

# **TONBRIDGE AND MALLING BOROUGH COUNCIL**

## **COUNCIL MEETING**

**Tuesday, 31st July, 2018**

At the meeting of the Tonbridge and Malling Borough Council held at Civic Suite, Gibson Building, Kings Hill, West Malling on Tuesday, 31st July, 2018

**Present:** Her Worship the Mayor (Councillor Mrs P A Bates), the Deputy Mayor (Councillor Mrs J A Anderson), Cllr O C Baldock, Cllr M A C Balfour, Cllr Mrs S M Barker, Cllr Mrs S Bell, Cllr R P Betts, Cllr T Bishop, Cllr P F Bolt, Cllr V M C Branson, Cllr Mrs B A Brown, Cllr M A Coffin, Cllr D J Cure, Cllr D A S Davis, Cllr M O Davis, Cllr S M Hammond, Cllr Mrs M F Heslop, Cllr N J Heslop, Cllr S R J Jessel, Cllr D Keeley, Cllr D Keers, Cllr Mrs F A Kemp, Cllr R D Lancaster, Cllr D Lettington, Cllr Mrs S L Luck, Cllr B J Luker, Cllr P J Montague, Cllr L J O'Toole, Cllr M Parry-Waller, Cllr S C Perry, Cllr M R Rhodes, Cllr R V Roud, Cllr Miss J L Sergison, Cllr C P Smith, Cllr A K Sullivan, Cllr M Taylor, Cllr Miss G E Thomas, Cllr F G Tombolis and Cllr T C Walker

Apologies for absence were received from Councillors M C Base, J L Botten, T I B Cannon, R W Dalton, Mrs T Dean, S M King, D Markham, Mrs A S Oakley, H S Rogers, T B Shaw, Miss S O Shrubsole, Ms S V Spence and B W Walker

### **PART 1 - PUBLIC**

#### **C 18/46 DECLARATIONS OF INTEREST**

There were no declarations of interest made in accordance with the Code of Conduct.

#### **C 18/47 MINUTES OF ANNUAL MEETING**

**RESOLVED:** That the Minutes of the proceedings of the Annual Meeting of the Council held on 15 May 2018 be approved as a correct record and signed by the Mayor.

#### **C 18/48 MINUTES OF EXTRAORDINARY MEETING**

**RESOLVED:** That the Minutes of the proceedings of the extraordinary meeting of the Council held on 25 June 2018 be approved as a correct record and signed by the Mayor.

#### **C 18/49 MAYOR'S ANNOUNCEMENTS**

The Mayor reported that since the Annual Council meeting she had opened new offices in Tonbridge and Kings Hill and visited school fetes,

plays and award presentations throughout the Borough. She highlighted a number of memorable events including Positive Ageing's 25<sup>th</sup> Anniversary Party, the Snodland and Tonbridge Carnivals, signing the Zero Tolerance to Loan Sharks Charter, the Kwik Cricket Festival and her own charity, Tree of Hope's Summer Party. She had also attended the Royal Garden Party, the Lord Lieutenant of Kent's Civic Reception and the Battle of Britain Memorial Trust's Annual Memorial Day.

The Mayor reported on the Civic Service and welcoming leading community groups at her Garden Party. Future events included a Quiz at Hadlow College on 9 February 2019, a Darts Evening and possibly an afternoon of croquet on the Castle Lawn, further details of which would be given in due course.

**C 18/50 QUESTIONS FROM THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO 5.6**

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

**C 18/51 QUESTIONS FROM MEMBERS PURSUANT TO COUNCIL PROCEDURE RULE NO 5.5**

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

**C 18/52 LEADER'S ANNOUNCEMENTS**

The Leader began by commending the Civic Service and the welcome provided by Tonbridge Baptist Church which reflected the Mayor's own links with the local community.

Business Rates Retention pilot

The Leader referred to the Kent and Medway authorities' successful application to be a pilot in the financial year 2018/19. He indicated that the scheme came in two packages. First, a Financial Sustainability Fund, this authority's projected allocation in October 2017 being £560,000. Latest business rate returns in January projected a higher allocation but the final settlement was subject to potential market movement.

The second package was the Housing and Commercial Growth Fund of £1.055 million to be divided across West Kent with agreement of all three districts and KCC. Proposals were still under discussion with the County Council but it was hoped to be able to report to the Economic Regeneration Advisory Board at its September meeting.

Members were advised that the Government was now inviting bids for a second round of Business Rates Retention; this one being slightly

different in that the allocation was 75 per cent retention. The Kent Council Leaders had agreed to make a fresh bid for 2019/20 although the deadline of 25 September would be tight and indications suggested that existing pilot authorities would not be included in the second round. Again, it was expected that the terms of the Kent and Medway bid would be reported to the Economic Regeneration Advisory Board at its next meeting.

The Leader reported that the long anticipated consultation on negative Revenue Support Grant was now published. The Government had indicated that it considered direct elimination of Negative RSG via foregone business rates receipts the preferred approach, meeting the key criteria of being both fair and affordable. It was necessary to see what it meant for this authority and the Council's suggested response was likely to be reported to the next meeting of the Finance, Innovation and Property Advisory Board.

