a further report once the study was complete and a business plan and financial model, together with firm sources of identified capital funding, had been received from the Weald Centre Team.

Cabinet noted and supported the constructive meetings between Council officers and members of the Weald Centre Team to assist in the development of the business plan. As a result of those meetings and the clear advice contained in the letter of 23 May 2008 and the length of time the Weald Centre Team have to develop proposals, it was considered appropriate to set a deadline to submit details of the financial model, business plan and details of the sources of the capital funding required for the redevelopment of the site.

DISCUSSION Continued./.

Cabinet therefore agreed a deadline of 16 July 2008, by which date the above information should be provided, in such detail as to withstand external, independent financial scrutiny. If the information were not received by that date, a recommendation would be considered at the Cabinet meeting on 17 July 2008, stating that the present proposals of the Weald Centre Team were not sustainable in the short to long term and that the Borough Council with their partners, Kent County Council approach the Parish Council with an intention to engage with the community on the provision of affordable additional community facilities in the Cranbrook area based in the first instance on the Library site.

Cabinet also agreed that, working with the Cranbrook Parish Council, an inventory of all public and private assets used as community facilities in Cranbrook and its immediate hinterland be composed together with their current usage. This information should be made available to the 17 July 2008 Cabinet meeting.

DECISION MADE:

- (1) That, following an agreed public consultation with KCC, the feasibility study for the Library site be concluded;
- (2) That officers continue to work with the Weald Centre Team to co-ordinate proposals and carry out an assessment of the business plan, financial modelling and capital sources for re-development associated with the proposals for the former Borough Council Offices site, with a deadline of 16 July 2008 to receive such information;
- (3) That officers continue to work with Kent County Council to agree a joint approach to the provision of community facilities in Cranbrook;
- (4) That an inventory of all public and private assets used as community facilities in Cranbrook and its immediate hinterland, be composed by the Borough and Parish Councils together with their current usage; and
- (5) That a further report be submitted to Cabinet on 17 July updating Members on the progress being made on the above recommendations.

REASONS FOR DECISION:

To inform Cabinet of the progress with the feasibility study.

Contact Officer: Robert Cottrill, Director of Planning and Development
Tel: 01892 526121 or e-mail: robert.cottrill@tunbridgewells.gov.uk

DECISION NO. CAB021/08**NON-EXEMPT****PORTFOLIO:****ENVIRONMENT AND STREET SCENE****PORTFOLIO HOLDER:****Councillor Barrington-King****TITLE OF REPORT:****Car Park Charges – Consideration of Proposal to Increase Existing Council Car Park Charges from 13 July 2008 and Representations Received (080612/CAB013)****PRIORITIES:**

Care for our environment
Promote and maintain a thriving and diverse local economy
Ensuing that we are well managed, proactive and deliver value for money services

DISCUSSION

Cabinet was informed that the Council's Medium Term Financial Plan contained provision for additional income to be generated from car parking charges. The 2007/08 budget report approved by Council contained provisions for the increase in existing Monday to Saturday car parking charges by 10p per hour in 2007/08 and 2008/09.

It was noted that the introduction of Sunday charging to the support costs of managing the provision, the improvement of the service, a balanced transportation strategy and a move to a seven day week operation to include the patrolling of car park and on-street parking restriction by Civil Enforcement Officers was also agreed.

The increase in the parking charges was advertised on 2 May 2008. The closing date for objections was 23 May; ten objections had been received. However, Members noted that although those objectors had raised relevant issues, it was considered that they did not out-weigh the requirements to increase the charges.

The Head of Environment and Street Scene informed Cabinet that he had received additional comments from Westfield Shoppingtowns Limited; their comments were taken into consideration.

It was also assumed that the increase in all day parking in Paddock Wood was running in parallel and would be included in the main fees and charges report due to be submitted to the September 2008 Cabinet meeting.

The public speaker, Mr Wade, had made some comments relating to Civil Enforcement Officers (formerly Parking Attendants). The Chief Executive asked Mr Wade to put his concerns in writing, detailing the events direct to her in order for her to investigate the matters further.

DECISION MADE:

- (1) That the objections be noted;
- (2) That the revised car parking charges set out in appendix 2 to these minutes, be implemented from 13 July 2008 and season tickets from 1 April 2009; and
- (3) That the considering the seriousness of the allegations made by Mr Wade about the actions of the Council that he should address them direct to the Chief Executive for investigation.

REASONS FOR DECISION:

To support the costs of managing the provision of car parks, the improvement of the service, a balanced transportation strategy, a move to a seven day a week operation including the patrolling of car park and on-street parking restrictions by Civil Enforcement Officers and to deliver the Medium Term Financial Plan income projections.

