

TUNBRIDGE WELLS BOROUGH COUNCIL

CABINET

MINUTES of the meeting held at the Council Chamber, Town Hall, Royal Tunbridge Wells, TN1 1RS, at 10.30 am on Thursday, 2 December 2021

Present: Councillor Tom Dawlings (Chairman)
Councillors Bailey, Fairweather, March and McDermott

Officers in Attendance: William Benson (Chief Executive), Lee Colyer (Director of Finance, Policy and Development (Section 151 Officer)), Paul Taylor (Director of Change and Communities), Jane Fineman (Head of Finance and Procurement), Jane Clarke (Head of Policy and Governance), Katie Exon (Corporate Property Manager), John Antoniadis (Estates Manager), Stephen Baughen (Head of Planning Services), Nichola Watters (Planning Policy Manager), Terry Hughes (Community Safety Manager), Mark O'Callaghan (Scrutiny and Engagement Officer), Claudette Valmond (Head of Legal Partnership and Interim Monitoring Officer) and Caroline Britt (Democratic Services Officer)

Other Members in Attendance: Councillor Pound

APOLOGIES

CAB91/21 Apologies for absence were received from Councillors Scott and Hamilton

DECLARATIONS OF INTEREST

CAB92/21 Councillors Bailey, Fairweather, March and McDermott had been lobbied by an opposer in respect of Agenda Item 18, Benenden Neighbourhood Development Plan.

Councillor Dawlings declared a significant interest in Agenda Item 18, Benenden Neighbourhood Development Plan and did not vote on this item.

NOTIFICATION OF PERSONS WISHING TO SPEAK

CAB93/21 Ms Hazel Strouts (member of the public) had registered as wishing to speak on Agenda Item 18. Ms Nicola Thomas (Chair of Benenden Parish Council) had registered as wishing to speak on Agenda Item 18 (statement to be read out on her behalf).

Councillor Hugo Pound had registered as wishing to speak on Agenda Item 20.

MINUTES OF THE MEETING DATED 18 NOVEMBER 2021

CAB94/21 Members reviewed the minutes. No amendments were proposed.

RESOLVED – That the minutes of the meeting dated 18 November 2021 be approved as a correct record.

QUESTIONS FROM MEMBERS OF THE COUNCIL

CAB95/21 There were no questions from members of the Council.

QUESTIONS FROM MEMBERS OF THE PUBLIC

CAB96/21 There were no questions from members of the public.

CONSIDERATION OF THE FORWARD PLAN AS AT 23 NOVEMBER 2021

CAB97/21 Members considered the plan. No amendments were proposed.

RESOLVED – That the Forward Plan as at 23 November be noted.

POVERTY AND DEPRIVATION: RESPONSE TO OSC TASK AND FINISH GROUP REVIEW

CAB98/21 Councillor Pound introduced the report set out in the agenda. In addition the following points were made:

- The process of progressing reports through the Committee system took too long.
- The report included 4 recommendations that had been carefully considered and were sufficiently robust to be carried through to the next stage.
- The amended recommendations submitted just prior to the meeting were not representative of the original recommendations agreed by the Working Group and the Overview and Scrutiny Committee.
- The amended recommendations did not adequately address the issues that affected the Borough – it was recognised Tunbridge Wells was an affluent Borough but failed to recognise that there were still pockets of deprivation in discrete areas that needed to be addressed.
- The recommendations included in the report to Cabinet were those agreed by the Working Party, Overview and Scrutiny Committee and the Cabinet Advisory Board.

Discussion and questions from Members included the following:

- It was noted that the Council's Committee cycle was quite long and so if a report missed a cycle it did result in things taking a long time to progress.
- The report was considered at the Overview and Scrutiny meeting in July 2021. Unfortunately the report missed the September Committee cycle which was why it was now being considered in this cycle.
- It was unfortunate that this information had not been relayed to either the Chair of Overview and Scrutiny or the Chair of the Task and Finish Group.
- After the Cabinet Advisory Board (CAB) the recommendations were reconsidered and amended by the Portfolio Holder as follows:
 - o I can confirm that Steve McGinnes will initially be the Council's single point of contact and coordinate a cross organisational working group to focus on the poverty, including income, education & training and housing.
 - o The Council has recently introduced a new dashboard (Policy & Practice – Low Income Family Tracker) that will be presented as part of an all member briefing.
 - o Given the overall low levels of deprivation within the Borough and extensive data already held by the Council it is felt that engagement with residents experiencing difficulties is best delivered in a targeted and meaningful way.

