

**TONBRIDGE & MALLING BOROUGH COUNCIL**

**RECORD OF DECISION**

**Decision Taken By: Cabinet**

**Decision No: D150078CAB**

**Date: 07 October 2015**

**Decision(s) and Reason(s)**

**Financial Arrangements with Parish Councils 2016/17**

**(Item FIP 15/47 referred from Finance, Innovation and Property Advisory Board minutes of 23 September 2015)**

**Consideration of recommendations to the Cabinet from the Finance, Innovation and Property Advisory Board of 23 September 2015.**

The Cabinet resolved that:

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

- (1) the methodology outlined in the report be adopted in calculating the allocations to parish councils under the Scheme of Financial Arrangements with Parish Councils for the year 2016/17; and
- (2) parish councils be notified of their allocations as set out in Annex 1 to the report and be advised that 2016/17 could potentially be the last year in which the current methodology is employed.

Reasons: As set out in the report submitted to the Finance, Innovation and Property Advisory Board of 23 September 2015.

Signed Chief Executive: J Beilby

Date of publication: 9 October 2015

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: D150079CAB**  
**Date: 07 October 2015**

**Decision(s) and Reason(s)**

**Peer Challenge Scrutiny Review - Recommendations from Overview and Scrutiny Committee**

**(Report of Management Team)**

**Consideration was given to the recommendations of the Overview and Scrutiny Committee at its meeting of 15 September 2015 on the outcome of a review of those elements of the Peer Challenge relating to the number and style of Council meetings and the Area Planning Committees.**

**The report referred to the serious concerns raised by some Members on the prospect of moving to a single Planning Committee structure and suggested alternative ways forward for implementing the recommendations.**

**The Cabinet welcomed the significant amount of debate generated by the review and recognised the value placed on the area planning committee system by many Members. In the light of the divergent views on the matter, it was agreed that a decision should not be taken in isolation of the other challenges facing the Council but considered in the context of the Medium Term Financial Strategy and Corporate Plan.**

The Cabinet resolved that:

- (1) the recommendations of the Overview and Scrutiny Committee be agreed in respect of matters other than regarding the Area Planning Committees and the Committee, in particular Members of the review panel, be thanked for their work; and
- (2) a decision on whether to change the current Area Planning Committee structure be deferred pending consideration of broader matters including the Medium Term Financial Strategy and the forthcoming Corporate Plan. In the meantime the Director of Planning, Housing and Environmental Health and Director of Central Services be asked to implement some practical improvements to the current system, identified during the work of the review panel, in consultation with the Cabinet Member for Planning and Transportation and the Chairmen of the Area Planning Committees.

Reasons: As set out in the report of the Management Team and to enable the issue of Area Planning Committees to be addressed in the context of broader matters.

Signed Chief Executive:

J Beilby

Date of publication: 9 October 2015

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: D150080CAB**  
**Date: 07 October 2015**

**Decision(s) and Reason(s)**

**Medium Term Financial Strategy**

**(Report of Director of Finance and Transformation)**

The report gave details of how the Medium Term Financial Strategy (MTFS) was being updated in terms of government grant funding. Reference was made to the significant financial challenges facing the Council, including uncertainty over grant funding, especially New Homes Bonus, and the difficulty of financial planning as demonstrated by best and worst case scenarios. Consideration was given to the most appropriate way forward for updating the MTFS for the forthcoming budget setting process, a “central case” being regarded as the preferred option.

An update was given at the meeting on the Chancellor’s recent announcement concerning retention of Business Rates by local authorities which would be reported further in due course when more details were available. In addition the implications of Dartford Borough Council wishing to join the Kent Business Rates Pool were discussed and appreciation was expressed of officers’ efforts in renegotiating membership of the pool.

The Cabinet resolved that:

- (1) the proposed “central case” option be adopted in updating the Medium Term Financial Strategy;
- (2) the significant financial pressure that the Council faces over the next three years be recognised; and
- (3) authority be given for the Council to be part of the reconstituted Kent Business Rates Pool.

