

TUNBRIDGE WELLS BOROUGH COUNCIL

CABINET

MINUTES of the meeting held at the Old School Hall, Back Road, Sandhurst, Kent, TN18 5JS, at 6.30 pm on Wednesday, 20 July 2022

Present: Councillor Ben Chapelard (Chair)

Councillors Warne (Vice-Chair), Everitt, Fitzsimmons, Hayward, Hickey and Pound

Officers in Attendance: William Benson (Chief Executive), Lee Colyer (Director of Finance, Policy and Development (Section 151 Officer)), Nicky Carter (Head of HR, Customer Services and Culture), Zoe Kent (Interim Head of Revenues and Benefits), John Strachan, David Candlin (Head of Economic Development and Property), Claudette Valmond (Head of Legal Partnership and Interim Monitoring Officer), Lizzie Goodwin, Anne McCarthy (Senior Communications Officer), Mark O'Callaghan (Scrutiny and Engagement Officer) and Caroline Britt (Democratic Services Officer)

Other Members in Attendance: Councillors Atkins, Bland, Bailey, Dawlings, Hill, Neville, Ms Palmer, Pope and Wakeman

ANNOUNCEMENTS

CAB20/22 Councillor Chapelard, Leader of the Council welcomed everybody to the Old School Hall in Sandhurst. The borough partnership had made a commitment to get out of the Town Hall and meet residents across the whole borough. Sandhurst was the 2nd meeting 'on tour'.

Prior to the start of the substantive items on the agenda, Councillor Hayward, Cabinet Member with responsibility for Governance and Transparency, made the following statement:

- Responsibility included looking after the Council's processes, which included how decisions were made.
- It was noted that at this evenings meeting, there were a number of speakers registered to speak on Agenda item 11. In view of this, it was thought it would be helpful to provide some background as to how decisions were made.
- Cabinet was the decision maker. But in order to help make those decisions, it also had Advisory Bodies that provided non-binding, strategic advice to Cabinet.
- The Finance and Governance Cabinet Advisory Board (CAB) was responsible for providing advice to Cabinet on Agenda Item 11. It would appear that somebody had seen the Finance and Governance CAB Agenda and believed it to be a Cabinet decision. However, no decision had been made.
- The perception was that the proposed car parking fee changes would not go out to public consultation – this was disappointing. The new administration, the Borough Partnership, was very different. So for those in attendance that had come with impassioned pleas regarding the parking element of Agenda Item 11, you would be listened to attentively. But it would at Cabinet this evening where a decision

would be made on the consultation process and long before any decision would be made regarding implementation.

APOLOGIES

CAB21/22 Apologies for absence were received from Councillor Rutland.

DECLARATIONS OF INTEREST

CAB22/22 There were no disclosable pecuniary or other significant interests declared at the meeting.

NOTIFICATION OF VISITING PERSONS WISHING TO SPEAK

CAB23/22 The following persons had registered to speak on Agenda Item 11 – Sales, Fees and Charges (including Car Parking) 2022/23

Mr Nasir Jamil – Member of the Public
County Councillor Sarah Hamilton – Member of the Public
Councillor Nick Blackwell – Member of the Public
Mr Richard Barsley – Member of the Public
Councillor Meryl Flashman - Paddock Wood Town Council
Councillor Bailey
Councillor Atkins
Councillor Dawlings
Councillor Pope
Councillor Hill

MINUTES OF THE MEETING DATED 23 JUNE 2022

CAB24/22 Members reviewed the minutes. No amendments were proposed.

RESOLVED – That the minutes of the meeting dated 23 June 2022 be approved as a correct record.

QUESTIONS FROM MEMBERS OF THE COUNCIL

CAB25/22 There were no questions from members of the Council.

QUESTIONS FROM MEMBERS OF THE PUBLIC

CAB26/22 There were no questions from members of the public.

CONSIDERATION OF THE FORWARD PLAN AS AT 28 JUNE 2022

CAB27/22 Members considered the plan. No amendments were proposed.

RESOLVED – That the Forward Plan as at 28 June 2022 be noted.

IN-YEAR BUDGET REVIEW 2022/23

CAB28/22 Councillor Andrew Hickey, Cabinet Member for Finance and Performance provided a short summary of the discussion that took place at the Cabinet Advisory Board and then introduced Lee Colyer, Director of Finance, Policy and Development who presented the report as set out in the agenda.

