

Tunbridge Wells Borough Council

Decisions taken by the Cabinet on Thursday, 9 February 2023



Item	Topic	Decision
<b>Part 1 – Items considered in public</b>		
9	Borough Partnership Plan: Building a Better Borough  Subject to call-in: No	<p><b>RESOLVED</b> – That Full Council be recommended to adopt the Partnership Plan as detailed in Appendix A of the report</p> <p><b>REASON FOR DECISION:</b> The Plan sets the key priorities and direction of travel that will allow the Council to plan services and budgets and deliver on key actions.</p>
10	*Budget 2023/24 and Medium Term Financial Strategy  Subject to call-in: No	<p><b>RESOLVED</b> – That Full Council be recommended:</p> <ol style="list-style-type: none"> <li>1. That the changes to the base budget along with the assumptions and approach set out throughout the report be approved.</li> <li>2. That the responses to the budget consultation be approved.</li> <li>3. That the use of £943,000 from reserves to balance the budget be approved.</li> <li>4. That the rolling forward of the capital programme including gross funding of £620,000 for new schemes be approved.</li> <li>5. That an increase in the Basic Amount of Council Tax of £5.71 per annum for a Band D property be approved.</li> <li>6. That the implementation of Council Tax premiums on second homes from 1 April 2024 and the application of 100% Council Tax premium on properties that have been empty for at least 1 year from 1 April 2024, subject to the Regeneration and Levelling -Up Bill receive Royal Assent be approved.</li> </ol> <p><b>REASON FOR DECISION:</b> To deliver a sustainable budget to deliver the Council’s key objectives.</p>
11	Procurement Process and Policy Updates  Subject to call-in: Yes	<p><b>RESOLVED</b> –</p> <ol style="list-style-type: none"> <li>1. That the Sustainable Procurement Policy and Modern Slavery Statement be approved.</li> <li>2. That the proposed changes to the Contract Standing Orders, pending final approval from the Audit and Governance Committee and Full Council be noted.</li> </ol>

Tunbridge Wells Borough Council

Decisions taken by the Cabinet on Thursday, 9 February 2023



Item	Topic	Decision
		<p><b>REASON FOR DECISION:</b> Adoption would enable the Council to implement a new framework for the use of environmental and modern slavery factors in its evaluation of tenders, and the decision to award contracts.</p>
12	<p>Property Transaction Report July to December 2022</p> <p>Subject to call-in: Yes</p>	<p><b>RESOLVED –</b> That the report be noted.</p> <p><b>REASON FOR DECISION:</b> To comply with the Constitution.</p>
13	<p>*Asset Management Plan 2023/24</p> <p>Subject to call-in: No</p>	<p><b>RESOLVED –</b> That Full Council be recommended that the Asset Management Plan 2023/24 be adopted</p> <p><b>REASON FOR DECISION:</b> The Plan supports the Council’s Corporate Priorities in the Five-Year Plan.</p>
14	<p>Disposal of Land and Public Conveniences in Brenchley and Matfield</p> <p>Subject to call-in: Yes</p>	<p><b>RESOLVED –</b></p> <ol style="list-style-type: none"> <li>1. That the freehold transfers of the land and public conveniences at High Street, Brenchley and the land and public conveniences at Maidstone Road, Matfield be approved.</li> <li>2. That the key terms of the transfers as detailed in Option 1 of the report, with the other terms of transfer to be agreed under delegated authority of the Head of Economic Development and Property in consultation with the Director of Finance, Policy and Development and the Cabinet Member for Finance and Performance be approved.</li> <li>3. That the Head of Economic Development and Property in consultation with the Director of Finance, Policy and Development, the Head of Legal Services and the Cabinet Member for Finance and Performance be given delegated authority to complete all necessary negotiations, legal processes and legal documentation to complete these transfers be approved.</li> </ol>

