

**TUNBRIDGE WELLS BOROUGH COUNCIL**

**RECORD OF DECISIONS**

(in terms of Access to Information Rule 18)

**CABINET**

**Thursday 16 April 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; David Candlin, Head of Economic Development and Regeneration; Paul Cummins, Head of Legal Services (whose appointment with the Council commences on 10 June 2009); Laurence Doig, Overview and Scrutiny Officer; Jim Kehoe, Head of Planning Service; Kat Hicks, Senior Overview and Scrutiny Officer; Julie Mellor, Client Services Manager; Louise Phillips, Planning Policy Team Leader; Wendy Newton-May, Senior Committee Administrator; David Scully, Landscape Officer; John Spurling, Principal Planning Officer; and Sheila Wheeler, Chief Executive.

**APOLOGIES FOR ABSENCE**

CAB211/08 No apologies for absence had been received.

**PRESENTATION OF PETITION**

CAB212/08 Further to minute CAB033/08 (17 July 2008 Cabinet meeting) and CAB060/08 (3 September 2008 Cabinet meeting), the Leader of the Council informed Cabinet Members that he had received a further additional petition with over 80 signatures objecting to the possible relocation of the Tourist Information Centre; this now brought the total of signatures received to date to 2,433. Cabinet accepted the additional petition.

**DECLARATIONS OF PREJUDICIAL INTEREST**

CAB213/08 No declarations of interest were made.

**NOTIFICATION OF VISITING MEMBERS WISHING TO SPEAK**

CAB214/08 In accordance with Cabinet Procedure Rule 5.3 and after giving due notice to the Chairman, Councillors Neve and Ransley spoke on decision reference CAB218/08.

**APPROVAL OF CABINET MINUTES DATED 12 MARCH 2009**

CAB215/08 The Minutes of the Cabinet meeting dated 12 March 2009 were considered and were confirmed as a correct record.

**CONSIDERATION OF REPORT FROM THE ENVIRONMENT AND SAFER AND STRONGER COMMUNITIES SELECT COMMITTEE: LICENSING REVIEW**

CAB216/08 Cabinet were advised that this item had been withdrawn to allow further consultation over the licensing function and with the Community Safety Partnership.

## **CONSIDERATION OF REPORT FROM THE CORPORATE SERVICES SELECT COMMITTEE: MEDWAY DEPOT TO NORTH FARM DEPOT REVIEW**

CAB217/08 Members were advised that the Corporate Services Select Committee had conducted a review into the Medway and North Farm Depots, following a referral from a Cabinet Member ([090416/CAB002](#)).

The Senior Overview and Scrutiny Officer reported that, as part of the review, the Committee had investigated the sale of the Medway Depot, investigated the new build at North Farm (including cost, design and value for money) and identified best practice for future large-scale projects.

The key findings of the review were set out for Members' information in the report and the recommendations made to Cabinet were as follows:

- (1) The Medway Depot sale be included on the Committee's 2009 Work Programme for further scrutiny due to concerns raised during the review regarding the provision of affordable housing;
- (2) The Director of Planning and Development attend a future Corporate Services Select Committee meeting to discuss the sale of the land to Fairview Homes, the results achieved from that sale and any ongoing operational difficulties in relation to the affordable housing units;
- (3) The Committee be informed of the findings of the work undertaken by Creative Environmental Networks;
- (4) The Asset Member Champion and Sustainability Co-ordinator work alongside the Creative Environment Networks Company to ensure the North Farm depot is satisfactorily retro-fitted to increase its sustainability and environmental credentials;
- (5) All future large-scale projects ensure comprehensive consultation, consideration of Council objectives and priorities, and improved planning and project management including ensuring a clear audit trail visible to make certain that the success of projects can be subject to in-depth reviews;
- (6) A working party of Councillors be established to overview and comment on project briefs for each future development in excess of £1 million; and
- (7) Officers issue monthly spending reports on future projects in order for there to be scrutiny of any trends occurring and allow action to be taken to rectify difficulties at the earliest opportunity.

The Chief Executive advised that a Project Manager had now been appointed who would address the matters and concerns raised by the Select Committee regarding future large scale projects the Council were involved with. She reassured Members that all projects were currently carefully monitored by Management Board and progress reported to the relevant Portfolio Holder.

**RESOLVED –**

- (1) That the Select Committee, and in particular Councillors Jukes, Cunningham and Davies, be thanked for their report;
- (2) That recommendations (1) to (4) above be approved, subject to an amendment to recommendation (4) to add 'subject to a satisfactory business case being produced to support this.'; and
- (3) That recommendations (5) to (7) be noted and that a further report be submitted to Cabinet once the newly appointed Project Manager has had the opportunity to examine all the Council's existing projects in detail.

**CONSIDERATION OF REPORT FROM THE LOCAL ECONOMY AND HOUSING SELECT COMMITTEE: ROAD SAFETY AND TRANSPORTATION REVIEW REPORT**

CAB218/08 Members were advised that a working group of the Local Economy and Housing Select Committee had undertaken a review of road safety and transportation in the Borough in August 2008 ([090416/CAB003](#)). The final report was considered by the Select Committee at its meeting on 9 April 2009 and a copy of the recommendations agreed was circulated to Cabinet Members prior to the meeting.

