

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION

Decision Taken By: Cabinet
Decision No: D140080CAB
Date: 25 June 2014

Decision(s) and Reason(s)

Peer Challenge Report

(Report of Chief Executive)

The report set out the background to the Corporate Peer Challenge led by a team organised by the Local Government Association and introduced the report recently issued by the Peer Review Team. It was noted that the overall tone of the report was to endorse the approach adopted by the Council over the past two years whilst also reinforcing the challenges to be faced in the future.

It was proposed to undertake a more detailed evaluation of the report focussing on a number of corporate schemes and specifically in relation to the economic regeneration agenda. The Cabinet expressed appreciation to all who had participated in the peer challenge and suggested that the report be shared with the Council's external partners.

The Cabinet resolved that:

- 1) the Peer Review Team be thanked for the work, clarity and thoughts expressed in the report; and
- 2) a further detailed report on the issues raised be submitted to a future meeting of the Cabinet.

Reasons: As set out in the report of the Chief Executive.

Signed Chief Executive: J Beilby

Date of publication: 27 June 2014

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: D140081CAB
Date: 25 June 2014

Decision(s) and Reason(s)

Revenue and Capital Outturn 2013/14

(Joint report of Chief Executive, Director of Finance and Transformation, Leader of the Council and Cabinet Member for Finance, Innovation and Property)

In accordance with the Council's Financial Procedure Rules, a report and accompanying information was presented showing actual Revenue and Capital Outturn for the year ended 31 March 2014 together with recommendations regarding proposed adjustments to the Accounts in the light of the outturn position. It was noted that compared with the revised estimates, the overall outturn showed a favourable variance of £225,670 the principal reasons for which were explained.

The report also contained an annual Treasury Management and Investment Strategy review for 2013/14 as required by the adopted CIPFA Code of Practice.

The Cabinet resolved that:

- 1) the Revenue and Capital Outturn for the year 2013/14 be received and approved;
- 2) the recommendations following a review of specific earmarked reserves, as set out at paragraph 1.2.2 of the report, be endorsed; and
- 3) the Treasury Management and Investment Strategy Review 2013/14, as set out at Annex 3 to the report, be received and approved.

Reasons: As set out in the joint report of the Chief Executive, Director of Finance and Transformation, the Leader and the Cabinet Member for Finance, Innovation and Property.

Signed Chief Executive: J Beilby

Date of publication: 27 June 2014

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Decision Taken By:
Decision No: D140082CAB
Date: 25 June 2014

Decision(s) and Reason(s)

Community Enhancement Fund

(Report of Management Team)

The report summarised the background to the establishment of the Community Enhancement Fund in 2011 and indicated that from the initial £500,000 set aside for the fund a balance of £260,976 remained available. Details were given of suggested proposals for a further round of funding to be launched over the next few months with decisions on the bids being reported to the Communities and Health Advisory Board at a rescheduled meeting on 23 September.

The Cabinet resolved that a further round of the Community Enhancement Fund be launched on the terms set out in the report and its annex.

Reasons: As set out in the report of the Management Team.

Signed Chief Executive: J Beilby

Date of publication: 27 June 2014

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Decision Taken By:
Decision No: D140083CAB
Date: 25 June 2014

Decision(s) and Reason(s)

Use of Urgency Procedure to Approve New Capital Plan Scheme to Support Introduction of Individual Electoral Registration

(Report of Chief Executive)

In accordance with the Council's constitution, the report sought retrospective approval to the addition of a new Capital Plan scheme to purchase hardware necessary for the implementation of Individual Electoral Registration. The matter had been considered by the Overview and Scrutiny Committee on 11 June 2014. A Capital Plan evaluation was set out in the annex to the report and it was noted that the scheme costs were met in full by government grant.

The Cabinet resolved that the purchases required for the implementation of Individual Electoral Registration, as set out in Annex 1 to the report, be endorsed and the grant funded scheme be added to the Capital Plan.

Reasons: As set out in the report of the Chief Executive.

Signed Chief Executive: J Beilby

Date of publication: 27 June 2014

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Decision Taken By:
Decision No: D140084CAB
Date: 25 June 2014

Decision(s) and Reason(s)

Recommendations from Overview and Scrutiny Committee - Review of Postage and Courier Costs

(Report of Management Team)

Consideration was given to the recommendations of the Overview and Scrutiny Committee at its meeting on 11 June 2014 arising from a review of postage and courier costs.

The Cabinet resolved that the recommendations of the Overview and Scrutiny Committee regarding the review of postage and courier costs, as set out at paragraph 1.2.1 of the report, be endorsed.

Reasons: As set out in the report of the Management Team.

Signed Chief Executive: J Beilby

Date of publication: 27 June 2014

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Decision Taken By:
Decision No: D140085CAB
Date: 25 June 2014

Decision(s) and Reason(s)

West Kent Leader Programme 2015-2020

(Item ERG 14/13 referred from Economic Regeneration Advisory Board Minutes of 3 June 2014)

Consideration of recommendations to the Cabinet from the Economic Regeneration Advisory Board of 3 June 2014.

The Cabinet resolved that the recommendations of the Economic Regeneration Advisory Board be approved as follows:

- 1) development of a new West Kent Leader Programme for 2015/20 be supported; and
- 2) appropriate budgetary provision be made to enable the Borough Council to contribute to the administration costs of the new programme as set out in the report.

[Councillor M Coffin declared an Other Significant Interest in this item as a recipient of Leader Programme funding and withdrew from the meeting during its consideration.]

Reasons: As set out in the report submitted to the Economic Regeneration Advisory Board of 3 June 2014.

Signed Chief Executive: J Beilby

Date of publication: 27 June 2014

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:
Decision No: D140086CAB
Date: 25 June 2014

Decision(s) and Reason(s)

Land Charges - Property Searches Litigation

(LGA 1972 Sch 12A Paragraph 5 – Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings)

(Report of Director of Central Services and Monitoring Officer)

The report advised the Cabinet of ongoing litigation involving the Borough Council in connection with fees for local land charge searches. A supplementary report and updated advice from Solicitors acting on behalf of the Borough Council and other Local Government Association members set out proposed terms of settlement with the claimants.

It was noted that if agreed the decision would not be within the Council's budget framework and would normally be determined by the full Council. It was therefore necessary to invoke the urgency provisions in Budget and Policy Framework Procedure Rule 4 so that the decision could be taken by the Cabinet as any delay would prejudice the chances of settlement. For the same reason it was also necessary to set aside the normal call-in procedure as permitted under Overview and Scrutiny Procedure Rule 15(i).

The Cabinet resolved that:

- 1) Rule 4 of the Budget and Policy Framework Procedure Rules be invoked, with the agreement of the Chairman of the Overview and Scrutiny Committee, to allow the Cabinet to deal with approval of the settlement terms set out in the report;
- 2) in accordance with Overview and Scrutiny Procedure Rule 15(i) and with the agreement of the Chairman of the Overview and Scrutiny Committee and group leaders, the normal call-in procedure be set aside to allow approval of the settlement terms by the 1 July 2014 deadline; and
- 3) the terms of settlement set out in the report be approved.

Reasons: As set out in the report and supplementary report of the Director of Central Services and Monitoring Officer (contains exempt information).

Signed Chief Executive:

J Beilby

Date of publication: 27 June 2014

This decision is not subject to call-in since in the opinion of the Cabinet it is urgent and any delay would seriously prejudice the Council's or the public's interest (Overview and Scrutiny Procedure Rule 15(i)).

