

Tunbridge Wells Borough Council

Decisions taken by the Cabinet on Wednesday, 20 July 2022



Item	Topic	Decision
Part 1 – Items considered in public		
9	<p>In-Year Budget Review 2022/23</p> <p>Subject to call-in: Yes</p>	<p>RESOLVED –</p> <ol style="list-style-type: none"> 1. That the in-year budget revisions and the direction of travel in setting the budget 2023/24 with the aim of rebalancing the council’s finances over the medium-term be approved. 2. That the Head of Economic Development and Property in consultation with the Portfolio Holder for Finance and Performance be given delegated authority to commence listing, for potential disposal or lease, of the following surplus assets, Mount Pleasant Avenue Car Park, Great Hall Yard Car Park, the Gateway and Land at Warwick Park be approved. 3. That authority be delegated to the Head of Finance, Procurement and Parking in consultation with the Portfolio Holder for Rural Communities (Deputy Leader) to produce Terms of Reference for a Community Support Fund be approved. 4. That the virement of £2.5m from the Town hall conversion budget to the Asset Acquisition budget to further the economic development of the town centre through the acquisition and/or redevelopment of property be approved. And that delegated authority be given to the Director of Finance, Property and Development to negotiate and agreed terms to entre into contracts utilising this budget in consultation with the Monitoring Officer and the Cabinet Members for Finance and Performance and Tunbridge Wells Town Centre and Local Areas be approved. 5. That delegated authority be given to the head of Legal Partnership to negotiate and complete all necessary agreements, deeds and documents arising or ancillary to the purchases and/or refurbishments on terms negotiated and agreed be approved. <p>REASON FOR DECISION: To deliver a sustainable budget that would address and rebalance the Council’s finances over the medium term.</p>

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10	<p>Draft Council Tax Reduction Scheme 2023/24</p> <p>Subject to call-in: Yes</p>	<p>RESOLVED –</p> <ol style="list-style-type: none"> 1. That the progress of the income banded Council Tax Reduction Scheme be noted. 2. For the reasons stated in the report, no changes be made to the Council Tax Reduction Scheme for 2023-24 be approved. 3. That the Council seeks to provide support to those struggling on low incomes and with the 'cost of living; crisis through the establishment of a Community Support fund, details of which are contained in the In-Year Budget Review 2022/23 Report and through the use of the Household Support Fund be approved. <p>REASON FOR DECISION: To continue with the new system that has provided a simplified inbuilt claiming process covering a wide range of income ranges.</p>
11	<p>Sales, Fees and Charges (including Car Parking) 2022/23</p> <p>Subject to call-in: Yes</p>	<p>RESOLVED –</p> <ol style="list-style-type: none"> 1. That the sales, prices, fees and charges set out in the report and in appendices A-D, F, G and H, along with delegated authority to the S151 Officer to make the necessary amendments be approved. 2. That the price increases be implemented on 1 October 2022 unless stated otherwise in the report be approved. 3. That delegated responsibility be given to the Director of Finance, Property and Development to implement increases to planning fees for major and minor applications as soon as the Government permits be approved. 4. That delegated responsibility be given to the Director of Finance, Property and Development to implement increases to the 1 hour and 2-hour parking charges in Torrington Car Park following legal advice on the price ceilings included in the lease be approved. 5. That all items on parking charges (except for Dunorlan Park) be subject to a four-week consultation starting on or around Monday 25 July, and that Dunorlan Park be subject to a separate consultation, the date for which to be determined, be approved. And that following the consultation period, the determination of the car parking charges be subject to a Cabinet decision, to be implemented by 1 October 2022 be approved.

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		<p>REASON FOR DECISION: Securing revenue in line with the Medium-Term Financial Strategy remains vital to balancing the budget annually in order to support all of the services provided by the Council.</p>
12	<p>Shared Prosperity Fund Investment Plan</p> <p>Subject to call-in: Yes</p>	<ol style="list-style-type: none"> 1. That the Tunbridge Wells Investment Plan be approved. 2. That delegated responsibility be given to the Head of Economic Development in liaison with the Cabinet Member for Tunbridge Wells Town and Local Areas to make any necessary minor changes to the Tunbridge Wells Investment Plan prior to submission, for the purpose of presentation or improving clarity be approved. 3. That the Terms of Reference for the Local Partnership Group be approved. 4. That delegated responsibility be given to the Head of Economic Development in consultation with the Cabinet Member for Tunbridge Wells Town and Local Areas to agree projects either as <ul style="list-style-type: none"> - Grants to public or private organisations - Commissioning third party organisations - Procurement of service provision - In-house provision, be approved. 5. That authority be given to the Head of Legal Services to complete all legal formalities, agreements, deeds and other documents as are necessary and/or incidents to the recommendations be approved. <p>REASON FOR DECISION: To enable the Borough to benefit from funding from Central Government that would allow the Council to invest in the borough over the next two and half years.</p>

Decision Notice published: Thursday 21 July 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 Thursday 28 July 2022**

Mark O'Callaghan
Scrutiny and Engagement Officer

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