

Tunbridge Wells Borough Council

Decisions taken by the Cabinet on Thursday, 17 March 2022



Item	Topic	Decision
<b>Part 1 – Items considered in public</b>		
8	Town Hall - Appointment of Co-working Tenderer  Subject to call-in: Yes	<p><b>RESOLVED –</b></p> <ol style="list-style-type: none"> <li>1. That the Co-working provider supplier D is awarded the tender to take a lease of part of the Town Hall as outlined in the report, subject to agreed negotiations of the heads of terms be approved.</li> <li>2. That the Head of Economic Development and Property, in consultation with the S151 Officer and the Portfolio Holder for Finance and Governance be delegated to negotiate and finalise the heads of terms with the preferred provider for co-working space be approved.</li> <li>3. That the Head of Mid Kent Legal Services be given authority to complete all necessary deeds, leases and agreements and other legal documentation and formalities required to deliver the release and management of the Town Hall for co-working space be approved.</li> <li>4. That in line with the Full Council decision of October 2021, the release of the approved budget be delegated to the Head of Economic Development and Property, S151 Officer and Monitoring Officer in consultation with the Portfolio Holder for Finance and Governance to enter into contract with a co-working provider who has satisfied the Council’s due diligence and provided a sound business case be approved.</li> <li>5. That in line with the Full Council decision of October 2021 delegated responsibility be given to the S151 Officer in consultation with the Portfolio Holder for Finance and Governance for the identification of the source of the funding which may include borrowing or external funding be approved.</li> </ol> <p><b>REASON FOR DECISION:</b> Entering into an agreement with a co-working provider to take a lease in part will allow investment that will both preserve and improve the building. It will further represent savings in operational costs, provide an income and provide wider community and economic benefits for the town.</p>

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9	Performance Summary Quarter 3  Subject to call-in: Yes	<p><b>RESOLVED –</b></p> <ol style="list-style-type: none"> <li>1. That the summary of project performance over quarter 3 2021/2022 at Appendix A be noted.</li> <li>2. That the summary of service performance over quarter 3 2021/22 at Appendix B be noted</li> <li>3. That the Recovery Plans for quarter 3 2021/22 at Appendices C-J 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>
10	Capital Management Report Quarter 3  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 income as shown in Appendices B to D be noted</li> <li>2. That the inclusion of new schemes into the Capital Programme as set out in notes 4.3 to 4.5 be noted.</li> <li>3. That the proposed movement between years set out in note 4.6 be approved</li> <li>4. That the new Capital Applications detailed in Appendices L and M be approved.</li> </ol> <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>
11	Revenue Management Report Quarter 3  Subject to call-in: Yes	<p><b>RESOLVED –</b></p> <ol style="list-style-type: none"> <li>1. That the Quarter 3 next expenditure on services year to date was £10,094,000, £745,000 less than budget be noted.</li> <li>2. That by year end the Council anticipates net expenditure of £15,349,000 on services and this forecast is £325,000 under budget, an improvement of £315,000 since Quarter 2 be noted.</li> <li>3. That by year end the Council anticipates receiving an increase in funding of £1,712,000, an improvement of £240,000 since Quarter 2. Overall, an improvement to budget of £2,037,000 which will reduce the budget deficit that was to be met from reserves to a forecast of £963,000 be noted.</li> <li>4. That write offs as set out in Paragraph 2.24 and detailed in Appendix J be approved.</li> </ol>

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		<p><b>REASON FOR DECISION:</b> To show the actual expenditure on services compared to the revised budget for the period ending 31 December 2021, and the forecast outturn position, highlighting significant variances from the revised annual budget.</p>
<p>12</p>	<p>Treasury and Prudential Indicator Management Report Quarter 3</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.</li> <li>2. That the forecast for investment and bank interest is £462,000, an increase of £100,000 from the approved budget of £362,000, and a further improvement of £30,000 from the Quarter 2 projection 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>
<p>13</p>	<p>Housing, Homelessness and Rough Sleeping Strategy 2021-2026</p> <p>Subject to call-in: Yes</p>	<p><b>RESOLVED –</b></p> <ol style="list-style-type: none"> <li>1. That the Housing, Homelessness and Rough Sleeping Strategy 2021-2026 at Appendix A be adopted.</li> <li>2. That the Housing Advisory Panel reviews and evaluates the action plans that sit under the four key ambitions every six months, to ensure that the Council's priorities remain in the right direction and reflect local and national priorities be approved.</li> </ol> <p><b>REASON FOR DECISION:</b> Having a current Strategy would mean the Council was complying with the Homelessness Act 2002, the Government's Rough Sleeping Strategy and that ambitions and aims are in place for the next five years.</p>

Decision Notice published: Thursday 17 March 2022

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 24 March 2022**

Mark O'Callaghan  
Scrutiny and Engagement Officer

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