

**TUNBRIDGE WELLS BOROUGH COUNCIL**

**RECORD OF DECISIONS**

(in terms of Access to Information Rule 18)

**SPECIAL CABINET**

**Thursday 21 January 2010**

**Present: Councillor Roy Bullock (Chairman)  
Councillors Paul Barrington-King, Len Horwood, Mrs Catherine Mayhew,  
Mrs Elizabeth Thomas and Frank Williams.**

**Officers in Attendance:** William Benson, Director of Change and Business Support; Diane Brady, Estates Surveyor; David Candlin, Head of Economic Development and Regeneration; Louisa Clarke, Communications Assistant; Lee Colyer, Head of Finance and Governance (S151 Officer); Keith Trowell, Senior Legal Planning Lawyer; Andrew Goy, Scrutiny Officer; Samantha Timms, Senior Committee Administrator; and Sheila Wheeler, Chief Executive.

**Other Members in Attendance:** Councillor Ron Weeden.

**APOLOGIES FOR ABSENCE**

CAB151/09 No apologies for absence had been received.

**DECLARATIONS OF PERSONAL AND PREJUDICIAL INTERESTS**

CAB152/09 There were no declarations of interest made.

**NOTIFICATION OF VISITING MEMBERS WISHING TO SPEAK**

CAB153/09 In accordance with Cabinet Procedure Rule 5.3 and after giving due notice to the Chairman, Councillor Weeden attended and spoke on decision CAB154/09.

**CONSIDERATION OF REPORT FROM THE OVERVIEW AND SCRUTINY SELECT COMMITTEE – [CALL-IN OF PROPERTY INVESTMENT PORTFOLIO](#) – CORPORATE SERVICES SELECT COMMITTEE**

CAB154/09 Cabinet decision CAB149/09, Property Investment Portfolio, had been called-in by the three members of the Council because it was felt that there had been insufficient information on which to base the decisions.

In accordance with the Council's Overview and Scrutiny Procedure Rules 13.6, the Chief Executive, Chairman and Vice-Chairman of the Corporate Services Select Committee, having sought legal advice, agreed that the request for call-in was valid. The Corporate Services Select Committee had met on 12 January 2010 to consider the Cabinet's decision (CAB149/09) and the reasons for call-in; full details of the request for call-in were appended to the report for members' information.

The Select Committee urged Cabinet to ensure that an appropriate risk analysis was undertaken prior to any investment and had resolved that:

“The decision be referred to Cabinet for further consideration with the recommendation that the Cabinet commissions and considers a detailed methodology under which this project should operate prior to any investments being made. This methodology should include full risk assessment and analysis of both capital and projected revenue.”

The visiting member, Councillor Weeden, spoke on this item and stressed to Cabinet that members of the Council should be consulted and provided with necessary information in sufficient time to have an input into reports before appearing in a Cabinet agenda. The Chairman assured Councillor Weeden that the correct process would be followed; Cabinet noted his request for member input on reports and decisions.

Councillor Mrs Thomas suggested that it would be beneficial to have a step by step process for this investment and any future investments; this would be helpful to all those who were not familiar with the process. The Chairman stated that the Council had a strong risk analysis process and it was noted that when the original report was last reported in December 2009, it was agreed that the report would be submitted to the Audit Committee. This would ensure that the investment would be included in the ‘Risk Register’ and managed.

Cabinet acknowledged that the report author had at the time of writing the report omitted the process that would be followed. The report submitted simply outlined the principle and the intention was when the further reports were being submitted then the full step by step process, together with the risk assessment and analysis, will be included within that report. Cabinet wished the Select Committee to know that a full risk assessment and specification would be carried out.

**RESOLVED –**

- (1) That the Select Committee be thanked for their work and report;
- (2) That the Select Committee be informed that a procedure will be followed when any investments are being considered which will be disseminated to all members of the Council and will include a full risk assessment and analysis of both capital and revenue expenditure;
- (3) That it be noted that the Audit Committee will be receiving a report at their next scheduled meeting and any recommendation(s) that they make would also be taken into consideration.

(NOTE: The meeting closed at 2.00pm).