

TONBRIDGE AND MALLING BOROUGH COUNCIL

COUNCIL MEETING

Tuesday, 27th October, 2020

At the meeting of the Tonbridge and Malling Borough Council held via video-conferencing on Tuesday, 27th October, 2020

Present: Her Worship the Mayor (Councillor Mrs J A Anderson), the Deputy Mayor (Councillor R V Roud), Cllr M C Base, Cllr Mrs P A Bates, Cllr Mrs S Bell, Cllr R P Betts, Cllr T Bishop, Cllr J L Botten, Cllr V M C Branson, Cllr G C Bridge, Cllr C Brown, Cllr R I B Cannon, Cllr A E Clark, Cllr M A Coffin, Cllr D J Cooper, Cllr R W Dalton, Cllr D A S Davis, Cllr M O Davis, Cllr Mrs T Dean, Cllr N Foyle, Cllr N J Heslop, Cllr P M Hickmott, Cllr M A J Hood, Cllr F A Hoskins, Cllr S A Hudson, Cllr A P J Keeley, Cllr D Keers, Cllr Mrs F A Kemp, Cllr A Kennedy, Cllr D W King, Cllr K King, Cllr J R S Lark, Cllr D Lettington, Cllr Mrs R F Lettington, Cllr B J Luker, Cllr P J Montague, Cllr Mrs A S Oakley, Cllr L J O'Toole, Cllr W E Palmer, Cllr M R Rhodes, Cllr H S Rogers, Cllr J L Sergison, Cllr T B Shaw, Cllr N G Stapleton, Cllr K B Tanner, Cllr Mrs M Tatton, Cllr M Taylor, Cllr Miss G E Thomas, Cllr D Thornewell and Cllr C J Williams

Apologies for absence were received from Councillors M D Boughton, Mrs C B Langridge and F G Tombolis

PART 1 - PUBLIC

C 20/31 DECLARATIONS OF INTEREST

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

For reasons of transparency, Councillors T Bishop and M Davis each advised that they were the Borough Council's appointees to the Tonbridge and Malling Leisure Trust to which reference was made in the report on Leybourne Lakes Country Park – Facilities Improvements (Minute C 20/41 refers).

C 20/32 MINUTES

RESOLVED: That the Minutes of the proceedings of the meeting of the Council held on 14 July 2020 be approved as a correct record and signed by the Mayor.

C 20/33 MAYOR'S ANNOUNCEMENTS

The Mayor advised that she had attended the following Covid secure and/or socially distanced engagements since the last meeting of the Council:

- Tonbridge Model Engineering Society Cheque Presentation to the Mayor. A cheque for £500 was presented for the Mayor's charity CRY (Cardiac Risk in the Young);
- Her Majesty's Lord Lieutenant and County Chairman for SERFCA Virtual Awards Ceremony;
- The Chairman of Kent County Council's Virtual Civic Reception; and
- The Chairman of Sevenoaks District Council's coffee morning.

Future functions would include attendance at socially distanced Remembrance Day Services in Tonbridge and at the RBLI, Aylesford.

Finally, the Mayor thanked Members and officers of the Borough Council for the continuing support provided to residents, communities and businesses across the Borough during the ongoing coronavirus pandemic.

C 20/34 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 20/35 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 20/36 LEADER'S ANNOUNCEMENTS

The Leader reported that the latest number of Covid-19 cases recorded in Tonbridge and Malling through Public Health England was 92 as at 23 October 2020. He advised that the trend remained constant, with the 7 day rate per 100,000 population at 45.4 between 18 and 23 October. This was below the Kent average and significantly below the average across England. He cautioned against complacency and encouraged the use of every opportunity to reinforce public health messaging. He reported that the Council's Business Continuity officer group met regularly to discuss how the Council would respond to any potential spike in numbers. He expressed concern that the winter months, with

potential flooding and severe weather, would add to the challenges to be addressed.

