
FORWARD PLAN



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Notice of Key Decisions / Notice of Private Meetings

Pursuant to the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

This Plan gives at least 28 days notice if the Cabinet of Tunbridge Wells Borough Council intends to make a key decision¹ or make a decision in private². Other decisions by the executive are also included on the Plan wherever possible.

Relevant documents can be downloaded from the Council's website or are available on request from: Democratic Services, Town Hall, Royal Tunbridge Wells, TN1 1RS or committee@tunbridgewells.gov.uk. Documents may be submitted to the decision maker via Democratic Services.

If it is necessary to hold a meeting in private, the reasons for this are stated alongside the decision. These reasons are prescribed by Schedule 12A of the Local Government Act 1972 (as amended) and summarised at the back of this Plan.

Representations against the intention to make a decision in private can be submitted in writing to Democratic Services no less than ten working days before the meeting date.

If the Council is unable to give 28 days notice, it will publish the reasons for this on its website and at its offices.

Councillor Ben Chapelard
Leader of the Council

Publication Date: 27 September 2022
The most recent version of the Plan supersedes all previously issued versions
Guidance notes are provided at the back of this document

Members of the Cabinet and their respective Cabinet Responsibilities

Councillor Ben Chapelard Leader of the Council

- Communications and public relations
- Consultations and engagement
- Strategic policy

Councillor Wendy Fitzsimmons Leisure, Wellbeing and Culture

- Culture, Leisure and the Arts
- Assembly Hall Theatre and the Ice Rink
- The Amelia Scott
- Events
- Sports and Leisure Centres
- Grounds Maintenance
- Health
- Customer Access

Councillor Justine Rutland Tunbridge Wells Town and Local Areas

- Royal Tunbridge Wells, Southborough and Rusthall
- Economic Development
- Tourism
- Business Engagement
- Town Centre
- Transportation
- Parking (on and off street)

Councillor Nancy Warne Deputy Leader and Rural Communities

- Rural Communities
- Parish Charter
- Community Safety and CCTV
- Community Centres and Hubs
- Community Partnerships
- Assets of Community Value
- Younger and Older People
- Equalities and Equal Access
- Community Grants
- Cost of Living Crisis

Councillor Luke Everitt Environment, Sustainability and Carbon Reduction

- Parks
- Cemetery and crematorium
- Recycling and waste collection
- Street cleansing and littering
- Environmental Protection
- Environmental Health
- Corporate Health and Safety
- Licensing
- Sustainability and Carbon Reduction

Councillor Hugo Pound Housing and Planning

- Planning Policy
- Strategic Sites and Delivery
- Development Management
- Heritage and Conservation
- Planning Enforcement
- Land Charges
- Building Control
- Housing (incl Private Sector and Housing Needs)
- Homelessness Prevention

Councillor David Hayward Governance and Transparency

- Democratic Services
- Transparency
- ICT Demand
- Legal Services
- Freedom of Information and Data Protection
- Complaints
- Constitution
- Alternative Service Delivery
- Procurement Policy and Strategy
- Devolution

Councillor Christopher Hall Finance and Performance

- Finance
- Revenues and Benefits
- Internal Audit and Risk Management
- Mid Kent Services
- Property and Estates
- Facilities
- Human Resources
- Performance and Project Management
- Technology and Digital Transformation

Leader of the Council – Councillor Ben Chapelard

Date of decision/ Decision maker	Full Council	Advisory Board	Report Title, Summary and Ward	Consultation Details	Relevant Officer	Key?¹	Private?²
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There are no items within the designated timeframe

