

TONBRIDGE AND MALLING BOROUGH COUNCIL
MINUTES OF COUNCIL, CABINET AND COMMITTEE MEETINGS

SUPPLEMENT

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NOTE: In the case of items containing exempt information, the report must remain confidential but details of the decisions need not remain confidential.

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TONBRIDGE AND MALLING BOROUGH COUNCIL

CABINET

Thursday, 14th February, 2019

Present: Cllr N J Heslop (Chairman), Cllr M A Coffin, Cllr Mrs M F Heslop, Cllr D Lettington, Cllr P J Montague and Cllr H S Rogers

Councillors Mrs J A Anderson, O C Baldock, M C Base, D J Cure, Mrs A S Oakley, M Parry-Waller, M R Rhodes and A K Sullivan were also present pursuant to Access to Information Rule No 23.

PART 1 - PUBLIC

CB 19/1 DECLARATIONS OF INTEREST

There were no declarations of interest made in accordance with the Code of Conduct.

CB 19/2 MINUTES

RESOLVED: That the Minutes of the meeting of the Cabinet held on 10 October 2018 be approved as a correct record and signed by the Chairman.

MATTERS FOR RECOMMENDATION TO THE COUNCIL

CB 19/3 RISK MANAGEMENT STRATEGY

The report of the Management Team invited Members to review the Risk Management Strategy and accompanying Risk Management Guidance which set out the Council's risk management objectives and detailed the roles and responsibilities of officers, Members and partners in the identification, evaluation and cost-effective control of risks. The report also provided an update on the risk management process and the Strategic Risk Register.

It was noted that the Audit Committee at its meeting on 21 January 2019 had endorsed the strategy and commended it for adoption by the Council.

RECOMMENDED: That the Risk Management Strategy and accompanying Risk Management Guidance be adopted by the Council.
***Referred to Council**

CB 19/4 TREASURY MANAGEMENT AND ANNUAL INVESTMENT STRATEGY

The report of the Director of Finance and Transformation provided details of investments undertaken and return achieved in the first nine

months of the current financial year and an introduction to the 2019/20 Treasury Management and Annual Investment Strategy. Members were invited to recommend adoption of the Strategy by the Council.

It was noted that the Audit Committee at its meeting on 21 January 2019 had reviewed and endorsed the matters covered by the report.

The Cabinet acknowledged the work of officers involved in the Council's treasury management.

RECOMMENDED: That

- (1) the treasury management position as at 31 December 2018 and the higher level of income incorporated in the 2018/19 revised estimates be noted; and
- (2) the Treasury Management and Annual Investment Strategy for 2019/20, as set out at Annex 4 to the report, be adopted.

***Referred to Council**

CB 19/5 SETTING THE BUDGET 2019/20

Further to the reports to the Finance, Innovation and Property Advisory Board and the Overview and Scrutiny Committee earlier in the cycle, the joint report of the Chief Executive, Director of Finance and Transformation, the Leader and Cabinet Member for Finance, Innovation and Property updated the Cabinet on issues relating to the Medium Term Financial Strategy (MTFS) and gave details of the necessary procedure to be followed in order to set the budget for 2019/20. It also highlighted adjustments made to the Revenue Estimates presented to the Advisory Board and Committee and the suggested reviews of Disabled Facilities Grants, Public Health and Community Safety Partnerships.

The Director of Finance and Transformation explained that the final local government settlement had now been received and did not differ significantly from the multi-year settlement except for removal of the "negative RSG" payment for one year. She indicated that this contributed to the relatively positive position for Tonbridge and Malling together with the fact that the baseline for payment of New Homes Bonus would remain at 0.4%, and the Secretary of State's decision to maintain the threshold for triggering a referendum on council tax increase at the higher of 3% or £5. However, Members were advised that the settlement should be viewed in the context of a lack of information about future years' funding and impact on the funding gap which would have to be revisited in the light of the outcome of the 2019 Spending Review and Fair Funding Review. In addition, the Kent and Medway authorities' bid for the next pilot in respect of 75% business rates retention had failed despite the success of the previous pilot.

The report also suggested a mechanism for responding to two further

consultation papers on the review of relative needs and resources and business rates retention reform published alongside the provisional settlement.

Attention was drawn to recommendations from Advisory Boards and the decision of the Licensing and Appeals Committee regarding the levels of fees and charges to be implemented from 1 April 2019 which had been incorporated in the draft estimates. Members were reminded of the approach to preparation of the Capital Plan, an updated summary of which was set out at Annex 7 to the report.

The report then described the remaining procedure to be followed in setting the budget for 2019/20 and calculating the council tax. For the purposes of updating the MTFS a council tax increase of around 3% in 2019/20 had been assumed, followed by an increase of £5 year on year thereafter. The Cabinet deliberated on the most appropriate guidance to offer the Council as to the way forward for updating the MTFS for the next ten year period and setting the council tax for 2019/20. Members were advised of details of special expenses for 2019/20.

An updated copy of the Savings and Transformation Strategy was presented, including revised outline targets and timescales to be revisited and aligned with the latest projected “funding gap”. Finally, the Director of Finance and Transformation explained the basis on which the statement as to the Robustness of the Estimates and Adequacy of the Reserves had been made, including an understanding that the required savings and transformation contributions based on latest projections of £550,000 would be delivered.