Contact Officer: Emma Smith, Parking Manager

Tel: 01892 526121 or e-mail: emma.smith@tunbridgewells.gov.uk

DECISION NO. CAB022/08

NON-EXEMPT

PORTFOLIO:

CORPORATE SERVICES

PORTFOLIO HOLDER:

Councillor Horwood

TITLE OF REPORT:

Quarter 4 Performance Report 2007/08 (080612/CAB015)

PRIORITIES:

The report supports all four of our Corporate Priorities and three Corporate Commitments.

DISCUSSION:

Members considered the Council's performance for quarter 4 of 2007/08 and discussed the good progress being made towards the Council's Corporate Priorities through Best Value Performance Indicators and Local Performance Indicators, as well as a summary of performance of the Corporate Improvement Plan 2007-2010.

Each Portfolio Holder presented the performance for his/her area and clarified any areas of concern.

It was noted that overall, performance had been strong in 2007/08 which maintained the pace of improvement shown in previous years. Progress against the Council's Corporate Improvement Plan had also been strong and where there was under-performance, actions were in place to improve performance.

DECISION MADE:

- (1) That the position of the summary performance report for the Quarter 4 and outturn position for 2007/8 and the progress made be noted; and
- (2) That the actions not completed in the Corporate Improvement Plan 2007-10 be carried forward to the Corporate Improvement Plan 2008-11.

REASONS FOR DECISION:

To monitor the summary performance and outturn position for 2007/08.

Contact Officer: Raymond Warren, Performance and Improvement Manager
Tel: 01892 526121 or e-mail: raymond.warren@tunbridgewells.gov.uk

DECISION NO. CAB023/08**NON-EXEMPT****PORTFOLIO:****CORPORATE SERVICES****PORTFOLIO HOLDER:****Councillor Horwood****TITLE OF REPORT:****Corporate Improvement Plan (080612/CAB016)****PRIORITIES:**

The report supports all four of our Corporate Priorities and three Corporate Commitments.

DISCUSSION:

Cabinet was informed that the Corporate Improvement Plan 2008-2011 highlighted a number of actions for the authority to undertake in order to reach the next stage on its path of continuous improvement. It also settled a number of actions that had been implemented in the 2007-2010 Corporate Improvement Plan. The Plan outlined the Council's un-audited performance from 2007/08 and it therefore fulfilled the statutory responsibilities associated with producing a Best Value Performance Plan (BVPP).

The Plan also took into account recommendations resulting from: actions left over from 2007-2010 Corporate Improvement Plan; the Annual Audit Letter 2008; the I&DeA Peer Review; Performance in 2007/08; new requirements of the Use of Resources Framework for 2008; and Annual Governance Statement 2007/08.

The Performance and Improvement Manager listed the actions from the Improvement Plan and stated that the Plan would be managed by various ways, such as allocation of actions to Service Plans; all actions would be added to Covalent and quarterly performance reports to Cabinet, Scrutiny and Audit Committee.

DISCUSSION Continued./.

Cabinet was informed that the small Working Party, that Corporate Services Select Committee had established, had met on 10 June 2008. The recommendations from the Working Party were as follows:

- (1) That any under-performing areas within the Improvement Action Plan be submitted quarterly to the Corporate Services Select Committee for scrutiny and comment and report back to Cabinet;
- (2) That the Select Committee review the yearly progress of the strategies involved; and
- (3) That the Select Committee review processes, which were relevant to aiding corporate improvement.

The Head of Legal Services informed Cabinet of the Borough Council's general policy towards contracts affecting staff and the Council's arrangements for incorporating the Code of Practice on Workforce Matters in Local Authority Service Contracts into the service specification and conditions for relevant contracts' monitoring compliance with the Code were under development and were considered on a case-by-case basis.

The Corporate Improvement Plan was attached for Cabinet's approval.

DECISION MADE:

- (1) That the Corporate Improvement Plan 2008-11 be approved to fulfil the Council's statutory obligations to produce a Best Value requirements for formal publication before 30 June 2008;
- (2) That progress of the actions in the Corporate Improvement Plan be scrutinised regularly through quarterly Cabinet reports over the coming financial year;
- (3) That the Corporate Services Select Committee be thanked for their recommendations; and
- (4) That the three recommendations submitted by the Select Committee be agreed, as outlined above.

REASONS FOR DECISION:

To approve the Corporate Improvement Plan.

