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# FORWARD PLAN

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[www.tunbridgewells.gov.uk/forwardplan](http://www.tunbridgewells.gov.uk/forwardplan)

## 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 decision<sup>1</sup> or make a decision in private<sup>2</sup>. 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](mailto: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.

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A handwritten signature in black ink, appearing to read 'Tom Dawlings'.

**Councillor Tom Dawlings**  
**Leader of the Council**

**Publication Date: 27 October 2021**

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 portfolios

## **Councillor Tom Dawlings Finance and Governance (Leader of the Council)**

- Strategic Policy
- Finance
- Property and Estates
- Facilities
- Operational Partnerships (including Mid Kent Services)
- Revenues and Benefits (including Fraud and Debt Recovery)
- Internal Audit
- Legal Services
- ICT / Digital Transformation / Cyber Security
- Project and Programme Management
- Democratic Services
- Human Resources (including Learning and Development)

## **Councillor David Scott Economic Development (Deputy Leader of the Council)**

- Economic Development and Tourism
- Events (excluding the ice rink)
- Business Engagements
- Supporting economic recovery across the Borough
- Supporting the Town Centre
- Community Safety and CCTV
- Lead Member for Royal Tunbridge Wells

## **Councillor Andy Fairweather Communities and Wellbeing**

- Housing (including Private Sector and Housing Needs)
- Health
- Community Centres and Hubs
- Community Partnerships
- Assets of Community Value
- Rural Communities
- Younger and Older People
- Equalities and Equal Access
- Lead Member for Rural Communities

## **Councillor Jane March Culture and Leisure**

- Culture, Leisure and the Arts
- Assembly Hall Theatre and Ice Rink
- The Amelia Scott
- Parks and Grounds Maintenance
- Sports and Leisure Centres
- Community Grants
- Customer Access
- Cemeteries and Crematorium

## **Councillor Alan McDermott Planning and Transportation**

- Planning Policy
- Strategic Sites and Delivery
- Development Management
- Heritage and Conservation
- Planning Enforcement
- Land Charges
- Building Control
- Parking (on and off-street)
- Transportation

## **Councillor Matthew Bailey Environment**

- Recycling and Waste Collection
- Street Cleansing and Littering
- Fly Tipping and Abandoned Vehicles
- Environmental Protection
- Environmental Health
- Food Hygiene and Health & Safety Standards in businesses
- Corporate Health and Safety
- Licensing
- Sustainability

## Finance and Governance Portfolio – Councillor Dawlings

Date of decision/ Decision maker	Full Council	Advisory Board	Report Title, Summary and Ward	Consultation Details	Relevant Officer	Key? <sup>1</sup>	Private? <sup>2</sup>
28/10/21 Cabinet		12/10/21 Finance and Governance Cabinet Advisory Board	<b>Budget Update Report 2022/23</b> 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). <i>(All Wards)</i>	The Finance and Governance Cabinet Advisory Board will be consulted.	Lee Colyer, Director of Finance, Policy and Development (Section 151 Officer)	No	Open
18/11/21 Cabinet		16/11/21 Finance and Governance Cabinet Advisory Board	<b>Fees and Charges Setting 2022/23</b> To consider and agree the fees and charges set by the Council. <i>(All Wards)</i>	The Finance and Governance Cabinet Advisory Board will be consulted.	Jane Fineman, Head of Finance and Procurement	Yes	Open
02/12/21 Cabinet		16/11/21 Finance and Governance Cabinet Advisory Board	<b>Performance Summary Quarter 2</b> To consider an outline of the Council's performance against key strategy 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 2021. <i>(All Wards)</i>	The Finance and Governance Cabinet Advisory Board will be consulted.	Jane Clarke, Head of Policy and Governance	No	Open
02/12/21 Cabinet		16/11/21 Finance and Governance Cabinet Advisory Board	<b>Complaints Summary Quarter 1 and 2</b> A review of the complaints received under the Council's complaints procedure between 1 April and 30 September 2021. <i>(All Wards)</i>	The Finance and Governance Cabinet Advisory Board will be consulted.	Jane Clarke, Head of Policy and Governance	No	Open
02/12/21 Cabinet		16/11/21 Finance and Governance Cabinet Advisory Board	<b>Draft Asset Management Plan 2022/23</b> 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 Cabinet Advisory Board will be consulted.	John Antoniades, Estates Manager	No	Open

