



TONBRIDGE & MALLING BOROUGH COUNCIL

EXECUTIVE SERVICES

Chief Executive

Julie Beilby BSc (Hons) MBA

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West Malling (01732) 844522

To: MEMBERS OF THE COUNCIL

Dear Sir/Madam

I hereby summon you to attend a meeting of the Tonbridge and Malling Borough Council which will be held online via Microsoft Teams on Tuesday, 4th May, 2021 at 7.30 pm. Information on how to observe the meeting will be published on the Council's website.

The following business is proposed to be transacted:-

PART 1 - PUBLIC

- | | | |
|----|--|---------|
| 1. | Election of Mayor | 5 - 6 |
| | <i>To elect the Mayor for the municipal year 2021/22</i> | |
| 2. | Vote of Thanks to Retiring Mayor | 7 - 8 |
| | <i>To propose a vote of thanks to the outgoing Mayor</i> | |
| 3. | Election of Deputy Mayor | 9 - 10 |
| | <i>To elect the Deputy Mayor the municipal year 2021/22</i> | |
| 4. | Apologies for absence | 11 - 12 |
| 5. | Minutes | 13 - 18 |
| | To confirm as a correct record the Minutes of the meeting of Council held on 13 April 2021 | |
| 6. | Mayor's Announcements | 19 - 20 |

7. Political Balance Arrangements 21 - 24
To determine the political balance arrangements for the Council's committees, sub-committees, advisory boards and panels.
8. Appointment of Cabinet 25 - 28
To note the Leader's appointments to the Cabinet and the portfolios they will hold.
Details of appointments will be set out on Annex 1 and circulated in advance of the meeting.
9. Appointment of Committees 29 - 32
To consider the establishment and composition of the Committees of the Council and their Sub-Committees for the municipal year.
Details of nominations will be set on Annex 2 and circulated in advance of the meeting.
10. Appointment of Advisory Boards and Panel and Other Member Groups 33 - 36
To appoint Advisory Boards and Panels and Other Member Groups for the municipal year.
Details of nominations will be set out on Annex 3 and circulated in advance of the meeting.
11. Appointment of Chairmen and Vice-Chairmen 37 - 40
To appoint the Chairmen and Vice-Chairmen of each Committee.
Details of nominations will be set out on Annex 4 and circulated in advance of the meeting.
12. Appointment to Outside Bodies 41 - 44
To appoint representatives to serve on outside bodies.
Details of nominations will be set out on Annex 5 and circulated in advance of the meeting.
13. Scheme of Delegations 45 - 46
Members are invited to confirm the Scheme of Delegations in compliance with the Constitution.
14. Programme of Meetings 2021/22 47 - 52
The programme of meetings for the municipal year 2021/22 and the provisional programme for 2022/23 are attached for approval.

15. Constitutional Amendments Public Speaking at Planning Committees (Social Distanced) 53 - 58

As part of proposals for the safe return of face to face meetings after 7 May 2021, and to comply with coronavirus regulations and/or guidance in place at the time, the way meetings are conducted will change. Consequently, there will be a strict limit on public participants physically attending planning committees (whether to speak or otherwise). A number of minor, temporary, changes are required to the Protocol on Public Speaking at Planning Committees as set out in Part 4 (Rules) of the Constitution. These are set out at Annex 1 to this report.

16. Sealing of Documents

To authorise the Common Seal of the Council to be affixed to any Contract, Minute, Notice or other document requiring the same.

JULIE BEILBY
Chief Executive
Friday, 23 April 2021

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Election of Mayor

To elect the Mayor for the municipal year 2021/22.

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Agenda Item 2

Vote of Thanks to Retiring Mayor

To proposed a vote of thanks to the outgoing Mayor.

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Agenda Item 3

Election of Deputy Mayor

To elect the Deputy Mayor for the municipal year 2021/22.

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Apologies for absence

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TONBRIDGE AND MALLING BOROUGH COUNCIL

COUNCIL MEETING

Tuesday, 13th April, 2021

At the meeting of the Tonbridge and Malling Borough Council held via video-conferencing on Tuesday, 13th April, 2021

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 J L Botten, Cllr M D Boughton, 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 D Keers, Cllr Mrs F A Kemp, 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, Cllr F G Tombolis and Cllr C J Williams.

Apologies for absence were received from Councillors T Bishop, S M Hammond and A Kennedy.

PART 1 - PUBLIC

C 21/21 HIS ROYAL HIGHNESS THE PRINCE PHILLIP, DUKE OF EDINBURGH

As a mark of respect to His Royal Highness the Prince Phillip, Duke of Edinburgh who had sadly passed away on Friday 9 April the Council observed a two minute silence.

The Mayoral statement released on the day of the announcement from Buckingham Palace was as follows:

"On behalf of the council and the people of Tonbridge and Malling, I offer our heartfelt condolences to the Royal Family.

Prince Philip's huge contribution to our monarchy, to public life in this country and his unstinting support for Her Majesty The Queen made him a much loved figure. His loss will be felt deeply, not just by his family and the people of the United Kingdom but across the Commonwealth and around the world.'