- I am happy for the task and finish group to continue.
- In considering these amendments (and in particular recommendation 3) it was thought there were more effective ways of encapsulating issues related to costings, lack of effectiveness, existing measures and partnership working that would better target individuals in need of assistance.
- TWBC were already discretely working with 9 different areas and agencies that supported deprived and vulnerable residents. These included, working with the Pension Services, Kent County Council, housing benefits and disability services, South East Water, homeless intervention, TWBC Council Tax team, Citizen's Advice Bureau, Go-Card Scheme and the services offered through the TWBC Gateway.
- It was noted that Steve McGinnes had recently resigned from the Council but would remain the accountable officer until his departure at which time his responsibility would be reallocated.
- In terms of the original recommendation 3, resources were not available in house to undertake this work.
- It was suggested that the cost of any work would be dependent on who was in the lead. If the Council were in the lead, a cost in the region of £100k would be a reasonable estimate. However, if the Council were participants that fed into work being undertaken by other organisations then the cost was likely to be lower.
- There was concern that the amended recommendations were not included in the papers. This was because the agenda was produced prior to the amendments being prepared.
- It was agreed to take the proposed amended recommendations in turn
- I can confirm that Steve McGinnes will initially be the Council's single point of contact and coordinate a cross organisational working group to focus on the poverty, including income, education & training and housing:
 - It was noted that a suitable replacement would be in place following Steve McGinnes' departure.
- The Council has recently introduced a new dashboard (Policy & Practice – Low Income Family Tracker) that will be presented as part of an all member briefing:
 - Whilst the dashboard did offer some value, it did not provide metrics on employment, education or training services.
 - It was recognised the dashboard had not originally included all the information required but that going forward that would not be the case. All the relevant data would therefore be available.
 - Communication within the Council was paramount.
 - Some of the areas that could be included in the dashboard were outside of the Council's control. It was therefore not possible for the Council to commit to providing information that fell within the remit of a third party organisation (e.g. housing, education and income).
 - There was no problem assembling the information that was within the control of the Council.
- Given the overall low levels of deprivation within the Borough and extensive data already held by the Council it is felt that engagement with residents experiencing difficulties is best delivered in a targeted and meaningful way.
 - This was not what was supported at the CAB.
- I am happy for the task and finish group to continue:
 - This was agreed.
- It was suggested that the views of the working group and the CAB

- were not reflected in the proposed amended recommendations.
- An evaluation report on the work previously undertaken in Sherwood Ward would be circulated to Members of Cabinet after the meeting.
 - The Troubled Families Initiative ensured that people had one point of contact. The scheme was driven at County level. Whilst the programme had now ceased to exist, some of the practices had been embedded into the system.
 - It was suggested that those in need would not want to participate in surveys.
 - Information about how/where people could claim benefits and/or get help and assistance should be more widely available. Local magazine could be one source where this information could be included.
 - The report was progressive and although amended recommendations had now been proposed, a lot of work had already been undertaken and it would therefore not be appropriate to refer the report back to Overview and Scrutiny.
 - Recommendation 4 made clear that work would continue.

RESOLVED –

1. That the Council's point of contact for coordinating a cross organisational working group to focus on poverty, including income, education & training and housing be Steve McGinnes be approved.
2. That the Council's recently introduced new dashboard will be presented as part of an All Members Briefing.
3. That the Council will engage with residents experiencing difficulties in a targeted and meaningful way.
4. That the continuation of the Task and Finish Group be supported.

REASON FOR DECISION:

It was agreed at Full Council in February 2020 that this work be undertaken by a working group of the Overview and Scrutiny Committee to give consideration and address the rising levels of poverty in Tunbridge Wells.

***CIVIC MEDALLION NOMINATION (DECEMBER 2021)**

CAB99/21 Mark O'Callaghan, Scrutiny and Engagement Officer introduced the report set out in the agenda.

Discussion and questions from Members included the following:

- The Cabinet Advisory Board recognised the achievements of the individual nominated and fully supported the recommendation.

To note the matter was decided taking the exempt information set out in the Agenda as read.

RESOLVED – That Full Council be recommended to award the Civic Medallion to the individual set out at Exempt Appendix A.

REASON FOR DECISION: To endorse the nominee who fulfils the criteria of the Civic Medallion scheme.