## Finance and Governance Portfolio – Councillor Dawlings

Date of decision/ Decision maker	Full Council	Advisory Board	Report Title, Summary and Ward	Consultation Details	Relevant Officer	Key? <sup>1</sup>	Private? <sup>2</sup>
02/12/21 Cabinet		16/11/21 Finance and Governance Cabinet Advisory Board	<b>Revenue Management Report Quarter 2</b> To receive the financial position as at the end of September 2021. <i>(All Wards)</i>	The Finance and Governance Cabinet Advisory Board will be consulted.	Jane Fineman, Head of Finance and Procurement	No	Open
02/12/21 Cabinet		16/11/21 Finance and Governance Cabinet Advisory Board	<b>Capital Management Report Quarter 2</b> To receive the financial position as at the end of September 2021. <i>(All Wards)</i>	The Finance and Governance Cabinet Advisory Board will be consulted.	Jane Fineman, Head of Finance and Procurement	No	Open
02/12/21 Cabinet		16/11/21 Finance and Governance Cabinet Advisory Board	<b>Treasury and Prudential Indicator Management Report Quarter 2</b> To receive the financial position as at the end of September 2021. <i>(All Wards)</i>	The Finance and Governance Cabinet Advisory Board will be consulted.	Jane Fineman, Head of Finance and Procurement	No	Open
02/12/21 Cabinet		16/11/21 Finance and Governance Cabinet Advisory Board	<b>Draft Budget 2022/23 &amp; Medium Term Financial Strategy Update 2020/21 to 2025/26</b> To consult on proposals for the budget for 2022/23 (Stage 3 of 4 in setting the forthcoming year's budget). <i>(All Wards)</i>	Request permission for Public Consultation. The Finance and Governance Cabinet Advisory Board will be consulted.	Lee Colyer, Director of Finance, Policy and Development (Section 151 Officer)	No	Open
02/12/21 Cabinet		16/11/21 Finance and Governance Cabinet Advisory Board	<b>Calculation of Council Tax Base</b> To consider proposals for setting the Council Tax and Business Rate Tax Base for 2022/23. <i>(All Wards)</i>	The Finance and Governance Cabinet Advisory Board will be consulted.	Jane Fineman, Head of Finance and Procurement	Yes	Open

## Finance and Governance Portfolio – Councillor Dawlings

Date of decision/ Decision maker	Full Council	Advisory Board	Report Title, Summary and Ward	Consultation Details	Relevant Officer	Key? <sup>1</sup>	Private? <sup>2</sup>
13/01/22 Cabinet		11/01/22 Finance and Governance Cabinet Advisory Board	<p><b>Town Hall - Appointment of Co-working Tenderer</b></p> <p>The report is to set out the compliant process of selection and approval of the proposed Co-working tenderer to take a lease of some 19,800ft2 of the overall office accommodation, wide operational management within the Town Hall building and the external central courtyard. <i>(All Wards)</i></p>	Cabinet decision in July 2021 approved supplier engagement. Ongoing internal engagement with CCWG and Members. In addition wider engagement during tender process is proposed. The Finance and Governance CAB will be consulted.	Katie Exon, Corporate Property Manager	Yes	Part
10/02/22 Cabinet		25/01/22 Finance and Governance Cabinet Advisory Board	<p><b>Land Asset Strategy Sites</b></p> <p>Consideration of Land Asset Strategy Sites within Tunbridge Wells. <i>(Pantiles &amp; St Mark's; Southborough &amp; High Brooms)</i></p>	Finance and Governance Cabinet Advisory Board will be consulted.	John Antoniades, Estates Manager	Yes	Full
10/02/22 Cabinet		25/01/22 Finance and Governance Cabinet Advisory Board	<p><b>Consideration of a new lease or freehold disposal of land at Tunbridge Wells Rugby Club</b></p> <p>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>(St John's)</i></p>	The Finance and Governance Cabinet Advisory Board will be consulted.	Max Horgan	No	Full
10/02/22 Cabinet		25/01/22 Finance and Governance Cabinet Advisory Board	<p><b>Property Transaction Report July to December 2021</b></p> <p>This report informs Cabinet of the property transactions completed under delegated authority between 1 July 2021 and 31 December 2021. <i>(All Wards)</i></p>	The Finance and Governance Cabinet Advisory Board will be consulted.	John Antoniades, Estates Manager	No	Part

