

TONBRIDGE AND MALLING BOROUGH COUNCIL

COUNCIL MEETING

MINUTES

Tuesday, 11th July, 2023

At the meeting of the Tonbridge and Malling Borough Council held in Civic Suite, Gibson Building, Kings Hill, West Malling on Tuesday, 11th July, 2023

Present: His Worship the Mayor (Councillor J R S Lark), the Deputy Mayor (Councillor S M Hammond), Cllr L Athwal, Cllr B Banks, Cllr K Barton, Cllr Mrs S Bell, Cllr A G Bennison, Cllr R P Betts, Cllr T Bishop, Cllr M D Boughton, Cllr G C Bridge, Cllr C Brown, Cllr R I B Cannon, Cllr J Clokey, Cllr M A Coffin, Cllr A Cope, Cllr S Crisp, Cllr R W Dalton, Cllr D A S Davis, Cllr D Harman, Cllr P M Hickmott, Cllr G B Hines, Cllr M A J Hood, Cllr F A Hoskins, Cllr S A Hudson, Cllr D Keers, Cllr W J Mallard, Cllr A McDermott, Cllr A Mehmet, Cllr D W King, Cllr Mrs A S Oakley, Cllr W E Palmer, Cllr B A Parry, Cllr M R Rhodes, Cllr R V Roud, Cllr K B Tanner, Cllr Mrs M Tatton, Cllr M Taylor, Cllr D Thornevell, Cllr K S Tunstall and Cllr C J Williams

Apologies for absence were received from Councillors P Boxall, Mrs T Dean and R W G Oliver

PART 1 - PUBLIC

C 23/55 DECLARATIONS OF INTEREST

A dispensation had been granted by the Monitoring Officer to allow all Members of the Committee to participate in the discussion on Members Allowances and to consider and vote upon the recommendations of the General Purposes Committee.

C 23/56 MINUTES

RESOLVED: That the Minutes of the proceedings of the meeting of the Council held on 17 May 2023 be approved as a correct record and signed by the Mayor.

C 23/57 MAYOR'S ANNOUNCEMENTS

The Mayor advised of a number of engagements attended since the last meeting of Council and made particular reference to the following civic and charity events:

- Holmesdale School's Opening of new Amphitheatre
- The Quest School's 20th Anniversary Lunch
- The Kent International Piano Courses Concert & Prizegiving
- Hildenborough Farmer's Market
- Ightham Mote's Oldbury Campsite Opening at Seal Chart
- SERFCA Armed Forces Briefing
- Annual Father's Day Service at The Friars
- Chairman of KCC's Armed Forces Day Flag Raising Ceremony
- Tonbridge Lions It's a Knockout
- The Friars Fundraising Event
- Rotary Club of Tonbridge's Presidents Dinner & Jazz Evening
- Snodland TC's Carnival Parade
- Mayor of Medway's Cruise
- Bishops court Summer Garden Party
- Tonbridge Music Festival Event

Arrangements were being finalised for future civic and charity events and details would be shared as soon as possible.

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

C 23/58 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 23/59 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 23/60 LEADER'S ANNOUNCEMENTS

The Leader's announcements focused on innovation, transformation, investment and service delivery as well as the importance of building effective working relationships with the other political parties.

The Leader welcomed the opportunity to consider the Member Call-in Protocol for Development Management later in the meeting, which was a good example of working together and the changes proposed would assist all Members in all parties in the planning process. The new Corporate Strategy 2023-27 also focused on co-operation and good will between political groups.

Reference was made to the networking opportunities afforded by the recent LGA Conference in promoting the Borough as a great place to

invest and build on the reputation as a local authority that used innovative solutions to promote growth and regeneration. The importance of reviewing how services were delivered to improve performance and to ensure effective management of differing and competing demands that local residents had was highlighted.

