

TUNBRIDGE WELLS BOROUGH COUNCIL

CABINET

Thursday, 24 June 2021

**Present: Councillor Tom Dawlings (Chairman)
Councillors Scott (Vice-Chairman), Bailey, Fairweather and March**

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 Clarke (Head of Policy and Governance), Gary Rowland (Senior Lawyer Mid Kent Legal), Jane Lang (Housing Services Manager), Terry Hughes (Community Safety Manager) and Caroline Britt (Democratic Services Officer)

Other Members in Attendance: Councillors Hamilton and Allen

APOLOGIES FOR ABSENCE

CAB9/21 Apologies for absence were received from Councillor McDermott. Councillor Hamilton joined the meeting at 10:40am.

DECLARATIONS OF INTEREST

CAB10/21 There were no disclosable pecuniary or other significant interests declared at the meeting.

NOTIFICATION OF PERSONS REGISTERED TO SPEAK

CAB11/21 There were no visiting Members who had registered as wishing to speak.

MINUTES OF THE MEETING DATED 15 APRIL 2021

CAB12/21 Members reviewed the minutes. No amendments were proposed.

RESOLVED – That the minutes of the meeting dated 15 April 2021 be approved as a correct record.

MINUTES OF THE MEETING DATED 26 MAY 2021

CAB13/21 Members reviewed the minutes. No amendments were proposed.

RESOLVED – That the minutes of the meeting dated 26 May 2021 be approved as a correct record.

QUESTIONS FROM MEMBERS OF THE COUNCIL

CAB14/21 There were no questions from members of the Council.

QUESTIONS FROM MEMBERS OF THE PUBLIC

CAB15/21 There were no questions from members of the public.

CONSIDERATION OF THE FORWARD PLAN AS AT 20 MAY 2021

CAB16/21 Members considered the plan. No amendments were proposed.

RESOLVED – That the Forward Plan as at 20 May 2021 be noted.

STRATEGIC RISK REGISTER

CAB17/21 Lee Colyer, Director of Finance, Policy and Development introduced the report as set out in the agenda.

RESOLVED – That the Committee notes the risk management report and arrangements for managing strategic risk.

REASON FOR DECISION:

To effectively manage strategic risks in accordance with the method advised by the Council's auditors.

REVENUE MANAGEMENT REPORT - QUARTER 4

CAB18/21 Lee Colyer, Director of Finance, Policy and Development introduced the report as set out in the agenda.

Discussion and questions from Members included the following:

- The achievements of the Council to balance the budget and deliver a surplus in what was an extremely challenging year were applauded.
- The money received from Government in the form of grants helped the Council to achieve a balanced budget, but it was also recognised the Council had cut its own budget by £682k.
- Earmarked reserves were those that the Council had classified for a specific purpose. Appendix D provided details of those reserves. Further details regarding earmarked reserves would be included in the statement of accounts which would be going to the Audit and Governance Committee shortly. Details would also be available on the TWBC website.

RESOLVED –

1. That the actual revenue expenditure outturn and impact on reserves for the year ended 31 March 2021 be noted.
2. That the expected withdrawal from reserves of £1,585,000 to meet the forecast deficit at Quarter 3 would not be needed and a sum of £211,000 to be transferred to the General Fund be noted.
3. That a new charge for the administration of applications from site owners or managers of mobile homes, following new regulations coming into force on 1 July 2021 be approved.

REASON FOR DECISION:

To show the actual expenditure on services compared to the revised budget for the period ending 31 March 2021, and the forecast outturn position, highlighting significant variances from the revised annual budget.

CAPITAL MANAGEMENT REPORT - QUARTER 4

CAB19/21 Lee Colyer, Director of Finance, Policy and Development introduced the report as 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-D be noted.
2. That the proposed variations to the Capital Programme, set out in note 4.3 to 4.15 be approved.
3. That the proposed movement between years, set out in note 4.16 be approved.
4. That the inclusion of a new scheme into the Capital Programme as set out in note 4.17 be noted.

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 4

CAB20/21 Lee Colyer, Director of Finance, Policy and Development introduced the report as set out in the agenda.

Discussion and questions from Members included the following:

- Questions had been raised previously regarding investments in the Property Fund. The news that the decision to hold those investments had been justified was very welcome.

RESOLVED –

1. That the Treasury Management and Prudential Indicator position for 2020/21 be noted.
2. That the investment and bank interest for 2020/21 of £608,000, was a decrease of £25,000 from the approved budget of £633,00 but an improvement of £22,000 from the quarter 3 projection 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.

PERFORMANCE SUMMARY QUARTER 4 AND END OF YEAR

CAB21/21 Jane Clarke, Head of Policy and Governance introduced the report as set out in the agenda.