Contact Officer: Raymond Warren, Performance and Improvement Manager
Tel: 01892 526121 or e-mail: raymond.warren@tunbridgewells.gov.uk

DECISION NO. CAB024/08**NON-EXEMPT****PORTFOLIO:****CORPORATE SERVICES****PORTFOLIO HOLDER:****Councillor Horwood****TITLE OF REPORT:****Quarter 4 Revenue Monitoring (080612/CAB017)****PRIORITIES:**

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

DISCUSSION:

The Cabinet discussed the Revenue Budget for the year ending 31 March 2008, which highlighted the significant changes from the approved budget. It was noted that the net over-spend of £393,000 on continued services and expenditure one-off projects to be financed from earmarked reserves had slipped, and both the budgets and the resources would be carried forward to 2008/09. The Council had gained an additional £763,000 from investment interest over and above the budgeted £1.5m and this had been transferred to the new Strategic Plan Reserve as planned; this had been used to fund the balances of net over-spends for the year.

Members noted that the draft Statement of Accounts was currently being prepared and would be submitted to the Audit Committee on 25 June 2008.

DECISION MADE:

That the variances in the report be acknowledged, in particular those variances that would have an impact on future years.

REASONS FOR DECISION:

To inform Members of the revenue outturn position for the year ended 31 March 2008.

Contact Officer: Sean Clark, Head of Financial and Property Services**Tel: 01892 526121 or e-mail: sean.clark@tunbridgewells.gov.uk****DECISION NO. CAB025/08****NON-EXEMPT****PORTFOLIO:****CORPORATE SERVICES****PORTFOLIO HOLDER:****Councillor Horwood**

TITLE OF REPORT: Quarter 4 Capital Monitoring (080612/CAB018)

PRIORITIES:
A3 – Having housing suitable for local people
A4 – Developing safer and stronger communities

DISCUSSION:

The Head of Financial and Property Services advised the Cabinet that the total capital spend, as at 31 March 2008 was £9.235m against the revised budget of £14.988m, which was lower by £5.8m. The under-spend was due to a number of factors that included a number of schemes being deferred to 2008/09.

Appended to the report was the programme in more detail and showed schemes that were deferred from 2006/07 to 2007/08 and listed the schemes that had now been deferred to the 2008/09 financial year.

Appendix 2 of the report listed the full detail of capital budgets that were being carried forward to the 2008/09 financial year.

Capital receipts in 2007/08 totalled £4.242m net of disposal costs. This was a shortfall of £797,000 on the previously reported quarter 3 forecast but an increase of £1.417m compared with the original 2007/08 budget.

The Leader expressed concern over the significant variance and the Head of Financial and Property Services explained that this was largely due to items being added to the programme in the hope of third party funding being secured. This approach had been changed for the 2008/09 budget. The Leader also requested that more emphasis be placed on the need to ensure the programme was realistically phased.

DECISION MADE:

- (1) That the variance analysis between outturn and revised budget of the capital programme and noted;
- (2) That it be noted that the final position is subject to completion of the audit of 2007/08 accounts;
- (3) That the list of carry forward projects from the capital programme 2007/08 to 2008/09, subject to the current review of the capital programme, be approved; and
- (4) That service managers and budget holders be instructed to continue to pro-actively monitor their budgets with a view to ensuring that outturns matched budget in overall terms within their service areas.

REASONS FOR DECISION:

To set out the outturn positions for capital spend and funding sources of the 2007/08 capital programme.

Contact Officer: Sean Clark, Head of Financial and Property Services
Tel: 01892 526121 or e-mail: sean.clark@tunbridgewells.gov.uk

DECISION NO. CAB026/08

NON-EXEMPT

PORTFOLIO:

CORPORATE SERVICES

PORTFOLIO HOLDER:

Councillor Horwood

TITLE OF REPORT:

Treasury and Prudential Indicator Monitoring to 31 March 2008 (080612/CAB019)

PRIORITIES:

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

DISCUSSION:

Cabinet was advised of the Council's compliance with the Treasury Management Policy and Strategy for the period 1 January to 31 March 2008.

Cabinet noted that the base rate had increased from 5.25% to 5.50% in May 2007 and again to 5.75% in July 2007, which enabled the Council to achieve higher rates on investments than the target of 5.20%. The base rate reduced from 5.75% to 5.50% in December 2007 and to 5.25% in February 2008.

The Head of Financial and Property Services stated that the target bank position of +/-£200,000 would now be a Local Performance Indicator with a target of 100%.

DECISION MADE:

That the year end position be acknowledged.

REASONS FOR DECISION:

Under its Financial Procedure Rules, Council delegates responsibility for implementation and monitoring of its treasury management policies and practices to Cabinet.