DRAFT BUDGET 2022/23 AND MEDIUM TERM FINANCIAL STRATEGY

CAB100/21 Lee Colyer, Director of Finance, Policy and Development introduced the report set out in the agenda.

RESOLVED – That the Draft Budget 2022/23 be agreed for public consultation.

REASON FOR DECISION: To commence a public consultation on the Council's proposed budget for 2022/23

REVENUE MANAGEMENT REPORT QUARTER 2

CAB101/21 Jane Fineman, Head of Finance, Procurement and Parking introduced the report set out in the agenda.

RESOLVED –

1. That at Quarter 2 net expenditure on services year to date was £8,014,000, £495,000 less than budget be noted;
2. That by year end the Council anticipated net expenditure of £15,417,000 on services, £10,000 under budget, an improvement of £58,000 since Quarter 1, be noted;
3. That by year end the Council anticipated receiving an increase in funding of £1,472,000, an improvement of £84,000 since Quarter 1 with an overall improvement to budget of £1,482,000 be noted.

REASON FOR DECISION:

To show the actual expenditure on services compared to the revised budget for the period ending 30 September 2021, and the forecast outturn position, highlighting significant variances from the revised annual budget.

CAPITAL MANAGEMENT REPORT QUARTER 2

CAB102/21 Jane Fineman, Head of Finance, Procurement and Parking introduced the report set out in the agenda.

RESOLVED –

1. That the actual gross and net expenditure for the year and the sources of finance, as shown in Appendices B to D to the report, be noted;
2. That the proposed variations to the Capital programme, set out in paragraph 4.3 to 4.5 of the report be approved; and
3. That the proposed movement between years set out in note 4.6 of the report be approved.

REASON FOR DECISION:

Managing and forecasting capital expenditure effectively was vital in order to support all of the services provided by the Council

TREASURY AND PRUDENTIAL INDICATOR MANAGEMENT REPORT QUARTER 2

CAB103/21 Jane Fineman, Head of Finance, Procurement and Parking introduced the report set out in the agenda.

RESOLVED –

1. That the Treasury Management and Prudential Indicator position as at 30 September 2021 be noted; and
2. That the forecast for investment and bank interest is £432,000, an increase of £70,000 from the approved budget of £362,000 (the same as Quarter 1) be noted.

REASON FOR DECISION:

Ensuring effective cash flow management was vital in order to support all the services provided by the Council. The interest received from investments was an important source of income in helping to set a balanced budget

CALCULATION OF COUNCIL TAX BASE

CAB104/21 Jane Fineman, Head of Finance, Procurement and Parking introduced the report set out in the agenda.

Discussion and questions from Members included the following:

- Council Tax charging commenced at the point a new property was ready for occupation.

RESOLVED – That the Tunbridge Wells Tax Base for 2022/23, as set out at in Appendix B to the report be approved.

REASON FOR DECISION: To comply with the provisions of Statutory Instruments 2012 No 2914 – The Local Authorities (Calculation of Council Tax Base) (England) Regulations.

PERFORMANCE SUMMARY QUARTER 2

CAB105/21 Jane Clarke, Head of Policy and Governance introduced the report set out in the agenda.

RESOLVED –

1. That the summary of project performance over quarter two 2021/22 as at Appendix A be noted;
2. That the summary of service performance over quarter two 2021/22 as at Appendix B be noted; and
3. That the Recovery Plans for quarter two as at Appendices C-H be noted.

REASON FOR DECISION:

To monitor the effectiveness of the council's actions and plans to meet all of the objectives within the Five- Year Plan, highlight underperforming areas, and propose actions to remedy any underperformance to ensure the key objectives are met.

COMPLAINTS SUMMARY QUARTER 1 AND 2

CAB106/21 Jane Clarke, Head of Policy and Governance introduced the report set out in the agenda.

RESOLVED – That the Council’s position on complaints performance at the end of Period 1 be noted.

REASON FOR DECISION:

To enable Cabinet to understand the Council’s current performance in relation to complaints handling.

DRAFT ASSET MANAGEMENT PLAN 2022/23

CAB107/21 John Antoniadou, Estates Manager introduced the report set out in the agenda.

Discussion and questions from Members included the following:

- The support of the reduction of carbon emissions in the plan was welcomed.

RESOLVED – That the Draft Asset Management Plan 2022/23 be agreed for public consultation.

REASON FOR DECISION:

To commence a public consultation on how the Council manages its assets.

