

Tunbridge Wells Borough Council

Decisions taken by the Cabinet on Thursday, 13 January 2022



Item	Topic	Decision
Part 1 – Items considered in public		
8	<p>Grounds Maintenance Service</p> <p>Subject to call-in: Yes</p>	<p>RESOLVED –</p> <ol style="list-style-type: none"> 1. That the Head of Housing, Health and Environment in consultation with the Monitoring Officer and S151 Officer be given delegated authority to enter into a further 2-year contract extension with Tivoli to end 31 December 2024 be approved. 2. That the Council's Monitoring Officer and S151 Officer be given delegated authority to undertake all legal and financial requirements necessary to complete the extension of the Grounds Maintenance Contract be approved. 3. That the Head of Housing, Health and Environment works with Tivoli to identify further environmental enhancements for the service and increase public awareness of the actions being taken be approved. <p>REASON FOR DECISION: To give certainty of cost and minimise risk for the Council for a period of 3 years.</p>

Decision Notice published: Thursday 13 January 2022

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

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1b		
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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 20 January 2022**

Mark O'Callaghan
Scrutiny and Engagement Officer

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