

# TONBRIDGE & MALLING BOROUGH COUNCIL



## EXECUTIVE SERVICES

---

**Interim Chief Executive**  
Adrian Stanfield LL.B (Hons)

Gibson Building  
Gibson Drive  
Kings Hill, West Malling  
Kent ME19 4LZ  
West Malling (01732) 844522

---

To: MEMBERS OF THE COUNCIL

**NB Background reports to items referred from Cabinet and Committees have been omitted from printed agenda packs.**

Dear Sir/Madam

I hereby summon you to attend a meeting of the Tonbridge and Malling Borough Council which will be held in the Council Chamber, Gibson Drive, Kings Hill on Tuesday, 14th May, 2024 **at 8.00 pm**.

Information on how to observe the meeting will be published on the Council's website.

The following business is proposed to be transacted:-

1. Guidance on the Conduct of Meetings 5 - 8

### **PART 1 - PUBLIC**

2. Election of Mayor

To elect the Mayor for the municipal year 2024/25

3. Vote of thanks to Retiring Mayor

To propose a vote of thanks to the outgoing Mayor

4. Election of Deputy Mayor

To elect the Deputy Mayor for the municipal year 2024/25

5. Apologies for absence 9 - 10

6. Declarations of interest

To declare any interests in respect of recommended items

7. Minutes 11 - 20

To confirm as a correct record the Minutes of the ordinary and special meetings of Council held on 9 April 2024

8. Mayor's Announcements

9. Questions from the public pursuant to Council Procedure Rule No 5.6 21 - 22

10. Questions from Members pursuant to Council Procedure Rule No 5.5 23 - 28

- 24/001 – Rewilding and River Lawn
- 24/002 – Social Housing

11. Notice of Motion submitted pursuant to Council Procedure Rule No. 5.27 (24/002) 29 - 30

To consider a Notice of Motion (24/002) proposed by Councillor A Cope, seconded by Councillor L Athwal, on behalf of the Green Group in relation to 'Debate not Hate'

12. Notice of Motion submitted pursuant to Council Procedure Rule No. 5.27 (24/003) 31 - 32

To consider a Notice of Motion (24/003) proposed by Councillor M Hood, seconded by Councillor A Cope, on behalf of the Green Group in relation to zero tolerance of any form of hate crime.

### **Matters for Decision**

13. Political Balance Arrangements 33 - 36

To determine the political balance arrangements for the Borough Council's committees, boards and panels

14. Appointment of Cabinet 37 - 38

To note the Leader's appointments to Cabinet and the portfolios they will hold.

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

15. Appointment of Committees 39 - 40

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 out on Annex 2 and circulated in advance of the meeting.

16. Appointment of Scrutiny Select Committees, Panels and Other Member Groups 41 - 42
- To appoint Scrutiny Select Committees, 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.
17. Appointment of Chair and Vice-Chair 43 - 44
- To appoint the Chair and Vice-Chair of each Committee.
- Details of nominations will be set out on Annex 4 and circulated in advance of the meeting.
18. Appointments to Outside Bodies 45 - 46
- 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.
19. Appointment of Substitute Members 47 - 50
- To appoint substitute Members to attend specific meetings in the absence of the ordinary meeting.
- Details of nominations will be set out on Annex 6 and circulated in advance of the meeting.
20. Scheme of Delegations 51 - 52
- Members are invited to confirm the Scheme of Delegations in compliance with the Constitution.
21. Programme of Meetings 53 - 58
- Following approval by Council on 9 April 2024, the programme of meetings for the municipal years 2024-26 is attached for adoption.
22. Audit Committee Annual Report 59 - 68
- Recommendation AU 24/14 of the Audit Committee of 15 April 2024 in respect of the Audit Committee Annual Report.

23. 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.

ADRIAN STANFIELD  
Interim Chief Executive  
Friday, 3 May 2024

## **GUIDANCE ON HOW MEETINGS WILL BE CONDUCTED**

- (1) Most of the Borough Council meetings are livestreamed, unless there is exempt or confidential business being discussed, giving residents the opportunity to see decision making in action. These can be watched via our YouTube channel. When it is not possible to livestream meetings they are recorded and uploaded as soon as possible:

<https://www.youtube.com/channel/UCPp-IJISNgoF-ugSzxjAPfw/featured>

- (2) There are no fire drills planned during the time a meeting is being held. For the benefit of those in the meeting room, the fire alarm is a long continuous bell and the exits are via the doors used to enter the room. An officer on site will lead any evacuation.
- (3) Should you need this agenda or any of the reports in a different format, or have any other queries concerning the meeting, please contact Democratic Services on [committee.services@tmbc.gov.uk](mailto:committee.services@tmbc.gov.uk) in the first instance.