Contact Officer: John Parsons, Service Accountant
Tel: 01892 526121 or e-mail: john.parsons@tunbridgewells.gov.uk

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 items of business referred to below on the grounds that they may involve the likely disclosure of exempt information as defined in Part I of the Schedule 12A of the Act namely: -

- DECISION NO. CAB027/08** Paragraph (4) - Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office-holders under, the authority.
- DECISION NOS. CAB028/08, CAB029/08 and CAB030/08** Paragraph (3) - Information relating to the financial or business affairs of any particular person (including the authority holding that information).

DECISION NO. CAB027/08**EXEMPT****PORTFOLIO:****PLANNING AND DEVELOPMENT****PORTFOLIO HOLDER:****Councillor Mrs Thomas****TITLE OF REPORT:****Re-Development of the Visitor and Shopping Websites
(080612/CAB020)****PRIORITIES:**

A1 Promote and maintain a thriving and diverse local economy
 A5 Deliver high quality services to our customers
 A6 Improve customer service and satisfaction
 A7 Ensure that services are well-managed, proactive and deliver value for money

DISCUSSION:

The main areas for re-development of the visitor and shopping websites for the borough were outlined to Cabinet. Members were informed that the main reason for re-developing the websites was to enable them to be linked to existing software which would make updating more efficient and provide better and more innovative marketing opportunities for the borough and borough businesses, as well as provide some revenue raising opportunities.

Concern was expressed about the possible incompatibility of the software with the remote access terminals which might be increasingly used throughout the Borough.

DECISION MADE:

- (1) That the contract to re-develop the tourism and shopping website be exempt from the procurement procedure for the reasons detailed in the report;
- (2) That officers award the contract to the company listed within the report.

REASONS FOR DECISION:

Approval of the recommendations would enable the Economic Development & Regeneration Service to work to develop a combined visitor and shopping website which would market the area more effectively and efficiently. It would provide greater marketing opportunities for businesses of all sizes in the borough and to a wider audience, thus meeting the Council's priority to promote and maintain a thriving and diverse local economy.

Contact Officer: Juliet Steinmetz, Marketing and Tourism Officer
Tel: 01892 526121 or e-mail: juliet.steinmetz@tunbridgewells.gov.uk

DECISION NO. CAB028/08**EXEMPT****PORTFOLIO:****CORPORATE SERVICES****PORTFOLIO HOLDER:****Councillor Horwood****TITLE OF REPORT:****Proposed Disposal of Land Adjacent to Ringden Avenue, Paddock Wood (080612/CAB021)****PRIORITIES:**

Having Housing Suitable for Local People
 Ensuring that we are well managed, proactive and deliver value-for-money services

DISCUSSION:

Members were reminded that the above premises were owned by the Borough Council and located on the south side of Ringden Avenue, Paddock Wood. The site comprised a small grass strip of land with an estimated area of approximately 340 sq metres.

It was noted that the independent Consultant Architect had been instructed to work up a scheme for the site and a planning application was submitted to develop two semi-detached, three bedroom houses, arranged on two storeys. However, after conversation with the Planning Service, the application had been withdrawn and a proposal to submit a revised application for planning permission to erect a single detached, three bedroom, two storey house with associated parking was being considered.

DECISION MADE:

- (1) That the application to apply for planning permission for the site to erect a single detached, three bedroom, two storey house with associated parking on the site be approved;
- (2) That the disposal of the land, subject to planning consent, be approved;
- (3) That the Head of Financial and Property Services be authorised to appoint the independent valuer as stated in the report, to market the site to the Council's eight RSL preferred partners or, if suitable terms cannot be agreed, to the open market; and

DECISION Continued./.

(4) That the Head of Financial and Property Services, in consultation with the Portfolio Holder for Corporate Services, be authorised to accept the most suitable offer, subject to contract

REASONS FOR DECISION:

To progress the sale of the site.

Contact Officer: Diane Brady, Estates Officer

Tel: 01892 526121 or e-mail: diane.brady@tunbridgewells.gov.uk

DECISION NO. CAB029/08

EXEMPT

PORTFOLIO:

CORPORATE SERVICES

PORTFOLIO HOLDER:

Councillor Horwood

TITLE OF REPORT:

**Proposed Disposal of Land at Wickham Gardens, Rusthall
(080612/CAB022)**

PRIORITIES:

Having Housing Suitable for Local People
Ensuring that we are well managed, proactive and deliver value-for-money services

DISCUSSION:

Members were reminded that the above premises were owned by the Borough Council and located on the south side of Wickham Gardens, Rusthall. The site comprised a vaguely rectangular shaped area of land laid to grass and had a gross area of approximately 365 sq metres.

It was noted that the independent Consultant Architect had been instructed to work up a scheme for the site and a planning application was submitted to develop two detached houses arranged on two floors. However, after conversation with the Planning Service, the application had been withdrawn and a proposal to submit a revised application for planning permission to erect a pair of semi-detached, three bedroom houses arranged on two storeys with associated parking was being considered.

