

TONBRIDGE AND MALLING BOROUGH COUNCIL

COUNCIL MEETING

Wednesday, 27th April, 2022

At the meeting of the Tonbridge and Malling Borough Council held at Civic Suite, Gibson Building, Kings Hill, West Malling on Wednesday, 27th April, 2022

Present: Cllr R V Roud (Mayor), Cllr Mrs J A Anderson, Cllr Mrs P A Bates, Cllr R P Betts, Cllr T Bishop, Cllr M D Boughton, Cllr P Boxall, Cllr V M C Branson, Cllr G C Bridge, Cllr C Brown, Cllr R I B Cannon, Cllr A E Clark, Cllr D J Cooper, Cllr A Cope, Cllr R W Dalton, Cllr D A S Davis, Cllr M O Davis, Cllr N Foyle, Cllr S M Hammond, Cllr D Harman, Cllr P M Hickmott, Cllr M A J Hood, Cllr F A Hoskins, Cllr A P J Keeley, Cllr Mrs F A Kemp, Cllr A Kennedy, Cllr J R S Lark, Cllr B J Luker, Cllr P J Montague, Cllr Mrs A S Oakley, Cllr W E Palmer, Cllr M R Rhodes, Cllr H S Rogers, Cllr J L Sergison, Cllr T B Shaw, Cllr K B Tanner, Cllr M Taylor and Cllr D Thornewell.

(Note: Councillor M A Coffin participated via MS Teams and joined the discussion when invited by the Mayor to do so. He was unable to vote on any matters)

Apologies for absence were received from Councillor Mrs S Bell (Deputy Mayor), and from Councillors M C Base, J L Botten, Mrs T Dean, N J Heslop, S A Hudson, D Keers, D W King, N G Stapleton, Mrs M Tatton, Miss G E Thomas, F G Tombolis and C J Williams.

PART 1 - PUBLIC

C 22/26 DECLARATIONS OF INTEREST

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

C 22/27 MINUTES

RESOLVED: That the Minutes of the proceedings of the meeting of the Council held on 22 February 2022 be approved as a correct record and signed by the Mayor.

C 22/28 MAYOR'S ANNOUNCEMENTS

The Mayor was presented with a copy of the Bible by Mr Michael Lee of Good News for Everyone (formerly Gideons UK).

The Mayor advised that he had attended a number of engagements since the last meeting of the Council and made particular reference to

- Tonbridge Lions Charter Night
- Tonbridge House Care Home Marie Curie Coffee Morning
- Heusenstamm Friendship Circle's AGM and Dinner
- LAMPS Production of 'Tommy' at Tonbridge School
- Tonbridge Rotary Club's Dinner and Meeting

He had also enjoyed attending a Charity Garden Party at Bradbourne House, East Malling, a Charity Lunch at Alim-et and a Charity Event at East Malling Research. Future events included a Charity Dinner at Hadlow Manor Hotel on 28 April and a Charity Event at Winterdale Cheesemakers on 4 May.

Finally, the Mayor thanked the Deputy Mayor for attending a number of events on his behalf.

C 22/29 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 22/30 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 22/31 LEADER'S ANNOUNCEMENTS

The Leader indicated that the Review of Governance Arrangements arising from the recent Corporate Peer Review would be dealt with under the agenda item 9.

He stressed the need for the Council to make a real difference to the health and wellbeing of the local community and reported that the recent West Kent Jobs and Training Fair at the Angel Centre, which had been supported by local employers and training providers, had been attended by over 300 people. He referred to the recent support provided to the Tonbridge Angels and Aylesford Football Clubs to enable the provision of 3G pitches and increase the opportunities for greater community involvement.

The Leader referred to the opening of the Allington Waste Disposal site and the need to look at alternative ways of meeting both residents' needs and the Council's environmental objectives following the withdrawal of the County Council's funding for the Saturday Freighter Service. He advised that the newly formed Communities and

Environment Scrutiny Select Committee would be asked to look at proposals for the collection of large bulky waste items to provide greater sustainability and an improved service to households.

Following the opening of the Eco Café at Leybourne Lakes Country Park the Leader looked forward improved sustainability in other areas of the Council's business. He advised that the electric vehicle charging points within the Council's car parks would be available within a few weeks and he referred to the recent installation of LED lighting at the Ryarsh Lane Car Park in West Malling.

He expressed the wish to keep Tonbridge and Malling as one of the best performing Councils in the country and to make it a desirable place to live. He referred to the war in Ukraine and the devastating impact this was having on those fleeing the conflict and on the local Ukrainian community within the Borough. He advised that, through schemes run by the Government, the Council was doing everything it could to help support those in need when they arrived in the Borough. He explained that this had placed a significant burden on the Council with the situation changing daily and he paid tribute to the speed and skill with which Officers had adapted to the challenges faced.

C 22/32 REVIEW OF GOVERNANCE ARRANGEMENTS

The joint report of the Leader and the Director of Central Services and Monitoring Officer set out details of a number of revisions to the Council's executive governance arrangements in light of the recommendations arising from the Peer Review by the Local Government Association. Members were invited to Note the changes set out at section 1.7.1 (a) to (g) and to grant authority to the Monitoring Officer to make any consequential changes to the Council's Constitution (1.7.1 (h) refers).