Discussion and questions from Members included the following:

- The team that delivered the Southborough Hub were congratulated.
- The waste management contract was reported separately and was not included in the quarterly performance indicators. Instead it was periodically reported to the Communities and Economic Development Cabinet Advisory Board. It was understood that a report giving an update on performance was due shortly.

RESOLVED:

1. That the summary of project performance over quarter four, 2020/21 at Appendix A be noted.
2. That the summary of service performance over quarter four, 2020/21 at Appendix B be noted.
3. That the Recovery Plans for quarter four, 2020/21 at Appendices C-G 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 QUARTERS 3 AND 4

CAB22/21 Jane Clarke, Head of Policy and Governance introduced the report as set out in the agenda.

Discussion and questions from Members included the following:

- The increase in complaints related to the waste service were due to a number of outstanding complaints that had been resolved but were still showing as 'live' on the system. These had now been closed. Details of the number of cases that were involved would be reported after the meeting.
- The key outcomes of the Ombudsman's report related to the Council's record keeping and in particular records related to decision making.

RESOLVED: That the summary of complaints over period two (October – March 2020/21) be noted.

REASON FOR DECISION:

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

REVISIONS TO THE COVERT SURVEILLANCE AND ACCESS TO COMMUNICATIONS DATA POLICY AND GUIDANCE NOTES

CAB23/21 Gary Rowland, Senior Lawyer (Corporate Governance) introduced the report as set out in the agenda.

RESOLVED – That the revised Covert Surveillance and Access to Communications Data Policy as set out at Appendix B be approved.

REASON FOR DECISION:

To ensure the Council follows the recommendations as set out by IPCO and maintains a up-to-date Covert Surveillance Policy.

ANNUAL REPORT ON THE USE OF RIPA

CAB24/21 Gary Rowland, Senior Lawyer (Corporate Governance) introduced the report as set out in the agenda.

RESOLVED – That the report be noted.

REASON FOR DECISION:

To demonstrate the Council's compliance with legislation.

AFFORDABLE HOUSING COMMUTED SUMS EXPENDITURE

CAB25/21 Jane Lang, Housing Services Manager introduced the report as set out in the agenda.

Discussion and questions from Members included the following:

- The initiatives taken that enabled this proposal to be taken forward were to be congratulated.
- Any initiative that would allow for the delivery of more affordable housing was welcomed.
- Discussions were continuing with the developer to ensure that energy efficient measures were introduced.
- Although not relevant to this report and update on progress of the flats on Crescent Road was requested.
- It was confirmed the flats on Crescent Road were almost complete with the building works in the process of being signed off. The flats were due to be furnished next week and it was hoped they would be ready to be let within the next 2 weeks.

RESOLVED –

1. That the release of Section 106 funding for affordable housing totalling £292,250 held by the Council in lieu of affordable housing provision on the site known as Barretts 66-68 Frant Way (Planning Permission TW/17/01608 FULL) to Town and Country Housing Group be approved.
2. That the Head of Housing, Health and Environment, in consultation with the Head of the Legal Partnership to enter into a grant agreement be authorised and all associated legal documentation with Town and Country Housing to facilitate the

delivery of five 2 bed social rented houses at Hornbeam Avenue, Southborough using the Section 106 funding released be approved.

REASON FOR DECISION:

The use of S106 funding for this purpose represents good value for money to secure five social rented homes and the further provision of affordable homes in the Borough.

PSPO CONSULTATION 2021

CAB26/21 Terry Hughes, Community Safety Manager introduced the report as set out in the agenda.

Discussion and questions from Members included the following:

- The primary objective of encouraging good and respectable behaviour of people in public spaces rather than enforcement was welcomed.
- Ensuring a good level of consultation with members of the public that provided an explanation of the balance between compliance and enforcement was also welcomed.
- The residents and Ward Councillors of Sherwood would welcome the proposed plans for the area as there had been a lot of complaints related to noise and the misuse of alcohol.
- There would be no issues to extend restrictions in the Town Centre should this be required. A consultation exercise would be required for a new PSPO but this could be taken forward as and when necessary.
- The proportionality of the report should be applauded with the Council discharging orders as and when they were no longer required.

RESOLVED – That the proposed Public Spaces Protection Orders as set out in the report and in the appendices to the report be approved for consultation or discharged.

REASON FOR DECISION:

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

URGENT BUSINESS

CAB27/21 There was no urgent business.

DATE OF NEXT MEETING

CAB28/21 The next meeting would be held on Thursday 29 July 2021 commencing at 10:30am in the Council Chamber at the Town Hall, Tunbridge Wells.

NOTES:

The meeting concluded at 11.38 am.
An audio recording of this meeting is available on the Tunbridge Wells Borough Council website.