Discussion and questions from Members included the following:

- The Council set a figure of £4m as the minimum level of Reserves that it should hold.
- This figure of £4m was a judgement made by the Director of Finances based around the Council's risk and the value of the Council's services it needed to provide.
- On an annual basis the Council provided £65m worth of services, half of which were statutory services. Statutory services were those that the Council must provide by law. It was therefore important that the Council had funds set aside to ensure that those statutory services continued to be delivered. Reserves were also there to fund the Capital programme that would ensure the Council had the assets from which to deliver those services from.
- In comparison to other Councils, this Council was in a relatively strong position. As such there were options available to Members as to the level of assets it had. In addition the Council had no external debt.
- The level of usable Reserves had reduced significantly in the last year and this trajectory would continue unless it was addressed now.
- It was unclear what the state of the economy would be in six months' time so it would not be prudent to delay taking action. The crisis should be addressed now.
- The current deficit for this year was £944k. If this wasn't addressed now, the deficit by 2026 would have increased to £3.5m

RESOLVED –

1. That the in-year budget revisions and the direction of travel in setting the budget 2023/24 with the aim of rebalancing the council's finances over the medium-term be approved.
2. That the Head of Economic Development and Property in consultation with the Portfolio Holder for Finance and Performance be given delegated authority to commence listing, for potential disposal or lease, of the following surplus assets, Mount Pleasant Avenue Car Park, Great Hall Yard Car Park, the Gateway and Land at Warwick Park be approved.
3. That authority be delegated to the Head of Finance, Procurement and Parking in consultation with the Portfolio Holder for Rural Communities (Deputy Leader) to produce Terms of Reference for a Community Support Fund be approved.
4. That the virement of £2.5m from the Town hall conversion budget to the Asset Acquisition budget to further the economic development of the town centre through the acquisition and/or redevelopment of property be approved. And that delegated authority be given to the Director of Finance, Property and Development to negotiate and agreed terms to enter into contracts utilising this budget in consultation with the Monitoring Officer and the Cabinet Members for Finance and Performance and Tunbridge Wells Town Centre and Local Areas be approved.
5. That delegated authority be given to the head of Legal Partnership to

negotiate and complete all necessary agreements, deeds and documents arising or ancillary to the purchases and/or refurbishments on terms negotiated and agreed be approved.

REASON FOR DECISION: To deliver a sustainable budget that would address and rebalance the Council's finances over the medium term.

DRAFT COUNCIL TAX REDUCTION SCHEME 2023/24

CAB29/22 Councillor Andrew Hickey provided a short summary of the discussion that took place at the Cabinet Advisory Board and then introduced Zoe Kent, Interim Head of Mid Kent Revenues and Benefits Partnership who presented the report as set out in the agenda.

Discussion and questions from Members included the following:

- The Community Support Fund would be established to help those in the Borough who were most in need. As part of this, and in the knowledge that as autumn approaches and with inflation continuing to rise, the Council was aiming to raise up to £100k to help support the neediest and poorest residents in the Borough.
- The Council needed to act locally as a local council for the benefit of residents who were most vulnerable.
- The Labour Group had campaigned for several years for the Council Tax Support package to be looked at with a view to being able to offer more support to those most in need. The recommendation included in the report to establish a Community Support Fund recognised the challenging circumstances that were being faced by some residents and to look at other ways that support could be offered was very welcomed.
- The Labour Group had consistently objected that the Council only offered a reduction of 80% to those individuals and families who were on the highest levels of Universal Credit.
- Advice received made clear that to withdraw from the current scheme would cause enormous complexities and would cost the Council payments from Kent County Council for the way the scheme was currently administered. Additionally, it would cost Kent Taxpayers money as the Council would not be raising as much money as previously. That said, the Labour position remained, that those in receipt of the highest level of Universal Credit should not be paying Council Tax. The Labour Group would continue to monitor the scheme closely.

RESOLVED –

1. That the progress of the income banded Council Tax Reduction Scheme be noted.
2. For the reasons stated in the report, no changes be made to the Council Tax Reduction Scheme for 2023-24 be approved.
3. That the Council seeks to provide support to those struggling on low incomes and with the 'cost of living; crisis through the establishment of a Community Support fund, details of which are contained in the In-Year Budget Review 2022/23 Report and through the use of the Household Support Fund be approved.

REASON FOR DECISION: To continue with the new system that has provided a simplified inbuilt claiming process covering a wide range of income ranges.

SALES, FEES AND CHARGES (INCLUDING CAR PARKING) 2022/23

CAB30/22 Councillor Andrew Hickey provided a short summary of the discussion that took place at the Cabinet Advisory Board and then introduced John Strachan, Parking Manager, who presented the report as set out in the agenda.

