

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

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: 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

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Decision Taken By: Cabinet
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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

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Decision Taken By: Cabinet
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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

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Decision Taken By: Cabinet
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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

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Decision Taken By: Cabinet
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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

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Decision Taken By: Cabinet
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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

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Decision Taken By: Cabinet
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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

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Decision Taken By: Cabinet
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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

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Decision Taken By: Cabinet
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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

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Decision No: D190015CAB
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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

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Decision Taken By: Cabinet
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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

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Decision Taken By: Cabinet
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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

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