Councillors Ransley and Neve attended the Cabinet meeting to present the findings of the group. The Cabinet was asked to support those recommendations that were not the responsibility of the Borough Council and agree the recommendations applicable to them. The recommendations from the Select Committee were as set out below:

**Tactical recommendations to tackle road safety and inappropriate driving**

**Recommendations made to Tunbridge Wells Borough Council (TWBC)**

**RECOMMENDATION 1**

That a Council Officer be added to the mailing list for publicity from the Kent and Medway Safety Camera Partnership to distribute this information to Borough Councillors, Parish and Town Councils, and the Town Forum for further distribution.

**RECOMMENDATION 2**

A Borough Council Officer be identified to receive statistics of speeding tickets issued parish by parish to pass this information on to Parish Councils and the Town Forum.

**RECOMMENDATION 3**

The reduction in the number of crashes at the majority of safety camera sites in the borough be publicised in the Tunbridge Wells local press to emphasise the positive impact they have on safe driving.

**RECOMMENDATION 4**

A Member Briefing be arranged for the Kent and Medway Safety Camera Partnership Project Manager to explain about the work of the Partnership and how Members can support road safety initiatives. Parish Council Chairmen and Clerks and Town Forum Members should also be invited.

RECOMMENDATION 5

That literature produced by the Council that mentions collisions involving vehicles should refer to “crashes” instead of using the word “accidents”.

RECOMMENDATION 6

That the “Give Cyclists Space” sign should be produced and distributed to bus companies to display in bus rear windows on routes most heavily used by cyclists and where safety concerns are the greatest due to the vast amount of traffic.

RECOMMENDATION 20

That the public transport study be presented to the Local Economy and Housing Select Committee on completion in order for Members’ comments to be taken into account when it is presented to Cabinet. Town Forum and Parish Councils will be invited to the meeting for consultation.

RECOMMENDATION 21

The planning protection for the rail bed between Tunbridge Wells West Station and Tunbridge Wells Station be retained with an appreciation of the benefits of the re-opened railway for Tunbridge Wells.

**Recommendations made to TWBC and Kent County Council (KCC)**

RECOMMENDATION 18

A Kent Highways Services Officer be based in the borough to answer highways’ concerns and coordinate responses from Parish and Borough Councillors and Parish Clerks because knowledge of the local area is essential in carrying out this function. If this recommendation is not agreed, a Borough Council Officer should be responsible for receiving highways’ queries from Members and Clerks.

**Recommendations made to KCC**

RECOMMENDATION 7

That cycle lanes in the borough should not be combined with bus lanes.

RECOMMENDATION 9

That the speed limit in Forest Road be changed to 30mph along the entire road and the limit in Benhall Mill Road be changed to 30mph from the junction with Forest Road to continue past the Cemetery.

RECOMMENDATION 10

That 20 mph zones are established in the immediate vicinity of St. Barnabas’ Primary School and St. James’ Junior School in Royal Tunbridge Wells.

RECOMMENDATION 11

That cannon barrel bollards be installed along the edge of the pavement on the southernmost 200m of the east side of St. James’ Road in Royal Tunbridge Wells, to the crossroads with Lansdowne Road and Sandrock Road.

RECOMMENDATION 12

Due to a serious safety concern and fatalities at the junction, the right-hand turn from the A229 and Slip Mill Road in Hawkhurst be banned.

RECOMMENDATION 13

That Kent Highways Services take action to reduce the speed of vehicles travelling along Back Road in Sandhurst.

RECOMMENDATION 14

That Kent Highways Services investigate the damage caused to Whitewell Lane in Cranbrook and find a solution to the road being used as a rat run between the A229 and the A262.

RECOMMENDATION 15

That the priority system at the Wilsley Green junction in Cranbrook be changed to give priority to A229 traffic in both directions.

RECOMMENDATION 16

That access for HGVs from Longfield Road to Liptraps Lane in Royal Tunbridge Wells should be restricted due to safety concerns at the sharp bend in the road. These vehicles should be diverted eastwards along Longfield Road to the A21. The viability of a high kerbed island to form a central reservation and follow the natural curve of the road for approximately 30m at that corner should be investigated.

RECOMMENDATION 17

The work undertaken by KCC be supported in addressing the problem of large vehicles using unsuitable roads. Ward Councillors and Parish and Town Councils should be consulted if any proposals for signs to advise drivers to ignore their SatNavs are made.

RECOMMENDATION 19

That the Town Forum and Borough Councillors are contacted in advance of road closures so that they can inform local residents.

**Recommendations made to Parish Councils**

RECOMMENDATION 8

That in locations where there are safety concerns due to speeding vehicles, Parish Councils be asked to consider whether to implement the Speed Watch scheme.

**Strategic recommendations to improve the flow of traffic in and around Royal Tunbridge Wells**

**Recommendations made to TWBC**

## RECOMMENDATION 22

- (i) The Council support the development of Councillor Mrs Moore's proposed cycle route to link the schools and the Sports Centre to the west of St. John's Road in Royal Tunbridge Wells and investigate sources of funding for the route.
- (ii) The Select Committee carry out a review of the viability of further off-road cycle routes in the borough, including the ones presented by 'Hubs and Spokes' and the Town Forum Transport Representative.

