

TUNBRIDGE WELLS BOROUGH COUNCIL

RECORD OF DECISIONS

(in terms of Access to Information Rule 18)

CABINET

Friday 13 November 2009

Present: Councillor Roy Bullock (Chairman)

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

Officers in Attendance: Stephanie Bollen Hickman, Housing Policy and Research Manager; Helen Clarke, Housing Needs Manager; Lee Colyer, Head of Finance and Governance (S151 Officer); Paul Cummins, Legal Services Manager/Monitoring Officer; Deborah Exall, Head of Strategic Policy from Kent County Council; Trevor Gasson, Interim Director of Regeneration and Sustainability; Andrew Goy, Scrutiny Officer; Nick Green, Community Development Officer; Alan Legg, Principal Design and Heritage Officer; Samantha Timms, Senior Committee Administrator; Raymond Warren, Delivery Unit Manager; and Sheila Wheeler, Chief Executive.

Other Members in Attendance: Councillors John Cunningham, Mrs June Crowhurst, Peter Davies, Sean Holden and Ron Weeden.

Members of the Public in Attendance: Bruce Cova, Cranbrook Parish Councillor Brian Swann, Phillip Mummy and Derek Wills.

APOLOGIES FOR ABSENCE

CAB094/09 Apologies for absence were received from Councillors Mrs Catherine Mayhew and Frank Williams and William Benson, Director of Change and Business Support.

DECLARATIONS OF PREJUDICIAL INTEREST

CAB095/09 No declarations of interest were made.

NOTIFICATION OF VISITING MEMBERS WISHING TO SPEAK

CAB096/09 In accordance with Cabinet Procedure Rule 5.3, the following Councillors attended and spoke on the following decisions:

Councillor Cunninham – Decision CAB106/09
 Councillor Peter Davies – Decisions CAB101/09, CAB106/09, CAB109/09 and CAB110/09
 Councillor Sean Holden – Decision CAB101/09
 Councillor Ron Weeden – Decisions CAB101/09 and CAB103/09

Councillor Mrs June Crowhurst introduced the following items on behalf of Councillor Frank Williams: CAB110/09, CAB111/09, CAB112/09 and CAB113/09.

MINUTES OF THE JOINT TRANSPORTATION BOARD DATED 5 OCTOBER 2009

CAB097/09 The minutes of the Joint Transportation Board dated 5 October 2009 were submitted for members' approval.

RESOLVED – That the recommendations of the Joint Transportation Board dated 5 October 2009 be agreed.

APPROVAL OF CABINET MINUTES DATED 8 OCTOBER 2009

CAB098/09 The minutes of the Cabinet meeting dated 8 October 2009 were considered and confirmed as a correct record.

The Chairman informed Cabinet that an article had appeared in the Tunbridge Wells Courier regarding the Tunbridge Wells Regeneration Company.

QUESTIONS FROM MEMBERS OF THE COUNCIL

CAB099/09 There were no questions submitted from members of the Council.

QUESTIONS FROM MEMBERS OF THE PUBLIC

CAB100/09 There were no questions submitted from members of the public.

CONSIDERATION OF REPORT FROM LOCAL ECONOMY AND HOUSING SELECT COMMITTEE – BOROUGH-WIDE CAR PARK CHARGING

CAB101/09 The Scrutiny Officer presented a report notifying Cabinet of the recommendations made by the Local Economy and Housing Select Committee at its meeting on 20 October 2009.

It was noted that the Select Committee had examined a Car Parking Study Report commissioned by the Environment and Street Scene Service to assess options and costs associated with upgrading the free to park car parks operated by the Borough Council and to look at introducing a pay to park system. This included determining the level of occupancy of the car parks and proposing parking management/charging options.

The Select Committee's recommendation to Cabinet was as follows:

- (1) That formal consultation on car park charging across the borough be commenced, to include residents, Parish and Town Councils, local Ward Members and local businesses;
- (2) That consideration of public transport and economic impact be included in this consultation due to the lack of detail in the report; and
- (3) That the consultation, once completed, returns to the Select Committee prior to a decision being made by Cabinet.

One petition had been received by the Leader of the Council on 26 October 2009, objecting against the closure of High Brooms car park. The petition would now be submitted to the Head of Environment and Street Scene following the Cabinet meeting. Cabinet noted that no formal petition had been received from residents of Cranbrook.

The Head of Environment and Streetscene explained that the report had been commissioned to consider the technical parking issues and that it was the intention that the economic impact and public transportation issues of any proposals would be addressed.

After a lengthy debate, Cabinet agreed that further in-depth work would need to be carried out with regard to the consultation and that the consultation must include residents, businesses, parish councillors and ward councillors.

Cabinet discussed the car parks involved, namely:

John Street, Tunbridge Wells – Cabinet agreed that there should be no change to this car park as it was identified in the first tranche of sites for redevelopment by the Tunbridge Wells Regeneration Company.

Pennington Road and Yew Tree Road in Southborough – Should within the consultation include the following four options:

1. No change;
2. Introduction of an up to two hours free, thereafter be charged at an hourly rate yet to be determined, together with residents' permits and season tickets;
3. Introduction of an up to two hours free, thereafter be charged at an hourly rate yet to be determined; or
4. Introduction of full charging at a rate yet to be determined together with residents' permits and season tickets.

Regal, Tanyard and Jockey Lane in Cranbrook – To follow the same consultation options as Pennington Road and Yew Tree Road as outlined above.

Stone Street in Tunbridge Wells – Introduce season tickets only.

