

TUNBRIDGE WELLS BOROUGH COUNCIL**CABINET**

MINUTES of the meeting held at the Council Chamber, Town Hall, Royal Tunbridge Wells, TN1 1RS, at 6.30 pm on Thursday, 22 September 2022

Present: Councillor Ben Chapelard (Chair)
Councillors Warne (Vice-Chair), Everitt, Fitzsimmons, Hall, Hayward and Rutland

Officers in Attendance: William Benson (Chief Executive), Mike Catling (Corporate Health and Safety Advisor), Lee Colyer (Director of Finance, Policy and Development (Section 151 Officer)), Katie Exon (Corporate Property Manager), Jane Fineman (Head of Finance and Procurement), Karin Grey (Sustainability Manager), Carlos Hone (Head of Planning), Stuart Maxwell (Senior Scientific Officer), Paul Taylor (Director of Change and Communities), Claudette Valmond (Head of Legal Partnership and Interim Monitoring Officer) and Emer Moran (Democratic Services Officer)

Other Members in Attendance: Councillors Atkins and Wakeman

ANNOUNCEMENTS

CAB34/22 Councillor Chapelard, Leader of the Council welcomed everybody to the Council Chamber in the Tunbridge Wells Town Hall.

- It was advised that many efforts were made to secure a meeting venue in or around Paddock Wood for the third meeting of the Borough partnership however it was not possible, a list of venues tried were listed.
- A change to the running order of business was confirmed with minute item CAB42/22 Response to Car Parking Consultation discussed before item CAB43/22 Budget Projection and Strategy.
- Following the resignation of Councillor Harry Allen, it was confirmed that Councillor Jamie Johnson had been appointed as a Commons Conservator.

APOLOGIES

CAB35/22 Apologies for absence were received from Councillor Pound.

DECLARATIONS OF INTEREST

CAB36/22 Councillors Chapelard and Rutland declared an interest in the exempt agenda item CAB54/22 Grant of Lease to Enable Funding, both Councillors left the meeting while this item was discussed.

NOTIFICATION OF VISITING MEMBERS WISHING TO SPEAK

CAB37/22 Mr Robert Banks and Mr Nasir Jamil registered to speak on minute item CAB42/22 Response to Car Parking Consultation.

Councillor Matthew Bailey registered to speak on minute items CAB38/22 Minutes of the meeting dated 20 July 2022 and CAB42/22 Response to Car Parking Consultation.

MINUTES OF THE MEETING DATED 20 JULY 2022

CAB38/22 Councillor Matthew Bailey addressed the Cabinet and stated that none of the comments made by registered speakers were recorded in the minutes of the last Cabinet meeting 20 July 2022 and as a result he felt that the minutes were quite one sided. This was addressed by Claudette Valmond, Head of Legal Partnership and it was confirmed that it was normal practice to have succinct written minutes of a meeting along with a more detailed recording, both of which were in the public domain.

RESOLVED – That the minutes of the meeting dated 20 July 2022 be approved as a correct record.

QUESTIONS FROM MEMBERS OF THE COUNCIL

CAB39/22 There were no questions from members of the Council.

QUESTIONS FROM MEMBERS OF THE PUBLIC

CAB40/22 There were no questions from members of the public.

CONSIDERATION OF THE FORWARD PLAN AS AT 23 AUGUST 2022

CAB41/22 Members considered the plan. No amendments were proposed.

RESOLVED – That the Forward Plan as at 23 August 2022 be noted.

RESPONSE TO CAR PARKING CONSULTATION

CAB42/22 Councillor Justine Rutland, Cabinet Member for Tunbridge Wells Town and Local Areas, introduced Jane Fineman, Head of Finance, Procurement and Parking who presented the report as per the agenda.

Registered speakers:

- Robert Banks, member of the public
- Nasir Jamil, member of the public
- Borough Councillor Matthew Bailey, Paddock Wood (West)

Discussions and questions from Members included:

- i. It was confirmed that the cost of the informal consultation at Dunorlan Park was between £1,500 and £2,000 which covered notices put in local newspapers, notices put on local lampposts and officer time it took to collate responses and put together a report that consolidated all of the information.
- ii. It was stated that the Tunbridge Wells Agreement was an important document to use to guide Members through situations like the car parking consultation.
- iii. The partnership was proud to have listened and responded to resident feedback and thanks were given to all who engaged in the debate from Southborough and Paddock Wood.
- iv. Cabinet Members encouraged residents to reach out about issues in their areas.
- v. It was stated that free parking wasn't a reality however Members

- wanted to do the best they could for Southborough.
- vi. The roaming cabinet had been warmly received in areas it had been so far.
 - vii. It was considered that 8 members of Cabinet was not extensive given that there was a lot of work to do.
 - viii. It was stated that the Council had more money going out than it had coming in and the budget deficit meant that action taken protected Council finances and in turn Council services that residents informed Members they valued and that brought the community together.