Finance and Performance - Councillor Christopher Hall

Date of decision/ Decision maker	Full Council	Advisory Board	Report Title, Summary and Ward	Consultation Details	Relevant Officer	Key? ¹	Private? ²
22/09/22 Cabinet		06/09/22 Finance and Governance Cabinet Advisory Board	Budget Projection and Strategy 2023/24 To consider proposals for the draft budget (Stage 1 of 4 in setting the forthcoming year's budget). <i>(All Wards)</i>	The F&G CAB will be consulted.	Lee Colyer, Director of Finance, Policy and Development (Section 151 Officer)	No	Open
22/09/22 Cabinet		06/09/22 Finance and Governance Cabinet Advisory Board	Performance Summary Quarter 1 To consider an outline of the Council's performance against key strategic indicators. Measures prescribed by central government through the Single Data List (SDL) and the progress against each of the strategic projects as at the end of June 2022. <i>(All Wards)</i>	The Finance and Governance CAB will be consulted.	Jane Clarke, Head of Policy and Governance	No	Open
22/09/22 Cabinet		06/09/22 Finance and Governance Cabinet Advisory Board	Revenue Management Report Quarter 1 To receive the financial position as at the end of June 2022. <i>(All Wards)</i>	The Finance and Governance CAB will be consulted.	Jane Fineman, Head of Finance and Procurement	No	Open
22/09/22 Cabinet		06/09/22 Finance and Governance Cabinet Advisory Board	Capital Management Report Quarter 1 To receive the financial position as at the end of June 2022. <i>(All Wards)</i>	The Finance and Governance CAB will be consulted.	Jane Fineman, Head of Finance and Procurement	No	Open
22/09/22 Cabinet		06/09/22 Finance and Governance Cabinet Advisory Board	Treasury and Prudential Indicator Management Report Quarter 1 To receive the financial position as at the end of June 2022. <i>(All Wards)</i>	The Finance and Governance CAB will be consulted.	Jane Fineman, Head of Finance and Procurement	No	Open

Finance and Performance - Councillor Christopher Hall

Date of decision/ Decision maker	Full Council	Advisory Board	Report Title, Summary and Ward	Consultation Details	Relevant Officer	Key? ¹	Private? ²
22/09/22 Cabinet		06/09/22 Finance and Governance Cabinet Advisory Board	Grant of Lease to Enable Funding To approve the letting of the land at Bayham Road, Tunbridge Wells with a minimum annual rent and a reducing maintenance contribution to enable funding to improve the provision of sports facilities within the Tunbridge Wells Borough. ()	The Finance and Governance CAB will be consulted.	Max Horgan	No	Open
27/10/22 Cabinet		11/10/22 Finance and Governance Cabinet Advisory Board	Budget Update 2023/24 To consider an update on the Budget and the current financial position of the Council (stage 2 of 4 in setting the forthcoming year's budget). (All Wards)	The Finance and Governance CAB will be consulted.	Lee Colyer, Director of Finance, Policy and Development (Section 151 Officer)	No	Open
27/10/22 Cabinet		11/10/22 Finance and Governance Cabinet Advisory Board	Property Transaction Report January to June 2022 The report informs Cabinet of the property transactions completed under delegated authority between 1 January 2022 and 30 June 2022. (All Wards)	The F&G CAB will be consulted.	Jacqueline Tolhurst	No	Part
27/10/22 Cabinet	Full Council 14 December 2022	11/10/22 Finance and Governance Cabinet Advisory Board	*Council Tax Reduction Scheme 2023/24 To recommend to Full Council potential changes to the Council Tax Reduction Scheme for 2023/24 following public consultation. (All Wards)	The Finance and Governance CAB will be consulted.	Zoe Kent, Interim Head of Revenues and Benefits	No	Open

Finance and Performance - Councillor Christopher Hall

Date of decision/ Decision maker	Full Council	Advisory Board	Report Title, Summary and Ward	Consultation Details	Relevant Officer	Key? ¹	Private? ²
27/10/22 Cabinet		11/10/22 Finance and Governance Cabinet Advisory Board	<p>Transfer of Sherwood Lake and Conneyburrow Woodland and approval of the management and maintenance plan</p> <p>Cabinet previously approved the transfer of land at Conneyburrow Wood and Sherwood Lake from Town and Country Housing to Tunbridge Wells Borough Council in July 2011.</p> <p>Cabinet authority is now required for the following:</p> <ol style="list-style-type: none"> 1. Cabinet approves that the Council will manage the woodland and lake as the Trust was not established. 2. Cabinet approves the completion of the management and maintenance agreement between Town and Country Housing and TWBC. This document states that the Council will be responsible for the management and maintenance of the land subject to Town and Country Housing paying a maintenance fee. <p><i>(Sherwood)</i></p>	The Finance and Governance CAB will be consulted.	Jacqueline Tolhurst	No	Full
17/11/22 Cabinet		17/11/22 Finance and Governance Cabinet Advisory Board	<p>Fees and Charges 2023/24</p> <p>To consider and agree the fees and charges set by the Council.</p> <p><i>(All Wards)</i></p>	The Finance and Governance CAB will be consulted.	Jane Fineman, Head of Finance and Procurement	No	Open
01/12/22 Cabinet		08/11/22 Finance and Governance Cabinet Advisory Board	<p>Performance Summary Quarter 2</p> <p>To consider an outline of the Council's performance against key strategic indicators. Measures prescribed by central government through the Single Data List (SDL) and the progress against each of the strategic projects as at end of September 2022.</p> <p><i>(All Wards)</i></p>	The Finance and Governance CAB will be consulted.	Jane Clarke, Head of Policy and Governance	No	Open