C 21/22 DECLARATIONS OF INTEREST

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

C 21/23 MINUTES

RESOLVED: That the Minutes of the proceedings of the meeting of the Council held on 23 February 2021 be approved as a correct record and signed by the Mayor.

C 21/24 MINUTES OF EXTRAORDINARY MEETING OF COUNCIL

RESOLVED: That the Minutes of the proceedings of the extraordinary meeting of the Council held on 17 March 2021 be approved as a correct record and signed by the Mayor.

C 21/25 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:

- Air Ambulance Kent, Surrey & Sussex Webinar

This event had illustrated the valuable work undertaken by the Air Ambulance in providing emergency medical care for the people living, working and travelling in the area. Attention had also been drawn to the number of training courses offered in first aid and CPR.

Finally, the Mayor expressed appreciation for the work being undertaken by NHS staff, volunteers and Borough Council staff at the vaccination centres at Tonbridge Baptist Church, the Angel Centre and at 'pop-up' centres around the Borough. Appreciation was also recorded to Borough Council staff for maintaining a high level of service with many continuing to work remotely.

C 21/26 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 21/27 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 21/28 LEADER'S ANNOUNCEMENTS

The Leader delivered the following statement to the Council:

'Thank you, Madam Mayor.

I should like to begin by making my own tribute to Prince Philip, reflecting the sorrow of many people across the Borough – and indeed, nation – at the loss of such a great man.

The outpouring of sorrow has understandably been from many communities across the UK since we learnt on Friday noon that Prince Philip had died.

Prince Philip gave so much to this country, to Her Majesty The Queen and to his family. There are so many aspects on which he had a positive impact and influence on so many people. He was a patron, president or member of more than 800 organisations.

He will be especially remembered for his inspiration on designing and championing the Duke of Edinburgh's Award Scheme, in which hundreds of thousands take part every year, to develop their skills and mature into more confident, capable and caring people and to give them a sense of responsibility to themselves and their communities.

He understood the requirements of responsibility, the demands of duty and the sacrifices of service. He had foresight in his support for so many causes.

I should like to update Council on the Covid data within the Borough and the Borough Council's own support for businesses and the unlocking of restrictions.

We are continuing to see Covid infections within the Borough falling. The latest update that I have received reports 17 active cases; with a downward trend, so a seven-day rate of 7.6 per 100,000, compared to the immediate previous rate of 18.2.

Vaccination take-up has generally been very high across the Borough. Yesterday, a pop up vaccination facility was set up in East Malling. This was specifically secured in light of lower vaccination take up.

This was a much-welcomed local provision, with more than 70 residents vaccinated during the day. Indeed, take up was so great that the facility remained open for a further 90 minutes, with a nurse having to collect further vaccine doses after the first hour of the facility opening.

Yesterday was also the first day of the opening of non-essential retail and outdoor hospitality. Councillor Des Keers (Chairman of the Licensing and Appeals Committee) and I, joined by our licensing officers and the Police, held a virtual meeting for licence holders from across the Borough a couple of weeks ago in preparation for this next stage of the road map. Reports I have received today are that despite a cold Monday night, licensed premises had a busy evening; with the Borough Council working closely with the Police in visiting premises, providing support and advice to business owners.

As of today, mandatory grant funding totalling £8.4m has been paid to businesses affected by the lockdown restrictions since last November.

This is approximately 75% of the total funding received from Government. The Local Restrictions Support Grant scheme is still open for applications for the period 16 February 2021 to 31 March 2021. Those businesses that have not applied have until 31 May to make an application.

Members will be aware that during his budget statement, the Chancellor announced “restart” grants aimed at non-essential retail and the leisure and hospitality sectors, also holding a business rates account.

On 6 April, the Borough Council received funding of just over £5.1m to launch this scheme to our business sector. The one-off amounts are prescribed according to rateable value of premises occupied and the type of business and organisation. Grants of up to £18,000 are available to businesses that have re-opened since 1 April.

I am pleased to advise you that this afternoon we have been able to open applications for this new grants scheme. The Media team will be initiating social media posts, and we have also commenced the job of emailing businesses we believe may be eligible.

Businesses have also been notified that they can submit their applications (with a deadline of 30 June), and we aim to make the first payments by the end of this month. Obviously there will be some businesses who do not meet the scheme’s criteria above. So, an alternative (discretionary) scheme is to be launched in the next week or so for those businesses once we have received funding from government.

Members of Area Three will be particularly aware that planning permission has been granted for the Aylesford Newsprint site. The investment of £180 million, securing 3,000 jobs on site and a further 2,000 in the supply chain is a massive vote of confidence in our area. We can now look forward to the regeneration of the site and to securing much-needed jobs for our communities, tackling the impact of the Covid pandemic, and to improving the local transport network.

This coming Saturday, the Tonbridge Saturday market will be opening in a new town central location – at the Sovereign Way mid car park. I am delighted that the Borough Council has been able to secure an improved location for the market, an example of delivering economic support and an outcome for the market traders in being located in the area of town of their own choice. This is also the location of the monthly Sunday Farmers' market and added to the new Artisan market at the Castle, we have now locations for all three markets in the town centre.'