RECOMMENDED: That

- (1) delegated authority be given to the Director of Finance and Transformation, in liaison with the Leader and Cabinet Member for Finance, Innovation and Property, to respond to the two further papers published alongside the provisional settlement, as supported by the Finance, Innovation and Property Advisory Board and detailed at paragraph 1.2.11 of the report.
- (2) the Overview and Scrutiny Committee be asked to review the service areas Disabled Facilities Grants, Public Health and Community Safety Partnership, as detailed at paragraph 1.5.2 of the report;
- (3) the fees and charges set out in Annex 2 to the report, as recommended by the appropriate Advisory Boards, be endorsed (see Decision Nos D190005CAB to D190013CAB);
- (4) the Capital Plan be updated as set out in paragraph 1.7.15 to the report and adopted accordingly and the Scape Minor Works Framework, Kier Construction Limited, being the framework

- contractor, be used to procure the planned major programme of works at Larkfield Leisure Centre;
- (5) the Capital Strategy as presented to the Finance, Innovation and Property Advisory Board on 9 January and the Overview and Scrutiny Committee on 22 January 2019 be endorsed and adopted by the Council;
 - (6) the prudential indicators listed in paragraphs 1.8.7 and 1.8.11 of the report be endorsed and adopted;
 - (7) for the financial year 2019/20 the Council's Minimum Revenue Provision, as set out at paragraph 1.8.14 of the report, be noted as nil;
 - (8) the proposed increase in the minimum General Revenue Reserve balance from £2.0m to £3.0m, as detailed at paragraph 1.10.5 of the report, be noted and endorsed;
 - (9) the updated Medium Term Financial Strategy, as set out at Annex 11a to the report, be noted and endorsed;
 - (10) the Council be recommended to approve a council tax increase of 2.99% or £6.08 per annum as the best way forward in updating the Medium Term Financial Strategy for the next ten-year period and setting the council tax for 2019/20;
 - (11) the updated Savings and Transformation Strategy detailed at Annex 11c to the report, including the proposed scale and timing of each of the required savings and transformation contributions set out at paragraph 1.11.6 of the report, be noted and endorsed;
 - (12) the special expenses calculated in accordance with the Special Expenses Scheme set out in Annex 14b to the report be endorsed; and
 - (13) the Statement provided by the Director of Finance and Transformation as to the Robustness of the Estimates and the Adequacy of the Reserves be noted and endorsed.

***Referred to Council**

CB 19/6 SETTING THE COUNCIL TAX FOR 2019/20

The joint report of the Chief Executive, Director of Finance and Transformation, Leader of the Council and Cabinet Member for Finance, Innovation and Property set out the requirements under the Local Government Finance Act 1992 for a billing authority to set an amount of council tax for each category of dwelling in its area. Members were advised of the position concerning the determination of their respective precepts for 2019/20 by the major precepting authorities.

Consideration was given to a draft resolution identifying the processes to

be undertaken in arriving at the levels of council tax applicable to each part of the Borough to which any charges under the special expenses scheme would be added. The resolution and further information regarding the precepts of the other authorities would be reported to the full Council on 19 February 2019.

RECOMMENDED: That the resolution be noted and the Council be recommended to approve a 2.99% or £6.08 per annum increase in the Borough Council's element of the council tax for 2019/20, representing a notional "average" charge at Band D of £209.50.

***Referred to Council**

CB 19/7 BREXIT PREPAREDNESS

The Cabinet received the recommendations of the Overview and Scrutiny Committee at its meeting of 22 January 2019 following consideration of a report on a range of initiatives being pursued to ensure that the Borough Council was prepared to maintain business continuity in response to the possible impact of Brexit.

RECOMMENDED: That

- (1) the report be noted and further updates be provided as more information becomes available; and
- (2) the current urgency provisions in the Council's Constitution and Policy Framework be extended to include "arrangements for decision making during a period of serious and/or unexpected disruption".

***Referred to Council**

CB 19/8 CHERRY ORCHARD/BRAMPTON FIELD, DITTON

Item SSE 18/20 referred from Street Scene and Environment Services Advisory Board minutes of 5 November 2018

The Cabinet received the recommendations of the Street Scene and Environment Services Advisory Board at its meeting of 5 November 2018 regarding concerns about the condition and excessive height of a row of conifer trees on Council owned land between Cherry Orchard and Brampton Field, Ditton.

RECOMMENDED: That

- (1) the existing row of conifers on Council owned land between Cherry Orchard and Brampton Field be removed as soon as is practicable;
- (2) suitable replacement trees be planted on the Council's open space, in liaison with the local Members; and

- (3) urgency proceedings be invoked to secure the required budget to progress the works, in accordance with Financial Rules 15.1 and 15.2, with reports from the Chief Executive submitted to future meetings of the Executive and the Overview and Scrutiny Committee.

***Referred to Council**

CB 19/9 REVENUES AND BENEFITS UPDATE REPORT

Item FIP 19/10 referred from Finance, Innovation and Property Advisory Board minutes of 9 January 2019

The Cabinet received the recommendations of the Finance, Innovation and Property Advisory Board at its meeting of 9 January 2019 regarding the adoption of schemes for Retail Discount and Council Tax Reduction for 2019/20, removal of Class C empty property discount and adoption of the long term empty homes premium of 100%.

RECOMMENDED: That

- (1) the change to the Class C discount be implemented from 1 April 2019 and a report be submitted during 2019/20 regarding any implications;
- (2) the long term empty homes premium of 100% be applied from 1 April 2019;
- (3) a local scheme be adopted for the retail discount to be awarded in line with the discretionary relief policy and MHCLG guidance from 1 April 2019 and the scheme be made available at the full Council meeting;
- (4) delegated authority be given to the Director of Finance and Transformation to grant relief in accordance with the adopted retail discount scheme, subject to any disputed entitlement to relief being referred to the Advisory Board; and
- (5) the Tonbridge and Malling Borough Council Local Council Tax Reduction Scheme 2019/20 (to be made available at the full Council meeting) be effective from 1 April 2019.