## Finance and Governance Portfolio – Councillor Dawlings

Date of decision/ Decision maker	Full Council	Advisory Board	Report Title, Summary and Ward	Consultation Details	Relevant Officer	Key? <sup>1</sup>	Private? <sup>2</sup>
10/02/22 Cabinet	Full Council 23/2/2022	25/01/22 Finance and Governance Cabinet Advisory Board	<b>*Asset Management Plan 2022/23</b> To recommend to Full Council the revised Asset Management Plan following public consultation. (All Wards)	The Finance and Governance Cabinet Advisory Board will be consulted.	John Antoniadis, Estates Manager	No	Open
10/02/22 Cabinet	Full Council 23/2/2022	25/01/22 Finance and Governance Cabinet Advisory Board	<b>*Budget 2022/23</b> To recommend to Full Council the Council's budget for 2022/23 following public consultation (stage 4 of 4 in setting the forthcoming year's budget). (All Wards)	The Finance and Governance Cabinet Advisory Board will be consulted.	Lee Colyer, Director of Finance, Policy and Development (Section 151 Officer)	No	Open
10/02/22 Cabinet	Full Council 23/2/2022	25/01/22 Finance and Governance Cabinet Advisory Board	<b>*Medium Term Financial Strategy 2022/23</b> To recommend to Full Council the revised Medium Term Financial Strategy following public consultation (stage 4 of 4 setting the forthcoming year's budget). (All Wards)	The Finance and Governance Cabinet Advisory Board will be consulted.	Lee Colyer, Director of Finance, Policy and Development (Section 151 Officer)	No	Open
10/02/22 Cabinet	Full Council 23/2/2022	25/01/22 Finance and Governance Cabinet Advisory Board	<b>*Treasury Management Policy and Strategy</b> To recommend to Full Council the Treasury Management Policy and Strategy to set the parameters and key information regarding the Council's treasury activity, with specific regards to investments and cash flow. (All Wards)	The Finance and Governance Cabinet Advisory Board will be consulted.	Clare Hazard, Accountancy Manager	No	Open
10/02/22 Cabinet	Full Council 23/2/2022	25/01/22 Finance and Governance Cabinet Advisory Board	<b>*Capital Strategy</b> To recommend to Full Council the Council's Capital Strategy for 2022/23. (All Wards)	The Finance and Governance Cabinet Advisory Board will be consulted.	Clare Hazard, Accountancy Manager	No	Open

## Finance and Governance Portfolio – Councillor Dawlings

Date of decision/ Decision maker	Full Council	Advisory Board	Report Title, Summary and Ward	Consultation Details	Relevant Officer	Key? <sup>1</sup>	Private? <sup>2</sup>
10/02/22 Cabinet		25/01/22 Finance and Governance Cabinet Advisory Board	<b>CCTV Monitoring Contract</b> The purpose of the report is to seek approval to award a new CCTV monitoring contract for the supply and management of suitably qualified and trained personnel to monitor, manage and operate CCTV cameras in the CCTV Control Room in the Town Hall. <i>(All Wards)</i>	The Finance and Governance CAB will be consulted.	Denise Haylett, Head of Facilities and Community Hubs	Yes	Part
17/03/22 Cabinet		01/03/22 Finance and Governance Cabinet Advisory Board	<b>Performance Summary Quarter 3</b> 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 December 2021. <i>(All Wards)</i>	The Finance and Governance Cabinet Advisory Board will be consulted.	Jane Clarke, Head of Policy and Governance	No	Open
17/03/22 Cabinet		01/03/22 Finance and Governance Cabinet Advisory Board	<b>Revenue Management Report Quarter 3</b> To receive the financial position as at the end of December 2021. <i>(All Wards)</i>	The Finance and Governance Cabinet Advisory Board will be consulted.	Jane Fineman, Head of Finance and Procurement	No	Open
17/03/22 Cabinet		01/03/22 Finance and Governance Cabinet Advisory Board	<b>Capital Management Report Quarter 3</b> To receive the financial position as at the end of December 2021. <i>(All Wards)</i>	The Finance and Governance Cabinet Advisory Board will be consulted.	Jane Fineman, Head of Finance and Procurement	No	Open
17/03/22 Cabinet		01/03/22 Finance and Governance Cabinet Advisory Board	<b>Treasury and Prudential Indicator Management Report Quarter 3</b> To receive the financial position as at the end of December 2021. <i>(All Wards)</i>	The Finance and Governance Cabinet Advisory Board will be consulted.	Jane Fineman, Head of Finance and Procurement	No	Open