RESOLVED –

1. Increase the prices for parking as stated in the Sales Prices, Fees and Charges Cabinet report 20 July 2022 (excluding Dunorlan Park) as soon as the necessary steps to implement the changes have taken place, with the exception of:
 - i. The free period for Yew Tree Road, Southborough and/or
 - ii. The free period for Paddock Wood
 which will be maintained while other options for funding, including those suggested in the consultation, are explored. The Council will engage with Southborough Town Council and/or Paddock Wood Town Council to discuss funding the revenue foregone by retaining the current free parking periods, be approved.
2. Cabinet agree for officers to commence an informal public consultation, seeking views on options to improve the amenity value of Dunorlan Park, including the introduction of parking charges, be approved.

REASON FOR DECISION: To bridge some of the £944,000 revenue budget deficit for 2022/23 and support the budget setting process for 2023/24, thereby protecting other council services.

BUDGET PROJECTION AND STRATEGY 2023/24

CAB43/22 Councillor Christopher Hall, Cabinet Member for Finance and Performance introduced Lee Colyer, Director of Finance, Policy and Development who presented the report as per the agenda.

Discussion and questions from Members included:

- i. Members were pleased to see that the £944,000 deficit that was currently in place for the year was expected to be smaller than back in February.
- ii. Members were proud that as an incoming administration on day 121 had taken decisive action to safeguard Council services that residents valued, however it was noted that there was more work needed.

RESOLVED – That work continues towards reducing the projected budget deficit in line with the Budget Strategy, to report back in October and prior to the public consultation on the draft budget in December be approved.

REASON FOR DECISION: To agree the form of consultation and begin the process of setting the budget for 2023/24.

PERFORMANCE SUMMARY QUARTER 1

CAB44/22 Councillor Christopher Hall, Cabinet Member for Finance and Performance introduced Jane Clarke, Head of Policy and Governance who presented the report as per the agenda.

Discussions and questions from Members included:

- i. No matters of significance were discussed.

RESOLVED –

1. That the summary of projected performance over quarter one, 2022/23, at Appendix A be noted.
2. That the summary of service performance over quarter one, 2022/23, at Appendix B be noted.
3. That the Recovery Plans for quarter one, 2022/23, at Appendices C-F 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.

REVENUE MANAGEMENT REPORT QUARTER 1

CAB45/22 Councillor Christopher Hall, Cabinet Member for Finance and Performance introduced Jane Fineman, Head of Finance, Procurement and Parking who presented the report as per the agenda.

Discussions and questions from Members included:

- i. No matters of significance were discussed.

RESOLVED –

1. That the Quarter 1 net expenditure on services year to date was £3,268,00, £224,000 less that budget be noted.
2. That by year end the Council anticipates net expenditure of £15,382,000 on services be noted. And that this forecast is £300,000 over budget be noted.
3. That by year end the Council anticipates receiving an increase in funding of £300,000, due to additional investment interest, which is the same as the additional spend forecast for services be noted.
4. That the new and updated charges for the Crematorium as set out in the report be approved.

REASON FOR DECISION: To show the actual expenditure on services compared to the revised budget for the period ended 30 June 2022, and the forecast outturn position, highlighting significant variances from the revised annual budget.

CAPITAL MANAGEMENT REPORT QUARTER 1

CAB46/22 Councillor Christopher Hall, Cabinet Member for Finance and Performance introduced Jane Clarke, Head of Policy and Governance who presented the report as per the agenda.

Discussions and questions from Members included:

- i. An explanation of the disabled facilities grant was given and it was confirmed that the Tunbridge Wells Borough Council (TWBC) was not allowed use those funds on TWBC's own expenditure.

RESOLVED –

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

CAB47/22 Councillor Christopher Hall, Cabinet Member for Finance and Performance introduced Jane Fineman, Head of Finance, Procurement and Parking who presented the report as per the agenda.

Discussions and questions from Members included:

- i. No matters of significance were discussed.

RESOLVED –

1. That the Treasury Management and Prudential Indicator position for 2022/23 be noted.
2. That the forecast for investment and bank interest is £745,000, an increase of £300,000 from the approved budget of £445,000 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.

ANNUAL CORPORATE HEALTH AND SAFETY REPORT

CAB48/22 Councillor Luke Everitt, Cabinet Member for Environment, Sustainability and Carbon Reduction introduced Mike Catling, Health and Safety Advisor who presented the report as set out in the agenda.

Discussions and questions from Members included:

- i. Referring to the information shown on page 163 of the report,

Members were advised that the numbers of actual levels of violence were very small per year.

RESOLVED –

1. That the contents of the report, along with the work undertaken to secure a safe and healthy working environment be noted.
2. That the priorities for 2022/23 be approved.

REASON FOR DECISION: To ensure that the Council continues to comply with the Health and Safety at Work Act 1974 and ensure that there is effective monitoring and review of health and safety management throughout the Council.