The Group Leaders also paid tribute to His Royal Highness The Prince Phillip, Duke of Edinburgh.

C 21/29 CHANGES TO THE TMBC HACKNEY CARRIAGE AND PRIVATE HIRE POLICY IN LIGHT OF NEW STATUTORY TAXI AND PRIVATE HIRE VEHICLE STANDARDS

Item LA 21/4 referred from Licensing and Appeals Committee of 9 March 2021.

RESOLVED: That the recommendation at Minute Number LA 21/4 be approved.

C 21/30 LEYBOURNE LAKES COUNTRY PARK - NEW LAKESIDE FACILITY

Item CB 21/39 referred from Cabinet of 16 March 2021

RESOLVED: That the recommendation at Minute CB 21/39 be approved.

C 21/31 VIRTUAL MEETINGS AND HOMEWORKING

Item CB 21/40 referred from Cabinet of 16 March 2021

RESOLVED: That the recommendation at Minute CB 21/40 be approved.

C 21/32 PROGRAMME OF MEETINGS 2021/22 AND 2022/23

Consideration was given to the proposed programme of meetings for 2021/22 and the draft programme for 2022/23. Subject to any amendments recommended by Members, the programmes would be presented to Annual Council for endorsement.

Reference was made to the opportunity to increase the intervals between meetings (as set out in paragraph 1.3.2 of the report) and the Director of Central Services clarified that the intention was not to reduce the number of meetings held but to create better spacing across the municipal year.

RESOLVED: That

- (1) the Programme of Meetings for 2021/22 (as set out at Annex 1) be approved and presented to Annual Council for formal endorsement;
- (2) the revised layout for the Programme be approved (as detailed in the report); and
- (3) the draft Programme of Meetings for 2022/23 (as set out at Annex 2) be agreed, subject to final approval at Annual Council in May 2022.

C 21/33 AUDIT COMMITTEE ANNUAL REPORT

Item AU 21/ referred from the Audit Committee of 6 April 2021

RESOLVED: That Minute Number AU 21/ be approved.

C 21/34 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 8.07 pm

Mayor's Announcements

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TONBRIDGE & MALLING BOROUGH COUNCIL

COUNCIL

04 May 2021

Report of the Director of Central Services and Deputy Chief Executive

Part 1- Public

Matters For Decision

1 POLITICAL BALANCE ARRANGEMENTS FOR COMMITTEES

To determine the political balance arrangements for the Council's committees, sub-committees, advisory boards and panels.

1.1.1 Under section 15 of the Local Government and Housing Act 1989 (duty to allocate seats to political groups) and the Local Government (Committees and Political Groups) Regulations 1990, the Council is required to review the composition of any of its committees and sub-committees to which those provisions apply at the annual meeting of the Council and after any election.

1.1.2 The number of seats held by each of the political parties is as follows:

Conservative	39	(72.22%)
Liberal Democrat	9	(16.67%)
Independent Alliance (Kent)	3	(5.56%)
Green	2	(3.70%)
Labour	1	(1.85%)
Total	54	(100%)

1.1.3 The Council is required to determine the composition of its committees to reflect this political balance and to ensure that:

- (a) not all the seats on the committee to which appointments are made are allocated to the same political group;
- (b) the majority of seats on the committee is allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership;
- (c) subject to (a) and (b), the total number of seats allocated to a particular political group reflects that group's proportion of the membership of the authority;

- (d) subject to (a) and (c) the number of seats on each committee allocated to a particular group reflects that proportion of the membership of the authority.

1.1.4 The political group composition of the Council is as follows:

Conservative Group	Liberal Democrat	Independent Alliance Kent	Green	Labour	Total Seats
124	29	10	6	3	172
72.09%	16.86%	5.81%	3.49%	1.74%	100%

1.1.5 The table below shows the number of committees etc of various sizes which need to be politically balanced and the way in which the total number of available seats might be allocated to reflect the proportions on the Council as a whole. In consequence, it is suggested that those committees requiring to be politically balanced be composed as follows:

Committee	Size	Con	Lib Dem	Ind All	Green	Lab
Overview and Scrutiny	18	13	3	1	1	0
Licensing and Appeals	15	11	2	1	1	0
<i>Advisory Boards (x5):</i>						
Communities and Housing	16	11	3	1	0	1
Economic Regeneration	16	11	3	1	1	0
Finance, Innovation and Property	16	12	3	0	1	0
Planning and Transportation	16	12	3	1	0	0
Street Scene and Environment Services	16	11	3	1	1	0
General Purposes	14	10	2	1	1	0
Joint Standards	13	9	2	1	0	1
Audit	9	7	1	0	0	1
Electoral Review Working Group	9	7	1	1	0	0
JECC	9	6	2	1	0	0

Housing Association Liaison Panel	5	4	1	0	0	0
Total Number of Seats	172	124	29	10	6	3
Total Number of Seats Allocated						172

1.2 Legal Implications

- 1.2.1 The Council is required to review the composition of its committees in accordance with the Local Government and Housing Act 1989 (duty to allocate seats to political groups) and the Local Government (Committees and Political Groups) regulations 1990.

1.3 Financial and Value for Money Considerations

- 1.3.1 Not applicable.