Reasons: As set out in the report of the Director of Finance and Transformation.

Signed Chief Executive: J Beilby

Date of publication: 9 October 2015

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: D150081CAB**  
**Date: 07 October 2015**

**Decision(s) and Reason(s)**

**Implementation of Anti-Social Behaviour, Crime and Policing Act 2014**

**(Report of Director of Central Services and Monitoring Officer)**

**The report outlined the provisions of the Anti-social Behaviour, Crime and Policing Act 2014 which placed new duties on the Council to tackle anti-social behaviour, working co-operatively with the police, social landlords and other agencies. Consideration was given to updating the Scheme of Delegations to reflect the changes in legislation.**

The Cabinet resolved that authority be delegated to the Director of Central Services and Monitoring Officer:

- (1) to exercise all functions of the Council under and in connection with the Anti-social Behaviour, Crime and Policing Act 2014, including any orders or regulations made thereunder;
- (2) to authorise injunction proceedings in respect of anti-social behaviour under section 2(1)(b) or (c) of the Anti-social Behaviour, Crime and Policing Act 2014; and
- (3) to make public spaces protection orders.

Reasons: As set out in the report of the Director of Central Services and Monitoring Officer.

Signed Chief Executive: J Beilby

Date of publication: 9 October 2015

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: D150082CAB**

**Date: 07 October 2015**

**Decision(s) and Reason(s)**

**Tonbridge and Malling Local Plan**

**(Item PE 15/15 referred from Planning and Transportation Advisory Board minutes of 8 September 2015)**

**Consideration of recommendations to the Cabinet from the Planning and Transportation Advisory Board of 8 September 2015.**

The Cabinet resolved that:

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

The contents of the report be noted and the revised Local Plan timetable, set out in Annex 2 to the report, be approved.

Reasons: As set out in the report submitted to the Planning and Transportation Advisory Board of 8 September 2015.

Signed Chief Executive:

J Beilby

Date of publication: 9 October 2015

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: D150083CAB**

**Date: 07 October 2015**

**Decision(s) and Reason(s)**

**Benefits Update and Council Tax Reduction Scheme**

**(Item FIP 15/53 referred from Finance, Innovation and Property Advisory Board minutes of 23 September 2015)**

**Consideration of recommendations to the Cabinet from the Finance, Innovation and Property Advisory Board of 23 September 2015.**

The Cabinet resolved that:

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

- (1) the existing Council Tax Reduction Scheme be refreshed in readiness for the financial year 2016/17 and published on the Council's website; and
- (2) the Director of Finance and Transformation be authorised to enter into negotiations with Kent County Council and Kent District Council colleagues regarding a fundamental review of the scheme for 2017/18.

Reasons: As set out in the report submitted to the Finance, Innovation and Property Advisory Board of 23 September 2015.

Signed Chief Executive: J Beilby

Date of publication: 9 October 2015

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: D150084CAB**

**Date: 07 October 2015**

**Decision(s) and Reason(s)**

**Larkfield Leisure Centre Health Suite - Urgency Procedures**

**(LGA 1972 Sch 12A Paragraph 3 – Financial or business affairs of any particular person)**

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

**Consideration was given to the recommendations of the Overview and Scrutiny Committee at its meeting of 15 September 2015 in endorsing the use of urgency procedures to approve additional funding to enable the refurbishment of the Health Suite at Larkfield Leisure Centre to proceed.**

The Cabinet resolved that:

- (1) the action taken in accordance with Financial Procedure Rule 14.2 to fund the refurbishment of the Health Suite at Larkfield Leisure Centre be endorsed:  
and
- (2) the funding in List A of the Council's Capital Plan for the project be adjusted accordingly.

Reasons: As set out in the report of the Director of Street Scene, Leisure and Technical Services.

Signed Chief Executive: J Beilby

Date of publication: 9 October 2015

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.