Fowlers and North Grove in Hawkhurst – Should not change.

High Brooms in Southborough – Should remain as no change.

RESOLVED –

- (1) That the Select Committee be thanked for their report;
- (2) That formal consultation on the following car parks commence. Those consulted must include residents, businesses, parish councillors and ward councillors:

Pennington Road and Yew Tree Road in Southborough – Should within the consultation include the following four options:

1. No change;
2. Introduction of an up to two hours free, thereafter be charged at an hourly rate yet to be determined, together with residents' permits and season tickets;
3. Introduction of an up to two hours free, thereafter be charged at an hourly rate yet to be determined; or
4. Introduction of full charging at a rate yet to be determined together with residents' permits and season tickets.

Regal, Tanyard and Jockey Lane in Cranbrook – Should within the consultation include the following four options:

1. No change;
2. Introduction of an up to two hours free, thereafter be charged at an hourly rate yet to be determined, together with residents' permits and season tickets;
3. Introduction of an up to two hours free, thereafter be charged at an hourly rate yet to be determined; or
4. Introduction of full charging at a rate yet to be determined together with residents' permits and season tickets.

Stone Street in Tunbridge Wells – Introduce season tickets only.

- (3) That consideration of public transport and economic impact be included within the consultation due to the lack of detail within the report;
- (4) That the consultation, once completed be submitted to the Select Committee prior to a decision being made by Cabinet; and
- (5) That at this time, no changes be proposed for Fowlers and North Grove in Hawkhurst and High Brooms in Southborough.

RECOMMENDATION TO COUNCIL

DECISION NO. CAB102/09

NON-EXEMPT

PORTFOLIO:

LEADER OF THE COUNCIL

PORTFOLIO HOLDER:

Councillor Bullock

REPORT TITLE:

Appointment of the Deputy Mayor (091113/CAB008)

PRIORITIES:

Ensuring that the Council are well-managed, proactive and deliver value-for-money services.

DECISION MADE:

That Councillor Peter Davies be nominated as Deputy Mayor for 2010/2011.

REASONS FOR DECISION:

To comply with legislation.

Contact Officer: Mike McGeary, Democratic Services Manager

Tel: 01892 554219 or e-mail: mike.mcgeary@tunbridgewells.gov.uk

CABINET DECISIONS

DECISION NO. CAB103/09

NON-EXEMPT

PORTFOLIO:

FINANCE & GOVERNANCE

PORTFOLIO HOLDER:	Councillor Horwood
REPORT TITLE:	Consideration of the Forward Plan (091113/CAB002)
PRIORITIES:	Confident – Developing the Government’s ‘localism’ agenda.
DECISION MADE:	That the Forward Plan be approved, subject to the following amendments: <ul style="list-style-type: none"> • Capital Grant Application - Tunbridge Wells Cricket Club – 17 December 2009 • Partnership with the Public – 17 December 2009
REASONS FOR DECISION:	To comply with Access to Information Procedure Rule 14.

Contact Officer: Samantha Timms, Senior Committee Administrator
Tel: 01892 554219 or e-mail: sam.timms@tunbridgewells.gov.uk

DECISION NO. CAB104/09 **NON-EXEMPT**

PORTFOLIO:	PLANNING AND ECONOMIC DEVELOPMENT
PORTFOLIO HOLDER:	Councillor Mrs Thomas
REPORT TITLE:	The Colonnade Hawkhurst – Heritage Partnership Grant (091113/CAB003)
PRIORITIES:	<p>Green: The historic built environment that provides a powerful sense of identity will be maintained in good order and enhanced.</p> <p>Prosperous: The borough more generally will have enhanced its natural and built assets while planning for and accommodating future growth.</p> <p>Confident: A thriving community pride culture will have developed with high levels of volunteering and public involvement.</p>
DISCUSSION:	The Principal Design and Heritage Officer presented a report outlining the poor condition of the listed Colonnade at Hawkhurst, an important heritage asset in the Conservation Area. Members were advised of the concerns of the local community to the condition of this locally cherished feature expressed through the Hawkhurst Happens healthcheck.

It was noted the Community Partnership had taken the initiative and achieved the agreement of the nine separate building owners to collectively undertake necessary repairs and had achieved some funding towards this major project.

The report recommended that the Borough Council should contribute £35,400 from the Borough Council's Heritage Partnership Grant to achieve this unique opportunity to repair the Colonnade.

Cabinet was informed that there remained only £17,000 from the Heritage Partnership Grant Programme this financial year. It was agreed that the application before members today was a very worthwhile grant and should be supported and that the remainder of the grant be awarded in the 2010/2011 financial year, subject to the Heritage Partnership Grant Programme being reinstated next year.

The start date to commence work was planned for February/March 2010 with works taking two/three months to complete.

Cabinet also sought clarification from officers regarding the 'conditions' referred to in relation to recommendation (2) of the report. The Principal Design and Heritage Officer stated that discussions were currently taking place with the Tunbridge Wells' Legal Service to draw up suitable Legal Agreements for each partner to sign. This would ensure that the Colonnade would be kept maintained.

After due consideration Cabinet agreed £17,000 be allocated from this year's remaining Heritage Partnership Grant with the remainder to be paid next financial year, subject to the Heritage Partnership Grant Programme being reinstated.

DECISION MADE:

- (1) That an offer of £17,000 be made in this financial year toward the repair of the Colonnade, with the remainder of the offer of £18,400, (£35,400 in total) being made in the next financial year (2010/2011), on the basis that the remaining budget shortfall would be achieved through additional matched SEEDA funding; and
- (2) That appropriate conditions be placed on the offer regarding future upkeep and decoration.