Tunbridge Wells Borough Council

Decisions taken by the Cabinet on Thursday, 9 February 2023



Item	Topic	Decision
		<p><b>REASON FOR DECISION:</b> The transfer of the freeholds of both public conveniences to Brenchley and Matfield Parish Council would allow the Parish Council to manage the buildings in their locality and ensure that both facilities remained open and operational.</p>
<p><b>15</b></p>	<p>*Capital Strategy Subject to call-in: No</p>	<p><b>RESOLVED:</b> That Full Council be recommended that the Capital Strategy 2023/24, as set out at Appendix A to the report be adopted.</p> <p><b>REASON FOR DECISION</b> To provide guidance on the Council's capital programme and the use of its capital resources as required by the Chartered Institute for Public Finance and Accountancy and Prudential Code and Treasury Management Codes.</p>
<p><b>16</b></p>	<p>*Treasury Management Policy and Strategy Subject to call-in: No</p>	<p><b>RESOLVED –</b> That Full Council be recommended that the Treasury Management Policy and Strategy 2023/24, as set out in Appendix A to the report, be adopted.</p> <p><b>REASON FOR DECISION:</b> The security of the Council's cash and effective cash flow management is vital in order to support all the services provided by the Council. The interest received from the Council's investments is an important source of income in helping the Council set a balanced budget.</p>
<p><b>17</b></p>	<p>Temporary Suspension of the Housing Register Subject to call-in: Yes</p>	<p><b>RESOLVED –</b></p> <ol style="list-style-type: none"> <li>1. That the temporary suspension of the housing register for a period of one month to allow the new housing IT system to be implemented in Tunbridge Wells and across Kent be approved.</li> <li>2. So that a reassessment of applications against the Council's new Allocation Scheme can be carried out, existing housing register applicants be required to re-apply to the housing register, be approved.</li> <li>3. That the Head of Housing, Health and Environment be delegated authority to make future decisions should the date for closure of the housing register need to be any later than 1 June 2023 be approved.</li> </ol>

Tunbridge Wells Borough Council

Decisions taken by the Cabinet on Thursday, 9 February 2023



Item	Topic	Decision
		<p><b>REASON FOR DECISION:</b> Suspension of the housing register will allow the transfer of data to be easily uploaded to the new system and provide a much easier process to assess new applications against the new Allocations Scheme.</p>
<p><b>18</b></p>	<p>Household Recycling and Waste Collection Service</p> <p>Subject to call-in: Yes</p>	<p><b>RESOLVED –</b></p> <ol style="list-style-type: none"> <li>1. That the Head of Housing, Health and Environment be given authority to extend the provision of limited financial assistance between November 2022 and March 2023, to Urbaser Ltd and Urbaser SA in respect of the contract originally procured be approved.</li> <li>2. That a one-off contribution of up to £150,000 be given to Urbaser Ltd towards the costs of terminating a number of existing collection vehicle leases to facilitate the provision of a new fleet of collection vehicles in 2023/24 be approved.</li> <li>3. That the Head of Housing, Health and Environment in consultation with the Director of Finance, Policy and Development and the Head of Legal Services be given delegated authority to complete all necessary negotiations, legal processes and legal documentation to enter into an agreement with Urbaser Ltd to allow for the transfer of vehicle lease(s) to the Council in conjunction with Tonbridge and Malling Borough Council or to the organisation(s) contracted to provide the two councils' household waste collection service on the expiry of the current joint recycling and waste collection and street cleansing contract be approved.</li> <li>4. That the Head of Housing, Health and Environment in consultation with the Director of Finance, Policy and Development and the Head of Legal Services be given delegated authority to complete all necessary negotiations, legal processes and legal documentation and enter into an agreement with Tonbridge and Malling Borough Council to share the liability for the new vehicle fleet from the end of the current joint household recycling and waste collection and street cleansing contract be approved.</li> <li>5. That a Voluntary Ex-Ante Transparency Notice will be published containing details of the proposed changes set out in recommendations, 1,2 and 3 to cover the items highlighted above be noted.</li> </ol>

Tunbridge Wells Borough Council

Decisions taken by the Cabinet on Thursday, 9 February 2023



Item	Topic	Decision
		<b>REASON FOR DECISION:</b> The proposal would meet both objectives of ensuring the retention of necessary staff and bring about long term cost certainty and efficiencies.

Decision Notice published: Friday 10 February 2023

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

## Tunbridge Wells Borough Council

### Decisions taken by the Cabinet on Thursday, 9 February 2023



## 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 Friday 17 February 2023**

Scrutiny and Engagement Officer

Email: [Scrutiny@TunbridgeWells.gov.uk](mailto:Scrutiny@TunbridgeWells.gov.uk)

Tunbridge Wells Borough Council  
Town Hall  
Tunbridge Wells TN1 1RS