

TUNBRIDGE WELLS BOROUGH COUNCIL

NOTICE OF DECISION OF THE PORTFOLIO HOLDER FOR PLANNING AND TRANSPORTATION

Pursuant to the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, Regulation 13(1)

Decision Taken: Monday 07 November 2016

Goudhurst Neighbourhood Plan Area Designation

DETAILS OF DECISION MADE

Decision:	That the designation of a neighbourhood area for the purposes of producing a Neighbourhood Development Plan for Goudhurst, as set out in the report, be approved.
Reason for decision:	The proposed Neighbourhood Area exactly follows the boundary of the Parish of Goudhurst. This is the most appropriate definition for an area and accords with best practice. Consultation responses fully supported the designation of the Neighbourhood Area and approval will enable Goudhurst Parish Council to commence the process of producing a Neighbourhood Plan.
Possible alternatives considered and rejected:	<ol style="list-style-type: none"> 1. Not to approve the Neighbourhood Area as submitted and seek an amendment. 2. Not to approve a Neighbourhood Area.
Conflicts of interest and any dispensations granted:	No conflicts of interest were declared by any Member who was consulted in respect of this decision.

APPROVAL

I have read and approve the above decision for the reasons (including possible alternative actions rejected) set out above and in the report:



Signed: **Councillor Alan McDermott**

Dated: **Monday 07 November 2016**

Full details of the decision made can be found in the accompanying document(s) to this Decision Notice. The link to these documents can be found here – <http://democracy.tunbridgewells.gov.uk/mgIssueHistoryHome.aspx?IId=50014139&Opt=0>

Please see below for details of the Council's call-in procedure.

Call-in Procedure

An executive decision can be called in by the date specified below (i.e. within five clear working days of the publication date) by the Chairman of the Overview and Scrutiny Committee or at least any three members of the Council in accordance with Overview and Scrutiny Procedure Rule 12 of the Constitution. The Overview and Scrutiny Committee would then convene a meeting to discuss the call-in.

Any request for call-in must be in writing or by fax bearing the signature(s) of the Council member(s) initiating the call-in, or by email which, if from several persons, shall require a separate identical email from each of them. Any request for call-in must state the reason(s) for the call-in as cited in Overview and Scrutiny Committee Procedure Rule 12.

The request should reach Nick Peeters, Performance and Scrutiny Officer by **5pm on Monday 14 November 2016.**

Performance and Scrutiny Officer
Tunbridge Wells Borough Council
Town Hall
Tunbridge Wells TN1 1RS

Fax:
01892 534 227
Email:
nick.peeters@tunbridgewells.gov.uk

Call-in

12.1 Call-in is the procedure whereby a decision of the Cabinet, the Leader or a Portfolio Holder, or a member or officer with delegated executive authority, taken but not implemented may be examined by the Overview and Scrutiny Committee prior to implementation.

In paragraphs 12, 13, and 14 of these rules, decisions referred to in the previous sentence are called executive decisions. The Committee may recommend that the Cabinet, the Leader or Portfolio Holder, or a member or officer with delegated executive authority, reconsider the decision. A decision may only be subject to the call-in procedure once. The procedure will not apply to decisions, to which the urgency procedure in 14 of these rules is applied, to decisions taken by Council officers, or to recommendations to or decisions of full Council.

12.2 As soon as possible after an executive decision as referred to in paragraph 12.1 above is made, and normally within two clear working days, the Chief Executive will notify the decision to all Council members and a note of the decision will be available at the Town Hall, Tunbridge Wells. The notice may be given by paper or e-mail.

12.3 The notice is to include the publication date and is to specify that the decision will come into force, and may then be implemented, on the expiry of five working days after the publication of the decision, unless it is called-in for scrutiny during this "call-in period" by the Overview and Scrutiny Committee.

12.4 During the call-in period, either the Chairman of the Overview and Scrutiny Committee or at least three Council members not serving on the Executive can by notification to the Proper Officer, request call-in. The notification must be in writing or bearing the signature(s) of the Council member(s) initiating the call-in, or by e-mail which, if from several members, will require a separate email from each of them.

12.5 A notice invoking the call-in procedure must meet at least one of the following grounds in support of the request for call-in of a decision:

- 12.5.1 inadequate consultation with stakeholders prior to decision;
- 12.5.2 the absence of adequate evidence on which to base a decision;
- 12.5.3 the decision would require a departure from or a change to the agreed budget and policy framework;
- 12.5.4 the action decided upon would not be proportionate to the desired outcome;
- 12.5.5 the decision would be open to a human rights challenge;
- 12.5.6 insufficient consideration of legal and financial advice; or
- 12.5.7 the decision is not within the Cabinet's powers or terms of reference or within the portfolio of the Leader or Portfolio Holder or member or Officer with delegated executive powers who took it.