REASONS FOR DECISION:

To support the Council's priorities of caring for and enhancing the environment and to maintain the attractiveness of the borough for the community and to encourage future growth.

Contact Officer: Alan Legg, Principal Design and Heritage Officer
Tel: 01892 526121 ext. 2080 or email: alan.legg@tunbridgewells.gov.uk

DECISION NO. CAB105/09

NON-EXEMPT

PORTFOLIO:

PLANNING & ECONOMIC DEVELOPMENT

PORTFOLIO HOLDER:

Councillor Mrs Thomas

REPORT TITLE:

Typical Urban Character Appraisal – Local Development Design Guide (091113/CAB004)

PRIORITIES:

Green: The historic built environment that provides a powerful sense of identity will be maintained in good order and enhanced through high quality redevelopment.

Prosperous: The borough more generally will have enhanced its natural and built assets while planning for and accommodating future growth.

DISCUSSION:

The Principal Design and Heritage Officer presented a report advising members of the Typical Urban Character Area Appraisal (TUCAA) which provided a description and analysis of the character of the urban settlements within the borough.

It was noted that the TUCAA provided a greater objectivity for Development Control. Through the series of 'mini assessments', it provided a benchmark against which to assess development proposals.

It should also encourage applicants and their agents to better appreciate the need to address local distinctiveness and address context and also contribute to other urban design work and Council strategies.

Members asked that a colour copy of the document be left in the Members' Room in order that all members could view it.

DECISION MADE:

That the Typical Urban Character Area Appraisal be approved as key evidence for LDF and adopted as being a material consideration in all planning matters.

REASONS FOR DECISION:

To support the Council's priorities of caring for and enhancing the environment and to maintain the attractiveness of the borough for the community and to encourage future growth.

Contact Officer: Alan Legg, Principal Design and Heritage Officer
Tel: 01892 526121 ext. 2080 or email: alan.legg@tunbridgewells.gov.uk

DECISION NO. CAB106/09

NON-EXEMPT

PORTFOLIO:

HOUSING, HEALTH AND WELL-BEING

PORTFOLIO HOLDER:

Councillor Mrs Mayhew

REPORT TITLE:

Delivering Services which meet the Needs of Older People in the Borough (091113/CAB005)

PRIORITIES:

Endorsement of the Kent Policy Framework for Later Life – “Living Later Life to the Full” – and provision of services that are aligned to delivering the seven key priorities under the Policy Framework will further the Council’s corporate priorities of developing a borough that is ‘Healthy’, ‘Green’, ‘Prosperous’ and ‘Confident’.

DISCUSSION:

The Housing Policy and Research Manager provided Cabinet with an update on the older persons’ agenda from a national and local perspective.

The report presented to Cabinet sought approval to endorse the Kent Policy Framework for Later Life – “Living Later Life to the Full” – as the overarching older persons’ strategy for the Borough Council. Members were also provided with an update on local activities currently being provided to engage with older people in the borough.

Debra Exall, Head of Strategic Policy from Kent County Council was invited to address the Cabinet. Ms Exall explained the raising aspiration for older people and the balance between challenges and opportunities.

Cabinet endorsed the overarching older persons’ strategy for the Borough Council and asked that the recommendations be submitted to the Tunbridge Wells Older People’s Informal Members’ Working Party.

DECISION MADE:

- (1) That the Kent Policy Framework for Later Life – “Living Later Life to the Full” be endorsed as the overarching older persons’ strategy for the Borough Council; and
- (2) That the recommendations contained within the Policy Framework be submitted to the Borough Council’s Older People’s Members’ Informal Working Party for their consideration.

REASONS FOR DECISION:

To ensure that services were responsive to the needs of older people in the borough. To further the Council's corporate priorities of 'Healthy', 'Green', 'Prosperous' and 'Confident', and provide a vehicle through which older people could influence local policy-making.

Contact Officer: Stephanie Bollen Hickman, Housing Policy and Research Manager
Tel: 01892 554042 or e-mail: stephanie.bollenhickman@tunbridgewells.gov.uk

DECISION NO. CAB107/09**NON-EXEMPT****PORTFOLIO:****HOUSING, HEALTH AND WELL-BEING****PORTFOLIO HOLDER:****Councillor Mrs Mayhew****REPORT TITLE:****Joint Homelessness Strategy – Update Report
(091113/CAB006)****PRIORITIES:**

The Council has statutory responsibilities in respect of homelessness and the implementation of actions under the Joint Homelessness Strategy supports the Council's corporate priorities of 'Healthy' and 'Confident'.

DISCUSSION:

The Head of Housing provided members with an update on the progress in implementing the Joint Homelessness Strategy with Sevenoaks District Council and Tonbridge and Malling Borough Council, adopted by the Council in October 2007. Members were pleased to note that the Council had succeeded in continuing to reduce homeless applications and acceptances, in spite of the economic recession, although it was anticipated that as the recession continued there was the potential for increased home repossessions and homelessness.

Given the current recession, and the General Election which was anticipated in 2010, members considered that it was the wrong time to develop a new Homelessness Strategy. It was suggested that the current Strategy be extended to the end of July 2011. Cabinet noted the update that was appended to the report.

Cabinet agreed to the extension to July 2011 and asked that the following points be answered outside the meeting:

- i) No. 14 – Who and why decided that all new developments would have a standard Section 106 Agreement?