BENENDEN NEIGHBOURHOOD PLAN

CAB108/21 Stephen Baughen, Head of Planning introduced the report set out in the agenda.

Registered Speakers: Ms Hazel Strouts (member of the public)
Ms Nicola Thomas (Chair of Benenden Parish Council)

Discussion and questions from Members included the following:

- The Cabinet Advisory Board were supportive of the recommendations and made clear that it should go forward to referendum as it was a decision that was solely that of Benenden Parish.
- The role of the Council was to oversee the process and the point of the report was to ensure that policy had been followed and that it was now ready to progress to the next stage.

RESOLVED –

1. That the independent examiner’s Report on the Benenden Neighbourhood Development Plan (BNDP) be noted and published.
2. That the BNDP be modified in part, according to the examiner’s recommendations and following discussion with Benenden Parish Council be approved.
3. That the Decision Statement at Appendix D and the decision to progress the BNDP as set out at Appendix E to referendum be approved (noting that the referendum area is Benenden Parish plus seven addresses identified by the examiner, located adjacent to the

Benenden Hospital site at East End and falling within Biddenden Parish (Ashford District Council)).

4. That in the event the referendum result on the BNDP is positive with more than 50% of the vote, the Council formally makes the BNDP as set out in Appendix E so that it has effect as part of the statutory Development Plan for the Neighbourhood Area (Benenden Parish) be approved.

REASON FOR DECISION:

Approved Neighbourhood Plans become part of the development plan for the Borough and are a key document in the determination of planning applications that allow the local community to take responsibility for land use planning in their area.

GOUDHURST NEIGHBOURHOOD DEVELOPMENT PLAN

CAB109/21 Nichola Watters, Planning Policy Manager introduced the report set out in the agenda.

Discussion and questions from Members included the following:

- The Cabinet Advisory Board fully supported the recommendations in the report.
- The work by Parish Councils to put together a Neighbourhood Plan was quite extensive and they should be commended for all their hard work.

RESOLVED –

1. That the independent examiner's Report on the Goudhurst Neighbourhood Development Plan (GNDP) be noted and published.
2. That the GNDP be modified in part, according to the examiner's recommendations and following discussion with Goudhurst Parish Council be approved.
3. That the Decision Statement at Appendix C and the decision to progress the GNDP as set out at Appendix D to referendum be approved (noting that the referendum area is Goudhurst Parish).
4. That in the event the referendum result on the GNDP is positive with more than 50% of the vote, the Council formally makes the GNDP as set out in Appendix D so that it has effect as part of the statutory Development Plan for the Neighbourhood Area (Goudhurst Parish) be approved.

REASON FOR DECISION:

Approved Neighbourhood Plans become part of the development plan for the Borough and are a key document in the determination of planning applications that allow the local community to take responsibility for land use planning in their area.

PSPO 2021 CONSULTATION RESULTS

CAB110/21 Terry Hughes, Community Safety Manager introduced the report set out in the agenda.

Registered Speaker: Councillor Hugo Pound

Discussion and questions from Members included the following:

- The time frame for taking forward this work was welcomed.
- The proposed landscaping out at Sherwood lake was still in its initial stages.
- Discussions had taken place with Kent High Weald Partnership about some of the swims that might be able to be built out and it was thought this could be achieved at quite low cost.

RESOLVED –

1. That the current order for Southborough Roads be varied to have effect only on London Road and Holden Park Road for the length of the convenience store for a period of three years be approved.
2. For the introduction of a 'dogs on leads' order in the formal area of Dunorlan Park for a period of three years be approved.
3. That the dogs on leads requirement at the Nevill Ground be renewed for a period of three years be approved.
4. That preparatory work at Sherwood Lake (as set out in the report) be undertaken to introduce an order to address anti-social behaviour at this location in April 2022 be approved.
5. That preparatory work at St John's Park (as set out in the report) be undertaken to introduce an order to address anti-social behaviour at this location in April 2022 be approved.
6. That preparatory work at the multi-storey car parks (as set out in the report) be undertaken to introduce an order to address anti-social behaviour at this location in April 2022 be approved.

REASON FOR DECISION:

To help ensure the protection of public spaces from persistent anti-social behaviour.

URGENT BUSINESS

CAB111/21 There was no urgent business.

DATE OF NEXT MEETING

CAB112/21 The next meeting would be held on Thursday 13 January 2022 commencing at 10:30am in the Council Chamber at the Town Hall, Tunbridge Wells.

NOTES:

The meeting concluded at 12.35 pm.