### **Attendance:**

- Members of the Committee are required to attend in person and be present in the meeting room. Only these Members are able to move/ second or amend motions, and vote.
- Other Members of the Council can join via MS Teams and can take part in any discussion and ask questions, when invited to do so by the Chair, but cannot move/ second or amend motions or vote on any matters. Members participating remotely are reminded that this does not count towards their formal committee attendance.
- Occasionally, Members of the Committee are unable to attend in person and may join via MS Teams in the same way as other Members. However, they are unable to move/ second or amend motions or vote on any matters if they are not present in the meeting room. As with other Members joining via MS Teams, this does not count towards their formal committee attendance.
- Officers can participate in person or online.

- Members of the public addressing an Area Planning Committee should attend in person. However, arrangements to participate online can be considered in certain circumstances. Please contact [committee.services@tmbc.gov.uk](mailto:committee.services@tmbc.gov.uk) for further information.

Before formal proceedings start there will be a sound check of Members/Officers in the room. This is done as a roll call and confirms attendance of voting Members.

### **Ground Rules:**

The meeting will operate under the following ground rules:

- Members in the Chamber should indicate to speak in the usual way and use the fixed microphones in front of them. These need to be switched on when speaking or comments will not be heard by those participating online. Please switch off microphones when not speaking.
- If there any technical issues the meeting will be adjourned to try and rectify them. If this is not possible there are a number of options that can be taken to enable the meeting to continue. These will be explained if it becomes necessary.

For those Members participating online:

- please request to speak using the 'chat or hand raised function';
- please turn off cameras and microphones when not speaking;
- please do not use the 'chat function' for other matters as comments can be seen by all;
- Members may wish to blur the background on their camera using the facility on Microsoft teams.
- Please avoid distractions and general chat if not addressing the meeting
- Please remember to turn off or silence mobile phones

### **Voting:**

Voting may be undertaken by way of a roll call and each Member should verbally respond For, Against, Abstain. The vote will be noted and announced by the Democratic Services Officer.

Alternatively, votes may be taken by general affirmation if it seems that there is agreement amongst Members. The Chairman will announce the outcome of the vote for those participating and viewing online.

This page is intentionally left blank



Apologies for absence

This page is intentionally left blank

## TONBRIDGE AND MALLING BOROUGH COUNCIL

### COUNCIL MEETING

#### MINUTES

Tuesday, 9th April, 2024

At the meeting of the Tonbridge and Malling Borough Council held in the Civic Suite, Gibson Building, Kings Hill, West Malling on Tuesday, 9th April, 2024

**Present:** His Worship the Mayor (Councillor J R S Lark), the Deputy Mayor (Councillor S M Hammond), Cllr L Athwal, Cllr K Barton, Cllr Mrs S Bell, Cllr A G Bennison, Cllr R P Betts, Cllr T Bishop, Cllr M D Boughton, Cllr P Boxall, Cllr G C Bridge, Cllr C Brown, Cllr R I B Cannon, Cllr J Clokey, Cllr M A Coffin, Cllr S Crisp, Cllr R W Dalton, Cllr D A S Davis, Cllr Mrs T Dean, Cllr D Harman, Cllr G B Hines, Cllr M A J Hood, Cllr F A Hoskins, Cllr S A Hudson, Cllr D Keers, Cllr A McDermott, Cllr A Mehmet, Cllr D W King, Cllr Mrs A S Oakley, Cllr R W G Oliver, 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 B Banks, A Cope, P M Hickmott, and W Mallard

#### PART 1 - PUBLIC

##### **C 24/19 DECLARATIONS OF INTEREST**

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

##### **C 24/20 MINUTES**

**RESOLVED:** That the Minutes of the proceedings of the meeting of the Council held on 20 February 2024 be approved as a correct record and signed by the Mayor.