- ii) No. 21 – Provide an update on this as stated in the report that was deferred due to other priorities.
- iii) No. 30 – This was difficult to take forward due to changes. The Plan would need to be reviewed regularly.

DECISION MADE:

- (1) That progress in implementing the 'Joint Homelessness Strategy – Towards 2010' be noted;
- (2) That the current Joint Homelessness Strategy Action Plan be extended to the end of July 2011; and
- (3) That delegated authority be given to the Portfolio Holder for Housing, Health and Wellbeing to approve the Joint Homelessness Strategy Action Plan extension to the end of July 2011 in conjunction with Sevenoaks District Council and Tonbridge and Malling Borough Council.

REASONS FOR DECISION:

To further the Council's corporate priorities of 'Healthy' and 'Confident' and to comply with the Council's legal duty to prepare a Homelessness Strategy in accordance with the provisions of the Homelessness Act 2002.

Contact Officer: Helen Clarke, Housing Needs Manager
Tel: 01892 554153 or e-mail: Helen.clarke@tonbridgewells.gov.uk

DECISION NO. CAB108/09

NON-EXEMPT

PORTFOLIO:

HOUSING, HEALTH AND WELLBEING

PORTFOLIO HOLDER:

Councillor Mrs Mayhew

REPORT TITLE:

Village Hall and Community Centre Capital Projects – Grant Aid Kilndown Village Hall and Lamberhurst War Memorial Hall (091113/CAB007)

PRIORITIES:

- (1) Prosperous
- (2) Green
- (3) Confident

DISCUSSION:

The Head of Leisure Services presented a report providing details of two applications (1) Kilndown Village Hall for a grant of £50,000 towards the costs of a new build and (2) Lamberhurst War Memorial Hall for a grant of £15,561 towards the costs of renewing the electrical system and energy efficiency works.

Members were reminded that this Authority had over many years operated a joint funding scheme in conjunction with Kent County Council (KCC). The Kent County Council Village & Community Hall Grant Scheme was conditional on the Borough Council supporting and providing up to 25% of project costs to a maximum of £50,000.

KCC would then normally match and double this funding up to 50% of project costs to a maximum of £100,000.

DECISION MADE:

(1) That the applications from (1) Kilndown Village Hall for a grant of up to £50,000 and (2) Lamberhurst War Memorial Hall for a grant of up to £15,561 be approved; and

(2) That grants of up to £50,000 and £15,561 be paid to Kilndown Village Hall and Lamberhurst War Memorial Hall respectively subject to confirmation that funding from Kent County Council and other sources is in place.

REASONS FOR DECISION:

To enable a new village/community hall to be built at Kilndown and enable essential electrical works and energy efficiency works to be carried out at Lamberhurst War Memorial Hall.

Contact Officer: Nigel Bolton, Head of Leisure Services
Tel: 01892 554264 or e-mail: nigel.bolton@tunbridgewells.gov.uk

DECISION NO. CAB109/09**NON-EXEMPT****PORTFOLIO:****LEADER OF THE COUNCIL****PORTFOLIO HOLDER:****Councillor Bullock****REPORT TITLE:****Partnership with the Public (091113/CAB009)****DISCUSSION:**

This item was withdrawn from the agenda. It was agreed that it would be submitted to 17 December Cabinet meeting.

DECISION MADE:

That the report be submitted to the 17 December Cabinet meeting.

Contact Officer: Sheila Wheeler, Chief Executive

Tel: 01892 554219 or e-mail: sheila.wheeler@tunbridgewells.gov.uk

DECISION NO. CAB110/09

NON-EXEMPT

PORTFOLIO:

POLICIES AND PARTNERSHIPS

PORTFOLIO HOLDER:

Councillor Williams

REPORT TITLE:

**Ward Walks' Programme: Annual Review
(091113/CAB010)**

PRIORITIES:

The information gathered through the Ward Walks' programme helps to determine resident satisfaction with all aspects of the Council and its partner's services. Therefore this programme supports all corporate priorities and cross cutting commitments.

DISCUSSION:

The Delivery Unit Manager presented a report reviewing the progress of the Ward Walks' programme. Members were reminded that the programme was set up in July 2007 to meet a number of aims surrounding community engagement and most importantly enable all residents to have their say about what was important to them in their local area.

It was noted that, including those areas first piloted, ten parish/ward areas within the borough had now been visited and an exceptional amount of detailed information gathered about each of these communities. Residents were asked questions on their local area, community safety, service satisfaction, receiving information, community facilities and given the opportunity to discuss what they felt needed to be improved in their local area.

The report set out a table which detailed the key components of the programme, highlighted the strengths and made recommendations for improvements.

Cabinet asked that the officer investigate whether or not the feedback newsletter could be incorporated in the Borough 'Local' magazine. The officer agreed to look into the possibility and stated that residents felt it important to receive feedback from the Ward Walks.

If Local was not the appropriate method by which to feedback to residents, the officer would look for an alternative.

DECISION MADE:

- (1) That the strengths of the programme to date and the key findings be noted; and
- (2) That the suggested recommendations, as set out in the report, be put into action to ensure the programme delivers maximum impact, thus improving the quality of life for all.

REASONS FOR DECISION:

To review the Ward Walks and make recommendations on areas that require further improvement, to ensure the programme runs most effectively.