Finance and Performance - Councillor Christopher Hall

Date of decision/ Decision maker	Full Council	Advisory Board	Report Title, Summary and Ward	Consultation Details	Relevant Officer	Key? ¹	Private? ²
01/12/22 Cabinet		08/11/22 Finance and Governance Cabinet Advisory Board	Complaints Summary Quarters 1 & 2 A review of the complaints received under the Council's complaints procedure between 1 April 2022 and 30 September 2022. <i>(All Wards)</i>	The Finance and Governance CAB will be consulted.	Jane Clarke, Head of Policy and Governance	No	Open
01/12/22 Cabinet		08/11/22 Finance and Governance Cabinet Advisory Board	Draft Asset Management Plan 2023/24 For Cabinet to set its recommendations for the Asset Management Plan and to consult on proposed changes. <i>(All Wards)</i>	Public consultation. The Finance and Governance CAB will be consulted.	Katie Exon, Corporate Property Manager	Yes	Open
01/12/22 Cabinet		08/11/22 Finance and Governance Cabinet Advisory Board	Land Asset Strategy Sites Consideration of Land Asset Strategy Sites within Tunbridge Wells. <i>(Pantiles & St Mark's; Southborough & High Brooms)</i>	Finance and Governance Cabinet Advisory Board will be consulted.	Jacqueline Tolhurst	Yes	Full
01/12/22 Cabinet		08/11/22 Finance and Governance Cabinet Advisory Board	Consideration of a new lease or freehold disposal of land at Tunbridge Wells Rugby Club Tunbridge Wells Rugby Club have requested that the Council grant them a new longer lease or land or consider a freehold disposal of land at the Rugby Club. <i>(Pantiles & St Mark's)</i>	The Finance and Governance Cabinet Advisory Board will be consulted.	Max Horgan	No	Full
01/12/22 Cabinet		08/11/22 Finance and Governance Cabinet Advisory Board	Revenue Management Report Quarter 2 To receive the financial position as at the end of September 2022. <i>(All Wards)</i>	The Finance and Governance CAB will be consulted.	Jane Fineman, Head of Finance and Procurement	No	Open
01/12/22 Cabinet		08/11/22 Finance and Governance Cabinet Advisory Board	Capital Management Report Quarter 2 To receive the financial position as at the end of September 2022. <i>(All Wards)</i>	The Finance and Governance CAB will be consulted.	Jane Fineman, Head of Finance and Procurement	No	Open

Finance and Performance - Councillor Christopher Hall

Date of decision/ Decision maker	Full Council	Advisory Board	Report Title, Summary and Ward	Consultation Details	Relevant Officer	Key? ¹	Private? ²
01/12/22 Cabinet		08/11/22 Finance and Governance Cabinet Advisory Board	Treasury and Prudential Indicator Management Report - Quarter 2 To receive the financial position as at the end of September 2022. <i>(All Wards)</i>	The Finance and Governance CAB will be consulted.	Jane Fineman, Head of Finance and Procurement	No	Open
01/12/22 Cabinet		08/11/22 Finance and Governance Cabinet Advisory Board	Draft Budget 2023/24 & Medium Term Financial Strategy Update 2020/21 to 2025/26 To consult on proposals for the Budget and on the Medium Term Financial Strategy for 2023/24 (Stage 3 of 4 in setting the forthcoming year's budget). <i>(All Wards)</i>	Request permission for public consultation. The Finance and Governance CAB will be consulted.	Lee Colyer, Director of Finance, Policy and Development (Section 151 Officer)	No	Open
01/12/22 Cabinet		08/11/22 Finance and Governance Cabinet Advisory Board	Calculation of the Council Tax Base To consider proposals for setting the Council Tax and Business Rate Tax Base for 2023/24. <i>(All Wards)</i>	The Finance and Governance CAB will be consulted.	Jane Fineman, Head of Finance and Procurement	Yes	Open