***Referred to Council**

CB 19/10 REVENUE ESTIMATES 2019/20

Item FIP 19/8 referred from Finance, Innovation and Property Advisory Board minutes of 9 January 2019

The Cabinet received the recommendations of the Finance, Innovation and Property Advisory Board at its meeting of 9 January 2019 in relation to the formulation of initial draft proposals in respect of the Budget. All

budgetary matters were considered in detail in the substantive item on Setting the Budget 2019/20.

CB 19/11 CAPITAL PLAN REVIEW 2018/19

Item FIP 19/9 referred from Finance, Innovation and Property Advisory Board minutes of 9 January 2019

The Cabinet received the recommendations of the Finance, Innovation and Property Advisory Board at its meeting of 9 January 2019 in relation to the initial stage of the Capital Plan review process. All budgetary matters were considered in detail in the substantive item on Setting the Budget 2019/20.

DECISIONS TAKEN IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION (RESPONSIBILITY FOR EXECUTIVE FUNCTIONS)

CB 19/12 REVIEW OF FEES AND CHARGES - STREET SCENE AND ENVIRONMENT SERVICES

Decision Notice D190005CAB

CB 19/13 REVIEW OF CEMETERY CHARGES 2019/20

Decision Notice D190006CAB

CB 19/14 EXTENSION OF GROUNDS MAINTENANCE CONTRACT

Decision Notice D190007CAB

CB 19/15 REVIEW OF HOUSES IN MULTIPLE OCCUPATION AND CARAVAN SITE LICENSING FEES FOR 2019/20

Decision Notice D190008CAB

CB 19/16 REVIEW OF THE PLANNING APPLICATION CHARGING REGIME

Decision Notice D190009CAB

CB 19/17 REVIEW OF FEES AND CHARGES 2019/20 - FINANCE, INNOVATION AND PROPERTY

Decision Notice D190010CAB

CB 19/18 TONBRIDGE CASTLE - REVIEW OF FEES AND CHARGES

Decision Notice D190011CAB

CB 19/19 PROPOSED 3% SURCHARGE ON BUILDING CONTROL STANDARD CHARGES

Decision Notice D190012CAB

CB 19/20 FIXED PENALTY NOTICES FOR LITTERING

Decision Notice D190013CAB

CB 19/21 REVIEW OF PROVISION OF PUBLIC CONVENIENCES

Decision Notice D190014CAB

CB 19/22 ROAD CLOSURES REVIEW

Decision Notice D190015CAB

CB 19/23 PLANNING ENFORCEMENT PLAN

Decision Notice D190016CAB

CB 19/24 CYBER SECURITY

Decision Notice D190017CAB

MATTERS SUBMITTED FOR INFORMATION**CB 19/25 MATTERS REFERRED FROM ADVISORY BOARDS**

The notes of the meetings of the following Advisory Boards were received, any recommendations contained therein being incorporated within the decisions of the Cabinet reproduced at the annex to these Minutes.

Street Scene and Environment Services Advisory Board of 5 November 2018

Economic Regeneration Advisory Board of 6 November 2018

Communities and Housing Advisory Board of 12 November 2018

Planning and Transportation Advisory Board of 13 November 2018

Finance, Innovation and Property Advisory Board of 9 January 2019

Street Scene and Environment Services Advisory Board of 11 February 2019

RESOLVED: That the report be received and noted.

CB 19/26 MATTERS REFERRED FROM ADVISORY PANELS AND OTHER GROUPS

The Minutes of the meetings of the following Advisory Panels and other Groups were received, any recommendations contained therein being

incorporated within the decisions of the Cabinet reproduced at the annex to these Minutes.

Parish Partnership Panel of 15 November 2018
Joint Transportation Board of 26 November 2018

RESOLVED: That the report be received and noted.

CB 19/27 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 8.41 pm

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION

Decision Taken By: Cabinet Member for Strategic Planning and Infrastructure

**Decision No:
D180066MEM**

Date: 05 November 2018

Decision(s) and Reason(s)

Waste Services Contract

(Report of Director of Street Scene, Leisure and Technical Services)

The report provided an update on the implementation of the new Waste Services Contract and sought approval of detailed proposals relating to the new opt-in garden waste charge and the mobilisation of the new improved services. Details of the proposed Terms and Conditions for the Chargeable Garden Waste Collection Service were set out at Annex 1 to the report and it was noted that up to two additional garden waste bins could be ordered at a discounted rate.

Following consideration by the Street Scene and Environment Services Advisory Board, the Cabinet Member for Strategic Planning and Infrastructure resolved that:

- (1) the actions taken by the Directors of Street Scene, Leisure and Technical Services and Finance and Transformation in liaison with the Cabinet Members for Street Scene and Environment Services and Finance, Innovation and Property to approve the final Inter Authority Agreement be noted;
- (2) the detailed terms and conditions and early bird discount proposed for the garden waste charges, as outlined in the report, be approved;
- (3) a discounted subscription rate of £25 per annum for each additional garden waste bin be approved;
- (4) the mobilisation arrangements for the new service arrangements, as outlined in the report, be agreed;
- (5) an Operational Marketing Plan be reported to the next meeting of the Street Scene and Environment Services Advisory Board following initial consideration by the Waste Contract Member Group;

- (6) a Data Protection Impact Screening Assessment be undertaken within any resultant actions implemented; and
- (7) a lease of the Vale Rise Depot be granted as per the terms outlined at paragraph 1.7.3 of the report.