To address the outstanding recommendation of the Peer Review (undertaken in 2022) consideration would be given to having a dedicated resource committed to support transformation of council services. Options would be presented to Members in due course. However, residents had high expectations that the Borough Council would continue to perform and deliver services effectively, whilst maintaining value for money and investing and innovating for the future.

Particular reference was made to the successful re-rounding of the waste services contract and the Leader was pleased to report that collection rates remained high. Other recent achievements included the introduction of mobile CCTV cameras across the Borough to support enforcement of Public Space Protection Orders relating to anti-social behaviour; the decision to procure a third party enforcement contract to deal with fly-tipping and littering which demonstrated that Tonbridge and Malling would not tolerate this behaviour and the 99% satisfaction market survey response rate for Tonbridge Racecourse Sportsground was an excellent indicator of how much the site was valued.

Upcoming issues included a review of the Climate Change Action Plan and the ambition for Leisure Centres to be carbon neutral by 2030 was reiterated and support for rural businesses.

Finally, the housing crisis across Tonbridge and Malling remained significant and the Borough Council continued to assist residents as much as possible. A new Housing Policy had been introduced in June to improve support to the most vulnerable with links to Tonbridge and Malling.

Full Leaders announcements available on the Borough Council [YouTube channel](#)

MATTERS FOR DECISION

C 23/61 MEMBERS' ALLOWANCES - REPORT OF THE JOINT INDEPENDENT REMUNERATION PANEL

Consideration was given to the recommendations of the General Purposes Committee in respect of Members Allowances following a review by the Joint Independent Remuneration Panel.

RESOLVED: That

- (1) the Basic Allowance payable to all Members remain at its current level of £5,175 per annum;
- (2) the level of the Special Responsibility Allowances (SRA) be set as follows:
 - (a) the Leader's Allowance remain at £20,706 per annum;
 - (b) the SRA for the Deputy Leader remain at £15,528 per annum (circa 75% of the Leader's Allowance);
 - (c) the SRAs for Cabinet Members remain at £8,802 per annum;
 - (d) the SRAs for Committee Chairs be set as follows:
 - (i) Area Planning Committees (x 3) - £1,725 per annum;
 - (ii) Audit Committee - £2,589 per annum;
 - (iii) General Purposes Committee - £1,725 per annum;
 - (iv) Joint Standards Committee - £2,589 per annum;
 - (v) Licensing and Appeals Committee - £2,589 per annum;
 - (vi) Overview and Scrutiny Committee - £2,589 per annum;
 - (vii) Scrutiny Select Committees (x 3) - £2,589 per annum;
 - (e) the SRAs for qualifying** opposition group leaders be set at a flat sum of £4,401 per annum, and where applicable, a maximum of one additional SRA per Member (excluding group leader allowances) be applied;

***To qualify, neither the leader of an opposition group nor any members of the leader's group can serve on Cabinet.*
 - (f) the SRAs for vice-chairs be set at 25% of the relevant Committee Chairs' allowances as follows:
 - (i) Area Planning Committees (x 3) - £431 per annum;
 - (ii) Audit Committee - £647 per annum;

- (iii) General Purposes Committee - £431 per annum;
 - (iv) Joint Standards Committee - £647 per annum;
 - (v) Licensing and Appeals Committee - £647 per annum;
 - (vi) Overview and Scrutiny Committee - £647 per annum;
 - (vii) Scrutiny Select Committees (x 3) - £647 per annum;
- (3) the Mileage Allowances remain at the HMRC approved rate;
 - (4) the existing scheme for meal and/or subsistence allowances be ceased;
 - (5) the carers' allowances be set at a maximum rate of £10.42 per hour per child (linked to the National Living Wage) for general childcare and £18.00 per hour for dependent carers;
 - (6) the allowances, including those for the Mayor and Deputy Mayor, be uprated in line with any increases in the remuneration of Council staff;
 - (7) the amended scheme of allowances, once approved, be agreed to take effect from the date of Council on 11 July 2023; and
 - (8) the Monitoring Officer be authorised to update Part 6 of the Constitution (Members' Allowances) to reflect any agreed changes to the current scheme of allowances arising out of the above recommendations.