Councillor Oakley and Councillor Thornewell indicated that they wished to vote against noting 1.7.1 (a) to (g). In accordance with Council Procedure Rule No 8.4 Councillor Clark requested that a recorded vote be undertaken in respect of 1.7.1 (a) to (g). Item 1.7.1 (h) was dealt with as a separate matter. The request was supported by Councillor Hood and the voting was recorded as follows:

Members voting For Noting (a) to (g) as set out at 1.7.1 of the report:

Cllr Mrs P Bates; Cllr R Betts; Cllr M Boughton; Cllr V Branson; Cllr C Brown; Cllr R Cannon; Cllr D Cooper; Cllr R Dalton; Cllr D Davis; Cllr M Davis; Cllr N Foyle; Cllr S Hammond; Cllr D Harman; Cllr A Keeley; Cllr Mrs A Kemp; Cllr A Kennedy; Cllr J Lark; Cllr P Montague; Cllr W Palmer; Cllr M Rhodes; Cllr H Rogers; Cllr J Sergison; Cllr K Tanner and Cllr M Taylor

Total = 24

Members voting Against Noting (a) to (g) as set out at 1.7.1 of the report:

Cllr T Bishop; Cllr P Boxall; Cllr G Bridge; Cllr A Clark; Cllr A Cope;
Cllr P Hickmott; Cllr M Hood; Cllr F Hoskins; Cllr A Oakley; Cllr R Roud;
Cllr T Shaw and Cllr D Thornewell

Total = 12

Members abstaining:

Cllr Mrs J Anderson and Cllr B Luker

Total = 2

(Total members eligible to vote = 38)

RESOLVED: That

- (a) the changes to the Rules for making decisions by Executive Members as set out at Annex 5 be noted;
- (b) the changes to the Executive Procedure Rules at Annex 6 be noted;
- (c) the changes to Part 3 of the Constitution (Panels and Boards to advise the Executive) set out at Annex 7 be noted;
- (d) the reduction of the financial threshold for Key Decisions from £250,000 to £100,000 as set out in Annex 4 be noted;
- (e) the creation of 3 new Scrutiny Select Committees as set out at paragraph 1.3.6 of the report, each being programmed to meet on 5 occasions per municipal year and each containing 15 members, be noted;
- (f) the changes to the Overview & Scrutiny Procedure Rules set out at Annex 3 and the terms of reference for the Scrutiny Select Committees at Annex 8 be noted;
- (g) it be noted that the arrangements set out above would come into effect on 10 May 2022; and
- (h) the Monitoring Officer be authorised to make any consequential amendments to the Council's Constitution to reflect the changes set out in the report and to ensure that it is consistent with the current legislative position.

In accordance with Council Procedure Rule No 8.6 Councillors Bishop, Boxall, Bridge, Clark, Cope, Hickmott, Hood, Hoskins, Oakley, Palmer, Shaw and Thornewell asked that it be recorded that they had voted against the approval of 1.7.1 (h).

C 22/33 GAMBLING ACT 2005 - STATEMENT OF PRINCIPLES FOR GAMBLING

Item LA 22/8 referred from Licensing and Appeals Committee of 8 March 2022.

RESOLVED: That the recommendation at Minute LA 22/8 be approved.

C 22/34 REPLACEMENT OF UNIFORM SYSTEMS

Item CB 22/47 referred from Cabinet of 15 March 2022.

RESOLVED: That the recommendations at CB 22/47 be approved.

C 22/35 REVIEW OF CODE OF CONDUCT

Item GP 22/12 referred from General Purposes Committee of 22 March 2022.

RESOLVED: That the recommendation at GP 22/12 be approved.

C 22/36 AUDIT COMMITTEE ANNUAL REPORT

Item AU 22/15 referred from Audit Committee of 4 April 2022.

RESOLVED: That the recommendation at AU 22/15 be approved.

C 22/37 APPOINTMENTS TO OUTSIDE BODIES

The report of the Director of Central Services and Deputy Chief Executive set out details of a request received from the Clerk to the Town Wardens seeking the re-appointment of the current representatives serving on the Tonbridge Town Lands and Richard Mylls Charity.

The report also set out details of a notification received from the Worshipful Company of Skinners in respect of the Sir Thomas Smythe Charity regarding its intention to consolidate the Company's grant making charities into a single charity foundation. It was noted that there would be no future requirement for the Borough Council to appoint a representative as the Sir Thomas Smythe Charity would no longer exist as a separate entity.

RESOLVED: That

- (1) Mrs Diane Huntingford be re-appointed as the Borough Council representative to serve on Tonbridge Town Lands and Richard Mylls Charity for a further four year period up to October 2026;

- (2) Mr Eddie Prescott be re-appointed as the Borough Council representative to serve on Tonbridge Town Lands and Richard Mylls Charity for a further four year period up to October 2026; and
- (3) the position in respect of the Sir Thomas Smythe Charity be noted.

C 22/38 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 9.31 pm