DECISION MADE:

- (1) That the application to apply for planning permission for the site to erect two semi-detached houses and associated parking, be approved;
- (2) That the disposal of the land, subject to planning consent, be approved;

DECISION MADE Continued./.

- (3) That the Head of Financial and Property Services be authorised to appoint the independent valuer as stated in the report, to market the site to the Council's eight RSL preferred partners, or if a suitable disposal price cannot be agreed, to the open market; and
- (4) That the Head of Financial and Property Services, in consultation with the Portfolio Holder for Corporate Services, be authorised to accept the most suitable offer, subject to contract.

REASONS FOR DECISION:

To progress the sale of the site.

Contact Officer: Diane Brady, Estates Officer

Tel: 01892 526121 or e-mail: diane.brady@tunbridgewells.gov.uk

DECISION NO. CAB030/08

EXEMPT

PORTFOLIO:

CORPORATE SERVICES

PORTFOLIO HOLDER:

Councillor Horwood

TITLE OF REPORT:

**Proposed Disposal of Land at Greggs Wood Road,
Tunbridge Wells (080612/CAB023)**

PRIORITIES:

Having Housing Suitable for Local People

DISCUSSION:

Members were reminded that the above premises were owned by the Borough Council and located on a residential estate known as the Sherwood Estate on the east side of Greggs Wood Road, Tunbridge Wells. The site comprised an irregular shaped area of land laid to grass. The gross site area was approximately 4,800 sq metres although a large high voltage power cable ran across the site, so a large portion would be unsuitable for development, other than car parking.

It was noted that the independent Consultant Architect had been instructed to work up a scheme for the site and a planning application was submitted to develop 21 flats in two blocks. However, after conversation with the Planning Service, this application had been withdrawn and the architect was currently in the process of producing a revised application for a total of 18 flats comprising 10 two bedroom and eight one bedroom flats in two blocks constructed up to four storeys and totalling a gross internal floor area of 942 sq metres.

DECISION MADE:

- (1) That the application to apply for planning permission for the site to erect two blocks of affordable housing with appropriate parking on the site be approved;
- (2) That the disposal of the land, subject to planning consent, be approved;
- (3) That the Head of Financial and Property Services be authorised to appoint an appropriately qualified firm of Chartered Surveyors to market the site to the Council's eight RSL preferred partners; and
- (4) That the Head of Financial and Property Services, in consultation with the Portfolio Holder for Corporate Services, be authorised to accept the most suitable offer, subject to contract.

REASONS FOR DECISION:

To progress the sale of the site.

Contact Officer: Diane Brady, Estates Officer
Tel: 01892 526121 or e-mail: diane.brady@tunbridgewells.gov.uk

(NOTE:

- (1) In accordance with Cabinet Procedure Rule 5.2 on public speaking at Cabinet meetings, Mr Wade attended and spoke on decision CAB021/08;
- (2) Councillor Weeden left the meeting after consideration of decision CAB014/08 (11.36am). Councillor Cunningham left the meeting after consideration of decision CAB016/08 (11.58am). Councillor Mrs Crowhurst left the meeting after consideration of decision CAB017/08 (12.07pm).
- (3) The meeting closed at 1.10pm.)

Appendix 1

Q1. How should RDAs satisfy themselves that sufficient capacity exists for programme management and delivery at local or sub-regional level?

Tunbridge Wells Borough Council welcome the recognition that as RDAs move to a more strategic role and take on new responsibilities they will need to delegate funding and management of programmes to local councils. It is however an inappropriate role for RDAs to be involved in assessing local authority capacity. Consideration of local authority capacity should be addressed through the new Comprehensive Area Assessment. In many respects local councils ought to be assessing the RDAs capacity to take on the spatial planning function. Furthermore, in cases where a programme is reflected in a development plan document, the Council's ability to deliver it would have already been considered through the tests of soundness. In any case, it is assumed that if programmes were not delivered within a given period, there would be ways of clawing back the money.

Q2. Do you agree that local authorities should determine how they set up a local authority leaders' forum for their region, and that the Government should only intervene if the required criteria are not met or if it failed to operate effectively? If not, what would you propose instead?

Tunbridge Wells Borough Council agree that it should be for local authorities to decide how to organise themselves regionally. However we would not want to see any form of central government prescription or intervention as to the arrangements that are chosen. In addition the consultation document in general does not provide very clearly for the role of County Councils in two-tier areas.

Q3. Are the proposed regional accountability and scrutiny proposals proportionate and workable?

