

TONBRIDGE AND MALLING BOROUGH COUNCIL

COUNCIL MEETING

26 April 2005

At the meeting of the Tonbridge and Malling Borough Council held at the Council Offices, Kings Hill, West Malling on 26 April 2005.

Present: His Worship the Mayor (Councillor Homewood); the Deputy Mayor (Councillor Still); Councillors Aikman, Allison, Mrs Anderson, Baldock, Balfour, Bolt, Mrs Bowden, C Brown, R Brown, Miss Browne, Chapman, Clements, Coffin, Court, Cure, Dalton, Davis, Diment, Dobson, Dorling, Drury, Evans, Mrs Harrison, Hayes, Heslop, Hickmott, Mrs Holland, Horne MBE, Mrs Kemp, Laverty, Lettington, Mrs Luck, Luker, Miners, Munro, Mrs Murray, Porter, Rhodes, Mrs Ridsdill-Smith, Rogers, Rowe, Miss Sergison, Mrs Simpson, Smith, Sullivan, Thornewell, Mrs Woodger and Worrall.

Apologies for absence were received from Councillors Mrs Hoskins and Mrs Oakley.

MINUTES

C 05/006 **RESOLVED:** That the Minutes of the proceedings of the meeting of the Council held on 17 February 2005 be approved as a correct record and signed by the Mayor.

DECLARATIONS OF INTEREST

There were no declarations of interest made in respect of items recommended to the Council.

MAYOR'S ANNOUNCEMENTS

Events and Activities

The Mayor thanked Members who had arrived early to allow a photograph to be taken in advance of the meeting. He advised that, since the last meeting of the Council he had been present at the visit by HRH the Duke of Kent to Kings Hill on 23 March, he had attended the Kent Mini-Rugby Festival at the Slade Sportground, Tonbridge, on 13 March and had undertaken visits to Aylesford Newsprint and Grange Park School. He reported that, on 22 April, the Deputy Mayor had attended the presentation of a Civic Society Award to the staff of Tonbridge Castle for the audio-visual display within the Gatehouse.

The Mayor reported that the Quiz Evening held on 18 February 2005 had raised over £300 for his charities and he thanked Councillors Dobson and Lettington for their excellent assistance with this event. He further advised that the charity dance with Todd Miller and Joe Loss Orchestra at Ditton Community Centre on 18 March had raised over £3,000 while

the Thai Evening on 21 March had raised nearly £300 for his charities. The Mayor was very pleased to announce the recent receipt of a donation of £2,500 from Mr P Gallagher towards his Charity Fund.

Finally, the Mayor advised Members that the Kent Messenger Group had invited the Council to participate in a Charity Wine and Wisdom evening at Mid Kent College on 1 July 2005, which, it was hoped, would set a record for the largest event of this type ever held in the county.

QUESTIONS ASKED PURSUANT TO COUNCIL RULE NO 5.6

No questions were received from the public pursuant to Council Procedure Rule No 5.6.

QUESTIONS ASKED PURSUANT TO COUNCIL RULE NO 5.5

No questions were received pursuant to Council Procedure Rule No 5.5.

NOTICES OF MOTION SUBMITTED PURSUANT TO COUNCIL PROCEDURE RULE NO. 5.17

The following Notice of Motion was proposed by Councillor Bolt, seconded by Councillor Worrall and supported by the whole of the Conservative Group (with the exception of the Mayor):-

“In the absence of the democratic legitimacy that can only flow from a positive outcome in a referendum the Council calls for the abolition of SEERA and the return of its powers, including housing allocations, to local authorities which are best placed to champion the interests of local people.”

Upon receipt of the necessary requisition voting was recorded as follows:-

Members voting for the Motion

Aikman	Court	Mrs Kemp
Allison	Cure	Mrs Luck
Mrs Anderson	Dalton	Luker
Baldock	Davis	Mrs Murray
Balfour	Dobson	Rhodes
Bolt	Dorling	Rogers
Mrs Bowden	Evans	Miss Sergison
C Brown	Mrs Harrison	Smith
R Brown	Heslop	Sullivan
Miss Browne	Mrs Holland	Worrall.
Coffin	Horne MBE	

Total 32

Members voting Against the Motion

Chapman
Drury
Hayes

Hickmott
Laverty

Miners
Still

Total 7

Members Abstaining

Clements
Diment
Homewood
Lettington

Munro
Porter
Mrs Ridsdill-Smith
Rowe

Mrs Simpson
Thornewell
Mrs Woodger.

Total 11

C 05/007 RESOLVED: That the Motion be carried.

LEADER'S ANNOUNCEMENTS

The Leader reminded Members that, at the last meeting of the Council, he had made reference to major changes across local government and had indicated that the Chief Executive had offered to provide a seminar for all Members to explain all the developments and how Members could influence the decision making process. The Leader advised that the seminar would be held on the evening of Wednesday 1 June 2005.

Remaining on the subject of seminars, the Leader advised that the West Kent Partnership would hold its first conference on 21 June at East Malling Horticultural Research Institute. He indicated that the conference would examine a range of issues, including health, education and training, the role of the voluntary sector, housing and community safety, and would be attended by experts in these fields as well as high profile Speakers, including Sir Sandy Bruce-Lockhart and Sir Brandon Gough. He anticipated that invitations would be issued to Members with particular responsibilities or interest in the areas to be covered.