## **Recommendations made to KCC**

### RECOMMENDATION 23

The viability of schools in Royal Tunbridge Wells, particularly the area of the A26 and A264 trunk roads, opening at 8:00am be considered due to the impact that this would have on congestion along this stretch of road in the morning and afternoon rush hours and the improved road safety for children walking home from school.

### RECOMMENDATION 24

Remove the short section of bus-lane northbound, starting just south of Speldhurst Road junction in Royal Tunbridge Wells for 200m. (Councillor Neve is not in favour of the removal of this stretch of bus lane). Traffic turning left into Speldhurst Road currently has to queue in one lane along with traffic continuing northbound along the A26, contributing to congestion. The section of bus lane should be replaced with a dedicated left-turn lane for all vehicles into Speldhurst Road and this action would ease the congestion along this section of road. The traffic lights at the junction should be re-phased for the left-turn phase to operate during the Speldhurst Road exit phase.

### RECOMMENDATION 25

The stretch of road south of the Speldhurst Road/St. John's Road junction and parallel to the A26 presents a significant hazard because cars use it as a rat run to beat the congested traffic on the A26. A physical restriction should be placed at the southern entrance to the road to deter drivers from using it as a rat run and the "Keep Clear" road markings should be replaced by a box junction.

### RECOMMENDATION 26

The section of Culverden Down in Royal Tunbridge Wells from William Street to St. John's Road to be one-way eastbound only (i.e. outwards to St. John's Road).

### RECOMMENDATION 27

Remove the 200m section of bus lane southbound from Woodbury Park Road in Royal Tunbridge Wells to the Mount Ephraim/Grosvenor Road roundabout and replace with a lane for all vehicles bearing left at the roundabout into the town via Grosvenor Road.

- (i) The northern-most 50m (approximately) of the centre lane should be made into a dedicated right turn lane for all vehicles into Culverden Park.

- (ii) The lower stretch of the centre lane should be made into a dedicated lane for all vehicles bearing right at the roundabout to follow the A26 along Mt. Ephraim. Traffic released by the operation of a pelican crossing in situ just to the south of the junction.

#### RECOMMENDATION 28

That a sign be erected at the crossroads between Pembury High Street and the A228 informing drivers that when turning left they can use both lanes to continue to Tunbridge Wells town centre.

#### RECOMMENDATION 29

- (i) The removal of the traffic lights at the crossroads where North Farm meets Longfield Road in Royal Tunbridge Wells. The traffic lights should be replaced by a roundabout at the crossroads and a pelican crossing approximately 50m along the northern access road to the stores.
- (ii) The removal of the traffic lights at the T-junction where Kings Standing Way meets Longfield Road. This should be replaced by a box junction with Longfield Road traffic having right of way.

#### RECOMMENDATION 30

That a width and weight restriction be applied for vehicles travelling south on the B2023 (Prospect Road) from the crossroads with Calverley Road and Bayhall Road in Royal Tunbridge Wells. The restriction should continue along the B2023 where it turns sharply right into Grove Hill, and end at the junction with the A26 (Mount Pleasant Road).

Both Councillors Neve and Ransley expressed their concern that Cabinet was suggesting that many of the issues should be investigated further by other working groups.

It was suggested that the Select Committee should focus on priority issues to ensure that more projects were followed through and completed satisfactorily.

It was agreed that the Kent County Council Highways Portfolio Holder be invited to attend a future Member Briefing to explain how the department operated and its aspirations for the future.

#### **RESOLVED –**

- (1) That the Select Committee, and in particular Councillors Ransley, Neve and Holden who formed the Working Party, be thanked for their report;
- (2) That Recommendations 1, 3, 4, and 20 be agreed;
- (3) That, with regard to Recommendations 16, 17, 22, 25, 26, 27 and 30 a copy of the Select Committee's report be forwarded to The Transport Strategy Working Group for inclusion in its considerations of that Strategy;

- (4) That, with regard to Recommendations 9, 12, 13, 14, 15 and 29, a copy of the Select Committee's report be sent to the Chairman and Vice Chairman of the Joint Transportation Board (JTB) and the Kent County Council Officer responsible for those items to be monitored and progressed through the JTB and the Highways Advisory Board;
- (5) That, with regard to Recommendations 6, 7, 10, 11, 23, 24 and 28, the Leader of the Council write to the Kent County Council Portfolio Holder and ask for his comments on the proposals and action to be taken to implement them;
- (6) That, with regard to Recommendation 5, the Leader of the Council clarifies with Kent County Council the accepted terminology of CRM in Highways and Transport terms;
- (7) That Recommendations 18 and 21 are not agreed at this time pending further informal discussion; and
- (8) That, with regard to Recommendations 8 and 19, the Select Committee be informed that these actions are already in place.

**NOTIFICATION OF OUTCOME OF THE ENVIRONMENTAL AND SAFER AND STRONGER COMMUNITIES SELECT COMMITTEE CONSIDERATIONS: RECYCLING COLLECTION CONTAINERS**

CAB219/08 Cabinet was presented with a report ([090416/CAB004](#)) advising of the recommendations made at a special meeting of the Environment and Safer and Stronger Communities Select Committee on 31 March 2009 to consider recycling collection containers.