In accordance with Paragraph 2 Annex 1 of the Executive Procedure Rules the Leader nominated the Cabinet Member for Strategic Planning and Infrastructure to take this decision in the absence of the Cabinet portfolio holder (Street Scene and Environment Services).

Reasons: As set out in the report submitted to the Street Scene and Environment Services Advisory Board of 5 November 2018.

Signed Cabinet Member for Strategic Planning and Infrastructure H Rogers

Signed Leader: N Heslop

Signed Chief Executive: J Beilby

Date of publication: 9 November 2018

This decision will come into force and may then be implemented on the expiry of 5 working days after publication unless it is called in.

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION

**Decision Taken By: Cabinet Member for Economic
Regeneration**

**Decision No:
D180067MEM**

Date: 06 November 2018

Decision(s) and Reason(s)

Business Rates Retention Pilot Initiatives - Outline Programme

(Report of Chief Executive)

Further to Decision No D180060CAB, the report set out a programme of delivery for the Business Rates Retention Pilot initiatives, including an early draft of the Commercial Frontages Grant Scheme.

Consideration was given to the proposed criteria for the scheme which focused on independent retailers in the town and district centres of Tonbridge town centre, Borough Green, Kings Hill, Martin Square/Larkfield, Snodland and West Malling. It was agreed that the four additional centres identified in the previous district centres programme (Aylesford, East Peckham, Hadlow and Wrotham) also be included. It was also suggested that the focus of the scheme on retail premises should be reflected in its title.

Following consideration by the Economic Regeneration Advisory Board, the Cabinet Member for Economic Regeneration resolved that:

- (1) the proposed outline Business Rates Retention programme, as set out at paragraph 1.1.2 of the report, be approved; and
- (2) the Town and District Centres Commercial (Retail) Frontages Grant Scheme, as set out in the report, be approved subject to inclusion of Aylesford, East Peckham, Hadlow and Wrotham.

Reasons: As set out in the report submitted to the Economic Regeneration Advisory Board of 6 November 2018.

Signed Cabinet Member for
Economic Regeneration and
Leader

N Heslop

Signed Chief Executive: J Beilby

Date of publication: 9 November 2018

This decision will come into force and may then be implemented on the expiry of 5 working days after publication unless it is called in.

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION

Decision Taken By: Cabinet Member for Housing

**Decision No:
D180068MEM**

Date: 12 November 2018

Decision(s) and Reason(s)

Private Sector Housing Stock Condition Modelling Exercise

(Report of Director of Central Services)

The report outlined the Council's approach to undertaking a private sector housing stock modelling exercise to update the current stock condition and inform future policies and targeting of housing resources and services.

The cost of the modelling exercise was contained in a report in the private part of the agenda since it contained exempt information (LGA 1972 Sch 12A Paragraph 3 – Financial or business affairs of any particular person).

Following consideration by the Communities and Housing Advisory Board, the Cabinet Member for Housing resolved that:

- (1) the cost of undertaking the housing stock modelling exercise, as set out in the Part 2 exempt information report, be agreed and be funded from the Housing Survey Reserve; and
- (2) the instruction to the Building Research Establishment (BRE) to undertake a housing stock modelling exercise and develop an authority wide integrated house condition and energy base be approved.

Reasons: As set out in the reports submitted to the Communities and Housing Advisory Board of 12 November 2018 (contains exempt information).

Signed Cabinet Member for Housing P Montague

Signed Leader: N Heslop

Signed Chief Executive: J Beilby

Date of publication: 16 November 2018

This decision will come into force and may then be implemented on the expiry of 5 working days after publication unless it is called in.

Decision Taken By: Cabinet Member for Community Services

**Decision No:
D180069MEM**

Date: 12 November 2018

Decision(s) and Reason(s)

Capital Plan Projects

(Report of Director of Street Scene, Leisure and Technical Services)

The report gave details of progress with key projects included in the Council's Capital Plan and brought forward four post implementation reviews for consideration and approval.

Following consideration by the Communities and Housing Advisory Board, the Cabinet Member for Community Services resolved that:

- (1) the updates on the current schemes within the Capital Plan, as shown at Annex 1 to the report, be noted;
- (2) the post implementation review for Haysden Country Park Extension Play Area, as shown at Annex 2 to the report, be approved;
- (3) the post implementation review for Haysden Country Park Site Improvements, as shown at Annex 3 to the report, be approved;
- (4) the post implementation review for Larkfield Leisure Centre Pool Disinfection, as shown at Annex 4 to the report, be approved; and
- (5) the post implementation review for Public Open Space Site Improvements, as shown at Annex 5 to the report, be approved.

Reasons: As set out in the report submitted to the Communities and Housing Advisory Board of 12 November 2018.

Signed Cabinet Member for Community Services M Heslop

Signed Leader: N Heslop

Signed Chief Executive: J Beilby

Date of publication: 16 November 2018

This decision will come into force and may then be implemented on the expiry of 5 working days after publication unless it is called in.

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION

Decision Taken By: Cabinet Member for Strategic Planning and Infrastructure

**Decision No:
D180071MEM**

Date: 13 November 2018

Decision(s) and Reason(s)

Transportation Update

(Report of Director of Central Services and Monitoring Officer)

The report provided an update on the current consultation process relating to the Lower Thames Crossing and Gatwick Airport and highlighted issues for inclusion in the respective responses.

Qualified support was expressed for the Lower Thames Crossing proposals although it was agreed to reiterate concerns regarding the implications for the A228 and A229 and the need for improvements to these routes to be prioritised to meet growing demand.

In respect of the Gatwick Airport consultation, there were significant concerns about any intensification of air traffic over West Kent, including night flights, the management of noise impacts and surface transport connectivity. Regarding the latter, emphasis was placed on continuing to lobby for a direct rail service between Gatwick and Tonbridge via Redhill.