Tunbridge Wells Borough Council considers that it is key to ensure that the new arrangements are democratically accountable for SNR implementation. The government consults elsewhere (Unlocking the talent of our communities) on reviving civic society and local democracy yet in transferring regional planning powers from Regional Assemblies (with membership of almost two-thirds from democratically elected councillors) to RDAs, which are appointed by and accountable to Ministers in Whitehall significantly undermines democratic accountability and engagement. The element of direct democratic accountability should be at least as good as that in the present system and preferably should represent an improvement.

We are concerned that the consultation paper explicitly states that the accountability of RDAs to the Secretary of State for Business, Enterprise and Regulatory Reform "is the principal way" that RDAs will be held to account. It is a surprise however that the Secretary of State for Communities and Local Government does not have a role, particularly given the new powers, beyond approving the strategy. We also consider that accountability to the elected councils in the region should be as important, given that the RDAs will take responsibility for regional planning, which affects the property rights of individuals and businesses and determines the future character of places.

Scrutiny in local authorities is a function which is separate from the executive functions of the leader and cabinet which are being scrutinised. Any regional scrutiny arrangements developed by councils will need to reflect this distinction and in some cases, this might involve scrutiny of both the local authority role and the RDA role in agreeing and implementing the regional strategy.

Q4. Do you agree that the regional strategy needs to cover the elements listed at paragraph 4.13? Are there other matters that should be included in the regional strategy to help in the delivery of key outcomes?

Clearly the focus on economic development is welcomed but it is somewhat of a surprise to note that issues related to safeguarding the built and natural environment are omitted from the list of contents for a regional strategy. The South East for example has a wonderfully rich and diverse range of countryside and any regional strategy will need to set out a hierarchy of protective measures as well as set out better management of the wider countryside to improve access, renew landscape and increase bio-diversity.

Explicit reference should be made to environmental context/safeguards in this list of elements. As currently expressed, the key outcomes do not adequately reflect the future role of Regional Strategies in delivering a whole raft of planning outcomes that cannot be measured simply in terms of economic growth. It is important that other considerations are given due weight. In its introduction, the document currently refers to delegating decision-making and funding to those authorities best placed to deliver economic improvements. Whilst it is likely that it will always be possible to express proposals in economic terms, this may not always be the priority.

Q5. Do you agree with the way in which we propose to simplify the preparation of the regional strategy, as illustrated in the figure (on page 35), in particular allowing flexibility for regions to determine detailed processes? If not what other steps might we take?

We welcome the recognition that councils should be closely involved in the whole process of preparing regional strategies and its eventual agreement and submission to the secretary of state. We also welcome the emphasis on the aim for achieving “co-ownership of the vision for each region and its delivery” between the RDA and local councils. The timetable looks perhaps optimistic at given that the first round of RSS is yet to be completed. It is important, both for the success of the new regional strategies and for LDFs, that central government does provide greater clarity on national policy at the outset of the process as stated in paragraph 4.20. Constantly evolving guidance and policy has presented a lot of difficulties in early LDF preparation. However, we are concerned that the proposal to allow RDAs to submit a draft strategy for determination by Ministers in the event of a failure to agree it with local authorities will seriously undermine any incentive on RDAs to make sure that they develop a shared vision with local councils.

Q6. Do you think that the streamlined process would lead to any significant changes in the costs and benefits to the community and other impacts?

An improved evidence base is always likely to see an escalation in the costs of the process. Also the wider and more detailed the evidence base becomes the more difficult it is for all communities to engage in the processes. In addition the amount of time available for consultation would potentially be reduced. This may actually be beneficial in one respect as the same argument would not necessarily be rehearsed again and again within different strategies with the attendant costs. This could however be viewed as a loss of accountability. This aspect is then compounded by the proposed structure with the RDA being accountable to the Ministers and not its democratically elected local authorities. Simplifying the process may however make it easier from a business perspective to engage in the process.

Q7. Which of the options for the local authority economic assessment duty (or any other proposals) is most appropriate?

There is an argument that the power for councils in the Local Government Act 2000 to secure the social, economic and environmental wellbeing of an area should be turned into a duty. As an authority we are supportive of a proposal for the limited duty to prepare an economic assessment but that this duty should be discharged jointly by both county and district councils in two-tier areas. The SNR is seeking joint and collaborative working but appears to be seeking to place upper-tier authorities (power to acquire information) against lower-tier authorities who would only have a duty to respond. It would be far more productive to engage lower tier authorities in the process through jointly discharging this duty. It is disappointing that the consultation paper does not propose this approach nor considers the engagement that does take place at a district authority level. The district authorities are the local planning authorities and a direct economic duty at this level would further enhance the commitment and engagement to delivery of economic development. Why else is the government seeking to simplify and integrate the process at a regional level?

