

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION

Decision Taken By: Leader of Council; Cabinet Member for Finance, Innovation & Property; and Cabinet Member for Economic Regeneration; and Chair of the Overview & Scrutiny Committee.	Decision No: D220003URG
Decision Type:	Executive Key Decision
Date of Decision:	28 th January 2022
Decision(s) and Reason(s)	
TONBRIDGE TOWN CENTRE ASSET REVIEW	
<p>The Council is keen to review its land and property holdings in Tonbridge town centre to determine how they can best be utilised.</p> <p>Several procurement routes have been explored and Scape's Place Shaping framework has been identified as the one which is most suitable to support the Council in this piece of work.</p> <p>Several meetings have taken place with the framework provider, Mace, and they have submitted a proposal for undertaking the first phase of the review. The cost of this phase of work is £33,590 + VAT. This work would include a review of all key assets and potential opportunities together with devising a programme of engagement with Members and Officers to identify, agree and prioritise the objectives and drivers for the review.</p> <p>A report detailing the outcome of this work is anticipated to be presented to the Finance, Innovation & Property Advisory Board on 18th May 2022, meaning work needs to commence as soon as possible in order to meet the reporting deadlines. If we were to wait for approval by Full Council on 22nd February 2022, it would delay reporting the outcome to Members. Furthermore, it will not be possible to convene a quorate meeting of the same within an appropriate timescale.</p> <p>The Leader, Cabinet Members for Economic Regeneration and Finance, Innovation & Property, and the Chair of Overview & Scrutiny were consulted and agreed the Council should proceed with appointing Mace.</p>	
RESOLVED: That	
(1) Mace be appointed under the Scape Place Shaping framework to undertake phase 1 of the Tonbridge town centre asset review for the sum of £33,590 + VAT;	

(2) A detailed report be presented to the Finance, Innovation and Property Advisory Board in May 2022 explaining why an urgent decision was required.

Delegated Authority (under which decision taken):

Departure from the Council's adopted Budget and Policy Framework (as detailed below):

It is proposed to appoint the Mace Group under the Scape Place Shaping framework for consultancy support in taking forward a review of the Council's land and property assets within Tonbridge town centre.

Chief Officers shall not incur expenditure for which provision has not been made in the Council's annual estimates (paragraph 2.3 of Part 3 of the Constitution – Functions delegated to Officers). The decision to appoint Mace, would also be a departure from the Council's adopted Budget and Policy Framework.

In accordance with paragraph 4 of the Budget and Policy Framework Procedure Rules, the Executive or Officers discharging executive functions may take a decision which is contrary to the Council's policy framework or contrary or not wholly in accordance with the budget approved by full Council if the decision is a matter of urgency.

However, the decision may only be taken

- i. If it is not practical to convene a quorate meeting of the full Council; and
- ii. If the Chair of the Overview & Scrutiny Committee agrees that the decision is a matter of urgency.

Details of any alternatives considered:

The Council does not have the necessary in-house expertise or resources available to undertake this important piece of work. Other procurement routes were explored, however Scape's Place Shaping framework was assessed to meet the Council's requirements.

Reason(s) why rejected:

In-house resources not available.

Conflicts of Interest/Dispensations Granted:

There were no conflicts of interest declared or dispensations granted by or to any Member who was involved in taking this decision.

Background Papers (if any):

None

Signed Chief Officer: Adrian Stanfield
Director of Central Services & Deputy Chief
Executive

Date of publication: 31 January 2022

This decision is not subject to call-in as it is considered urgent and any delay would seriously prejudice the Council's or the public's interests. (Overview and Scrutiny Procedure Rule 15(i)).

The decision to make the appointment will **be reported to the next appropriate Council meeting**, in accordance with Paragraph 4(b) of the Budget & Policy Framework Procedure Rules.

The scheme of functions delegated to officers can be found here:

[TMBC constitution – Tonbridge and Malling Borough Council](#)