1.4 Risk Assessment

- 1.4.1 Not applicable.

1.5 Equality Impact Assessment

- 1.6 The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

1.7 Recommendations

- 1.7.1 RECOMMENDED that the composition of all committees, sub-committees, advisory boards and panels be approved in accordance with the table at paragraph 1.1.5 and the Monitoring Officer make any consequential amendments to the Council's constitution in respect of political balance.

Background papers:

contact: Allison Parris

Nil

Adrian Stanfield

Director of Central Services and Monitoring Officer

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TONBRIDGE & MALLING BOROUGH COUNCIL

COUNCIL

04 May 2021

Report of the Director of Central Services and Deputy Chief Executive

Part 1- Public

Matters For Decision

1 APPOINTMENTS TO CABINET 2021/22

The Council are asked to note the appointments made by the Leader to the Cabinet and the portfolios they will hold.

- 1.1.1 The Executive carry out the functions that are not the responsibility of any other part of the Borough Council, whether by law or in accordance with Article 6 of the Constitution.
- 1.1.2 Cabinet members are appointed annually by the Leader and will normally hold office until the next Annual meeting of Council when they may be re-appointed.
- 1.1.3 Political balance requirements of Section 15 of the Local Government and Housing Act 1989 do not apply to the composition of the Executive.
- 1.1.4 The Leader recommends for adoption at the Annual meeting of Council a Scheme of Delegation (set out in Part 3 of the Constitution) advising which Cabinet Members are responsible for particular executive functions.
- 1.1.5 The appointments to Cabinet made by the Leader are set out at Annex 1.

1.2 Legal Implications

- 1.2.1 N/A

1.3 Financial and Value for Money Considerations

- 1.3.1 N/A

1.4 Risk Assessment

- 1.4.1 N/A

1.5 Equality Impact Assessment

- 1.5.1 The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

1.6 Recommendations

- 1.6.1 That the appointments to Cabinet for the municipal year 2021/22 be noted, as set out at Annex 1 to the report.

Background papers:

contact: Allison Parris

Nil

Adrian Stanfield

Director of Central Services and Deputy Chief Executive

Details will be set out on Annex 1 which will be circulated in advance of the meeting.

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TONBRIDGE & MALLING BOROUGH COUNCIL

COUNCIL

04 May 2021

Report of the Director of Central Services and Deputy Chief Executive

Part 1- Public

Matters For Decision

1 APPOINTMENTS TO COMMITTEES 2021/22

At each Annual meeting of the Council and beginning of the municipal year, Members are asked to approve the membership of Committees in accordance with the Terms of Reference and delegated responsibilities set out in the Constitution.

- 1.1.1 In order for the Council to conduct its business, formal appointments are required for each Committee to reflect the determined political balance arrangements.
- 1.1.2 Details of the Borough Council's current political balance arrangements are set out elsewhere on the agenda.
- 1.1.3 The functions for which Committees have delegated responsibility are set out in Part 3 of the Constitution.
- 1.1.4 Each Group Leader has considered the membership of Committees and the nominations received are set out in Annex 2.

1.2 Legal Implications

- 1.2.1 N/A

1.3 Financial and Value for Money Considerations

- 1.3.1 N/A

1.4 Risk Assessment

- 1.4.1 N/A

1.5 Equality Impact Assessment

- 1.5.1 The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

1.6 Recommendations

- 1.6.1 That the appointments to Committees for the municipal year 2021/22 be approved, as set out at Annex 2 to the report.

Background papers:

contact: Allison Parris

Nil

Adrian Stanfield

Director of Central Services and Deputy Chief Executive

Details will be set out on Annex 2 which will be circulated in advance of the meeting.

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TONBRIDGE & MALLING BOROUGH COUNCIL

COUNCIL

04 May 2021

Report of the Director of Central Services and Deputy Chief Executive

Part 1- Public

Matters For Decision

1 APPOINTMENTS TO ADVISORY BOARDS, PANELS AND OTHER MEMBER GROUPS

At each Annual meeting of the Council and beginning of the municipal year, Members are asked to approve the membership of Advisory Boards, Panels and Other Member Groups in accordance with the Terms of Reference and delegated responsibilities set out in the Constitution.

- 1.1.1 In order for the Council to conduct its business, formal appointments are required for each Advisory Board, Panel and Other Member Group to reflect the determined political balance arrangements.
- 1.1.2 Details of the Borough Council's current political balance arrangements are set out elsewhere on the agenda.
- 1.1.3 The main function of Advisory Boards, Panels and Other Member Groups is to advise the Executive in accordance with Part 3 of the Constitution.
- 1.1.4 It should be noted that there is no requirement for the Parish Partnership Panel or Tonbridge Forum to be politically balanced as they are for the exchange of information and discussion with parish councils and Tonbridge based organisations.
- 1.1.5 Each Group Leader has considered the membership of Advisory Boards, Panels and Other Member Groups and the nominations received are set out in Annex 3.

