

TUNBRIDGE WELLS BOROUGH COUNCIL

NOTICE OF DECISION OF THE LEADER OF THE COUNCIL

Pursuant to the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, Regulation 13(1)

Decision Made: 7 July 2020

Pembury Neighbourhood Plan Area Designation

DETAILS OF DECISION MADE

Decision:	Resolved that the proposed neighbourhood area which exactly follows the parish boundary of Pembury be approved.
Reason for decision:	This was the most appropriate definition for an area and accorded with best practice.
Possible alternatives considered and rejected:	No alternatives were considered appropriate and refusal would not allow Pembury Parish Council to pursue a neighbourhood plan.
Conflicts of interest and any dispensations granted:	No conflicts of interest were declared by any Member who was consulted in respect of this decision.

APPROVAL

I have read and approve the above decision for the reasons (including possible alternative actions rejected) set out above and in the report:



Signed: **Councillor Alan McDermott**

Dated: Tuesday 7 July 2020

Full details of the decision made can be found in the accompanying document(s) to this Notice: <https://democracy.tunbridgewells.gov.uk/meetings/mglIssueHistoryHome.aspx?Id=50024068&Opt=0>

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

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 Tuesday 14 July 2020.

Mark O'Callaghan
Scrutiny and Engagement Officer

Tunbridge Wells Borough Council
Town Hall
Tunbridge Wells TN1 1RS

Email: Scrutiny@TunbridgeWells.gov.uk