In terms of the proposed options the introduction of primary legislation would be preferred to balance the focus on housing already in legislation. In addition this may lead to some consistency and allow comparison of assessments being undertaken. However, this duty must be discharged jointly by both county and district councils in two-tier areas. It would have been useful if the appendices used the same order for the options as the main body of the text.

Q8. What additional information or support do local authorities consider valuable for the purpose of preparing assessments?

The preparation of assessments needs to fit into the wider requirements including Sustainable Community Strategies and Local Area Agreements. If Assessments are to be prepared by the County Council on behalf of/in conjunction with Local Authorities, early clarification of monitoring information required and timetables for reporting would be useful in order that data is comparable across the study area. Should information be required over and above that already reported, additional resources may be required for this purpose. Data requirements should, as far as possible, be aligned to that reported for National Indicators and prescribed Annual Monitoring Report indicators.

Q9. How should lead local authorities engage partners, including district councils, in the preparation of the assessment?

This is somewhat dependent on the nature of the Assessments and the guidance issued. Planning policy guidance increasingly advocates using partnerships comprising of a relatively small number of key stakeholders who can provide a market insight that Local Authorities may lack internally. Whilst this approach is generally supported, it is important that district councils should have a signing off role that is distinct from gaining the agreement of the partnership. If this distinction is unclear, the Assessments have the potential to unexpectedly compromise strategic policy for their areas.

Q10. Which partner bodies should be consulted in the preparation of the assessment?

PCT, Health Trusts, Business Links, Chamber of Commerce, CBI, Business Organisations, LSP, Parish and Town Councils, Police and Emergency Services

Q11. Should any duty apply in London and, if so, which of the proposed models is most appropriate?

No response required.

Q12. Do you agree that there is value in creating statutory arrangements for sub-regional collaboration on economic development issues beyond MAAs? What form might any new arrangements take?

We are supportive of the pragmatic way that SNR deals with cross-boundary working to take account of functional economic areas and plan to build on work across our administrative boundaries with neighbouring authorities to reflect the reality of the way that markets for labour, goods and services operate. The business community is less interested in the boundary within which they sit than in the right infrastructure and economic conditions for them to grow and develop. An additional issue is that a sub-regional economic development focused approach may not cover the same area as other partnership structures that are required for good governance with bodies such as the PCT and upper tier authorities. A prime example would be Royal Tunbridge Wells where the economic impact and influence of the centre extends into Sussex. This is another reason why the assessment duty should be shared by the upper and lower tier authorities rather than just placed on upper tier authorities.

We could also be supportive of statutory sub-regional arrangements if there really was a wider demand in local government.

Q13. What activities would you like a sub-regional partnership to be able to carry out and what are the constraints on them doing this under the current legislation?

Certain activities and developments are dependent on for example transport infrastructure being delivered through national agencies. Economic growth and the ability of sub-regional partnerships to progress beyond talking shops or lobbying bodies is therefore constrained as the infrastructure is delayed or reprioritised. The current position with the dualling of the A21 at Castle Hill is a case in point with the highways Authority placing holding notices on all planning applications in this area.

In addition current and proposed legislation focus on the upper tier, with LABGI and the supplementary business rate as examples, both sited as opportunities for co-operation, yet should as is likely the upper tier have a competing priority agenda maintaining economic growth in certain areas despite a duty to consult will not feature highly.

Q14. How would a sub-regional economic development authority fit into the local authority performance framework?

Ensure that performance framework would also include LSP structures as well Comprehensive Area Assessments.

Q15. Should there be a duty to co-operate at sub-regional level where a statutory partnership exists? To whom should this apply?

If statutory sub regional partnerships are to be established then yes there should be a duty to co-operate. However as per previous comments this duty should be equally spread between upper and lower tier authorities.