1.2 Legal Implications

- 1.2.1 N/A

1.3 Financial and Value for Money Considerations

- 1.3.1 N/A

1.4 Risk Assessment

1.4.1 N/A

1.5 Equality Impact Assessment

1.5.1 The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

1.6 Recommendations

1.6.1 That the appointments to Advisory Boards, Panels and Other Member Groups for the municipal year 2021/22 be approved, as set out at Annex 3 to the report.

Background papers:

contact: Allison Parris

Nil

Adrian Stanfield

Director of Central Services and Deputy Chief Executive

Details will be set out on Annex 3 which will be circulated in advance of the meeting.

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TONBRIDGE & MALLING BOROUGH COUNCIL

COUNCIL

04 May 2021

Report of the Director of Central Services and Deputy Chief Executive

Part 1- Public

Matters For Decision

1 APPOINTMENT OF CHAIRMEN AND VICE-CHAIRMEN 2021/22

At each Annual meeting of the Council and beginning of the municipal year, Members are asked to approve the appointment of Chairmen and Vice-Chairmen for Committees, Advisory Boards, Panels and Other Member Groups for the forthcoming year.

- 1.1.1 In order for the Council to conduct its business, formal appointments are required for each Committee, Advisory Board, Panel and Other Member Group.
- 1.1.2 The role of the Chairman is to manage the conduct of the meeting and ensure they are conducted in an orderly manner and in accordance with the Committee Procedure Rules set out in Part 4 of the Constitution.
- 1.1.3 The nominations for Chairmen and Vice-Chairmen are set out in Annex 4.

1.2 Legal Implications

- 1.2.1 N/A

1.3 Financial and Value for Money Considerations

- 1.3.1 N/A

1.4 Risk Assessment

- 1.4.1 N/A

1.5 Equality Impact Assessment

- 1.5.1 The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

1.6 Recommendations

- 1.6.1 That the appointments to serve as Chairmen and Vice-Chairmen for the municipal year 2021/22 be approved, as set out at Annex 4 to the report.

Background papers:

contact: Allison Parris

Nil

Adrian Stanfield

Director of Central Services and Deputy Chief Executive

Details will be set out on Annex 4 which will be circulated in advance of the meeting.

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TONBRIDGE & MALLING BOROUGH COUNCIL

COUNCIL

04 May 2021

Report of the Director of Central Services and Deputy Chief Executive

Part 1- Public

Matters For Decision

1 APPOINTMENTS TO OUTSIDE BODIES 2021/22

At each Annual meeting of the Council and beginning of the municipal year, Members are asked to approve appointments to Outside Bodies for the forthcoming year.

1.1.1 Representatives are appointed to outside bodies to express the views of the Borough Council to those bodies on the work they undertake. There is also the opportunity to receive feedback on any issues emerging from those bodies that relate to Council activities.

1.1.2 The nominations for appointments to Outside Bodies are set out in Annex 5.

1.2 Legal Implications

1.2.1 N/A

1.3 Financial and Value for Money Considerations

1.3.1 Whilst there are no direct financial implications arising from this report it should be noted that there might be some minor expenditure related to mileage and other claims for expenses.

1.4 Risk Assessment

1.4.1 N/A

1.5 Equality Impact Assessment

1.5.1 The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

1.6 Recommendations

- 1.6.1 That the appointments to Outside Bodies for the municipal year 2021/22 be approved, as set out at Annex 5 to the report.

Background papers:

contact: Allison Parris

Nil

Adrian Stanfield

Director of Central Services and Deputy Chief Executive

Details will be set out on Annex 5 which will be circulated in advance of the meeting.

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Scheme of Delegations

- (a) To agree those parts of the scheme of delegation set out in Part 3 of the Constitution which are for the Council to approve (Responsibility for Council Functions).
- (b) To receive the Leader's recommendations concerning the arrangements for decision-making by individual executive Members set out in Part 3 of the Constitution (Responsibility for Executive Functions and Portfolios of Cabinet Members).
- (c) The re-adoption of the current scheme of delegation to officers in respect of executive functions set out in Part 3 of the Constitution (Functions and Powers Delegated to Officers).

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TONBRIDGE & MALLING BOROUGH COUNCIL

COUNCIL

04 May 2021

Report of the Director of Central Services and Deputy Chief Executive

Part 1- Public

Matters For Decision

1 PROGRAMME OF MEETINGS 2021/22 AND 2022/23

The programme of meetings for the municipal year 2021/22 and the provisional programme for 2022/23 are attached for approval.

- 1.1.1 The programme of meetings was approved by Council on 13 April 2021 to go forward to the meeting of Annual Council for adoption.
- 1.1.2 There were no changes required to be made and the final programmes are attached at Annexes 1 and 2 for adoption.
- 1.1.3 Any additional meetings required to be made to the programme will be set up in consultation with the relevant Chairman, the Leader and Cabinet Member.
- 1.1.4 Every effort has been made to reduce the number of meetings held on a Monday due to conflicting appointments. Unfortunately, due to a full meeting schedule this cannot be avoided completely.

1.2 Legal Implications

- 1.2.1 The Borough Council is under a legal duty to hold an Annual meeting during a particular period (April/May) and to set the budget and council tax by a specific date (February). The programme proposed meets these requirements.
- 1.2.2 It is also the responsibility of the Annual meeting to agree and confirm the Borough Council's programme of meetings for the forthcoming year.