##### **C 24/21 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:

- Annual Community Concert for Senior Citizens
- 17<sup>th</sup> Tonbridge Scout & Guide Band's Sprint Concert

- Tonbridge Angels with Ferham Homes Presentation Ceremony to Slade Primary Schools U11 Girls Football Team
- The Chairman of KCC's Flag Raising Ceremony
- Tonbridge Lions Charter Night
- Mayor of Dartford's Charity Cabaret Night
- LAMPS Production
- Kent Golf Autism Acceptance Week Event

Arrangements were being finalised for future civic and charity events and the following were noted:

- Cheque Presentation – date to be announced
- Honorary Freeman Ceremony on 14 May 2024
- Annual Council on 14 May 2024

The Mayor was also pleased to be hosting 'Primary Schools Debates' in the Council Chamber on 18 April and 9 May 2024 and looked forward to some lively and interesting debates.

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

**C 24/22 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 24/23 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 24/24 LEADER'S ANNOUNCEMENTS**

The Leader's announcements referred to the 50<sup>th</sup> Anniversary of the Borough Councils formation and reflected on the concept of serving the community. This had been evidenced earlier in the evening with the conferment of Honorary Alderman titles on 6 former Councillors (Vivian Branson, Mark Davis, Ann Kemp, Brian Luker, Howard Rogers and Janet Sergison) in recognition of their dedicated service to residents over a number of years.

Reference was made to the work of current colleagues and the Leader paid tribute to Cllr C Williams for the organisation of a memorial bicycle ride to raise funds for the Kent, Surrey and Sussex Air Ambulance in memory of his daughter.

The Leader indicated that the one purpose of the Borough Council was to support community groups and organisations in the borough to help them flourish for the benefit of all residents. There was still time for organisations to apply for the current round of Community Development Grant funding and all were encouraged to 'spend locally on things that make a difference to us'.

There was also good news regarding a successful bid to the Public Sector Decarbonisation Scheme and the Borough Council had received grant funding of circa £1.6M to install air source heat pumps at Larkfield Leisure Centre. In addition, the Borough Council had received circa £400,000 from Sport England to fund energy saving measures at Larkfield Leisure Centre, including new solar panels and LED lighting. Both of these projects would reduce running costs and carbon emissions.

Members were advised of an inaugural West Kent Expo event organised by the West Kent Partnership which aimed to encourage networking, collaboration and investment into the local area. There was also good news regarding improvements to Sainsbury in Tonbridge with a recent public exhibition setting out plans for the store which would greatly improve that area of the town.

Finally, additional measures had been put in place to address anti-social behaviour within the borough and to support the work of Kent Police and other partners. A new Anti-social Behaviour Enforcement Team had started operating in Tonbridge and Malling. This provided a good opportunity for local concerns around ASB to be addressed by this Team.

Full Leader's announcements were available on the Borough Council [YouTube channel](#)

## **MATTERS FOR DECISION**

### **C 24/25 APPOINTMENT OF CHIEF EXECUTIVE**

Consideration was given to the recommendations of the Appointment Panel detailed in the report and the Leader of the Borough Council proposed that Damian Roberts be appointed as the Chief Executive of Tonbridge and Malling Borough Council.

It was also proposed that the interim arrangements currently in place continued until the new Chief Executive was in post.

Members welcomed the appointment and noted that the Appointment Panel were confident that Mr Roberts had the requisite skills, knowledge and experience to lead the Borough Council into the future.

Finally the Council recorded appreciation to Mr Adrian Stanfield for his performance as Interim Chief Executive.

**RESOLVED:** That

- (1) Mr Damien Roberts be appointed as permanent Chief Executive from 1 July 2024;
- (2) Mr Damien Roberts be appointed to the separate roles of Returning Officer and Electoral Registration Officer from 1 July 2024;
- (3) the following interim appointments continued, in addition to their substantive posts, from 15 May 2024 to 30 June 2024, or until such time as Mr Damien Roberts was in post:
  - Adrian Stanfield, Director of Central Service as Interim Chief Executive;
  - Sharon Shelton, Director of Finance and Transformation as Interim Deputy Chief Executive,
  - Joy Ukadike, Head of Legal and Democratic Services as Interim Monitoring Officer
- (4) the appointment of Adrian Stanfield to the separate roles of Returning Officer and Electoral Registration Officer continue from 15 May 2024 to 30 June 2024 or until such time as Mr Damien Roberts was in post.