C 23/62 CHANGES TO THE CONSTITUTION

The report of the Monitoring Officer recommended changes were made to the Constitution to update the Members' Planning Code of Good Practice. An amended Code was attached at Annex 1.

In the interests of transparency, paragraph 8.6 of the Code had been amended to detail the scope of arrangements in respect of councillors whose business was, or included, the making of planning applications on behalf of others.

RESOLVED: That the Monitoring Officer be authorised to amend the Members' Planning of Code of Good Practice in Part 5 of the Constitution as set out at Annex 1 to give effect to the changes outlined in the report.

C 23/63 APPOINTMENTS TO PARISH PARTNERSHIP PANEL AND TONBRIDGE COMMUNITY FORUM

Following approval of appointments at Annual Council on 17 May 2023 a number of changes were required to the Parish Partnership Panel and Tonbridge Community Forum in respect of County Members who had an automatic appointment as councillors representing a parished area of the borough or a ward in Tonbridge.

The proposed changes were detailed in 1.1 and 1.2 of the report and reflected the recommendations of an Overview and Scrutiny Committee review of the Parish Partnership Panel and Tonbridge Community Forum (as the Tonbridge Forum) in 2021 that Members who were both Borough and Parish Councillors could not sit on the Panel in both capacities. This recommendation was supported and approved by Council on 26 October 2021. For consistency this would also apply to those Members who were both Borough and County Councillors.

It was recommended that Councillor M Boughton be appointed to the Parish Partnership Panel instead of Councillor S Hudson. As a consequence of this change, there was a requirement to nominate a replacement substitute member and Councillor D Davis was nominated.

It was noted that Councillor M Hood, who was appointed to the Tonbridge Community Forum in May 2023, attended as a County Member.

Consequently, the membership of the Tonbridge Community Forum was 13 Borough Councillors and not 14 as set out in the Constitution. This was because all Members representing Tonbridge and Hildenborough wards already sat on the Tonbridge Community Forum. No changes to the Constitution regarding composition of the Tonbridge Community Forum were recommended.

RESOLVED: That

- (1) Councillor M Boughton be appointed to the Parish Partnership Panel with immediate effect;
- (2) Councillor D Davis be appointed as a substitute member for the Parish Partnership Panel with immediate effect; and
- (3) The position in respect of the membership of the Tonbridge Community Forum, detailed in 1.2.5 of the report, until the next Borough or County Elections be noted.

C 23/64 CHANGES TO SUBSTITUTE MEMBERS - THE GREEN GROUP

The report of the Director of Central Services and Deputy Chief Executive advised of a request from the Leader of the Green Group to amend their nominated substitutes.

The change proposed by Councillor Hood related to the Finance, Regeneration and Property Scrutiny Select Committee and was detailed in 1.1.2 of the report.

The Leader of the Liberal Democrat Group took the opportunity to update their substitutes for the Joint Transportation Board and proposed that Councillor J Clokely replace Councillor T Dean as an approved substitute. This was seconded by Councillor D Thornewell.

RESOLVED: That

- (1) Councillor M Hood replace Councillor R Oliver as a substitute member on the Finance, Regeneration and Property Scrutiny Select Committee; and
- (2) Councillor J Clokely replace Councillor T Dean as a substitute member on the Joint Transportation Board.

C 23/65 APPOINTMENTS TO OUTSIDE BODIES

The report of the Director of Central Services and Deputy Chief Executive advised of a number of changes to be made to the Outside Bodies Schedule. These related to the number of appointees to the Snodland Partnership and the Kent Flood Risk Management committee. The Borough Council had also received notification that the Kent County Playing Fields Association no longer sought outside bodies representation.