1.3 Financial and Value for Money Considerations

- 1.3.1 N/A

1.4 Risk Assessment

- 1.4.1 N/A

1.5 Equality Impact Assessment

- 1.5.1 The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

1.6 Recommendations

- 1.6.1 That the Programme of Meetings for 2021/22 (as set out in Annex 1) be formally endorsed; and
- 1.6.2 That the provisional Programme of Meetings for 2022/23 (as set out in Annex 2) be approved.

Background papers:

Nil

contact: Allison Parris
Janet Shenton
Democratic Services

Adrian Stanfield

Director of Central Services and Deputy Chief Executive

Timetable of Meetings 2021-22

Annex 1

Meeting	Day	May 2021	June 2021	July 2021	Aug 2021	Sept 2021	Oct 2021	Nov 2021	Dec 2021	Jan 2022	Feb 2022	March 2022	April 2022	May 2022
Council	Tue	4		13			26				22		12	10
Cabinet	Tue		2/29				12			25	10	15		31
Area 1 Planning Committee	Thurs	20	24		5	9	21	25		13	17	31		19
Area 2 Planning Committee	Wed	26	30		11	22		3	8	19	23		6	25
Area 3 Planning Committee	Thurs		3	8	19	30		11	16		3	17	21	
Audit Committee	Mon			26		27				17			4	
General Purposes Committee	-		16				5			24		22		
Joint Standards Committee	-		9				11			11		2		
Licensing and Appeals Committee	Tue		15			14		16				8		
Overview and Scrutiny Committee	Thurs		17				7		2			10		
Advisory Boards:														
Communities and Housing	Tue	25		20				9			15			24
Economic Regeneration	Tue	18				1		2			16			17
Finance, Innovation and Property	Wed	19		21		15				5				18
Planning and Transportation	Tue	17	1*	27*				10				1		30
Street Scene and Environment	Tue		8		31			23			8			
Advisory Panels and Boards:														
JECC (Member)	Thur										24			
JECC (OWG) 0930	Thur		10			9		18						
Joint Transportation Board	Mon		7			20		22				7		
Parish Partnership Panel	Thurs		10			2		4		27				26
Tonbridge Forum	Mon					6					28			

Timetable of Meetings 2021-22

Meeting	Day	May 2021	June 2021	July 2021	Aug 2021	Sept 2021	Oct 2021	Nov 2021	Dec 2021	Jan 2022	Feb 2022	March 2022	April 2022	May 2022
Other Events:														
KCC and PCC Elections	Thur	6												
Bank Holidays/Offices Closed	-	3/31			30				24/27/28	3			15/18	2

Monday	Tuesday	Wednesday	Thursday
Annual	Budget	Tonbridge Castle	No Member attendance (internal Management/staff meeting) – 0930 start

**If required*

Timetable of Meetings 2022-23 (Provisional)

Annex 2

Meeting	Day	May 2022	June 2022	July 2022	Aug 2022	Sept 2022	Oct 2022	Nov 2022	Dec 2022	Jan 2023	Feb 2023	March 2023	April 2023	May 2023
Council	Tue	10		12			25				21		18	16
Cabinet	Tue	31	28				11			24	9	14		
Area 1 Planning Committee	Thurs	19	23		4	8	20		1	12	16	30		25
Area 2 Planning Committee	Wed	25	29		10	21		2	7	18	22		5	31
Area 3 Planning Committee	Thurs		9	14	18	29		10	15		2	16	20	
Audit Committee	Mon			25		26				16			3	
General Purposes Committee	-		15				4			23		21		
Joint Standards Committee	-		8				10			10		1		
Licensing and Appeals Committee	Tue		14			13		15				7		
Overview and Scrutiny Committee	Thurs		16			22			8			9		
Advisory Boards:														
Communities and Housing	Tue	24		19				8			14			30
Economic Regeneration	Tue	17			31			1			15			23
Finance, Innovation and Property	Wed	18		20		14				4				24
Planning and Transportation	Tue	30		26				9			28			
Street Scene and Environment	Tue		7		30			22			7			
Advisory Panels and Boards:														
JECC (Member)	Thur										23			
JECC (OWG) 0930	Thur		9			8		17						
Joint Transportation Board	Mon		6			19		21				6		
Parish Partnership Panel	Thurs	26				1		3		26				
Tonbridge Forum	Mon					5					27			

Timetable of Meetings 2022-23 (Provisional)

Meeting	Day	May 2022	June 2022	July 2022	Aug 2022	Sept 2022	Oct 2022	Nov 2022	Dec 2022	Jan 2023	Feb 2023	March 2023	April 2023	May 2023
Other Events:														
Elections (Borough + Parish)	<i>Thur</i>													4
Bank Holidays	-	2	2/3		29				26/27/ 28	2			7/10	1/20

Monday	Tuesday	Wednesday	Thursday
Annual	Budget	Tonbridge Castle	No Member attendance (internal Management/staff meeting) – 0930 start