Contact Officer: Holly Goring, Research and Information Officer
Tel: 01892 554158 or e-mail: holly.goring@tunbridgewells.gov.uk

DECISION NO. CAB111/09**NON-EXEMPT****PORTFOLIO:****POLICIES AND PARTNERSHIPS****PORTFOLIO HOLDER:****Councillor Williams****REPORT TITLE:****Streetcruiser Bus Mobile Youth Facility
(091113/CAB011)****PRIORITIES:**

Confident / Healthy: the continuing operation of the Council's Streetcruiser Bus mobile youth facility contributes to the Council's aims of developing safer and stronger communities and increasing young people's participation in positive activities.

DISCUSSION:

The Community Development Officer presented a report which outlined the arrangements for the operation of the Council's Streetcruiser Bus mobile youth facility.

Members were advised that the current vehicle was now extremely old (30 years) and was beginning to suffer frequent mechanical problems and becoming difficult to maintain. In May 2009, with Kent Youth Service as the named supporting organisation and Tunbridge Wells Borough Council also supporting the application, young people in the borough made a bid to KCC's Youth Capital Fund for funding for a replacement fully refitted and refurbished bus, for a total of £120,000.

Cabinet was advised that the success of the bid presented this Council with the opportunity to acquire a new capital asset at no capital cost. However, it also had implications for the staff costs associated with project managing the refit and the on-going costs associated with owning and maintaining the bus. Although the costs of maintaining and servicing a newer bus should show a substantial saving, the costs associated with wages and fuel would increase if the bus was used more frequently.

Cabinet discussed a number of possible options:

1. Project manage the acquisition and re-fit of a new community bus and continue to budget for the costs of running and maintaining the bus, as part of the partnership arrangement currently in place with Kent Youth Service. Investigate opportunities for further partnership funding for revenue costs and make use of the bus for other outreach projects and services besides youth – e.g. leisure and health outreach services.
2. Offer the bus as a capital asset to Kent Youth Service, who will then be solely responsible for the project management of the re-fit and the on-going revenue costs (although Kent Youth Service have indicated that currently they would not want to take on the bus in this capacity).
3. Withdraw from the current arrangement, dispose of the bus and decline the Youth Capital Fund grant, with associated revenue cost savings.

Cabinet agreed with the acquisition and re-fit of a new community bus but felt that Kent County Council should be pursued for joint funding and that that agreement be sought by the end of January 2010.

The Interim Director Regeneration and Sustainability informed Cabinet that he had discussed the issue with Amanda Honey, Managing Director of the Communities Directorate at Kent County Council, relating to the issue of partnership delivery of youth services in the borough; a firm reply was yet to be received.

Cabinet was also informed that Theresa Seal, from Kent County Council, had attended the informal Members' Working Party and had clarified her position and involvement with the Community Bus and Tunbridge Wells Borough Council could influence its use. Ms Seal, at the time, had agreed to discuss funding with Kent County Council; as yet a reply had not been received.

Councillor Mrs Thomas asked for the possibility of the Community Bus to include transporting young people from urban communities into the town, such as to attend the cinema at Knight's Park and return.

DECISION MADE:

That the designated Head of Service be given appropriate authority to pursue the following decision:

Project manage the acquisition and re-fit of a new community bus subject to a financial case being made to Kent County Council for joint funding of the revenue costs and that the agreement be in place by the end of January 2010.

REASONS FOR DECISION:

To enable the Council and its partners to provide an enhanced outreach service for young people across the Borough and develop flexible outreach services in other priority areas.

Contact Officer: Nick Green, Community Development Officer
Tel: 01892 526121, ext 3382 or e-mail: nick.green@tunbridgewells.gov.uk

DECISION NO. CAB112/09

NON-EXEMPT

PORTFOLIO:

POLICIES AND PARTNERSHIPS

PORTFOLIO HOLDER:

Councillor Williams

REPORT TITLE:

Review of Community Grants' Programme
(091113/CAB012)

PRIORITIES:

Confident / Healthy: the Community Grants' programme contributes primarily to the Council's aim of developing safer and stronger communities and providing leisure opportunities.

DISCUSSION:

The Community Development Officer presented a report which provided an overview and review of the Community Grants' programme process for 2009/10.

The report also reported on the project outcomes achieved by voluntary and community organisations as a result of grant support from the Council in the first year of the revised Community Grants' programme in 2008/09.

Members were advised that the Community Grants' Programme for 2009/10 successfully amalgamated leisure revenue grants and saw an overall increase in the number of applications received.

Having reviewed the scheme, officers recommended that the grants' programme be amended to clarify that:

- A set amount of the grants' budget amounting to £12,500 would be kept back for the second round of grant applications. Any unallocated budget from round one in excess of £12,500 would also be available for the second round pot.
- Unsuccessful applicants in round one of the grants' programme would not be eligible to apply in round two in the same financial year. This would ensure that it was not possible for an organisation to make a further application when their project had already been rejected under the same grants' programme in that financial year.

Officers assured members that the programme would continue to be evaluated and monitored, with the help of feedback from voluntary and community organisations, to ensure that it provided value for money and continued to assist voluntary and community organisations with projects that helped to achieve the Borough Council's corporate priorities and contribute to the borough Sustainable Community.

Cabinet asked that the second bullet point be expanded to read as follows:

“Unsuccessful applicants in round one of the grants' programme who were not recommended to go forward in the second tranche, would not be eligible to apply in round two in the same financial year. This would ensure that it was not possible for an organisation to make a further application when their project had already been rejected under the same grants' programme in that financial year.”

DECISION MADE:

(1) That the report be noted; and

(2) That the Grants' Programme be amended as described above.