Following consideration by the Planning and Transportation Advisory Board, the Cabinet Member for Strategic Planning and Infrastructure resolved that:

- (1) the content of the report be noted;
- (2) the issues raised in response to the Lower Thames Crossing consultation be approved for submission to Highways England; and
- (3) the issues raised in response to the Gatwick Master Plan consultation be approved for submission to Gatwick Airport Limited.

Reasons: As set out in the report submitted to the Planning and Transportation Advisory Board of 13 November 2018.

Signed Cabinet Member for Strategic Planning and Infrastructure H Rogers

Signed Leader: N Heslop

Signed Chief Executive: J Beilby

Date of publication: 16 November 2018

This decision will come into force and may then be implemented on the expiry of 5 working days after publication unless it is called in.

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION

**Decision Taken By: Cabinet Member for Street Scene
and Environment Services**

**Decision No:
D180072MEM**

Date: 26 November 2018

Decision(s) and Reason(s)

Parking Action Plan, Phase 10

(Report of Director of Street Scene, Leisure and Technical Services)

The report provided an update on the formal consultation undertaken between 5 and 28 October in respect of Phase 10 of the Parking Action Plan. Details of the proposals in respect of 25 locations, the responses received to the formal consultation, location plans and redacted copies of the responses were set out at Annexes 1 to 4 of the report.

Following consideration by the Joint Transportation Board, the Cabinet Member for Street Scene and Environment Services resolved that the recommendations for each location, as set out in Annex 1 to the report, be adopted and, where appropriate, any objections be set aside and the restrictions be introduced.

Reasons: As set out in the report submitted to the Joint Transportation Board of 26 November 2018.

Signed Cabinet Member for Street Scene and Environment Services D Lettington

Signed Leader: N Heslop

Signed Chief Executive: J Beilby

Date of publication: 30 November 2018

This decision will come into force and may then be implemented on the expiry of 5 working days after publication unless it is called in.

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION

**Decision Taken By: Cabinet Member for Finance,
Innovation and Property**

**Decision No:
D190001MEM**

Date: 09 January 2019

Decision(s) and Reason(s)

IT Strategy Update

(Report of Director of Finance and Transformation)

Further to Decision No D180032MEM, the report provided an update on work relating to the website development plan including the scoping of a Digital Strategy to set out the business aspect of service transformation alongside the “technology” side of the IT Strategy. A website review document containing the results of the Smart Digital Services customer testing and feedback from the latest SOCITM Better Connected national review was appended to the report.

Consideration was given to one of the recommendations regarding the establishment of an informal Member working group to assist in the website review. It was agreed that the Leader determine the membership of the group in consultation with the Cabinet Member for Finance, Innovation and Property, the Chairman of the Advisory Board and the Leader of the Liberal Democrats Group.

Following consideration by the Finance, Innovation and Property Advisory Board, the Cabinet Member for Finance, Innovation and Property resolved that:

An informal Member working group with membership determined by the Leader be formed to assist with the website review.

Reasons: As set out in the report submitted to the Finance, Innovation and Property Advisory Board of 9 January 2019.

Signed Cabinet Member for Finance, Innovation and Property M Coffin

Signed Leader: N Heslop

Signed Chief Executive: J Beilby

Date of publication: 11 January 2019

This decision will come into force and may then be implemented on the expiry of 5 working days after publication unless it is called in.

**Decision Taken By: Cabinet Member for Finance,
Innovation and Property**

**Decision No:
D190002MEM**

Date: 09 January 2019

Decision(s) and Reason(s)

Debts for Write Off

**(LGA 1972 Sch 12A Paragraph 2 – Information likely to reveal information
about an individual)**

(Report of Director of Finance and Transformation)

**Approval of the writing-off of debts considered to be irrecoverable. Details
were also given of debts under £5,000 which had been written-off in
accordance with Financial Procedure Rule 17.2 together with cumulative totals
of debts in the current and previous financial years and information on
budgeted bad debt provision.**

Following consideration by the Finance, Innovation and Property Advisory Board, the
Cabinet Member for Finance, Innovation and Property resolved that:

The 30 items shown in the schedule of amounts over £5,000, totalling £57,402 be
written-off for the reasons stated within the schedule.

Reasons: As set out in the report submitted to the Finance, Innovation and Property
Advisory Board of 9 January 2019 (contains exempt information).

Signed Cabinet Member for Finance, Innovation and Property M Coffin

Signed Leader: N Heslop

Signed Chief Executive: J Beilby

Date of publication: 11 January 2019

This decision will come into force and may then be implemented on the expiry of 5
working days after publication unless it is called in.

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION

Decision Taken By: Cabinet Member for Strategic Planning and Infrastructure

**Decision No:
D190003MEM**

Date: 11 February 2019

Decision(s) and Reason(s)

Waste Services Contract

(Report of Director of Street Scene, Leisure and Technical Services)

A presentation was received from representatives of Urbaser prior to consideration of the report which provided an update on the implementation of the new Waste Services Contract from 1 March 2019 and the introduction of the new recycling services from 30 September 2019. The report sought approval of proposals relating to the Mobilisation Arrangements, an Operational Marketing Plan and a Domestic Recycling and Waste Collection Policy and Procedure Statement for the new Service. In response to comments regarding wheeled bins being left on the public highway, officers advised that a pragmatic approach was taken to enforcement and that the wording of Section 5 of Annex 2 to the report would be reviewed and clarified as appropriate.

In addition the report advised that the Government had recently published a new Resources and Waste Strategy and that consultations would be undertaken on Extended Producer Responsibility, Deposit Return Schemes and Consistent Collections from January 2019.