It was noted that the Committee had met with Cabinet members, officers and representatives of the Waste and Recycling Contractor, Cory, to further discuss the issue of recycling collection containers.

The Senior Overview and Scrutiny Officer explained that all participants in the discussion had agreed on the need to provide a flexible service to residents of the Borough and encourage participation in the recycling schemes by offering choice. The Committee felt strongly that it could not endorse the use of single use plastic sacks as a suitable container for the collection of recycling as this would wholly go against its support of reducing the use of plastic bags in favour of encouraging residents to use reusable bags and its promotion of environmentally sustainable practices.

It was noted that the Committee agreed unanimously to support the public preference for Council provision of a rigid 55 litre box for the collection for recycling of plastic bottles and cans for the majority of households. In order to provide flexibility, they agreed that, for properties with limited storage space, a reusable hessian sack could be provided and that houses in multi occupancy and flats could be provided with a larger, shared reusable container, more suitable for their needs. The Committee agreed that they would not be prescriptive on the budget for these containers and would ask Cabinet to supply a sufficient budget for their provision.

Reference was made to the use of a 'bag for life' for residents who preferred to use them instead of a container. Although the Client Services Manager stated that she would not discourage any type of container, she emphasised that it had to be suitable for the purpose.

**RESOLVED –**

- (1) That the Select Committee be thanked for their report; and
- (2) That, where a household had decided not to provide their own rigid container or reusable bag, a single, rigid, 55 litre container, or a reusable hessian bag or appropriate rigid container be supplied to every household which has not opted out of the recycling scheme and an appropriate budget be agreed for these provisions.

---

**RECOMMENDATION TO COUNCIL**

**DECISION NO. CAB220/08**

**NON-EXEMPT**

**PORTFOLIO:**

**CORPORATE SERVICES**

**PORTFOLIO HOLDER:**

**Councillor Len Horwood**

**REPORT TITLE:**

**Acquisition of Assets (090416/CAB013)**

**PRIORITIES:**

All

**DISCUSSION:**

The Director of Change and Business Support presented a report advising Members that the downturn in the economy had had an impact on the number of empty residential and commercial properties, as well as undeveloped or on part - developed sites.

As part of the budget scrutiny, the Corporate Services Select Committee had recommended to Cabinet that plans should be drawn up on how to use the Council's unallocated reserves and the Cabinet asked officers to come forward with ideas.

Members noted that these reserves were currently invested in financial institutions in line with the Council's Treasury Management Strategy. Although Financial Services invested wisely throughout 2008, a number of investments would be maturing over the coming weeks and months leaving the Council the difficulty of having to find a secure investment whilst only being able to attract low interest rates. Members were informed that investment in property was one response to this. The report advised that officers had taken a snapshot of the property market in the Borough and, using this as a guide, a budget of £2.5m was suggested.

Members were reminded that the Asset Management Plan, adopted by Full Council in February 2009, recognised the role of the Corporate Asset Working Group (CAWG) in the management of the Council's asset portfolio.

Members recommended that, should full Council agree a budget for the Acquisition of Assets, the following decision-making process be agreed:

- a) That the CAWG agree that the acquisition of the asset benefits the Council and its community in line with the Asset Management Plan; and
- b) That subject to the approval of the CAWG, final approval is delegated to the Council's S151 Officer in consultation with the Portfolio Holder for Corporate Services.

**DECISION MADE:**

- (1) That Full Council be recommended that a budget of £2.5m be set aside for the acquisition of assets to support the Council's vision; and
- (2) That the decision to acquire an asset be delegated to the Council's Section 151 Officer in consultation with the Portfolio Holder for Corporate Services and the Leader of the Council.

**REASONS FOR DECISION:**

The recommendation will enable the Council to invest reserves in the acquisition of property to support the delivery of the Council's Vision.

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

**CABINET DECISIONS**

**DECISION NO. CAB221/08**

**NON-EXEMPT**

**PORTFOLIO:**

**THE LEADER**

**PORTFOLIO HOLDER:**

**Councillor Roy Bullock**

**REPORT TITLE:**

**Consideration of Forward Plan ([090416/CAB005](#))**

**PRIORITY:**

A7 – Ensuring the Council are well managed, proactive and deliver value for money services

**DECISION MADE:**

That the Forward Plan be approved, subject to the following additions:  
  
Cabinet on 18 June 2009 - Assembly Hall Theatre – Capital Expenditure (Corporate Services Portfolio Holder)

Corporate Services Select Committee on 14 July and Cabinet on 30 July – Annual Equality Report 2008-09

Environment and Safer and Stronger Communities Select Committee on 30 June and Cabinet on 30 July – Adoption of Air Quality Action Plan

Borough Parking Review – outcomes (Cabinet -TBA)

Cabinet on 10 September 2009 -Partnership Working

**REASONS FOR DECISION:**

To comply with Access to Information Procedure Rule 14

**Contact Officer: Wendy Newton-May, Senior Committee Administrator**  
**Tel: 01892 554007 or e-mail: wendy.newton-may@tunbridgewells.gov.uk**

**DECISION NO. CAB222/08**

**NON-EXEMPT**

**PORTFOLIO:**

**PLANNING AND DEVELOPMENT**

**PORTFOLIO HOLDER:**

**Councillor Elizabeth Thomas**

**REPORT TITLE:**

**Local Development Framework: Core Strategy  
Submission Version (090416/CAB006)**

**PRIORITY:**

All

**DISCUSSION:**

The Head of Planning Services presented a report informing Cabinet that the final Core Strategy had now been prepared on the basis of an extensive evidence base and following two public engagement stages during which the Borough Council consulted with a variety of stakeholders.