REASONS FOR DECISION:

1. To inform Cabinet of the progress of the Community Grants' programme; and
2. To make amendments to the programme so that it remains transparent and equitable.

Contact Officer: Nick Green, Community Development Officer
 Tel: 01892 526121, ext 3382 or e-mail: nick.green@tunbridgewells.gov.uk

DECISION NO. CAB113/09

NON-EXEMPT

PORTFOLIO:

POLICIES AND PARTNERSHIPS

PORTFOLIO HOLDER:

Councillor Williams

REPORT TITLE:

Kent Partners' Compact ([091113/CAB013](#))

PRIORITIES:

Confident: Adopting the Kent Partners' Compact will set a new framework for effective engagement, communication, representation and partnership working with the Voluntary and Community sector.

DISCUSSION:

The Community Development Officer presented a report advising members that the West Kent Compact, adopted by Tunbridge Wells Borough Council in March 2004, was now over five years old and the document now required updating and refreshing. The Cabinet was informed that the Kent Partners' Compact was published in February 2009 and was a partnership agreement between the voluntary and community sector (VCS) and the public sector in Kent. The Community Development Officer explained that it was a jointly agreed framework of principles to guide their future working relationship for the benefit of the Kent community.

Formally adopting the new Kent Partners' Compact would:

- help create a more consistent and productive relationship between the Voluntary and Community Sector and public sector
- set a new framework for effective engagement, communication, representation and partnership working
- complement two tier working between county and district councils.

Members noted that if the Kent Partners' Compact was not adopted, the Council would remain signed up to the original West Kent Compact, which had become increasingly redundant. The Council would risk showing a lack of commitment to enhancing relationships and developing partnership working with the Voluntary and Community Sector.

DECISION MADE:

That the Kent Partners' Compact be adopted in place of the West Kent Compact.

REASONS FOR DECISION:

To help create a more consistent and productive relationship between the Voluntary and Community Sector and public sector; set a new framework for effective engagement, communication, representation and partnership working; and complement two tier working between county and district councils.

Contact Officer: Nick Green, Community Development Officer

Tel: 01892 526121, ext 3382 or e-mail: nick.green@tunbridgewells.gov.uk

DECISION NO. CAB114/09

NON-EXEMPT

PORTFOLIO:

FINANCE AND GOVERNANCE

PORTFOLIO HOLDER:

Councillor Horwood

REPORT TITLE:

Quarterly Governance Update (091113/CAB014)

PRIORITIES:

The report and the reports to which it relates support all of the Council's priorities by ensuring that it is well governed, that the Council's financial position is sound, and that key performance indicators are on track and that risks above tolerance are being proactively managed.

DISCUSSION:

The Head of Finance and Governance introduced a range of reports for Cabinet's attention, detailing the way in which the Council was performing and being governed.

The key message arising from this quarter's reports, particularly those relating to performance, financial management and risks, was the continued impact of the economic downturn on the Council.

DECISION MADE:

Each recommendation was dealt with individually as shown below.

REASONS FOR DECISION:

To inform Cabinet of the Council's performance.

Contact Officer: William Benson, Director of Change and Business Support

Tel: 01892 526121 or e-mail: William.benson@tunbridgewells.gov.uk

DECISION NO. CAB115/09
NON-EXEMPT**PORTFOLIO:****THE LEADER****PORTFOLIO HOLDER:****Councillor Bullock****REPORT TITLE:****Quarter 2 2009/10 Performance Report
(091113/CAB015)****PRIORITIES:**

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

DISCUSSION:

The Delivery Unit Manager presented a report containing information on the Council's performance for quarter 2, 2009/10 and outlined the progress being made towards the Council's Corporate Priorities through National Indicators and Local Performance Indicators.

Each Portfolio Holder went through their area and provided explanations as to why certain indicators had fallen below target.

Members were pleased to note that annual performance data from the Audit Commission had shown that the Council was performing strongly in the core services. Challenging targets had been set year-on year to drive continuous performance and set more locally-based performance indicators to analyse progress against the Council's Strategic Plan

DECISION MADE:

- (1) That the progress of the Council's performance be noted;
- (2) That the following local indicators become Key Performance Indicators:
- LP Health 01 - Number of contacts with Healthier Communities activities;
 - LP Health 02 - Number of first time contacts with Healthier Communities activities;
 - LP Health 03 - Number of positive health outcomes reported from Choosing Health activities.
- (3) That the following National Indicators become Key Performance Indicators:
- NI187 – Tackling fuel poverty: % of people receiving income based benefits living in homes with a low energy efficiency rating;

- NI156 – Number of Households living in temporary accommodation.

(4) That the relevant select committee consider whether further action plans need to be developed in addition to those agreed after Quarter 1.

REASONS FOR DECISION:

To ensure that performance is monitored.

Contact Officer: Raymond Warren, Delivery Unit Manager

Tel: 01892 526121 or e-mail: Raymond.warren@tunbridgewells.gov.uk

DECISION NO. CAB116/09

NON-EXEMPT

PORTFOLIO:

FINANCE & GOVERNANCE

PORTFOLIO HOLDER:

Councillor Horwood

REPORT TITLE:

**Quarter 1 – Capital Management to 30 September 2009
(091113/CAB016)**

PRIORITIES:

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

DISCUSSION:

The Head of Finance and Governance submitted a report which compared capital projects approved by the Cabinet with actual capital expenditure up to 30 September 2009, and compared projected outturn for the year with the approvals to date.

Members were advised that the Capital Programme for the years to 2012/13 had been built up using a formal application process whereby Cabinet determined new schemes that were to be included.