Appendix 2**Proposed increases in car park charges**

Name of Car Park	Charging Hours and Scale of Charges – CURRENT	Charging Hours and Scale of Charges – PROPOSED
Crescent Road Car Park/ Little Mount Sion Car Park	Monday to Saturday from 8am to 6pm, Sunday from 10am to 4pm Up to 1 hour 90p Up to 2 hours £1.80 Up to 3 hours £2.70 Up to 4 hours £3.40 Up to 5 hours £4.10 Up to 6 hours £4.60 All day £4.60	Monday to Saturday from 8am to 6pm, Sunday from 10am to 4pm Up to 1 hour £1.00 Up to 2 hours £2.00 Up to 3 hours £3.00 Up to 4 hours £3.80 Up to 5 hours £4.60 Up to 6 hours £5.20 All day £5.20
Mount Pleasant Avenue Car Park/ Town Hall Yard Car Park	Saturday from 8am to 6pm, Sunday from 10am to 4pm Up to 1 hour 90p Up to 2 hours £1.80 Up to 3 hours £2.70 Up to 4 hours £3.40 Up to 5 hours £4.10 Up to 6 hours £4.60 All day £4.60	Saturday from 8am to 6pm, Sunday from 10am to 4pm Up to 1 hour £1.00 Up to 2 hours £2.00 Up to 3 hours £3.00 Up to 4 hours £3.80 Up to 5 hours £4.60 Up to 6 hours £5.20 All day £5.20
Camden Road Car Park Beech Street Car Park	Monday to Saturday from 8am to 6pm, Sunday from 10am to 4pm Up to 1 hour 70p Up to 2 hours £1.40 Up to 3 hours £2.10 Up to 4 hours £2.80 Up to 5 hours £3.50 Up to 6 hours £4.20 All day £4.20	Monday to Saturday from 8am to 6pm, Sunday from 10am to 4pm Up to 1 hour 70p Up to 2 hours £1.40 Up to 3 hours £2.10 Up to 4 hours £2.80 Up to 5 hours £3.50 Up to 6 hours £4.20 All day £4.20
Union House (Open Air) Car Park Union House (Covered) Car Park	Monday to Saturday from 8am to 6pm, Sunday from 10am to 4pm Up to 1 hour 70p Up to 2 hours £1.40 Up to 3 hours £2.10 Up to 4 hours £2.80 Up to 5 hours £3.50 Up to 6 hours £4.20 All day £4.20	Monday to Saturday from 8am to 6pm, Sunday from 10am to 4pm Up to 1 hour 70p Up to 2 hours £1.40 Up to 3 hours £2.10 Up to 4 hours £2.80 Up to 5 hours £3.50 Up to 6 hours £4.20 All day £4.20
Meadow Road Car Park /Great Hall Car Park/ Linden Park Road Car Park	Monday to Saturday from 8am to 6pm, Sunday from 10am to 4pm Up to 1 hour 90p Up to 2 hours £1.80 Up to 3 hours £2.70 Up to 4 hours £3.40 Up to 5 hours £4.10 Up to 6 hours £4.60 All Day £10.00	Monday to Saturday from 8am to 6pm, Sunday from 10am to 4pm Up to 1 hour £1.00 Up to 2 hours £2.00 Up to 3 hours £3.00 Up to 4 hours £3.80 Up to 5 hours £4.60 Up to 6 hours £5.20 All Day £10.00

Name of Car Park	Charging Hours and Scale of Charges – CURRENT	Charging Hours and Scale of Charges – PROPOSED
Royal Victoria Place Car Park	Monday to Saturday from 8am to 6pm, Sunday from 10am to 4pm Up to 1 hour 90p Up to 2 hours £1.80 Up to 3 hours £2.70 Up to 4 hours £3.40 Up to 5 hours £4.10 Up to 6 hours £4.60 All day (Levels 1-to 8) £10.00 All day (Levels 8a & above) £4.60	Monday to Saturday from 8am to 6pm, Sunday from 10am to 4pm Up to 1 hour £1.00 Up to 2 hours £2.00 Up to 3 hours £3.00 Up to 4 hours £3.80 Up to 5 hours £4.60 Up to 6 hours £5.20 All day (Levels 1-to 8) £10.00 All day (Levels 8a & above) £5.20
Torrington Car Park	Monday to Saturday from 8am to 6pm, Sunday from 10am to 4pm Up to 1 hour 30p Up to 2 hours 60p Up to 3 hours 90p Up to 4 hours £1.30 Up to 5 hours £1.50 Up to 6 hours £1.80 All Day £8.00	Monday to Saturday from 8am to 6pm, Sunday from 10am to 4pm Up to 1 hour 30p Up to 2 hours 60p Up to 3 hours 90p Up to 4 hours £1.30 Up to 5 hours £1.50 Up to 6 hours £1.80 All Day £8.00
Paddock Wood Commercial Road East Car Park Commercial Road West Car Park	Monday to Friday from 8am to 6pm Up to 2 hours Free Up to 3 hours 40p Up to 5 hours 60p All day £8.00	Monday to Friday from 8am to 6pm Up to 2 hours Free Up to 3 hours 40p Up to 5 hours 60p All day £8.00

Season Tickets

The amendment of the season ticket charges at the following car parks which will result in the following tariff change effective 1 April 2009: -

Car Park	Current	Proposed
Crescent Road/Mount Pleasant Avenue/Meadow Road	£865	£910
Beech Street/Camden Road Union House	£785	£785
Crescent Road/Mount Pleasant Ave residents' rate	£433	£455
Warwick Road residents only	£320	£320