Registered Speakers:

Mr Nasir Jamil – Member of the Public
 County Councillor Sarah Hamilton – Member of the Public
 Councillor Nick Blackwell – Member of the Public
 Mr Richard Barsley – Member of the Public
 Councillor Meryl Flashman – Paddock Wood Town Council
 Councillor Bailey
 Councillor Atkins
 Councillor Dawlings
 Councillor Pope
 Councillor Hill

Discussion and questions from Members included the following:

- The Chair thanked all the speakers for attending the meeting.
- Cabinet noted the significant interest in this item, specifically relating to parking charges. Given this, it was proposed that all items referring to parking charges would be subject to a four-week public consultation, to start on or around Monday 25 July 2022. The proposed parking charges for Dunorlan Park would be subject to a separate consultation, the date for which was still to be determined.
- The determination of car parking charges would be made by Cabinet following the end of the consultation period, to be implemented by 1 October 2022.
- Parking enforcement in Paddock Wood had been difficult. This was primarily due to Covid restrictions that had been in place. This meant only being able to have one enforcement officer per vehicle, where previously there had been two. Normal service had now resumed with one officer deployed to the car park, the other covering Commercial Road.
- In addition to regular patrols, the option for responsive patrols was available.
- There had been no rises in parking charges since 2017 and this therefore needed to be addressed.
- It was important for Communities and the Council to work together to find a solution. The views of the speakers were important and were welcomed by Cabinet.
- The facts in front of Cabinet were clear. There was a £944k deficit, rising to £3.5m by 2026. If the Council's reserves continued to be used, they would run out.
- Not to act was not an option. The Council must protect and deliver the services that residents had come to expect.
- Protecting the local economy was paramount and this would not be put into jeopardy.
- The administration was not seeking to damage local businesses. It

was clear from the report that on previous occasions where car parking charges were either reduced (reduced Sunday charging) or increased, it had no effect on footfall.

- A document titled 'Assessing the Impact of car parking charges on town centre footfall', produced at the request of the Welsh Government also confirmed that charges did not affect footfall.
- The link between the car and prosperity was a misconception which was still pervasive in current society. The car wasn't the solution to everything. Research had now shown that motorists were not the people who returned to town centres as frequently has previously claimed, nor were they the biggest spenders.
- The Leader (at no cost to the tax payer) would be travelling to Holland next month to meet with a Dutch Cycling Embassy to see what work they were doing to increase footfall in their towns and villages. The aim was to better understand how and why their high streets were so successful.
- Members of the public were encouraged to take part in the consultation, providing constructive feedback, including possible alternatives of how best to protect and fund Council services going forward.

RESOLVED –

1. That the sales, prices, fees and charges set out in the report and in appendices A-D, F, G and H, along with delegated authority to the S151 Officer to make the necessary amendments be approved.
2. That the price increases be implemented on 1 October 2022 unless stated otherwise in the report be approved.
3. That delegated responsibility be given to the Director of Finance, Property and Development to implement increases to planning fees for major and minor applications as soon as the Government permits be approved.
4. That delegated responsibility be given to the Director of Finance, Property and Development to implement increases to the 1 hour and 2-hour parking charges in Torrington Car Park following legal advice on the price ceilings included in the lease be approved.
5. That all items on parking charges (except for Dunorlan Park) be subject to a four-week consultation starting on or around Monday 25 July, and that Dunorlan Park be subject to a separate consultation, the date for which to be determined, be approved. And that following the consultation period, the determination of the car parking charges be subject to a Cabinet decision, to be implemented by 1 October 2022 be approved.

REASON FOR DECISION: Securing revenue in line with the Medium-Term Financial Strategy remains vital to balancing the budget annually in order to support all of the services provided by the Council.

SHARED PROSPERITY FUND INVESTMENT PLAN

CAB31/22 Councillor Ben Chapelard provided a short summary on the discussion that took place at the Cabinet Advisory Board and then introduced David Candlin, Head of Economic Development and Property who presented the report as set out in the agenda.

Discussion and questions from Members included the following:

- A huge list of projects had been submitted. This had required a lot of work by the team. A final list had been submitted that would enable Members to determine which ones would be included in the Partnership's Focus on Five.

RESOLVED:

1. That the Tunbridge Wells Investment Plan be approved.
2. That delegated responsibility be given to the Head of Economic Development in liaison with the Cabinet Member for Tunbridge Wells Town and Local Areas to make any necessary minor changes to the Tunbridge Wells Investment Plan prior to submission, for the purpose of presentation or improving clarity be approved.
3. That the Terms of Reference for the Local Partnership Group be approved.
4. That delegated responsibility be given to the Head of Economic Development in consultation with the Cabinet Member for Tunbridge Wells Town and Local Areas to agree projects either as
 - Grants to public or private organisations
 - Commissioning third party organisations
 - Procurement of service provision
 - In-house provision, be approved.
5. That authority be given to the Head of Legal Services to complete all legal formalities, agreements, deeds and other documents as are necessary and/or incidents to the recommendations be approved.

REASON FOR DECISION: To enable the Borough to benefit from funding from Central Government that would allow the Council to invest in the borough over the next two and half years.

URGENT BUSINESS

CAB32/22 There was no urgent business.

DATE OF NEXT MEETING

CAB33/22 The next meeting would be held on Thursday 22 September 2022 commencing at 6:30pm.

NOTES:

The meeting concluded at 8.00 pm.