The Cabinet was advised that it had now approved a total of £13,422,000 of capital spending, of which £7,062,000 was due to be spent in 2009/10.

The report showed that £4,033,000 of this amount was now expected to be spent in 2010/11, leaving £3,029,000 spending for the current financial year. £835,000 was actually spent up to the end of September.

Members were asked to approve the transfer of schemes between the years, and also some small adjustments to net spending. It was noted that there were expected net underspends, not related to movements between years, of £40,000. The largest individual item, of £50,000, related to provision of £50,000 for a Park and Ride scheme, for which there were no current plans (there was a revenue scheme for a Park and Ride study).

In addition it was reported that the Head of Environmental and Street Scene's spend to date of £138,000 was all that was required against the provision of £150,000 for the Recycling Containers scheme, and approval was sought to move the remaining £12,000 to the revenue budget for replenishment of stock.

Members' approval was also sought to vary the Capital Programme for the remaining differences as shown in Appendix B to the report.

DECISION MADE:

- (1) That the actual expenditure on capital schemes to 30 September 2009 be noted; and
- (2) That the deferrals of capital schemes to 2010/11 and the net adjustments to the Capital Programme be approved, as set out in paragraphs 7 to 9 and in Appendices A and B of the report.

REASONS FOR DECISION:

The additional payments are already spent or committed, and the new arrangements for managing the Capital Programme are designed to ensure that this situation would not recur.

Contact Officer: Steve Boswick, Interim Finance Manager

Tel: 01892 526121 or e-mail: steve.boswick@tunbridgewells.gov.uk

DECISION NO. CAB117/09

NON-EXEMPT

PORTFOLIO:

FINANCE & GOVERNANCE

PORTFOLIO HOLDER:

Councillor Horwood

REPORT TITLE:

Quarter 2 Revenue Management (091113/CAB017)

PRIORITIES:

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

DISCUSSION:

The Head of Finance and Governance submitted a report which showed members the Revenue Budget for the quarter ended 30 September 2009, and highlighted the significant changes from the approved budget. Members were advised that overall this showed a decline on the original budget with the projected outturn showing a reduced deficit of £81,000.

DECISION MADE:

- (1) That the amendments to the projected outturn and variances within this report be acknowledged;
- (2) That the savings detailed in Appendix B (Pages 1 to 5) of the report be approved;
- (3) That the write-off of a sundry income debt for £2,430.00 as detailed in paragraph 19 of the report be approved; and
- (4) That the establishment of new reserves totaling £1,150,000 as detailed in paragraphs 20 to 23 to the report be approved.

REASONS FOR DECISION:

To help achieve the revenue expenditure and income plans as set out in the original budget for the year.

Contact Officer: Lee Colyer, Head of Finance and Governance
Tel: 01892 526121 or e-mail: lee.colyer@tunbridgewells.gov.uk

DECISION NO. CAB118/09

NON-EXEMPT

PORTFOLIO:

FINANCE & GOVERNANCE

PORTFOLIO HOLDER:

Councillor Horwood

REPORT TITLE:

Quarter 2 – Treasury and Prudential Indicator Monitoring ([091113/CAB018](#))

PRIORITIES:

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

DISCUSSION:

The Head of Finance and Governance presented a report advising the Cabinet of the Council’s compliance with the Treasury Management Policy and Strategy for the period 1 July to 30 September 2009. Members were pleased to note that none of the prudential indicators were breached in the period.

The report updated members on the position of the current investments held by the Council and the amount of interest that was expected to be received from the investments during 2009/10, which remained at £900,000. All the Council's investments were now held in the United Kingdom.

It was noted that the target interest rate for 2009/10 was set at 3.36%, however this was now forecast to be 2.745% as the Council was unable to find investment opportunities within its strategy that paid at the rate required by this target.

The Head of Finance and Governance advised that the investment income for 2009/10 included in the revenue budget was £1,100,000 but it was expected that the interest received this year would be £900,000, a reduction of £200,000.

DECISION MADE:

That the second quarter 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: Lee Colyer, Head of Finance and Governance

Tel: 01892 526121, ext 3132 or e-mail: lee.colyer@tunbridgewells.gov.uk

DECISION NO. CAB119/09

NON-EXEMPT

PORTFOLIO:

FINANCE & GOVERNANCE

PORTFOLIO HOLDER:

Councillor Horwood

REPORT TITLE:

Complaints Data – 6 Monthly Report ([091113/CAB019](#))

PRIORITIES:

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

DISCUSSION:

The Customer Care Manager presented a report providing members with details of the total number of complaints received in the first six months of 2009/10, which showed a small increase of 2.5% from the last six months of 2008/09.

Members were advised that the number of complaints escalating past stage one of the Council's Corporate Complaints Procedure had fallen by 13% showing that officers were resolving complaints at the first opportunity.

It was noted that complaints progressing beyond the Complaints Procedure and being referred to the Ombudsman had dropped from eight to six, indicating that independent investigations provided by the Customer Care Manager at the final stage of the Complaints Procedure were helping to resolve disputes.

The Customer Care Manager reported that all performance indicators had been achieved during the period.

DECISION MADE:

That the report be noted.

REASONS FOR DECISION:

To update Cabinet on the complaints received.