Rural Communities – Councillor Nancy Warne

Date of decision/ Decision maker	Full Council	Advisory Board	Report Title, Summary and Ward	Consultation Details	Relevant Officer	Key?¹	Private?²
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There are no items within the designated timeframe

Tunbridge Wells Town and Local Areas – Councillor Justine Rutland

Date of decision/ Decision maker	Full Council	Advisory Board	Report Title, Summary and Ward	Consultation Details	Relevant Officer	Key? ¹	Private? ²
22/09/22 Cabinet		Finance and Governance Cabinet Advisory Board	Response to Car Parking Consultation To consult on proposed increases to parking charges in Royal Tunbridge Wells, Paddock Wood and Southborough. <i>(All Wards)</i>	Consultation from Monday 25 July 2022 – Monday 5 September 2022.	Lee Colyer, Director of Finance, Policy and Development (Section 151 Officer)	Yes	Open
09/02/23 Cabinet		25/01/23 Communities and Economic Development Cabinet Advisory Board	Economic Development Strategy An updated Economic Development Strategy is being prepared and will be consulted on before adoption. <i>(All Wards)</i>	Public Consultation Mid Feb-April 2023. The Communities and Economic Development CAB will be consulted.	Hilary Smith, Economic Development Manager	No	Open

Environment, Sustainability and Carbon Reduction – Councillor Luke Everitt

Date of decision/ Decision maker	Full Council	Advisory Board	Report Title, Summary and Ward	Consultation Details	Relevant Officer	Key? ¹	Private? ²
Not before 21/10/21 Portfolio Holder for Culture, Leisure and Tourism			<p>Release of S106 funding, allocated to support the ongoing expansion of the Car Club</p> <p>The Tunbridge Wells Co-Wheels Car Club currently has 5 cars in it's fleet and is extremely popular, with membership and use of the car club having grown rapidly. To ensure car club members are able to access a car as and when they need it, it is essential to add additional cars to the fleet. The car club is managed as a concessions contract and at no cost to the Council. S106 from developers contribution has been set aside specifically to support the expansion of the car club, as part of a mobility mix alongside public transport, walking, cycling and taxis. With car clubs supporting air quality improvements, carbon reduction and reducing traffic impacts such as congestion and parking pressure.</p> <p><i>(Broadwater; Culverden; Pantiles & St Mark's; Park; Southborough & High Brooms; St James'; St John's)</i></p>	Report to be published before decision is made.	Karin Grey, Sustainability Manager	No	Open
22/09/22 Cabinet		06/09/22 Finance and Governance Cabinet Advisory Board	<p>Annual Corporate Health and Safety Report</p> <p>To note the contents of the report, along with the work undertaken to secure a safe and healthy working environment.</p> <p><i>(All Wards)</i></p>	The F&G CAB will be consulted.	Mike Catling, Corporate Health and Safety Advisor	No	Open

Environment, Sustainability and Carbon Reduction – Councillor Luke Everitt

Date of decision/ Decision maker	Full Council	Advisory Board	Report Title, Summary and Ward	Consultation Details	Relevant Officer	Key? ¹	Private? ²
22/09/22 Cabinet		07/09/22 Communities and Economic Development Cabinet Advisory Board	<p>Request to Consult on Draft Air Quality Action Plan for Hawkhurst</p> <p>A small Air Quality Management Area (AQMA) was declared in Hawkhurst on 1 December 2021, based on exceedances of the annual mean air quality objective for nitrogen dioxide. The Council is required to develop an Air Quality Action Plan describing the measures by which it is hoped to tackle these exceedances. This report describes a number of potential actions which have been developed in collaboration with various colleagues, partners and stakeholders. We are requesting permission to hold a public consultation on these potential actions. Feedback from the consultation will be incorporated into a final draft of the AQAP, to be presented to Members early in the new year. <i>(Hawkhurst & Sandhurst)</i></p>	<p>The consultation will start on 23/9/22 and finish on 18/11/22. The list of consultees is yet to be finalised but it is likely to include residents of the AQMA, local businesses, KCC, National Highways, Local Councillors and the Parish Council. The Communities and Economic Development CAB will be consulted.</p>	Stuart Maxwell, Senior Scientific Officer	No	Open