## Economic Development Portfolio – Councillor Scott

Date of decision/ Decision maker	Full Council	Advisory Board	Report Title, Summary and Ward	Consultation Details	Relevant Officer	Key? <sup>1</sup>	Private? <sup>2</sup>
02/12/21 Cabinet		17/11/21 Communities and Economic Development Cabinet Advisory Board	<b>PSPO 2021 Consultation Results</b> To inform Members of the outcome of the 6 week public consultation with recommendations for implementation. <i>(All Wards)</i>	The Communities and Economic Development CAB will be consulted.	Terry Hughes, Community Safety Manager	No	Open
14/04/22 Cabinet	Full Council 27/4/2022	30/03/22 Communities and Economic Development Cabinet Advisory Board	<b>*Community Safety Partnership Plan 2022/23</b> To recommend to Full Council the annual Community Safety Partnership Plan for approval. The Plan presents data on crime and anti-social behaviour within Tunbridge Wells Borough and provides an update on solutions provided to ensure the safety of residents. <i>(All Wards)</i>	The Communities and Economic Development Cabinet Advisory Board will be consulted.	Terry Hughes, Community Safety Manager	No	Open



## Planning and Transportation Portfolio – Councillor McDermott

Date of decision/ Decision maker	Full Council	Advisory Board	Report Title, Summary and Ward	Consultation Details	Relevant Officer	Key? <sup>1</sup>	Private? <sup>2</sup>
Not before 16/10/20 Portfolio Holder for Planning and Transportation			<p><b>TWBC Response to Ministry of Housing, Communities and Local Government consultation on 'Planning for the Future - White Paper' (August 2020)</b></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
Not before 02/11/21 Portfolio Holder for Planning and Transportation			<p><b>Local Development Scheme (October 2021)</b></p> <p>The publication of The Local Development Scheme (LDS) which sets out details of the planning policy documents that the Council is applying, together with those to be prepared over the next three years, and the timescales for their production and adoption.</p> <p><i>(All Wards)</i></p>	Report to be published before decision is made.	Nichola Watters	No	Open

## Planning and Transportation Portfolio – Councillor McDermott

Date of decision/ Decision maker	Full Council	Advisory Board	Report Title, Summary and Ward	Consultation Details	Relevant Officer	Key? <sup>1</sup>	Private? <sup>2</sup>
02/12/21 Cabinet	Full Council 23/2/2022	15/11/21 Planning and Transportation Cabinet Advisory Board	<p><b>Goudhurst Neighbourhood Development Plan</b></p> <p>The report provides an introduction and background to the production of the Goudhurst Neighbourhood Development Plan, with a general background to Neighbourhood Planning to set the context. The report sets out the preparation of the Goudhurst Neighbourhood Development Plan, the stage reached and the finding and recommendations of the independent examiner who has 'examined' the Goudhurst Neighbourhood Development Plan. The report makes recommendations on the next steps, including that subject to modifications the Goudhurst Neighbourhood Development Plan shall progress to referendum. <i>(Goudhurst &amp; Lamberhurst)</i></p>	The Planning and Transportation Cabinet Advisory Board will be consulted.	Ellen Gilbert, Principal Planning Officer	No	Open
02/12/21 Cabinet		15/11/21 Planning and Transportation Cabinet Advisory Board	<p><b>Benenden Neighbourhood Plan</b></p> <p>To provide a background to the progress of the Benenden Neighbourhood Development Plan (BNDP) that has now reached the stage for the local planning authority to make the decision to issue a Decision Statement for the BNDP to progress to a referendum. <i>(Benenden &amp; Cranbrook)</i></p>	The Planning and Transportation CAB will be consulted.	Deborah Dixon, Principal Planning Officer	No	Open

## Culture and Leisure Portfolio – Councillor March

Date of decision/ Decision maker	Full Council	Advisory Board	Report Title, Summary and Ward	Consultation Details	Relevant Officer	Key? <sup>1</sup>	Private? <sup>2</sup>
Not before 29/10/21 Portfolio Holder for Culture and Leisure			<p><b>Allocation and Release of Developer Contribution to Improve Tennis Courts and Cricket Square at Memorial Field Paddock Wood</b></p> <p>The release £118,450 of expected developer contributions through a planning obligation agreement for Mascall's Farm (planning reference 17/03480 and 19/0253). Once received by Tunbridge Wells Borough Council, to be allocated to Paddock Wood Town Council to fund the refurbishment of tennis courts and cricket square at the Memorial Field, Paddock Wood. <i>(Paddock Wood (East); Paddock Wood (West))</i></p>	Report to be published before decision is made.	Gary Stevenson, Head of Housing, Health and Environment	No	Open
02/12/21 Cabinet		17/11/21 Communities and Economic Development Cabinet Advisory Board	<p><b>Grounds Maintenance Service</b></p> <p>The report considers the options for the future delivery of the grounds maintenance service for the Council's sports pitches, parks and open spaces from January 2023. <i>(Broadwater; Culverden; Pantiles &amp; St Mark's; Park; Rusthall; Sherwood; St James'; St John's)</i></p>	Consultation with relevant groups in progress (Oct/Nov 2021). The Communities and Economic Development CAB will be consulted.	Gary Stevenson, Head of Housing, Health and Environment	Yes	Open