An amendment to the report of responses to the document was circulated to Members prior to the Cabinet meeting. This was agreed by Members and the report would therefore be amended by the Head of Planning Services under the delegated authority given at the January Cabinet meeting.

Cabinet was asked for approval to publish the Core Strategy under Regulation 27 of the Town and Country Planning Regulations 2008 in order to allow stakeholders six weeks to make representations on the “soundness” of the document before it was submitted to the Secretary of State for examination by an independent Inspector.

The Head of Planning Services clarified the general definition of ‘soundness’ and confirmed that legal advice had been taken.

The key policy issues were set out for Members in the report.

**DECISION MADE:**

- (1) That the Core Strategy Submission Version and its associated Sustainability Appraisal Report be approved for:
- Publication under Regulation 27 to provide a six-week period during which stakeholders may make representations on the “soundness” of the Plan under Regulation 28; and
  - Submission to the Secretary of State under Regulation 30, by the Head of Planning Services in consultation with the Planning and Development Portfolio Holder, provided that no representations made under Regulation 28 are considered to render the Plan “unsound”.
- (2) That authority be delegated to the Head of Planning Services, in consultation with the Planning and Development Portfolio Holder, to make any amendments necessary to finalise the Core Strategy for publication, including amendments to wording; formatting; and the addition of appropriate images.

**REASONS FOR DECISION:**

To be able to submit the Core Strategy to the Secretary of State in accordance with Section 20 of the Planning and Compulsory Purchase Act, 2004.

**Contact Officer: Louise Phillips, Planning Policy Team Leader**  
**Tel: 01892 525121 or e-mail: [louise.phillips@tunbridgewells.gov.uk](mailto:louise.phillips@tunbridgewells.gov.uk)**

**DECISION NO. CAB223/08**

**NON-EXEMPT**

**PORTFOLIO:**

**PLANNING AND DEVELOPMENT**

**PORTFOLIO HOLDER:**

**Councillor Elizabeth Thomas**

**REPORT TITLE:**

**The Kent High Weald Project Memorandum of Agreement and Service Level Agreement**  
**(090416/CAB007)**

**PRIORITY:**

All

**DISCUSSION:**

The Head of Planning Services presented a report reminding Cabinet that the Kent High Weald Project (KHWP) was one of seven Countryside Management Projects (CMPs) operating in Kent but uniquely amongst CMPs the KHWP worked within a single Borough, Tunbridge Wells.

Jointly funded by Kent County Council (KCC) and Tunbridge Wells Borough Council (TWBC) the KHWP worked to a 5-year business plan monitored by a steering group.

Members noted that the operation of the KHWP was governed by a Memorandum of Agreement between KCC and TWBC covering the same period as the business plan, currently 2004-2009.

The report set out the revised Memorandum of Agreement which was now supported by a Service Level Agreement covering the core funding which provided direction for a revised business plan. Members agreed that both these documents would enable the Kent High Weald project to continue to work within a well-defined remit supporting the Council on delivery of a number of plans and strategies and contribute towards the Council meeting its statutory obligations.

Members discussed the Council's contribution towards core funding of the Kent High Weald Project and agreed that this should not rise annually at 2.5% due to the current financial constraints that the Council faced.

**DECISION MADE:**

- (1) That the Memorandum of Agreement between KCC and TWBC governing the management of the KHWP be signed to allow the project to continue with the benefit of a formal agreement between core funders; and
- (2) That the Service Level Agreement between the KHWP and TWBC covering core funding be signed, to allow the KHWP to be monitored on its performance and value for money, subject to an amendment to the document to clarify that the Council's contribution would not rise annually at 2.5%.

**REASONS FOR DECISION:**

- (1) To support the Council's priorities of caring for the environment and engaging with the community and support the Council in discharging its statutory duties with respect to the High Weald Area of Outstanding Natural Beauty and biodiversity; and
- (2) To ensure that the KHWP operates within a formal agreement for core funders and to improve monitoring of project outputs and value for money.

**Contact Officer: David Scully, Landscape Officer**  
**Tel: 01892 525121 or e-mail: david.scully@tunbridgewells.gov.uk**

---

**DECISION NO. CAB224/08**

**NON-EXEMPT**

**PORTFOLIO:**

**PLANNING AND DEVELOPMENT**

**PORTFOLIO HOLDER:**

**Councillor Elizabeth Thomas**

---

**REPORT TITLE:**

**Local Development Framework: Strategic Housing Land Availability Assessment (090416/CAB008)**

**PRIORITY:**

All

**DISCUSSION:**

The Head of Planning Services presented a report advising Cabinet that the Strategic Housing Land Availability Assessment (SHLAA) was a key evidence document that had been used to inform the Core Strategy. The Secretary of State's Proposed Changes to the South East Plan recommended that a total of 6,000 net additional dwellings be provided in Tunbridge Wells Borough between 2006 and 2026.