Environment, Sustainability and Carbon Reduction – Councillor Luke Everitt

Date of decision/ Decision maker	Full Council	Advisory Board	Report Title, Summary and Ward	Consultation Details	Relevant Officer	Key? ¹	Private? ²
22/09/22 Cabinet		07/09/22 Communities and Economic Development Cabinet Advisory Board	<p>Corporate Carbon Reduction Plan: Year 1 Progress and Year 2 Action Plan</p> <ol style="list-style-type: none"> 1. To acknowledge this summary report, which provides an update on the progress of year 1 action plan of the adopted Corporate Carbon Descent Plan. 2. To acknowledge and note the findings of the updated yearly Greenhouse Gas report up to and including 2021/22. 3. Climate emergency and carbon reduction is focused on both reducing and reaching the carbon neutral goal for our own operation and services as part of the Corporate Carbon Descent Plan. At the same time work is also progressing to develop the borough wide Climate Emergency strategy to empower and support our communities in meeting the carbon neutral goal. 4. Seek approval of year 2 action plan as set out in the main report to support the delivery of the objectives as identified in the Corporate Carbon Descent Plan. Several of the year 2 actions are already in progress and are part of the next phase of activities linked to year 1 actions. Information on progressing the year 1 action plan has in the past been communicated via members briefings and the members information pack. <p><i>(All Wards)</i></p>	The Communities and Economic Development CAB will be consulted.	Karin Grey, Sustainability Manager	No	Open

Environment, Sustainability and Carbon Reduction – Councillor Luke Everitt

Date of decision/ Decision maker	Full Council	Advisory Board	Report Title, Summary and Ward	Consultation Details	Relevant Officer	Key? ¹	Private? ²
27/10/22 Cabinet		11/10/22 Finance and Governance Cabinet Advisory Board	Weald Sports Centre De-Carbonisation Works To review the Weald Sports Centre De-carbonisation works. To consider the impact on budget and timetable risks due to statutory utility provider timeframes and infrastructure requirements. <i>(Benenden & Cranbrook)</i>	The Finance and Governance CAB will be consulted.	Tim Stevens	Yes	Part

Housing and Planning - Councillor Hugo Pound

Date of decision/ Decision maker	Full Council	Advisory Board	Report Title, Summary and Ward	Consultation Details	Relevant Officer	Key? ¹	Private? ²
Not before 16/10/20 Portfolio Holder for Planning and Transportation			<p>TWBC Response to Ministry of Housing, Communities and Local Government consultation on 'Planning for the Future - White Paper' (August 2020)</p> <p>The Ministry of Housing, Communities and Local Government is consulting on proposed long term changes to the national planning system. This report sets out the Council's response to this consultation.</p> <p><i>(All Wards)</i></p>	Report to be published before decision is made.	Stephen Baughen, Head of Planning Services	No	Open
22/09/22 Cabinet		05/09/22 Planning and Transportation Cabinet Advisory Board	<p>Brenchley and Matfield Neighbourhood Development Plan</p> <p>To seek Cabinet approval to progress the Brenchley and Matfield Neighbourhood Development Plan to referendum, to ensure the community had the final say on whether the neighbourhood plan comes into force or not. The referendum area is that of the Neighbourhood Area i.e. Brenchley and Matfield Parish.</p> <p><i>(Brenchley & Horsmonden)</i></p>	The Planning and Transportation CAB will be consulted.	Freya Jackson, Graduate Planning Assistant	No	Open
Not before 04/10/22 Cabinet Member for Housing and Planning			<p>TWBC Representations to the Regulation 16 Consultation on the Sevenoaks Town Neighbourhood Development Plan</p> <p>The purpose of a neighbourhood development plan is the means by which a local community can take responsibility for land use planning in their area, potentially covering matters such as the location of houses, shops and community facilities, the setting of design standards for new development or the identification and conservation of local heritage assets and green spaces.</p> <p><i>()</i></p>	Report to be published before decision is made.	Carlos Hone, Head of Planning	No	Open