## Communities and Wellbeing Portfolio - Councillor Fairweather

Date of decision/ Decision maker	Full Council	Advisory Board	Report Title, Summary and Ward	Consultation Details	Relevant Officer	Key? <sup>1</sup>	Private? <sup>2</sup>
28/10/21 Cabinet		13/10/21 Communities and Economic Development Cabinet Advisory Board	<p><b>Draft Housing , Homelessness and Rough Sleeping Strategy 2021-2026</b></p> <p>To request agreement for consultation to take place on the draft Housing, Homelessness and Rough Sleeping Strategy 2021-2026 as the present Housing and Homelessness Strategy ends in 2021. The new Strategy will set out how we will respond to housing challenges and will incorporate our approach to tackling the issue of rough sleeping. Once consultation has taken place, the Strategy will be reported to Cabinet later in 2021, for approval and adoption.</p> <p><i>(All Wards)</i></p>	A six week consultation is expected to take place May/June 2021, to include public consultation and consultation with partners and all interested parties. The Communities and Economic Development Cabinet Advisory Board will be consulted.	Sue Oliver, Environmental Health Officer	Yes	Open
02/12/21 Cabinet		17/11/21 Communities and Economic Development Cabinet Advisory Board	<p><b>Poverty and Deprivation: Response to OSC Task and Finish Group Review</b></p> <p>Cabinet response to the Overview and Scrutiny Committee task and finish group on poverty and deprivation in the wards of Broadwater, Benenden and Cranbrook, Paddock Wood West, Rusthall, Sherwood, Southborough and High Brooms.</p> <p><i>(Benenden &amp; Cranbrook; Broadwater; Paddock Wood (West); Rusthall; Sherwood; Southborough &amp; High Brooms)</i></p>	The Communities and Economic Development CAB will be consulted.	Jane Clarke, Head of Policy and Governance	No	Open

## Communities and Wellbeing Portfolio - Councillor Fairweather

Date of decision/ Decision maker	Full Council	Advisory Board	Report Title, Summary and Ward	Consultation Details	Relevant Officer	Key? <sup>1</sup>	Private? <sup>2</sup>
17/03/22 Cabinet		02/03/22 Communities and Economic Development Cabinet Advisory Board	<p><b>Housing, Homelessness and Rough Sleeping Strategy 2021-2026</b></p> <p>The Strategy sets out how we will respond to housing challenges, including preventing homelessness, ending rough sleeping, increasing the supply and choice of affordable homes, and improving housing and meeting need.</p> <p>The Strategy will be reported to Cabinet on 24 June 2021 and agreement for consultation will be requested. Once consultation has been undertaken, the comments and feedback received will be considered and the Strategy will be amended and updated as necessary. Cabinet will be asked to adopt the final Strategy.</p> <p><i>(All Wards)</i></p>	<p>Consultation on the Strategy will take place over a six week period in July/August 2021, with partners and interested parties, prior to this second submission of the Strategy to Cabinet. The Communities and Economic Development CAB will be consulted.</p>	Sue Oliver, Environmental Health Officer	Yes	Open

## Environment Portfolio - Councillor Bailey

Date of decision/ Decision maker	Full Council	Advisory Board	Report Title, Summary and Ward	Consultation Details	Relevant Officer	Key? <sup>1</sup>	Private? <sup>2</sup>
Not before 21/10/21 Portfolio Holder for the Environment			<p><b>Release of S106 funding, allocated to support the ongoing expansion of the Car Club</b></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 &amp; St Mark's; Park; Southborough &amp; High Brooms; St James'; St John's)</i></p>	Report to be published before decision is made.	Karin Grey, Sustainability Manager	No	Open
10/02/22 Cabinet		26/01/22 Communities and Economic Development Cabinet Advisory Board	<p><b>Climate Emergency Update - Review of the Climate Emergency Action Panel</b></p> <p>The Climate Emergency Action Panel be re-focused on delivering the Carbon Descent Plan with new terms of reference.</p> <p><i>(All Wards)</i></p>	The Communities and Economic Development Cabinet Advisory Board will be consulted.	Paul Taylor, Director of Change and Communities	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.

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

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

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.

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.

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

#### QUALIFICATIONS:

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