#### Income generation

The Leader said that members of the Audit Committee would be aware that £5 million had been committed to the Property Investment Fund. Thus far the property funds had recorded a return of 3.74 %, broadly in line with the forecast return of 4%. Dividends to the end of June of £30,900 were £900 above profiled budget for the year but performance against budget for the year as a whole would be influenced by the amount and timing of additional property fund investments. This was clearly a step in the right direction and an endorsement of the approach taken by Members in supporting such investments.

#### Housing

The Leader referred to his report to the April meeting that the Borough Council had committed up to £1.6 million of development contributions for the purchase of temporary accommodation with the intention that such property be located in both the north and south of the Borough. He was pleased to report that a dwelling of six flats located in Tonbridge was under offer and hoped that some suitable accommodation in the north of the Borough could be identified.

#### Green Flag Awards

Members were advised that the Council's country parks continued to receive the highest recommendation for their quality. Haysden Country Park had been awarded a Green Flag Award for the thirteenth year and Leybourne Lakes Country Park for the twelfth year in a row making both officially two of the very best parks in the UK.

### Community Alcohol Partnership

The Leader was pleased to attend the recent launch of the Tonbridge Community Alcohol Partnership, the second to be working within the Borough, the other being in Snodland which had been running successfully since 2012. There were now over 150 CAPs across the UK which had enjoyed considerable success as a tried and tested way of driving down underage drinking. They also underlined the merits of true partnership and the evidence from Snodland was that by working together, trading standards, the police, businesses, the Borough Council and Snodland Town Council were bringing better, safer and friendlier neighbourhoods.

### Future activity

The Leader wished those Members and officers going away on holiday in August a refreshing and enjoyable break. He said that September would be a busy month for all with a number of meetings of both the Cabinet and Council in addition to the programmed meetings of various committees, boards and panels.

#### **C 18/53 PROPOSED DIVERSION OF PUBLIC FOOTPATH MR218, STANSTED**

Item AP2 18/3 referred from Area 2 Planning Committee minutes of 11 April 2018

**RESOLVED:** That the recommendations at Minute AP2 18/3 be approved.

#### **C 18/54 HUMAN RESOURCES STRATEGY UPDATE**

Item GP 18/11 referred from General Purposes Committee minutes of 25 June 2018

**RESOLVED:** That the recommendations at Minute GP 18/11 be approved.

#### **C 18/55 INVESTIGATORY POWERS COMMISSIONER'S OFFICE INSPECTION REPORT - THE REGULATION OF INVESTIGATORY POWERS ACT 2000**

Item GP 18/12 referred from General Purposes Committee minutes of 25 June 2018

**RESOLVED:** That the recommendations at Minute GP 18/12 be approved.

**C 18/56 TREASURY MANAGEMENT UPDATE AND ANNUAL REPORT FOR 2017/18**

Item AU 18/30 referred from Audit Committee minutes of 23 July 2018

**RESOLVED:** That the recommendations at Minute AU 18/30 be approved.

**C 18/57 REVIEW OF CONSTITUTION**

The report of the Director of Central Services and Monitoring Officer updated the position on the review of the Constitution following consideration by the Overview and Scrutiny Committee on 19 April and the Cabinet on 6 June 2018 (Minute CB 18/40 refers). The report outlined the scope of the review, summarised the key revisions and highlighted further changes to the draft Constitution since the meeting of the Cabinet, with particular reference to arrangements for dealing with petitions.

The Leader thanked members of the Overview and Scrutiny Committee and the officer team for their work on the review.

**RESOLVED:** That

- (1) the amended Constitution set out at Annexes 1 to 6 of the report be adopted; and
- (2) authority be delegated to the Director of Central Services and Monitoring Officer to make further changes to the formatting of the Constitution as he considers appropriate.

**C 18/58 RECYCLING SITE COLLECTION ARRANGEMENTS**

The report of the Director of Street Scene, Leisure and Technical Services identified difficulties with the current collection arrangements at the Council's recycling sites and proposed temporary additional resources to help address the issue until the implementation of revised arrangements under the new Waste Services contract. It was intended to meet the additional cost of £30,000 by means of a supplementary estimate.

**RESOLVED:** That the temporary arrangements outlined in the report to improve collection at the Council's recycling sites be approved with funding from a supplementary revenue budget.

**C 18/59 APPOINTMENTS TO OUTSIDE BODIES**

Consideration was given to the report of the Director of Central Services regarding the appointment of Town Wardens of the Tonbridge Town Lands and Richard Mylls Charity for the period October 2018 to 2022. It

was noted that Mr E Prescott was willing to be reappointed and the Town Wardens had suggested Mrs D Huntingford as a replacement on the retirement of Miss J Browne.

**RESOLVED:** That

- (1) Mr E Prescott be reappointed and Mrs D Huntingford be appointed as Town Wardens for the period October 2018 to October 2022; and
- (2) the Council's thanks be recorded to Miss Janice Browne on her retirement after many years of dedicated service in various capacities to Tonbridge and the whole Borough.

**C 18/60 SEALING OF DOCUMENTS**

**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 into these Minutes and proceedings.

The meeting ended at 7.56 pm