Following consideration by the Street Scene and Environment Services Advisory Board, the Cabinet Member for Strategic Planning and Infrastructure resolved that:

- (1) the Mobilisation Arrangements for the new Waste and Recycling Service, as outlined in the report, be approved;
- (2) the draft Operational Marketing Plan, as detailed at Annex 1 to the report, be agreed and implemented;
- (3) subject to a review of Section 5 to reflect the comments expressed about enforcement action taken where wheeled bins cause an obstruction, the Domestic Recycling and Waste Collection Policy Procedure and Statement for the new Service, as detailed at Annex 2 to the report, be agreed; and

- (4) the Partnership Manager submit an Annual Service Delivery Plan to a future meeting of the Street Scene and Environment Services Advisory Board.

In accordance with Paragraph 2 Annex 1 of the Executive Procedure Rules the Leader nominated the Cabinet Member for Strategic Planning and Infrastructure to take this decision in the absence of the Cabinet Portfolio holder (Street Scene and Environment Services)

Reasons: As set out in the report submitted to the Street Scene and Environment Services Advisory Board of 11 February 2019.

Signed Cabinet Member for Strategic Planning and Infrastructure H Rogers

Signed Leader: N Heslop

Signed Chief Executive: J Beilby

Date of publication: 15 February 2019

This decision will come into force and may then be implemented on the expiry of 5 working days after publication unless it is called in.

Decision Taken By: Cabinet Member for Street Scene and Environment Services

**Decision No:
D190004MEM**

Date: 11 February 2019

Decision(s) and Reason(s)

Public Conveniences Review

(Report of Director of Street Scene, Leisure and Technical Services)

The report provided an update on the agreed way forward regarding the future provision of the Council's existing public conveniences and sought approval of an Equality Impact Assessment.

Following consideration by the Street Scene and Environment Services Advisory Board, the Cabinet Member for Street Scene and Environment Services resolved that:

- (1) the update on the way forward regarding the provision of public conveniences be noted and the Equality Impact Assessment, as attached at Annex 2 to the report, be approved; and
- (2) subject to the outcome of the recommendation at (1) above, the Special Expenses Policy be updated and submitted to Council for approval in readiness for implementation in the financial year 2020/21.

Reasons: As set out in the report submitted to the Street Scene and Environment Services Advisory Board of 11 February 2019.

Signed Cabinet Member for Street Scene and Environment Services D Lettington

Signed Leader: N Heslop

Signed Chief Executive: J Beilby

Date of publication: 15 February 2019

This decision will come into force and may then be implemented on the expiry of 5 working days after publication unless it is called in.

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION

Decision Taken By: Cabinet
Decision No: D190005CAB
Date: 14 February 2019

Decision(s) and Reason(s)

Review of Fees and Charges - Street Scene and Environment Services

(Item SSE 18/21 referred from Street Scene and Environment Services Advisory Board minutes of 5 November 2018)

Consideration of recommendations to the Cabinet from the Street Scene and Environment Services Advisory Board of 5 November 2018.

The Cabinet resolved that:

The recommendations of the Street Scene and Environment Services Advisory Board be approved as follows:

- (1) the scale of charges for household bulky refuse and fridge/freezer collection, "missed" refuse collection, stray dog redemption fees, pest control, food certificates, contaminated land monitoring and private water supplies be approved;
- (2) no changes be made to the Council's existing car parking charges;
- (3) the new charges be implemented from 1 April 2019; and
- (4) the option for new waste and recycling bins/containers for new housing developments to be funded by developers be investigated further and a report submitted to a future meeting of the Street Scene and Environment Services Advisory Board.

Reasons: As set out in the report submitted to the Street Scene and Environment Services Advisory Board of 5 November 2018.

Signed Chief Executive: J Beilby

Date of publication: 15 February 2019

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Decision Taken By: Cabinet
Decision No: D190006CAB
Date: 14 February 2019

Decision(s) and Reason(s)

Review of Cemetery Charges 2019/20

(Item CH 18/26 referred from Communities and Housing Advisory Board minutes of 12 November 2018)

Consideration of recommendations to the Cabinet from the Communities and Housing Advisory Board of 12 November 2018.

A supplementary report was circulated regarding the Council's approach to cemetery charges for children's burials in the light of pending Government legislation.

The Cabinet resolved that:

The recommendations of the Communities and Housing Advisory Board be approved as amended as follows:

- (1) the existing charges for child burials at Tonbridge Cemetery be amended, with future burials for all under 18 year olds being free of charge with immediate effect; and
- (2) subject to (1) above, the proposed charges for Tonbridge Cemetery, as detailed at Annex 2 to the report to the Communities and Housing Advisory Board, be approved and implemented with effect from 1 April 2019.

Reasons: As set out in the report submitted to the Communities and Housing Advisory Board of 12 November 2018.

Signed Chief Executive: J Beilby

Date of publication: 15 February 2019

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Decision Taken By: Cabinet
Decision No: D190007CAB
Date: 14 February 2019

Decision(s) and Reason(s)

Extension of Grounds Maintenance Contract

(Item CH 18/27 referred from Communities and Housing Advisory Board minutes of 12 November 2018)

Consideration of recommendations to the Cabinet from the Communities and Housing Advisory Board of 12 November 2018.

The Cabinet resolved that:

The recommendations of the Communities and Housing Advisory Board be approved as follows:

The Council's current Grounds Maintenance Contract with Landscape Services Limited be extended for a further five years from 31 December 2019 in accordance with the Conditions of Contract.

Reasons: As set out in the report submitted to the Communities and Housing Advisory Board of 12 November 2018.