REQUEST TO CONSULT ON DRAFT AIR QUALITY ACTION PLAN FOR HAWKHURST

CAB49/22 Councillor Luke Everitt, Cabinet Member for Environment, Sustainability and Carbon Reduction introduced Stuart Maxwell, Senior Scientific Officer who presented the report as set out in the agenda.

Discussions and questions from Members included:

- i. It was confirmed that there was funding available for the improvement of the traffic signals secured through Section(S) 106.
- ii. A suggestion was made to have the wording of measure 8 on Appendix A reworded for clarification.
- iii. A suggestion was made to have measure number 1 on Appendix B added to the consultation and tested with residents.
- iv. It was confirmed that KCC (Kent County Council) had stated that measure number 15 on Appendix A was not something that would happen.

RESOLVED –

1. Measure No. 8 on Appendix A to be clarified by the Environmental Protection Team Leader.
2. Measure No. 1 on Appendix B be added to Appendix A.
3. That authorisation be given to the Environmental Protection Team Leader to consult on the proposed actions set out in Appendix A and amended as above, as part of the development of an Air Quality Action Plan for the new Hawkhurst AQMA be approved.

REASON FOR DECISION: To ensure the Council continues to comply with all relevant Air Quality legislation, guidance and best practice.

CORPORATE CARBON REDUCTION PLAN: YEAR 1 PROGRESS AND YEAR 2 ACTION PLAN

CAB50/22 Councillor Luke Everitt, Cabinet Member for Environment, Sustainability and Carbon Reduction introduced Karin Grey, Sustainability Manager who presented the report as set out in the agenda.

Discussion and questions from Members included:

- i. Thanks were given to Karin and members of her team for the

amount of work done behind the scenes.

RESOLVED –

1. That the summary report, which provides an update on the progress of the year 1 action plan of the adopted Corporate Carbon Descent Plan, be noted.
2. That the findings of the updated yearly Greenhouse Gas report up to and including 2021/22, be noted.
3. That the climate emergency and carbon reduction is focused on both reducing and reaching the carbon neutral goal for our own operation and services as part of the Corporate Carbon Descent Plan. At the same time work is also progressing to develop the borough wide Climate Emergency strategy to empower and support our communities in meeting the carbon neutral goal, be noted.
4. That the year 2 action plan as set out in the report to support the delivery of the objectives as identified in the Corporate Carbon Descent Plan, be approved.
5. That several of the year 2 actions are already in progress and are part of the next phase of activities linked to year 1 actions. Information on progressing the year 1 action plan have also been communicated via members briefing and the members information pack, be noted.

REASON FOR DECISION: The recognition of a climate emergency acknowledges the importance of acting and for the Council to take an effective leadership role on climate action.

BRENCHLEY AND MATFIELD NEIGHBOURHOOD DEVELOPMENT PLAN

CAB51/22 Carlos Hone, Head of Planning presented the report of the Brencley & Matfield Neighbourhood Development Plan as per the agenda.

Discussions and questions from Members included:

- i. No matters of significance were discussed.

RESOLVED –

1. That the independent examiner's Report on the Brencley & Matfield Neighbourhood Development Plan (BMNDP) received on 20 June 2022 at Appendix A be noted and published.
2. That the BMNDP be modified in part as set out in Appendix B, according to the examiner's recommendations, following discussion with Brencley & Matfield Parish Council be approved.
3. That the Decision Statement at Appendix C and the decision to progress the BMNDP as set out at Appendix D to referendum be approved.
4. That in the event the referendum result on the BMNDP is positive

with more than 50% of the vote, the Council formally makes the BMNDP as set out in Appendix D so that it has effect as part of the statutory Development Plan for the Neighbourhood Area be approved.

5. That a referendum will take place on 10 November 2022 be noted.

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.

URGENT BUSINESS

CAB52/22 There was no urgent business for consideration.

DATE OF NEXT MEETING

CAB53/22 The next meeting was scheduled for Thursday 27 October 2022 at 6.30pm.

GRANT OF LEASE TO ENABLE FUNDING

CAB54/22 **RESOLVED** – That pursuant to Section 100(A) 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 following item of business on the grounds that they may involve the disclosure of exempt information as defined in Schedule 12A of the Act, by virtue of the particular paragraphs shown on the agenda and on the attached report.

Councillors Ben Chapelard, Leader of the Council and Justine Rutland, Cabinet Member for Tunbridge Wells Town and Local Areas had declared and interest in minute item CAB54/22 Grant of Lease to Enable Funding, and left the meeting before the exempt item was discussed.

Katie Exon, Corporate Property Manager presented the report as set out in the agenda.

RESOLVED –

1. That the recommendations as set out in the exempt report, be approved.

REASON FOR DECISION: As set out in the report.

NOTES:

The meeting concluded at 8.11 pm.