The Leader advised that two emergency decisions had been made in accordance with the Emergency Provisions set out in Part 7 of the Constitution. He stated his preference for policy being brought before Members and regretted that the time-scale required for implementing the decisions had not allowed for this. The first decision had related to setting up arrangements for those who test positive for COVID-19 or are identified by NHS Test and Trace as a close contact, requiring them to self-isolate. Final guidance for the scheme had been received on a Friday with instructions that it be in place by the Monday. The second emergency decision had allowed the Council to make arrangements for engagement and enforcement work relating to COVID-19 using funding received from the Kent County Council.

The Leader commented that Covid-19 had had an impact on finances across the country, in the business sector, charities, and among families. Local government had been equally impacted and the Borough Council now faced enormous financial challenges. He stressed the need to work together to ensure the Borough Council's future financial stability and he welcomed the Government's most recent tranche of funding to Tonbridge and Malling of £226,802.00, which brought the total of four tranches of funding to £1,776,566.

With regard to Planning, the Leader stated that the scale of the increase in housing numbers planned for Tonbridge and Malling by the Government's algorithm was totally unsustainable and wrong. He advised that he and David Lettington had written directly to Robert Jenrick, the Housing Secretary, to amplify the objections raised by Members at the extraordinary meeting of the Planning and Transportation Advisory Board. He had also made the two local Members of Parliament aware of the objections and welcomed their support in opposing the Government's calculations.

The Leader advised that, together with David Lettington, he had written directly to the Secretary of State to object to the democratic deficit that would occur from the proposals in the Planning White Paper, which ignored community involvement in individual planning applications. He stated that this could not be right as communities changed and evolved over time and, whilst having a planning framework in place was crucial to guide development, the individual scheme proposals and their potential impact on the local environment were not something that could be fully considered years in advance.

With regard to the status of the Local Plan, the Leader expressed concern about the response received from the Planning Inspectorate to the first few days of the Examination in Public. He indicated that it would be unhelpful to speculate in the absence of further details and advised

that, once these have been received, the matter would be put to the appropriate forum for member discussion.

The Leader reminded Members that the Green Flag Award scheme recognised and rewarded well managed parks and green spaces, setting the benchmark standard for the management of recreational outdoor spaces across the United Kingdom and around the world. He advised that both Leybourne Lakes and Haysden Country Parks had, once again, been awarded this status. He was pleased to announce that the Tonbridge Racecourse Sportsground had also been put forward for this prestigious recognition and had been awarded green flag status. The Leader paid tribute to the officers and volunteers who maintain three, much cherished, green open spaces within the Borough and their achievement of the Green Flag Award.

The Leader advised that, in the build up to Christmas, he would be campaigning to support all of the Borough's high street businesses and discussing with others how to best support them. Additionally, he indicated that, since the last meeting of the Economic Regeneration Advisory Board, the Borough Council had received interest from independent retailers for the Local Centres and Parades Shopfront Scheme which was re-launched in mid-September.

In conclusion the Leader referred to Remembrance Sunday and the preparations made to remember the brave men and women who had made huge sacrifices to defend the liberties and freedoms in this country and abroad. He regretted that, due to the impact of COVID-19, many people would be unable to personally show their respect to the fallen at a public service of remembrance, with only limited numbers allowed at many services across the Borough. He advised that the Mayor would be representing the Borough Council at the service to be held at the Tonbridge Memorial Services and that this would be live streamed for those wishing to watch the proceedings. He was very honoured to be invited to attend, along with the Mayor, the Royal British Legion service in Aylesford. He extended his best wishes to all communities in arranging their own remembrance services.

C 20/37 AUDIT COMMITTEE ANNUAL REPORT

Item AU 20/13 referred from Audit Committee minutes of 27 July 2020

RESOLVED: That the recommendation at Minute AU 20/13 be approved.