The Leader and Chair of the Overview and Scrutiny Committee had both previously indicated the need to review the role of outside bodies to gain a better understanding of the aims and priorities of the organisations, the role of Borough Councillors and how information was fed back to the Council. A scoping report on a review would be presented to a future meeting of the Overview and Scrutiny Committee.

RESOLVED: That

- (1) Councillor P Hickmott be appointed as the Borough Council outside body representative for Snodland Partnership;
- (2) the Outside Bodies Schedule be updated to reflect that Snodland Partnership had 1 Town Council appointee and 1 Borough Council appointee;

- (3) the Kent County Playing Fields Association be removed from the Outside Bodies Schedule;
- (4) the position in respect of the Kent Flood Risk Management Committee be noted and that the organisation remain on the Outside Bodies Schedule so Borough Council nominees continued to receive information; and
- (5) a review of Appointments to Outside Bodies be undertaken by the Overview and Scrutiny Committee in due course.

C 23/66 MEMBER CALL IN PROTOCOL - DEVELOPMENT MANAGEMENT

Consideration was given to recommendation OS 23/25 of the Overview and Scrutiny Committee of 29 June 2023. Members welcomed the clarification in respect of conflicting views between the Director of Planning, Housing and Environmental Health and the Area Planning Chair which was now detailed in the Call-in Protocol.

RESOLVED: That

- (1) the amended Protocol attached at Annex 1 and as updated in the supplementary report to the Overview and Scrutiny Committee be endorsed;
- (2) the amended text in the Protocol be included in the Constitution as part of DPHEH 100 (Part 3 – Responsibilities); and
- (3) the Monitoring Officer be authorised to make any necessary consequential changes to the Constitution.

C 23/67 CORPORATE STRATEGY 2023-27

Consideration was given to recommendation CB 23/60 of the Cabinet of 4 July 2023 and the Leader of the Borough Council was pleased to present the Corporate Strategy 2023-2027 which emphasised the three key values of innovation, transformation and delivery.

RESOLVED: That

- (1) the Corporate Strategy (attached at Annex 1) be adopted;
- (2) the Corporate Strategy Action Plan (attached at Annex 2) be adopted;
- (3) the proposed new Key Performance Indicators (attached at Annex 3) be adopted;
- (4) authority be delegated to the Chief Executive, in liaison with the Leader of the Council, to approve any necessary further minor

changes to the Corporate Strategy, Action Plan and Key Performance Indicators that might be required for reasons of clarity or presentation.

MATTERS FOR INFORMATION

C 23/68 MINUTES OF CABINET AND COMMITTEES

The Minutes of meetings of the Cabinet and Committees as set out in the Minute Book – Volume 3 (attached as supplement) were received and noted.

Any recommendations to the Council from Cabinet or Committees were resolved elsewhere on the agenda.

C 23/69 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.

C 23/70 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 23/71 RECRUITMENT AND RETENTION ISSUES WITHIN THE PLANNING SERVICE

Consideration was given to the recommendations of the General Purposes Committee held on 3 July 2023.

RESOLVED: That

- (1) a £5,000 annual market supplement payment (pro-rata'd for part-time staff) be paid to all current and future recruited qualified* planning staff for a period of two years, subject to annual review thereafter;

**To qualify, the postholder must hold a degree of postgraduate qualification accredited by the Royal Town Planning Institute as stipulated in the Person Specification of their post in Planning.*

- (2) a £3,000 'Golden Hello' payment be paid to newly recruited planning staff joining the Borough Council in posts in planning of which the Person Specification stipulates that the postholder must

hold a degree of postgraduate qualification accredited by the Royal Town Planning Institute, subject to review; and

- (3) the aggregated cost of the market supplement payments and the 'Golden Hello' payments, estimated to be circa £320k over the two-year review period, be met from the Budget Stabilisation Reserve.

The meeting ended at 8.22 pm