Signed Chief Executive: J Beilby

Date of publication: 15 February 2019

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Decision Taken By: Cabinet
Decision No: D190008CAB
Date: 14 February 2019

Decision(s) and Reason(s)

Review of Houses in Multiple Occupation and Caravan Site Licensing Fees for 2019/20

(Item CH 18/28 referred from Communities and Housing Advisory Board minutes of 12 November 2018)

Consideration of recommendations to the Cabinet from the Communities and Housing Advisory Board of 12 November 2018.

The Cabinet resolved that:

The recommendations of the Communities and Housing Advisory Board be approved as follows:

The charges for the following be agreed with effect from 1 April 2019:

- (1) £524 for a new mandatory HMO licence application;
- (2) £483 for the renewal of a mandatory HMO licence application;
- (3) £380 for a new caravan site licence where the use of the site is for permanent residential use; and
- (4) £180 for the transfer of a caravan site licence for a permanent residential use site.

Reasons: As set out in the report submitted to the Communities and Housing Advisory Board of 12 November 2018.

Signed Chief Executive: J Beilby

Date of publication: 15 February 2019

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Decision Taken By: Cabinet
Decision No: D190009CAB
Date: 14 February 2019

Decision(s) and Reason(s)

Review of the Planning Application Charging Regime

(Item PE 18/17 referred from Planning and Transportation Advisory Board minutes of 13 November 2018)

Consideration of recommendations to the Cabinet from the Planning and Transportation Advisory Board of 13 November 2018.

The Cabinet resolved that:

The recommendations of the Planning and Transportation Advisory Board be approved as follows:

The updated Pre-application Charging Schedule 2019/20 set out at Annex 1 to the report be approved with effect from 1 April 2019 subject to the correction of the fee for written advice for medium development to £186.

Reasons: As set out in the report submitted to the Planning and Transportation Advisory Board of 13 November 2018.

Signed Chief Executive: J Beilby

Date of publication: 15 February 2019

This decision will come into force and may then be implemented on the expiry of 5 working days after publication unless it is called in.

Decision Taken By: Cabinet
Decision No: D190010CAB
Date: 14 February 2019

Decision(s) and Reason(s)

Review of Fees and Charges 2019/20 - Finance, Innovation and Property

(Item FIP 19/3 referred from Finance, Innovation and Property Advisory Board minutes of 9 January 2019)

Consideration of recommendations to the Cabinet from the Finance, Innovation and Property Advisory Board of 9 January 2019.

The Cabinet resolved that:

The recommendations of the Finance, Innovation and Property Advisory Board be approved as follows:

- (1) in respect of the recovery of legal fees payable by third parties, the Council's fees continue to follow the Supreme Court guideline hourly rates as set out at paragraph 1.2.1 of the report;
- (2) the proposed scale of fees for local land charges searches and enquiries set out at Annex 1 to the report be adopted with effect from 1 April 2019;
- (3) the current photocopying charges of 10p (inclusive of VAT) for each page of the same document or additional copies of the same page plus postage as appropriate be retained;
- (4) the fee schedule for street naming and numbering set out in section 1.6 of the report be adopted with effect from 1 April 2019; and
- (5) the amount of council tax and business rate Court costs recharged remain as set out at paragraph 1.7.2 of the report for the 2019/20 financial year.

Reasons: As set out in the report submitted to the Finance, Innovation and Property Advisory Board of 9 January 2019.

Signed Chief Executive: J Beilby

Date of publication: 15 February 2019

This decision will come into force and may then be implemented on the expiry of 5 working days after publication unless it is called in.

Decision Taken By: Cabinet
Decision No: D190011CAB
Date: 14 February 2019

Decision(s) and Reason(s)

Tonbridge Castle - Review of Fees and Charges

(Item FIP 19/4 referred from Finance, Innovation and Property Advisory Board minutes of 9 January 2019)

Consideration of recommendations to the Cabinet from the Finance, Innovation and Property Advisory Board of 9 January 2019.

The Cabinet resolved that:

The recommendations of the Finance, Innovation and Property Advisory Board be approved as follows:

- (1) the new pricing model for the Castle Tour at Tonbridge Castle be approved as set out at paragraph 1.5.4 of the report;
- (2) the new pricing model for Schoolchildren Educational Workshops at Tonbridge Castle be approved as set out at paragraph 1.6.1 of the report;
- (3) authority be delegated to the Director of Central Services to depart from the fixed fee structure for wedding bookings where he considers it is in the financial interests of the Council to do so in a particular case; and
- (4) the pricing model for hiring out the Council Chamber at Tonbridge Castle be approved as set out at paragraph 2.3.3 of the report.

Reasons: As set out in the report submitted to the Finance, Innovation and Property Advisory Board of 9 January 2019.

Signed Chief Executive: J Beilby

Date of publication: 15 February 2019

This decision will come into force and may then be implemented on the expiry of 5 working days after publication unless it is called in.

Decision Taken By: Cabinet
Decision No: D190012CAB
Date: 14 February 2019

Decision(s) and Reason(s)

Proposed 3% Surcharge on Building Control Standard Charges

(Item FIP 19/5 referred from Finance, Innovation and Property Advisory Board minutes of 9 January 2019)

Consideration of recommendations to the Cabinet from the Finance, Innovation and Property Advisory Board of 9 January 2019.

The Cabinet resolved that:

The recommendations of the Finance, Innovation and Property Advisory Board be approved as follows:

The proposed fees scales for 2019/20, as set out at Appendix A to the report and representing an overall increase of 3%, be approved.

Reasons: As set out in the report submitted to the Finance, Innovation and Property Advisory Board of 9 January 2019.