Housing and Planning - Councillor Hugo Pound

Date of decision/ Decision maker	Full Council	Advisory Board	Report Title, Summary and Ward	Consultation Details	Relevant Officer	Key? ¹	Private? ²
27/10/22 Cabinet		12/10/22 Communities and Economic Development Cabinet Advisory Board	Review of Allocations Scheme 2022 To consider and approve a revision of the Allocations Scheme as required by the Council's constitution. <i>(All Wards)</i>	The Communities and Economic Development CAB will be consulted.	Stuart Clifton, Housing Services Manager	No	Open
27/10/22 Cabinet	Full Council - Date to be confirmed	10/10/22 Planning and Transportation Cabinet Advisory Board	Main Modifications Consultation of Local Plan 2020-2038, and Sustainability Appraisal To consult on the Main Modifications of the emerging Tunbridge Wells Borough Council Local Plan and Sustainability Appraisal for a 6 week period. <i>(All Wards)</i>	A statutory period of 6 weeks consultation is required. Dates to be confirmed. The Planning and Transportation CAB will be consulted.	Carlos Hone, Head of Planning	Yes	Open

Leisure, Wellbeing and Culture - Councillor Wendy Fitzsimmons

Date of decision/ Decision maker	Full Council	Advisory Board	Report Title, Summary and Ward	Consultation Details	Relevant Officer	Key?¹	Private?²
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There are no items within the designated timeframe

Governance and Transparency - Councillor David Hayward

Date of decision/ Decision maker	Full Council	Advisory Board	Report Title, Summary and Ward	Consultation Details	Relevant Officer	Key? ¹	Private? ²
01/12/22 Cabinet	Full Council 14 Dec 2022	08/11/22 Finance and Governance Cabinet Advisory Board	JIRP Review Paper Joint Independent Remuneration Panel – A review of Councillor Allowances for TWBC. <i>(All Wards)</i>	The Finance and Governance CAB will be consulted.	Lee Colyer, Director of Finance, Policy and Development (Section 151 Officer)	No	Open

Note 1: KEY DECISIONS

A “key decision” means a decision which is to be taken by the executive of the Council which is likely to:

- (a) result in the Council incurring expenditure which is, or the making of savings which are over £250,000 as well as otherwise being significant having regard to the Council’s budget for the service or function to which the decision relates; or
- (b) be significant in terms of its effects on communities living or working in an area comprising two or more wards in the Borough of Tunbridge Wells.

Note 2: REASONS A MEETING MAY BE HELD IN PRIVATE

In accordance with section 100A(4) of the Local Government Act 1972 (as amended), the public may be excluded from a meeting on the grounds that it may involve the disclosure of exempt information as defined in Schedule 12A of the Act. The exemption must be by virtue of one or more specified paragraphs which are shown on the meeting agenda (giving 5 days notice) and, in the case of the Cabinet, on the Forward Plan (giving 28 days notice). The exemptions are summarised as follows:

Paragraph (1) - Information relating to any individual.

QUALIFICATIONS:

Paragraph (2) - Information which is likely to reveal the identity of an individual.

(8) Information falling within paragraph (3) above is not exempt information by virtue of that paragraph if it is required to be registered under –

Paragraph (3) - Information relating to the financial or business affairs of any particular person (including the authority holding that information).

- (a) the Companies Act 1985;
- (b) the Friendly Societies Act 1974;
- (c) the Friendly Societies Act 1992;
- (d) the Industrial and Provident Societies Acts 1965 to 1978;
- (e) the Building Societies Act 1986; or
- (f) the Charities Act 1993.

Paragraph (4) - Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office-holders under, the authority.

(9) Information is not exempt information if it relates to proposed development for which the local planning authority may grant itself planning permission pursuant to regulation 3 of the Town and Country Planning General Regulations 1992.

Paragraph (5) - Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

Paragraph (6) - Information which reveals that the authority proposes –

- (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
- (b) to make an order or direction under any enactment.

(10) Information which –

- (a) falls within any of paragraphs 1 to 7 above; and
- (b) is not prevented from being exempt by virtue of paragraph 8 or 9 above,

Paragraph (7) - Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

is exempt information if and so long as, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.