

Tunbridge Wells Borough Council

Decisions taken by the Cabinet on Thursday, 14 April 2022



Item	Topic	Decision
Part 1 – Items considered in public		
8	Amelia Scott Budget and Update Subject to call-in: No	<p>RESOLVED –</p> <ol style="list-style-type: none"> 1. That the budget control total for the Amelia Scott will be increased to £21.27m and the actions proposed to address the increased budgetary required be noted. 2. That the S151 Officer in consultation with the Portfolio Holder for Finance and Governance be delegated to make available the gross figure of £468k on request of the head of Economic Development and Property be approved. 3. That the S151 Officer be authorised to determine the source of additional funding (which may include borrowing) referred to above be approved. <p>REASON FOR DECISION: The additional funding would mean the final works would be completed to meet the opening dates in April 2022.</p> <p>CALL-IN AND URGENCY In accordance with the provisions Of Overview and Scrutiny Procedure Rule 14 in Part 4 of the Constitution, the Chairman of Overview and Scrutiny gave prior agreement that this decision was urgent and would not be subject to call-in as delay would seriously prejudice the Council’s or the public’s interest.</p>
9	PSPO Implementation of ASB Measures Subject to call-in: Yes	<p>RESOLVED –</p> <ol style="list-style-type: none"> 1. That an order to restrict fishing on the south and western side of Sherwood Lake to daytime only (7am to 7pm) and an alcohol restriction around the entire lake (Measure 4) be approved. 2. That a late-night curfew requiring people to leave St John’s Park between the hours of 11pm and 5am (Measure 5) be approved. 3. That an order to implement a no loitering, gathering or partaking in unauthorised non-parking related activities requirement in the multi-storey car parks, with an express understanding that rough sleeping does not fall into any of the categories on any order imposed (Measure 6) be approved.

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		REASON FOR DECISION: Implementation of measures to protect and provide provision for enforcement would help alleviate and better address and control anti-social or unwelcome behaviour.
10	*Community Safety Partnership Plan & Strategic Assessment 2022/23 Subject to call-in: No	RESOLVED – That Full Council be recommended that the Community Safety Partnership Plan 2022/23 be approved. REASON FOR DECISION: To confirm the multi-agency activity to reduce crime and disorder.

Decision Notice published: Thursday 14 April 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 Monday 25 April 2022**

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