C 20/38 LOCAL CODE OF CORPORATE GOVERNANCE

Item AU 20/14 referred from Audit Committee minutes of 27 July 2020

RESOLVED: That the recommendation at Minute AU 20/14 be approved.

C 20/39 TREASURY MANAGEMENT UPDATE AND ANNUAL REPORT FOR 2019/20

Item AU 20/15 referred from Audit Committee minutes of 27 July 2020

RESOLVED: That the recommendations at Minute AU 20/15 be approved.

C 20/40 SEX ESTABLISHMENTS AND SEXUAL ENTERTAINMENT VENUES - POLICY 2020-23

Item LA 20/9 referred from Licensing and Appeals Committee minutes of 15 September 2020

RESOLVED: That the recommendation at Minute LA 20/9 be approved.

C 20/41 LEYBOURNE LAKES COUNTRY PARK - FACILITIES IMPROVEMENTS

Item CB 20/65 referred from Cabinet minutes of 14 October 2020

RESOLVED: That the recommendations at Minute CB 20/65 be approved.

In accordance with Council and Committee Procedure Rule 8.6, Part 4 (Rules) of the Constitution, Councillors T Bishop and M Davis requested that it be recorded that they had abstained from voting in respect of this matter.

C 20/42 IT STRATEGY UPDATE AND ENTERPRISE DOCUMENT MANAGEMENT SYSTEM

Item CB 20/66 referred from Cabinet minutes of 14 October 2020

RESOLVED: That the recommendations at Minute CB 20/66 be approved.

C 20/43 TREASURY MANAGEMENT UPDATE AND MID-YEAR REVIEW

Item CB 20/67 referred from Cabinet minutes of 14 October 2020

RESOLVED: That the recommendations at Minute CB 20/67 be approved.

C 20/44 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.

MATTERS FOR CONSIDERATION IN PRIVATE**C 20/45 EXCLUSION OF PRESS AND PUBLIC**

The Mayor moved, it was seconded and

RESOLVED: That as public discussion would disclose exempt information, the following matters be considered in private.

PART 2 - PRIVATE**C 20/46 UPDATE ON PROPERTIES AT PEMBURY ROAD, TONBRIDGE**

(LGA 1972 Sch 12A Paragraph 3 – Financial or business affairs of any particular person)

The report of the Director of Planning, Housing and Environmental Health provided an update on the properties in Pembury Road, Tonbridge that had been purchased for use as temporary accommodation and sought approval to proceed with the delivery stage of the project.

RESOLVED: That

- (1) additional funding of up to £157,000 for delivery of the Pembury Road project be approved; and
- (2) the funding be met from s106 contributions for affordable housing or an alternative funding source as appropriate, with the former being utilised in the first instance.

C 20/47 PURCHASE OF ADDITIONAL GROUND FLOOR UNIT, HIGH STREET, TONBRIDGE

(LGA 1972 Sch 12A Paragraph 3 – Financial or business affairs of any particular person)

The report of the Director of Planning, Housing and Environmental Health outlined details for the proposed purchase of a ground floor unit in Tonbridge High Street to provide storage and office facilities to manage the Council's temporary accommodation.

RESOLVED: That

- (1) the purchase of a ground floor unit in Tonbridge High Street, funded from the Homelessness Reserve and Homelessness Reduction Initiatives revenue budget, be added to the Capital Plan List A;

- (2) authority be delegated to the Director of Central Services and Deputy Chief Executive to negotiate terms for the acquisition of a 125 year lease in respect of the additional ground floor unit in Tonbridge High Street, subject to a maximum purchase price of £30,000;
- (3) the Director of Central Services and Deputy Chief Executive be authorised to carry out all necessary legal formalities to conclude the acquisition; and
- (4) following the acquisition of the ground floor unit, the subsequent fitting out as an office and storage space be funded from Housing reserves (to a maximum £5,000).

The meeting ended at 8.09 pm