

Tunbridge Wells Borough Council

Decisions taken by the Cabinet on Thursday, 25 June 2020



Item	Topic	Decision
<b>Part 1 – Items considered in public</b>		
8	Corporate Update on Covid-19  Subject to call-in: Yes	<p><b>RESOLVED –</b> That the report be noted.</p> <p><b>REASON FOR DECISION:</b> To provide an overall summary of the consequences of the Covid-19 pandemic for Tunbridge Wells Borough Council and the Borough of Tunbridge Wells.</p>
9	Covid-19 Panel - Enhancing Scrutiny for Recovery  Subject to call-in: Yes	<p><b>RESOLVED –</b></p> <ol style="list-style-type: none"> <li>1. That a Covid-19 Panel be established as a working group of the Cabinet;</li> <li>2. That the Terms of Reference as set out in Appendix A to the report be agreed;</li> <li>3. That members be appointed to the Covid-19 Panel as set out in Appendix B to the report; and</li> <li>4. That the revised arrangement regarding the programme of committee meetings for the Overview and Scrutiny Committee be noted.</li> </ol> <p><b>REASON FOR DECISION:</b> The creation of the Panel would provide an appropriate oversight of the Council’s plans and provide a confidential forum in which issues can be discussed with a range of stakeholders and interested parties.</p>
10	Overview of the Council's Proposed Recovery Strategy  Subject to call-in: Yes	<p><b>RESOLVED –</b> That the report be noted.</p> <p><b>REASON FOR DECISION:</b> The report sets out the high level issues, objectives, principles and structures for overseeing the Recovery phase of the Covid-19 Pandemic.</p>

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11	Self-Build and Custom Housebuilding Register: Proposed Local Connection Test  Subject to call-in: Yes	<p><b>RESOLVED</b> – That the Council adopts a local connection test to its Self-Build and Custom Housebuilding Register, as set out in the report, subject to the change provided in the verbal update to paragraph 4.2 (d).</p> <p><b>REASON FOR DECISION:</b>                      In supporting the self-build and custom housebuilding policy in the Local Plan, it would assist in ensuring that the new Local Plan delivers housing growth for those with a local connection to the borough.</p>
12	Finance Update Covid-19  Subject to call-in: Yes	<p><b>RESOLVED</b> – That the report be noted.</p> <p><b>REASON FOR DECISION:</b> The report provides an initial summary of the impact of the Covid-19 pandemic on the Council’s finances.</p>
13	Strategic Risk Register  Subject to call-in: Yes	<p><b>RESOLVED</b> – That the Committee notes the risk management report and arrangements for managing strategic risk.</p> <p><b>REASON FOR DECISION:</b> To effectively manage strategic risks in accordance with the method advised by the Council’s auditors.</p>
14	Complaints Summary: Quarters 3 & 4  Subject to call-in: Yes	<p><b>RESOLVED</b> – That Cabinet notes the position on complaints performance at the end of period 2 (1 October 2019 – 31 March 2020)</p> <p><b>REASON FOR DECISION:</b> To enable Cabinet to understand the Council’s current performance in relation to complaints handling.</p>

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15	Performance Summary: Quarter 4 and End of Year  Subject to call-in: Yes	<p><b>RESOLVED -</b></p> <ol style="list-style-type: none"> <li>1. That Cabinet notes the summary of priority projects performance over quarter 4 at appendix A;</li> <li>2. That Cabinet notes the summary of service performance over quarter 4, at appendix B; and</li> <li>3. That Cabinet notes that performance indicator Recovery Plans for quarter 4 have not been submitted, but notes are included in appendix B</li> </ol> <p><b>REASON FOR DECISION:</b> To monitor the effectiveness of the Council's actions and plans to meet all of the objectives within the Five Year Plan, highlight underperforming areas.</p>
16	Revenue Management Report: Quarter 4  Subject to call-in: Yes	<p><b>RESOLVED -</b></p> <ol style="list-style-type: none"> <li>1. That the unaudited actual revenue expenditure outturn and impact on reserves for the year ended 31 March 2020 be noted.</li> <li>2. That Members the new and updated charges for Planning as set out in this report be approved.</li> </ol> <p><b>REASON FOR DECISION:</b></p> <ol style="list-style-type: none"> <li>1. To show the actual expenditure outturn on services compared to the revised budget for the year ending 31 March 2020.</li> <li>2. To agree the proposed changes for services offered by Planning.</li> </ol>
17	Capital Management Report: Quarter 4  Subject to call-in: Yes	<p><b>RESOLVED -</b></p> <ol style="list-style-type: none"> <li>1. That Cabinet note the actual gross and net expenditure for the year and the sources of finance as shown in Appendices B to D;</li> <li>2. The proposed movement between years set out in note 4.3 be approved</li> <li>3. The proposed variations to the 2019/20 Capital programme, set out in notes 4.4 to 4.10 be approved; and</li> <li>4. The new proposed schemes for 2020/21 (to be approved by Full Council) to be included in the capital programme as set out in notes 4.11 to 4.13 be approved.</li> </ol> <p><b>REASON FOR DECISION:</b> Managing and forecasting capital expenditure effectively was vital in order to support all of the services provided by the Council.</p>

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18	Treasury and Prudential Indicator Management Report: Quarter 4  Subject to call-in: Yes	<p><b>RESOLVED</b> – That the 2019/2020 Treasury Management and Prudential Indicator position be noted.</p> <p><b>REASON FOR DECISION:</b> Ensuring effective cash flow management was vital in order to support all the services provided by the Council. The interest received from investments was an important source of income in helping to set a balanced budget.</p>
19	Annual Report on the use of RIPA  Subject to call-in: Yes	<p><b>RESOLVED</b> – That the report be noted.</p> <p><b>REASON FOR DECISION:</b> To demonstrate the Council’s compliance with legislation.</p>
20	Community Safety Partnership  Subject to call-in: Yes	<p><b>RESOLVED</b> – That the Community Safety Partnership Plan 2020/21 be approved.</p> <p><b>REASON FOR DECISION:</b> To confirm the multi-agency activity to reduce crime and disorder.</p>
21	Household Recycling and Waste Collection Service - Service Update  Subject to call-in: Yes	<p><b>RESOLVED</b> – That the report be noted.</p> <p><b>REASON FOR DECISION:</b> To provide information on the new Household Recycling and Waste Collection Service following the introduction of the new service and the impact of Covid-19.</p>
24	Affordable Housing Commuted Sums - Former Council Offices in Cranbrook  Subject to call-in: No	<p><b>RESOLVED</b> – That the sum of £263,000 of the s106 affordable housing spent outside of the Parish of Cranbrook be transferred back to the former Kent and Sussex hospital contribution to be earmarked for the provision of affordable housing in the Parish of Cranbrook be approved.</p> <p><b>REASON FOR DECISION:</b> The agreement to transfer the money back to the Kent and Sussex ensured that the timescales for the s106 agreement for the Cranbrook Council Office site were fulfilled and the money was used to provide affordable housing in the Borough.</p>

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		In accordance with the provisions of Overview and Scrutiny Procedure Rule 14 in Part 4 of the Constitution, the Chairman of the Overview and Scrutiny Committee hereby gives prior agreement that this decision is urgent and will not be subject to call-in as delay would seriously prejudice the Council's or the public's interest.

Decision Notice published: Thursday 25 June 2020

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

## Tunbridge Wells Borough Council

### Decisions taken by the Cabinet on Thursday, 25 June 2020



## 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 2 July 2020**

Mark O'Callaghan  
Scrutiny and Engagement Officer

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