Contact Officer: Paul Kitson, Customer Care Manager
Tel: 01892 526121, ext. 3327 or e-mail: paul.kitson@tunbridgewells.gov.uk

DECISION NO. CAB120/09

NON-EXEMPT

PORTFOLIO:

FINANCE & GOVERNANCE

PORTFOLIO HOLDER:

Councillor Horwood

REPORT TITLE:

Risk Management – Strategic Risk Review
(091113/CAB020)

PRIORITIES:

The report fully supports the Council's commitment to 'Ensuring that we are well managed and deliver value for money services' and supports the Governance framework.

DISCUSSION:

The Audit Manager presented a report informing members of the current position regarding the strategic risks together with detailed action plans to manage these risks.

Cabinet was advised that the six highest risks continued to be directly influenced by the current economic climate; action was being taken where possible to mitigate these risks.

In addition, it was noted that the authority currently had 19 strategic risks which were set out in the report.

Attached to the report at Appendix C the detailed Management action plans for each risk were set out, which identified the vulnerability, the responsible officer for each element of the risk, key dates and a description of the current position.

DECISION MADE:

That the key strategic risks be agreed as those identified and the proposed management action plans to manage these risks be agreed.

REASONS FOR DECISION:

To inform members of the strategic risks within the organisation and the actions being taken to manage those risks.

Contact Officer: Ian Cumberworth, Internal Audit Manager
Tel: 01892 526121 or e-mail: ian.cumberworth@tunbridgewells.gov.uk

DECISION NO. CAB121/09

NON-EXEMPT

PORTFOLIO:

FINANCE & GOVERNANCE

PORTFOLIO HOLDER:

Councillor Horwood

REPORT TITLE:

Basket of Economic Indicators for Tunbridge Wells Borough Council – September 2009 (091113/CAB021)

PRIORITIES:

The monitoring of these economic indicators will help the evaluation of strategic risk across all services and therefore supports all corporate priorities and commitments.

DISCUSSION:

The Delivery Unit Manager 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 were advised that the current economic conditions were still affecting certain areas of performance, which were subject to close monitoring by officers and members. Although some signs of recovery were evident, the local economy was not yet safely out of the down-turn and the degree of sustainability of a possible recovery was unclear.

At the request of members at a previous Cabinet meeting, a map identifying the % of retail premises in the town centre that were still vacant was attached to the report at Appendix B – this illustrated that those vacant had increased to 11.6%.

DECISION MADE:

- (1) That the trend charts shown in Appendix A of the report be noted and a review take place towards the end of the year; and
- (2) That the map in Appendix B to the report showing the vacant retail premises in Tunbridge Wells town centre be noted.

REASONS FOR DECISION:

In response to previous Cabinet recommendations.

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

DECISION NO. CAB122/09

NON-EXEMPT

PORTFOLIO:

FINANCE & GOVERNANCE

PORTFOLIO HOLDER:

Councillor Horwood

REPORT TITLE:

Fees and Charges Setting for 2010/2011
(091113/CAB022)

PRIORITIES:

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

DISCUSSION:

The Head of Finance and Governance presented a report detailing the process and methodology used to propose new fees and charges for 2010/11 (excluding car parking). The appendices to the report set out the current and proposed fees and charges for material areas of income.

Members were advised that each service had been responsible for proposing their own fees and charges however there had been a coordinated approach to this process through the Income Management Group. This approach would ensure that fees and charges were considered together by Cabinet and would be used to inform the budget setting process for 2010/11.

The Head of Finance and Governance explained that each service had followed a consistent approach, which had also included an assessment of the effects of the economic downturn and other factors affecting future usage. To improve budget management and to facilitate early intervention to variances, income projections would be based upon quantity of sales or usage multiplied by the proposed fee.

Cabinet were provided with details of two new charges proposed namely: charging for the payment of discretionary services via credit card and an environmental surcharge at the Crematorium. Work was continuing through the budget setting process and the Income Management Group to identify other new income streams.

DECISION MADE:

That the fees and charges set out within the report and the appendices be confirmed.

REASONS FOR DECISION:

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

Contact Officer: Lee Colyer, Head of Finance and Governance

Tel: 01892 526121, ext 3132 or e-mail: lee.colyer@tunbridgewells.gov.uk

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

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

DECISION NO CAB123/09

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

DECISION NO. CAB123/09**EXEMPT****PORTFOLIO:****FINANCE AND GOVERNANCE****PORTFOLIO HOLDER:****Councillor Horwood**

REPORT TITLE:	Property Transactions up to 30 June 2009 (091113/CAB023)
PRIORITIES:	Our Services for Local People.
DISCUSSION:	<p>The Head of Economic Development and Regeneration presented a report, advising Cabinet of the completed property transactions under delegated authority in respect of commercial properties up to 30 June 2009.</p> <p>Cabinet asked that the Interim Director of Regeneration and Sustainability seek clarification of the lease expiry for the Paddock Wood CAB.</p>
DECISION MADE:	That the report be noted.
REASONS FOR DECISION:	To inform Cabinet and comply with the requirements of the Constitution.

Contact Officer: Diane Brady, Estates Officer
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(NOTE:

- (1) In accordance with Council Procedure Rule 12 on public speaking at Board/Committee meetings, the following members of the public attended and spoke on the decision indicated:
Cranbrook Parish Councillor Brian Swann, Phillip Mummary and Derek Wills - CAB101/09

Bruce Cova – CAB103/09
- (2) Councillor Sean Holden left the meeting after decision CAB101/09 (10.25am).
Councillor Ron Weeden left the meeting during decision CAB106/09 (10.46am).
Councillors June Crowhurst, John Cunningham and Peter Davies all left the meeting after decision CAB112/09 (12noon); and
- (3)The meeting closed at 12.20pm).