

Tunbridge Wells Borough Council

Decisions taken by the Cabinet on Thursday, 23 September 2021



Item	Topic	Decision
<b>Part 1 – Items considered in public</b>		
10	<p>Council Tax Reduction Scheme 2022/23</p> <p>Subject to call-in: No</p>	<p><b>RESOLVED –</b></p> <ol style="list-style-type: none"> <li>1. That the progress of the inaugural year of the income banded Council Tax Reductions Scheme be noted; and</li> <li>2. That Full Council be recommended that no changes be made to the Council Tax Reduction Scheme for 2022-2023.</li> </ol> <p><b>REASON FOR DECISION:</b> The new income banded scheme had so far been successful but introducing changes before completion of its first year would be premature.</p>
11	<p>Revenue Management Report - Quarter 1</p> <p>Subject to call-in: Yes</p>	<p><b>RESOLVED –</b></p> <ol style="list-style-type: none"> <li>1. That at Quarter 1 net expenditure on services year to date was £3,337,000, £159,000 less than budget, be noted;</li> <li>2. That by year end the Council anticipated net expenditure of £15,269,000 on services, £48,000 over budget, be noted; and</li> <li>3. That by year end the Council anticipated receiving an increase in funding of £1,388,000, an overall improvement to budget of £1,340,000 which would reduce the budget deficit that was to be met from reserves, be noted.</li> </ol> <p><b>REASON FOR DECISION:</b> To show the actual expenditure on services compared to the revised budget for the period ending 30 June 2021, and the forecast outturn position, highlighting significant variances from the revised annual budget.</p>
12	<p>Capital Management Report - Quarter 1</p> <p>Subject to call-in: Yes</p>	<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 at Appendices B to D to the report be noted;</li> <li>2. That the proposed variations to the Capital programme set out in paragraphs 4.3 to 4.5 of the report be approved;</li> <li>3. That the proposed movement between years set out in paragraph 4.6 of the report be approved; and</li> </ol>

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		<p>4. That the new Capital Applications detailed in Appendices G and H to the report be approved.</p> <p><b>REASON FOR DECISION:</b> Managing and forecasting capital expenditure effectively was vital in order to support all of the services provided by the Council.</p>
13	<p>Treasury and Prudential Indicator Management Report - Quarter 1</p> <p>Subject to call-in: Yes</p>	<p><b>RESOLVED –</b></p> <ol style="list-style-type: none"> <li>1. That the Treasury Management and Prudential Indicator position for 2021/22 be noted; and</li> <li>2. That the forecast for investment and bank interest at £432,000, an increase of £70,000 from the approved budget of £362,000, be noted.</li> </ol> <p><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 investments was an important source of income in helping to set a balanced budget.</p>
14	<p>Performance Summary Quarter 1</p> <p>Subject to call-in: Yes</p>	<p><b>RESOLVED –</b></p> <ol style="list-style-type: none"> <li>1. That the summary of project performance over quarter one 2021/22, set out at Appendix A to the report, be noted;</li> <li>2. That the summary of service performance over quarter one 2021/22, set out at Appendix B to the report, be noted; and</li> <li>3. That the Recovery Plans for quarter one 2021/22, set out at Appendices C to G be noted.</li> </ol> <p><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.</p>
15	<p>Affordable Housing Commuted Sums Homewood Road and Hop Pocket Inn</p> <p>Subject to call-in: Yes</p>	<p><b>RESOLVED –</b></p> <ol style="list-style-type: none"> <li>1. That the release of Section 106 funding for affordable housing totalling £613,056 held by the Council in lieu of affordable housing provision at the Former Kent &amp; Sussex Hospital site (Planning permission 12/02547) be approved; and</li> <li>2. That the Head of Housing, Health and Environment, in consultation with the Head of Legal Partnership, be authorised to enter into a grant agreement and all associated legal documentation</li> </ol>

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		<p>with Town &amp; Country Housing to facilitate the delivery of fourteen social rented homes, Ten x 1 and 2 bed flats at Hop Pocket Inn site in Paddock Wood and 4 flats at Homewood Road, Langton Green.</p> <p><b>REASON FOR DECISION:</b> To support the delivery of much needed social rental properties.</p>
16	<p>PSPO 2021 - Three-month extension of two 2018 measures and formal approval of other three-year extensions</p> <p>Subject to call-in: No</p>	<p><b>RESOLVED –</b></p> <ol style="list-style-type: none"> <li>1. That PSPO 4 of 2021 - The Dogs on Leads Measure at The Nevill Ground and PSPO 5 of 2021 - the Alcohol Control Measure for Roads in Southborough be extended for a period of three months while the results of the most recent consultation are assessed and brought back to Cabinet for decision; and</li> <li>2. That PSPO 1 of 2021 - The Town Centre Measures, PSPO 2 of 2021 - The Alcohol Control Measures and PSPO 3 of 2021 – The Dog Control Measures be approved in accordance with the conditions in Section 59 (2) of the Anti-Social Behaviour Crime and Policing Act 2014 as all consultation, publicity and notifications have been completed.</li> </ol> <p><b>REASON FOR DECISION:</b> To maintain the protections afforded by the Orders.</p> <p><b>CALL-IN AND URGENCY:</b> In accordance with the provisions of Overview and Scrutiny Procedure Rule 14 in Part 4 of the Constitution, the Chairman of the Overview and Scrutiny Committee gave prior agreement that this decision was urgent and would not be subject to call-in as delay in implementing the decision would seriously prejudice the Council's or the public's interest.</p>
<b>Part 2 – Items considered in private</b>		
	None	

Decision Notice published: Thursday 23 September 2021

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

## Tunbridge Wells Borough Council

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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 30 September 2021**

Mark O'Callaghan  
Scrutiny and Engagement Officer

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