It was noted that the SHLAA had been used to help the Borough Council to ensure that there was an adequate housing land supply to meet the emerging South East Plan target.

Members discussed the findings of the SHLAA, namely that there were sites with housing potential that could accommodate a net additional 6,000 dwellings (2006-2026). The SHLAA identified:

- a five-year supply of specific, deliverable sites for years 1-5 (from 1 April 2010 up to 31 March 2015) and
- a further supply of specific, developable sites for years 6-10 (from 1 April 2015 up to 31 March 2020) and years 11-15 (from 1 April 2020 up to 31 March 2025)

It was emphasised that the SHLAA was not a site allocations document. Site allocations will be made in subsequent development plan documents.

**DECISION MADE:**

- (1) That the SHLAA be approved for:
  - publication at the same time as the Core Strategy is published under Regulation 27; and
  - submission to the Secretary of State as an evidence document to support the Core Strategy; and
- (2) That delegated authority be given to the Head of Planning Services, in consultation with the Planning and Development Portfolio Holder, to make any amendments necessary to finalise the SHLAA for publication, including amendments to wording and formatting.

**REASONS FOR DECISION:**

To comply with Section 20(3) of the Planning and Compulsory Purchase Act, 2004.

Contact Officer: John Spurling, Principal Planning Officer  
Tel: 01892 525121 or e-mail: john.spurling@tunbridgewells.gov.uk

---

**DECISION NO. CAB225/08**

**NON-EXEMPT**

**PORTFOLIO:**

**LEADER OF THE COUNCIL**

**PORTFOLIO HOLDER:**

**Councillor Roy Bullock**

**REPORT TITLE:**

**Comprehensive Performance Assessment  
(090416/CAB009)**

**PRIORITY:**

All

**DISCUSSION:**

The Interim Head of Community and Corporate Planning presented a report advising Members of the result of the Comprehensive Performance Assessment of the Council that was received in March 2009.

The report reminded Members that, in June 2008, the Council submitted a bid for recategorisation of the 'weak' CPA score that had been received in 2004. In November 2008 the Audit Commission's Corporate Assessment Team visited the Council to collect evidence to help them form their judgements for CPA.

Members expressed their delight in being rated as 'excellent' and were advised that the Council was one of only three authorities in England to have made the jump from 'weak' to 'excellent'.

A number of the strengths identified in the CPA report were set out for Members' information, as well as the two areas suggested for improvement.

**DECISION MADE:**

- (1) That the CPA Report be noted; and
- (2) That areas for improvement be integrated within the Service Plans and Portfolio Plans for 2009/10.

**REASONS FOR DECISION:**

To inform Members of the CPA result.

Contact Officer: Raymond Warren, Interim Head of Community and Corporate Planning  
Tel: 01892 525121 or e-mail: Raymond.warren@tunbridgewells.gov.uk

---

**DECISION NO. CAB226/08**

**NON-EXEMPT**

**PORTFOLIO:**

**LEADER OF THE COUNCIL**

**PORTFOLIO HOLDER:**

**Councillor Roy Bullock**

**REPORT TITLE:**

**Urban Parishing (090416/CAB010)**

**PRIORITY:**

A6 – Improving the confidence of its communities

**DISCUSSION:**

Further to decision reference CAB124/08, the Chief Executive presented a report advising Members on how to take forward the recommendations of the Corporate Services Select Committee relating to Urban Parishing.

The recommendations of the Select Committee were set out again in the report for Members' information, however the Chief Executive advised that the matter had been considered at Management Board who concluded that there were insufficient staff resources at the present time.

She stressed that an overview of the required resources needed to be developed, including professional financial advice, legal advice and consultation with stakeholders.

It was noted that the newly appointed Delivery Unit Manager had been instructed to scope this project and identify the cost and staffing implications to the Council.

Mrs Blackburn, Chair of the Rusthall Village Association, had registered to speak on this item and expressed her disappointment with the report and lack of progress made. The Chief Executive explained that other significant projects had taken priority. She added that, although the Council was keen to move this forward, it was important for it to be properly scoped first.

**DECISION MADE:**

That the progress on Urban Parishing be noted.

**REASONS FOR DECISION:**

The Delivery Unit is considered to be the best way to take forward the recommendations of the Select Committee.