TONBRIDGE & MALLING BOROUGH COUNCIL

COUNCIL

04 May 2021

Report of the Director of Central Services and Deputy Chief Executive

Part 1- Public

Matters For Decision

1 CONSTITUTIONAL AMENDMENTS: PUBLIC SPEAKING AT PLANNING COMMITTEES (SOCIAL DISTANCING)

1.1 Background

- 1.1.1 On 27th April an extraordinary meeting of Cabinet considered the recommendations of the Overview and Scrutiny Committee for the safe return of face-to-face meetings in the Council Chamber, subject to measures to ensure social distancing can be maintained and meetings conducted in a Covid-secure manner. As the publication of the agenda for Council pre-dates the Overview and Scrutiny and extraordinary Cabinet meetings, a verbal update will be provided on any points raised at those meetings.
- 1.1.2 As part of the proposals, and until social distancing requirements are lifted, the numbers of participants in meetings of the Council, Cabinet, Committees, Panels and Boards needs to be restricted. Consequently, there will be a strict limit on public participants physically attending planning committees (whether to speak or otherwise). To give effect to those proposals, a number of minor, temporary, changes are required to the Protocol on Public Speaking at Planning Committees as set out at Annex 1, Part 4 of the Constitution. These are set out at **Annex 1** to this report.
- 1.1.3 Broadly, these changes are to strongly encourage public participation to take place remotely wherever possible, and set out how the (maximum) 10 members of the public physically attending will be allocated a space, the terms under which they will be admitted to the Council building, and the procedure for enabling them to address the committee. It should be noted that this limit is *not* a limit on the number of public speakers in total – the preference in every case will be that members of the public address the committee remotely. The 10 person *physical attendance* limit is to ensure that the Council is able to comply with relevant social distancing requirements. The proposed changes will only remain in force until the relevant Coronavirus legislation is repealed or expires.

1.2 Legal Implications

- 1.2.1 Under the Health Protection (Coronavirus, Restrictions) (Steps) (England) Regulations 2021 the Council is permitted to hold gatherings which are reasonably necessary for “*meeting a requirement for a particular area of work*”. However, such gatherings must still be carried out in a Covid-secure manner. The Council also has responsibilities under health & safety legislation to provide a safe place of work which must also be safe for visitors.
- 1.2.2 Additionally, under the Health Protection (Coronavirus, Collection of Contact Details etc and Related Requirements) Regulations 2020, the Council is required to collect and retain certain details of any person attending the Council premises for contact tracing purposes.

1.3 Financial and Value for Money Considerations

- 1.3.1 nil

1.4 Risk Assessment

- 1.4.1 A detailed risk assessment has been carried out and reported the Overview & Scrutiny Committee and Cabinet. The matters set out in that risk assessment are considered to properly address requirements both under the Coronavirus legislation and guidance, and health and safety legislation.

1.5 Equality Impact Assessment

- 1.5.1 The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

1.6 Policy Considerations

- 1.6.1 Community
- 1.6.2 Health and Safety

1.7 Recommendations

- 1.7.1 That the proposed temporary amendments to the Protocol on Public Speaking at Planning Committees be **APPROVED**.

Background papers:

contact: Kevin Toogood

Nil

Adrian Stanfield

Director of Central Services and Deputy Chief Executive

TEMPORARY RULES FOR PUBLIC SPEAKING IN RESPECT OF PLANNING APPLICATIONS DURING THE CORONAVIRUS OUTBREAK

1.	Application of Rules
1.1	<p>These rules shall apply until the Coronavirus Act 2020 and all associated Regulations and restrictions therein are revoked or expire.</p> <p>These rules apply to the consideration of planning and allied applications that may be determined by the Borough Council where the application is to be determined by an Area Planning Committee (or by Council in accordance with Council and Committee Procedure Rule 15.23 or 15.24), but do not apply to applications where the Council is a consultee and not the determining authority.</p>
1.2	The right to speak does NOT apply to reports relating solely to enforcement matters or any other business of the Area Planning Committees than that in 1.1 above.
2.	Procedure before Committee
2.1	<p>Where these rules apply, any member of the public wishing to address the committee (including applicants, their agents, parish council representatives and local residents are strongly encouraged to participate remotely wherever possible. Until social distancing restrictions are lifted there will be a strict limitation placed upon the number of people admitted to the Council buildings for the purposes of attending committees.</p> <p>The Applicant's Acknowledgement Letter will indicate that, in the event that the matter is to be determined by a Committee, members of the public will be given an opportunity to speak at the Committee.</p>
2.2	Once the Director of Planning, Housing & Environmental Health has determined that an application will be determined by a Committee, the applicant will be sent written notification stating the date, time and manner of accessing the Committee's meeting.
2.3	The Neighbours' Consultation Letter will state that, in the event that the matter is to be determined by a Committee, members of the public or a representative of the relevant Parish Council will be given an opportunity to speak if they have made a written representation.
2.4	Anyone who has made a written representation on an application, and the applicant/their agents, must notify the Council in advance that they wish to take advantage of the opportunity to speak at Committee.