The Leader advised that the project to provide a new Soft Play area at Larkfield Leisure Centre was on target, within budget and should open to the public over the weekend of 30 April, with a formal opening by the Mayor on 21 May 2005. He reminded Members that the scheme focussed on an adopted key priority of meeting the needs of young people. He also advised that a new catering contract would commence at the leisure centre on 1 May 2005.

The Leader advised that Phase 3 of the green waste and cardboard collection service had been introduced on 25 April raising the number of properties involved to 12,000. He stated that a further phase of 6,000 properties was planned for August 2005.

The Leader provided an update on progress with the development of the Local Development Framework and drew Members' attention to a series of seminars to be held in the week commencing 4 July 2005. He paid tribute to the work undertaken to date by Mr Brian Gates

and the staff of the Policy Section. He indicated that work was progressing with the master planning work for Tonbridge Town Centre and that this would form part of the Local Development Framework consultation scheduled for Autumn this year.

The Leader provided a progress report on the flood relief work being undertaken in East Peckham and anticipated that the project could be completed by the Autumn.

Finally, the Leader thanked the Members of the Finance and Property Advisory Board and the Cabinet Members who had supported the upgrading of security in the reception areas which had improved the protection provided to both staff and visitors to the Council offices. Regretfully, he advised Members about two further incidents which had occurred earlier that day and stressed the need to provide all staff with as good a level of protection as practically possible when undertaking their duties.

REPORTS OF CABINET AND COMMITTEES

C 05/008 **RESOLVED:** That the Minutes of the meetings of the Cabinet and Committees held since 17 February 2005 as presented by the Leader and respective Chairmen or Vice-Chairmen be received and noted and the recommendations contained therein be adopted.

COUNCIL’S BUDGET AND POLICY FRAMEWORK

The Council received proposals from the Cabinet in relation to the Council’s budget and policy framework in respect of the West Malling Station Planning Brief (Minute CB 05/015), 2005/06 Corporate Performance Plan (Minute CB 05/016), Crime and Disorder Reduction Strategy 2005-2008 (Minute CB 05/018) and Housing Strategy 2005-2008 (Minute CB 05/019) which were considered and adopted under Minute reference C 05/008.

PROPOSED AMENDMENTS TO THE CONSTITUTION

The Council received the Monitoring Officer's report on proposed amendments to the Constitution to allow the title of Planning and Engineering Services to be changed to Planning and Transportation Services and the title of the Director of Planning and Engineering to be changed to Director of Planning and Transportation as recommended at Minute GP 05/005 of the General Purposes Committee. Members were advised that, as a consequence of this, the title of the Planning and Engineering Advisory Board should become the Planning and Transportation Advisory Board. The report also confirmed that there was no legal impediment to the adoption of the proposed changes.

In addition the Monitoring Officer’s report set out details of a proposed amendment to the Council and Committee Procedure Rules by the addition of the following to deal with planning applications which affected land in the area of more than one planning committee:-

“15.25 If an item of business relates to the area covered by more than one Area Planning Committee, the matter shall be reported to both of the Committees concerned and the recommendations of both Committees shall be reported to Council for decision. However, if both the Committees are agreed on their recommendations, the Director of Planning and Transportation may proceed to

determine the application in accordance with those recommendations prior to consideration of those recommendations by the Council.”

His report also confirmed that there was no legal impediment to the adoption of the proposed changes.

C 05/009 RESOLVED: That the changes referred to in the Monitoring Officer’s report be approved and the Chief Solicitor and Monitoring Officer be authorised to make the necessary changes to the Council’s Constitution.

PROGRAMME OF MEETINGS

The Chief Executive submitted a proposed programme of meetings for the remainder of this year and to December 2006. A Member requested that all Councillors be notified as soon as possible of any future amendments and alterations to an approved programme of meetings.

C 05/010 RESOLVED: That the programme of meetings for 2005/06 be approved and submitted to Annual Council on 10 May 2005 for final confirmation.

HIGH HEDGES LEGISLATION

The joint report of the Director of Planning and Transportation and the Chief Solicitor advised Members of the administrative implications of the provisions contained within the High Hedges Legislation which would come into effect from 1 June 2005. A supplementary report, which had been circulated in advance of the meeting, reminded Members that, to enable the Council to exercise its duties and powers in a proper manner, it was necessary to review delegated powers and the level of fees to be set to recover the cost of the service.

C 05/011 RESOLVED: That

- (1) the service of any formal Remedial Notice be delegated to the relevant Area Planning Committee:
- (2) the fee for the processing of cases be set at an initial level of £290; and
- (3) the arrangements for delegation and fees set out in the report be reviewed after 12 months and take into account operating experience.

SEALING OF DOCUMENTS

C 05/012 RESOLVED: That authority be given for the Common Seal of the Council to be affixed to any instrument to give effect to a decision of the Council incorporated in these Minutes and proceedings.

The meeting ended at 2117 hours