**Contact Officer: William Benson, Director of Change and Business Support  
Tel: 01892 525121 or e-mail: William.benson@tunbridgewells.gov.uk**

**DECISION NO. CAB227/08**

**NON-EXEMPT**

**PORTFOLIO:**

**LEADER OF THE COUNCIL**

<b>PORTFOLIO HOLDER:</b>	<b>Councillor Roy Bullock</b>
<b>REPORT TITLE:</b>	<b>Wellbeing Power (090416/CAB011)</b>
<b>PRIORITY:</b>	All
<b>DISCUSSION:</b>	<p>The Chief Executive submitted a report advising Members of the Wellbeing Power, introduced through the Local Government Act in 2000, which made provision for all principal local authorities in England and Wales to do anything that they considered likely to promote the economic, social and environmental wellbeing of their area, unless explicitly prohibited elsewhere in legislation.</p> <p>It was noted that between 2003 and 2007 there had been an ongoing evaluation of the use and impact of the Wellbeing Power and in November 2008, an evaluation of the take-up was published by the Department for Communities and Local Government.</p> <p>The report informed Members of the main findings of the research and the ways in which local authorities currently used the Wellbeing power. The evaluation made a number of recommendations for local authorities to adopt in relation to increasing the promotion and awareness of the Wellbeing power.</p>
<b>DECISION MADE:</b>	That this Council's use of the Wellbeing power be noted.
<b>REASONS FOR DECISION:</b>	To seek to raise awareness and publicise again the opportunities of the Wellbeing power with local partners.

**Contact Officer: Shelia Wheeler, Chief Executive**  
**Tel: 01892 525121 or e-mail: Sheila.wheeler@tunbridgewells.gov.uk**

**DECISION NO. CAB228/08**

**NON-EXEMPT**

<b>PORTFOLIO:</b>	<b>LEADER OF THE COUNCIL</b>
<b>PORTFOLIO HOLDER:</b>	<b>Councillor Roy Bullock</b>
<b>REPORT TITLE:</b>	<b>Portfolio Plans (090416/CAB012)</b>
<b>PRIORITY:</b>	All

**DISCUSSION:**

The Director of Change and Business Support submitted a report advising that, as part of the Council's corporate planning processes, Cabinet members had historically written 'portfolio statements' setting out their responsibilities and their objectives for the next three years. It had now been agreed that this year's portfolio's statements be approved by Cabinet before they are put on the Council's website and presented to the Select Committees.

**DECISION MADE:**

That the portfolio statements be approved.

**REASONS FOR DECISION:**

The portfolio statements, coupled with service plans for individual service areas provide direction to the way in which the Strategic Plan will be delivered.

Contact Officer: William Benson, Director of Change and Business Support  
Tel: 01892 525121 or e-mail: [William.benson@tunbridgewells.gov.uk](mailto:William.benson@tunbridgewells.gov.uk)

---

**DECISION NO. CAB229/08**

**NON-EXEMPT**

**PORTFOLIO:**

**LEADER OF THE COUNCIL**

**PORTFOLIO HOLDER:**

**Councillor Roy Bullock**

**REPORT TITLE:**

**Annual Audit and Inspection Letter 2007/08, Including Use of Resources (090416/CAB014)**

**PRIORITIES:**

All

**DISCUSSION:**

The Interim Head of Community and Corporate Planning presented a report outlining the conclusions of the 2007/08 annual audit of Tunbridge Wells Borough Council by the Audit Commission. Also included for Members' information was the Detailed Use of Resources and Data Quality Reports. These were summarised in the Council's Annual Audit and Inspection Letter from the Audit Commission attached at Appendix A to the report.

Members were advised that the quality of the Council's accounts had significantly improved from the previous year and the Council had improved in every single Use of Resources' category and achieved a maximum Level 4 out of 4 for value for money. Members were advised that there were no issues or weaknesses identified during the data quality audit and a number of key strengths were noted.

It was noted that the Audit Committee had considered the points that had been raised by the Annual Audit and Inspection Letter and would be incorporating them into their Monitoring Plan.

**DECISION MADE:**

- (1) That the Annual Audit and Inspection Letter and Use of Resources Report be noted; and
- (2) That the Audit Committee receive the Improvement Plan and monitor its implementation over 2009/10.

**REASONS FOR DECISION:**

To advise Members that the Council had received an unqualified opinion of its accounts and value for money conclusion.

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

**Tel: 01892 525121 or e-mail: [Raymond.warren@tunbridgewells.gov.uk](mailto:Raymond.warren@tunbridgewells.gov.uk)**

---

**DECISION NO. CAB230/08**

**NON-EXEMPT**

**PORTFOLIO:**

**CORPORATE SERVICES**

**PORTFOLIO HOLDER:**

**Councillor Len Horwood**

**REPORT TITLE:**

**Legal Services (090416/CAB015)**

**PRIORITIES:**

A5 – Delivering high quality services to our customers.  
A7 – Ensure we are well managed, proactive and deliver value-for-money services.

**DISCUSSION:**

The Director of Change and Business Support presented a report setting out proposals for a shared legal services structure with Maidstone and Swale Borough Councils.

Members were advised that each authority would retain its own Monitoring Officer; however the operational management of the service would be undertaken by a shared Senior Group Manager and a shared Legal Operations Manager. The overall reporting lines were illustrated for Members in the report and it was considered that this Partnership would provide for improved resilience, reduced cost and improved customer service. The anticipated savings were demonstrated in the report. It was estimated that the net savings in year 1 would be £62.6k, rising to £97.5k by year three.

The Chief Executive mentioned that Cabinet would be receiving future reports on partnership working in other areas of the Council.