Signed Chief Executive: J Beilby

Date of publication: 15 February 2019

This decision will come into force and may then be implemented on the expiry of 5 working days after publication unless it is called in.

Decision Taken By: Cabinet
Decision No: D190013CAB
Date: 14 February 2019

Decision(s) and Reason(s)

Fixed Penalty Notices for Littering

(Item SSE 19/5 referred from Street Scene and Environment Services Advisory Board minutes of 11 February 2019)

Consideration of recommendations to the Cabinet from the Street Scene and Environment Services Advisory Board of 11 February 2019.

The Cabinet resolved that:

The recommendations of the Street Scene and Environment Services Advisory Board be approved as follows:

- (1) the Council's revised charge for Fixed Penalty Notices for littering offences be set at £100 from 1 April 2019;
- (2) a revised early payment charge (within 10 days) for Fixed Penalty Notices for littering offence be set at £65 from 1 April 2019; and
- (3) the proposed approach to updating existing signage, as set out a paragraph 1.3.3 of the report, be approved.

Reasons: As set out in the report submitted to the Street Scene and Environment Services Advisory Board of 11 February 2019.

Signed Chief Executive: J Beilby

Date of publication: 15 February 2019

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Decision Taken By: Cabinet
Decision No: D190014CAB
Date: 14 February 2019

Decision(s) and Reason(s)

Review of Provision of Public Conveniences

(Report of Chief Executive)

The report gave details of the recommendations of the Overview and Scrutiny Committee at its meeting of 18 October 2018 regarding a review of the Council's current provision of public conveniences.

The Cabinet resolved that:

The recommendations of the Overview and Scrutiny Committee be approved as follows:

- (1) subject to agreement with the existing contractor, the existing public convenience cleansing contract be extended for 12 months in accordance with current contract conditions;
- (2) meetings be undertaken with individual Parish/Town Councils to agree the transfer of ownership of the Council's public conveniences currently located in their area;
- (3) the existing provision of public conveniences at Leybourne Lakes Country Park, Haysden Country Park, Tonbridge Racecourse Sportsground and Tonbridge Cemetery be retained;
- (4) the existing Priory Road and Castle Grounds public conveniences in Tonbridge be retained;
- (5) the existing Angel Centre public toilets be closed with the public redirected to existing alternative provision;
- (6) further investigation be undertaken into the suitability of alternative toilets in the vicinity of Tonbridge Castle to determine the future provision of Castle Grounds toilets;
- (7) the Building and Estates Manager be requested to bring forward an improvement programme for those facilities to be retained/transferred; and
- (8) future reports be submitted to the Street Scene and Environment Services Advisory Board on the outcome of the review, accompanied by an Equality Impact Assessment and financial appraisal.

Reasons: As set out in the reports of the Chief Executive to Cabinet and to the Overview and Scrutiny of 18 October 2018.

Signed Chief Executive: J Beilby

Date of publication: 15 February 2019

This decision will come into force and may then be implemented on the expiry of 5 working days after publication unless it is called in.

Decision Taken By: Cabinet
Decision No: D190015CAB
Date: 14 February 2019

Decision(s) and Reason(s)

Road Closures Review

(Report of Chief Executive)

The report gave details of the recommendations of the Overview and Scrutiny Committee at its meeting of 18 October 2018 regarding a review of the procedures used to implement temporary road closures for community events.

The Cabinet resolved that:

The recommendations of the Overview and Scrutiny Committee be approved as follows:

Subject to further discussions with relevant partners, the continued use of the Town Police Clauses Act 1847 for appropriate local community events be confirmed.

Reasons: As set out in the reports of the Chief Executive to Cabinet and to the Overview and Scrutiny of 18 October 2018.

Signed Chief Executive: J Beilby

Date of publication: 15 February 2019

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Decision Taken By: Cabinet
Decision No: D190016CAB
Date: 14 February 2019

Decision(s) and Reason(s)

Planning Enforcement Plan

(Item PE 18/18 referred from Planning and Transportation Advisory Board minutes of 13 November 2018)

Consideration of recommendations to the Cabinet from the Planning and Transportation Advisory Board of 13 November 2018.

The Cabinet resolved that:

The recommendations of the Planning and Transportation Advisory Board be approved as follows:

The Planning Enforcement Plan, as set out at Annex 1 to the report, be approved subject to a review of the issues surrounding expediency and consideration of any proposed changes.

Reasons: As set out in the report submitted to the Planning and Transportation Advisory Board of 13 November 2018.

Signed Chief Executive: J Beilby

Date of publication: 15 February 2019

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Decision Taken By: Cabinet
Decision No: D190017CAB
Date: 14 February 2019

Decision(s) and Reason(s)

Cyber Security

(Item FIP 19/7 referred from Finance, Innovation and Property Advisory Board minutes of 9 January 2019)

Consideration of recommendations to the Cabinet from the Finance, Innovation and Property Advisory Board minutes of 9 January 2019.

The Cabinet resolved that:

The recommendations of the Finance, Innovation and Property Advisory Board be approved as follows:

- (1) the action to address the outcome of the LGA Stocktake and funding bid be noted and confirmed;
- (2) it be noted that further reports on the progress with Cyber Security will be presented to the Finance, Innovation and Property Advisory Board; and
- (3) the Cabinet Member for Finance, Innovation and Property be appointed as the named councillor for Cyber Security and the Director of Central Services be asked to update the Council's Constitution accordingly.

Reasons: As set out in the report submitted to the Finance, Innovation and Property Advisory Board of 9 January 2019.

Signed Chief Executive: J Beilby

Date of publication: 15 February 2019

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