

Tunbridge Wells Borough Council

Decisions taken by the Cabinet on Thursday, 21 June 2018



Item No.	Topic	Decision
<b>Part 1 – Items considered in public</b>		
<b>9</b>	Annual Report on the Use of the RIPA  Subject to call-in: Yes	<b>RESOLVED –</b> That the report be noted.  <b>REASON FOR DECISION:</b> To demonstrate the Council's compliance with legislation.
<b>10</b>	Performance Summary: Quarter 4  Subject to call-in: Yes	<b>RESOLVED –</b>  <ol style="list-style-type: none"> <li>1. That the progress made against each of the Corporate Priorities 2017/18 at the end of quarter four, as set out in the report and Appendix A, be noted;</li> <li>2. That the progress made against the Change Programme 2017/18 at the end of quarter four, as set out in the report and Appendix B, be noted;</li> <li>3. That the Council's performance on Council Business at the end of quarter four, as set out in the report and Appendix C, be noted; and</li> <li>4. That the challenges and proposed actions for each underperforming indicator within the Recovery Plans at Appendix D to the report be noted.</li> </ol> <b>REASON FOR DECISION:</b> To monitor the effectiveness of the council's actions and plans to meet all of the objectives within the Five Year Plan, highlight underperforming areas, and propose actions to remedy any underperformance to ensure the key objectives are met.
<b>11</b>	Complaints Summary: Quarter 3 and 4  Subject to call-in: YesNo	<b>RESOLVED –</b> That the report be noted.  <b>REASON FOR DECISION:</b> To enable Cabinet to understand the Council's current performance in relation to complaints handling.

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12	Revenue Management Report: Quarter 4  Subject to call-in: Yes	<p><b>RESOLVED –</b></p> <ol style="list-style-type: none"> <li>1. That the unaudited actual revenue expenditure outturn and impact on reserves for the year ending 31 March 2018 be noted; and</li> <li>2. That the updated charges and timing for implementation of the licensing of Houses in Multiple Occupation (HMO), as set out in this report and appendices, be agreed.</li> </ol> <p><b>REASON FOR DECISION:</b> To show the actual expenditure on services compared to the revised budget for the period ended 30 March 2018, and the forecast outturn position, highlighting significant variances from the revised annual budget.</p>
13	Capital Management Report: Quarter 4  Subject to call-in: Yes	<p><b>RESOLVED –</b></p> <ol style="list-style-type: none"> <li>1. That the actual gross and net expenditure for the year and the sources of finance, as shown in Appendices B to D to the report, be noted;</li> <li>2. That the proposed movement between years, set out at paragraph 4.3 of the report, be approved;</li> <li>3. That the proposed variations to the 2017/18 Capital programme, set out at paragraphs 4.4 to 4.17 of the report, be approved; and</li> <li>4. That the proposed new and deleted schemes, set out at paragraphs 4.18 and 4.19 of the report, be approved.</li> </ol> <p><b>REASON FOR DECISION:</b> Managing and forecasting capital expenditure effectively is vital in order to support all of the services provided by the Council.</p>

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14	Treasury and Prudential Indicator Management Report: Quarter 4  Subject to call-in: Yes	<b>RESOLVED –</b> That the 2017/18 Treasury Management and Prudential Indicator position be noted.  <b>REASON FOR DECISION:</b> Ensuring effective cash flow management was vital in order to support all the services provided by the Council. The interest received from the Council's investments was an important source of income in helping the Council set a balanced budget.
15	Strategic Risk Register  Subject to call-in: Yes	<b>RESOLVED –</b> That the Strategic Risk Register and arrangements for managing strategic risk, as set out at Appendix A to the report, be noted.  <b>REASON FOR DECISION:</b> Successful controls and effective governance were a crucial underpinning for all Corporate Priorities.
16	Cultural Hub - Update and External Funding  Subject to call-in: Yes	<b>RESOLVED –</b>  1. That progress in delivering the Cultural Hub be noted;  2. That a grant offer of £886,250 from Arts Council England towards the project costs be accepted;  3. That a grant offer of £4,294,900 from the Heritage Lottery Fund towards the project costs be accepted;  4. That delegated authority be granted to the Director of Change and Communities, in consultation with the Portfolio Holder for Culture, Leisure and Tourism, to sign any necessary agreements with Arts Council England, Heritage Lottery Fund and any other external funders; and  <i>Continued overleaf</i>

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		<p>5. That delegated authority be granted to the Director Of Change and Communities, in consultation with the Portfolio Holder for Culture Leisure and Tourism, to authorise the completion of the Collaboration and Development Agreements, together with ancillary documents, with Kent County Council.</p> <p><b>REASON FOR DECISION:</b> To enable the delivery of the project through external funding.</p>
17	<p>Ice Rink Tender</p> <p>Subject to call-in: Yes</p>	<p><b>RESOLVED –</b> That the Ice Rink tender be awarded to the provider identified as Supplier B in Exempt Appendix A for a five year term from October 2018.</p> <p><b>REASON FOR DECISION:</b> To secure a new contract which delivers a quality service at the best possible cost.</p>
18	<p>Charging Food Businesses for Food Hygiene Rating Scheme Re-score Inspections</p> <p>Subject to call-in: Yes</p>	<p><b>RESOLVED –</b> That the introduction of a charge for Food Hygiene Rating Scheme Inspections for rescoreing from the 1 July 2018 be approved.</p> <p><b>REASON FOR DECISION:</b> To cover the cost of re-inspection and allow food businesses the opportunity of reducing the current inspection period.</p>
<b>Part 2 – Items considered in private</b>		
	None	

Decision Notice published: Thursday 21 June 2018  
 Call-in period expires: 5pm, Thursday 28 June 2018

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

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## Call-in Procedure

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 (an executive decision), taken but not implemented, may be examined by the Overview and Scrutiny Committee prior to implementation.

This is a power which should only be used in exceptional circumstances and should not be used in respect of day-to-day operational decisions. The procedure will not apply to decisions to which the Call-in and Urgency Procedure is applied (Overview and Scrutiny Procedure Rule 14) or to recommendations to or decisions of Full Council.

An executive decision can be called in by the date specified below (within five clear working days of the publication of the decision) by the Chairman of the Overview and Scrutiny Committee or at least any three (non-Cabinet) members of the Council in accordance with Overview and Scrutiny Procedure Rule 12 of the Constitution.

Any request for call-in must be in writing, 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 email from each of them.

A request for call-in must state the reason(s) and must meet at least one of the following grounds:

- (12.6.1) inadequate consultation with stakeholders prior to decision;
- (12.6.2) the absence of adequate evidence on which to base a decision;
- (12.6.3) the decision would require a departure from or a change to the agreed budget and policy framework;
- (12.6.4) the action decided upon would not be proportionate to the desired outcome;
- (12.6.5) the decision would be open to a human rights challenge;
- (12.6.6) insufficient consideration of legal and financial advice; or
- (12.6.7) 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.

Any request in respect of the above decisions must reach the proper officer by: **5pm on Thursday 28 June 2018**

Nick Peeters  
Scrutiny and Performance Officer

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