**DECISION MADE:**

- (1) That agreement be given to the establishment of a shared legal service arrangement with Maidstone and Swale Borough Councils and Tunbridge Wells Borough Council, subject to:

- Outcomes of formal staff consultation;
  - Outcomes of final user consultation; and
  - Final confirmation that the other partners wish to join.
- (2) That delegated authority be given to the Director of Change and Business Support, in consultation with the Corporate Services Portfolio Holder, to approve any changes to the Business Case attached to the report that were not material to the provision of an effective Legal Service to the authority;
- (3) That, when the conditions above are met, delegated authority be given to the Director of Change and Business Support, in consultation with the Corporate Services Portfolio Holder, to enter a legal agreement with the other partners to give effect to the shared arrangement for the service; and
- (4) That the anticipated net savings be noted.

**REASONS FOR DECISION:**

The reasons for the recommendation are set out within the report and the Business Case.

**Contact Officer: William Benson, Director of Change and Business Support**  
**Tel: 01892 525121 or e-mail: [William.benson@tunbridgewells.gov.uk](mailto:William.benson@tunbridgewells.gov.uk)**

**DECISION NO. CAB231/08**

**NON-EXEMPT**

**PORTFOLIO:**

**LEADER OF THE COUNCIL**

**PORTFOLIO HOLDER:**

**Councillor Roy Bullock**

**REPORT TITLE:**

**Basket of Economic Indicators for Tunbridge Wells Borough Council – February 2009 (090416/CAB016)**

**PRIORITIES:**

All

**DISCUSSION:**

The Interim Head of Community and Corporate Planning submitted a report updating Members on the economic performance of the Borough. The report covered the latest data available and aimed to help Members evaluate and mitigate strategic risks. A selection of performance indicators, known to be sensitive to economic conditions, had been put together, including a number that were new.

Members expressed concern that the current economic conditions were now affecting a number of areas of performance. It was noted that these were subject to close monitoring by officers and Members and would allow early indications to be viewed of local conditions and trends.

However, Members were pleased to note that the number of Go! Cards had exceeded targets for this year. It was suggested that this could be due to a re-branding of the leaflet, as well as the publicity provided in the Gateway.

It was requested that, for presentation purposes, future reports could combine Paddock Wood East and West.

**DECISION MADE:**

That the report be noted and no further indicators be identified for future monitoring at this time.

**REASONS FOR DECISION:**

In response to previous Cabinet recommendations.

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

**Tel: 01892 525121 or e-mail: [Raymond.warren@tunbridgewells.gov.uk](mailto:Raymond.warren@tunbridgewells.gov.uk)**

---

**DECISION NO. CAB232/08**

**NON-EXEMPT**

**PORTFOLIO:**

**SAFER AND STRONGER COMMUNITIES**

**PORTFOLIO HOLDER:**

**Councillor James Scholes**

**REPORT TITLE:**

**Enhancement of Open Space at South View Road, High Brooms (090416/CAB017)**

**PRIORITIES:**

The enhancement of the land at South View Road would achieve objectives linked to the Developing Safer and Stronger Communities priority. In particular the project would enable children and young people to take part in positive physical activity. Recreation land at South View Road is allocated in the Local Plan as a site for a local equipped area for play (LEAP). The project will also provide diversionary activities which will potentially discourage crime and anti-social behaviour, thus addressing the Council's obligations under section 17, Crime and Disorder Act 1998.

**DISCUSSION:**

The Head of Leisure and Wellbeing submitted a report which summarised the strategic and community need for the proposed enhancement of the open space at South View Road, High Brooms.

Members were provided with an outline of the project and the proposed funding sources and project timetable. It was noted that the need to enhance the area with the inclusion of facilities for young people had been identified at local level and in the Local Plan. In addition, the proposed use of developer contributions demonstrated value for money for the Council and delivered a much-needed facility which addressed the Council's Safer and Stronger Communities priority.

Concern was expressed that, as the area was not fenced, suitable bins would need to be provided for dog litter and dog walkers educated to clean up after their animal.

**DECISION MADE:**

- (1) That the Head of Leisure and Wellbeing be given authority to seek tenders and accept the most appropriate tender, in consultation with the Portfolio Holder for Safer and Stronger Communities;
- (2) That authority be given to utilise the following developer contributions for the proposed local equipped area for play (LEAP) at South View Road:  

99/02164	22.12.06	179-183 Upper Grosvenor Rd	£6,582
05/01913	04.10.05	77 Mount Ephraim	£14,124
05/02356	29.03.06	161 St John's Road	£3,450
Total			£24,156
- (3) That the balance of the project costs, amounting to £54,000, be funded from the Council capital allocation; and
- (4) That the Head of Leisure and Wellbeing be authorised to submit a planning application if required.

**REASONS FOR DECISION:**

In response to previous Cabinet recommendations.

**Contact Officer: Nigel Bolten, Head of Leisure and Wellbeing**  
**Tel: 01892 525121 or e-mail: [nigel.bolten@tunbridgewells.gov.uk](mailto:nigel.bolten@tunbridgewells.gov.uk)**

---

(NOTE:

- (1) The meeting closed at 12.42pm;
- (2) In accordance with Cabinet Procedure Rule 5.2 on public speaking at Cabinet meetings, Mrs Blackburn attended and spoke on the decision CAB227/08)