	<p>Anyone who wishes to do so must register with the Democratic Services Officer contact as early as possible but, in any event, no later than 5.00pm on the closest working day prior to the day of the meeting. For example, any person wishing to speak at a meeting scheduled to take place on a Wednesday must give notice no later than 5pm on the Tuesday before the meeting. Notice should be given by email to committee.services@tmbc.gov.uk</p> <p>Anyone seeking to register to speak after this time will be refused.</p> <p>When registering to speak, every participant must indicate whether they can attend remotely. If a person is able to attend remotely, they <i>must not attend the council premises</i>.</p> <p>Any person indicating a wish to attend in person because they are unable to attend remotely will need to provide their contact details which will be retained and used by the Council for the purposes of contact tracing.</p> <p>No more than 10 members of the public will be admitted onto council premises for the purposes of attending the committee, and these will be allocated on a “first come-first served” basis to people registering to speak and who are genuinely unable to attend remotely. These people will be notified in advance of the meeting. If there is more than one application being considered by the planning committee and if necessary, the 10 spaces will be divided between applications.</p> <p>Careful consideration should be given to appointing a single spokesperson to address the Committee in person on each application.</p>
2.5	<p>A person wishing to address committee but who does not wish to appear “live” at the meeting may either provide a video or audio recording of their statement (limited to 3 minutes), no later than 5.00pm on the closest working day prior to the day of the meeting.</p> <p>The statement, whether presented live or pre-recorded must not be accompanied by any additional material (such as photographs or power point presentations). “Screen sharing” by speakers will not be permitted. Any statement which contravenes this rule will not be accepted.</p> <p>Anyone wishing to address the committee is encouraged to provide a written copy of their statement, which may be read out in the event of a technical issue preventing the person connecting to the meeting or the pre-recorded statement being played.</p> <p>Whether or not written statements will be read out is at the discretion of the Chairman of the committee.</p>

2.6	<p>Where a recorded statement is being provided, the representor is encouraged to state their postal address at the beginning of their statement for the committee's reference.</p> <p>Potential speakers are encouraged to indicate (for the purposes of the Data Protection Act 2018 and/or any other relevant data protection legislation) if they agree to their contact details being shared with other representors to enable them to get in contact with each other and to encourage them to select a single spokesperson.</p>
3.	Procedure at Committee
3.1	<p>Anyone attending the Council premises will be asked to confirm that they have not tested positive for Covid-19 in the past 24 hours.</p> <p>Anyone with any symptoms of coronavirus must not attend the premises.</p> <p>Face coverings must be worn at all times when inside the building except when you are addressing the committee.</p> <p>Public speakers will be asked to register with the relevant officer on the premises so that they may record the date and time of entry. If you have not been notified that you are permitted to attend the premises for the meeting, you must not do so. Anyone seeking admission who has not been informed that they are permitted to attend will not be admitted.</p> <p>In the introduction to the meeting the Chairman will explain the composition of the virtual "top table". The Chairman will also explain the need for speakers to only deal with planning matters and the need to guard against making defamatory statements. The Chairman will remind speakers that their face and voice may appear on the live stream, and the archived recording of the meeting</p>
3.2	The Chairman will indicate the order in which the Agenda is to be dealt with, this will ordinarily be as the Agenda, but is at the absolute discretion of the Chairman (on advice of officers where needed).
3.3	The Chairman will explain the speaking time limitations. Each speaker will be limited to 3 minutes for each application. Where there is more than one application for a site, for example an application for planning permission and listed building consent, the time allowed will be limited to 3 minutes for each application i.e. 6 minutes in total.
3.4	Where the Chairman has suggested at the Chairman's briefing that an initial officer presentation is required, that presentation will be the first step in consideration of the Committee item and will occur before the speakers are invited to speak.

3.5	<p>The speakers shall be taken in the following order:</p> <p>The representative of the relevant Parish (where they have registered in advance to speak);</p> <p>Individual speakers will then be invited to come forward by the Chairman, by name.</p> <p>Any pre-recorded statements shall then be played (or written statement read out where technical issues have prevented the statement from being played);</p> <p>Finally, the applicant and/or their agent will then have an opportunity to address the committee where they have registered to do so in advance.</p> <p>Where any written statement or pre-recorded statement exceeds 3 minutes, only the first 3 minutes shall be read or played.</p> <p>Speakers physically present at the Gibson Building will be asked to wait in the Committee Room, they will be escorted individually into the Council Chamber when it is their turn to speak and escorted back to the Committee Room once their address to the committee is completed.</p>
3.6	Committee Members will not be able to question speakers on any matter
3.7	At the conclusion of their presentation, the speaker will be asked to turn off their video feed and mute their microphone.
3.8	<p>At the conclusion of the public speaking, the Chairman will invite members of the public to leave the “Teams” meeting and watch the debate on the live stream to save bandwidth. Members will then debate the application. The members will indicate their wish to address the meeting through the virtual meeting platform and the Chairman will invite each member to speak in turn.</p> <p>All other microphones will be muted and video feeds switched off.</p>
3.9	After Members have debated the item, Officers will answer questions, summarise the debate or clarify points, including any matters arising from the points raised by speakers, and to give any necessary professional advice before Members reach their decision.
3.10	If the case is deferred for a site inspection or for a further report speakers will be permitted to speak again at a subsequent meeting.