**C 24/26      CHANGES TO THE CONSTITUTION - COUNCIL PROCEDURE  
RULE 5.5 - QUESTIONS FROM MEMBERS**

Consideration was given to recommended changes to the Constitution in respect of Committee Procedure Rule 5.5 (Part 4: Rules) to improve the process around submitting questions to Full Council.

Following a meeting of Council on 24 October 2024 a request had been received to review the current arrangements as it was felt that late receipt of questions did not always allow sufficient time for detailed responses to be provided.

The proposed changes to CPR 5.5 were detailed in Annex 1 and for convenience were set out in red text. The main changes were summarised in 1.2.2 of the report and introduced a consistency with CPR 5.27 (Motions on Notice) and applied maximum limits.

On the grounds that the proposed introduction of a deadline for questions to be submitted 10 working days before the date of the meeting meant that Councillors lost the ability to raise anything considered urgent, Cllr Hood proposed, seconded by Cllr Athwal the following amendment under Rule 5.5:

'urgent questions can be presented no later than 1600 hours on the working day prior to the date of the meeting on the understanding that a reply may not be comprehensive given the limited timeframe'.

Upon further discussion of this amendment, Members wanted to avoid over complicating the process, felt that there could be some ambiguity about what was considered urgent, expressed concern that this didn't address the issue previously raised by Councillors of insufficient time to respond fully. It was also noted that anything considered urgent could be taken as an urgent item of business at the discretion of the Mayor.

Following a vote the proposal for this amendment was lost.

There was also discussion on whether setting a maximum limit of 5 questions per meeting was sufficient. This process would be regularly reviewed and if a need to increase this number was demonstrated it would be given full consideration.

On balance, Members welcomed the proposed changes on the grounds that the operation of the rules relating to questions were clarified.

**RESOLVED:** That the Monitoring Officer be authorised to amend the Constitution as set out in paragraph 1.2.2 of the report and in Annex 1.

#### **C 24/27      PROGRAMME OF MEETINGS 2024-25 AND 2025-26**

The proposed programme of meetings for the municipal years 2024/25 and 2025/26 were presented for consideration and were attached at Annexes 1 and 2 respectively. Management Team, Senior Officers and Cabinet Members had been consulted on the proposed dates. Subject to any amendments identified by Members the programmes would be presented to Annual Council for endorsement.

It was the responsibility of the annual meeting of the Council to approve a programme of meetings for the coming year. However, it was considered sensible to present the programmes to this meeting to allow time for any proposed revisions to be made. The aim was to allow Annual Council to approve a schedule which was fixed for the upcoming municipal year, whilst recognising the need to respond to specific and changing circumstances. If a programme was not in place the Borough Council's ability to take decisions in a timely manner could be affected.

There had been a number of changes to the programme previously agreed in 2023 and Members attention was drawn to the amendments as detailed in paragraph 1.1.2 of the report.

Members noted that the budget setting cycle for 2025 was subject to confirmation of dates for Kent County Council, Kent Police and Kent Fire and Rescue Service budget meetings. Currently, the provisional

Borough Council programme allowed for Cabinet on 11 February 2025 and Council on 18 February 2025 and remained subject to change.

Finally, there was a request to avoid scheduling meetings during school holidays if possible/practicable so that there wasn't a barrier to encouraging people to stand as councillors. This would be taken into consideration when drafting the longer term programme for 2026/27.

**RESOLVED:** That

- (1) the Programme of Meetings for 2024/25 (as set out in Annex 1) be approved and presented to Annual Council for formal endorsement; and
- (2) the draft Programme of Meetings for 2025/26 (as set out in Annex 2) be agreed, subject to final approval at Annual Council in May 2024.

## **C 24/28 BIODIVERSITY NET GAIN MONITORING**

The report of the Director of Planning, Housing and Environmental Health set out options for monitoring and enforcing relevant agreements in respect of biodiversity net gain (BNG) legislation. The proposed monitoring fees were to offset costs incurred by the local authority.

Members were reminded that the legislation introduced from 12 February 2024 required developers to offset impacts of development with 10% BNG. This applied to major developments with immediate effect. Minor and small site applications would be affected from the legislative changes from 2 April 2024.

Careful consideration was given to the main issues outlined in 1.2 of the report. Three options were presented for discussion. Due regard was given to the legal, financial and value for money considerations and Members recognised that monitoring and charging supported climate change mitigation. Effective monitoring over a 30-year period was essential to ensure the establishment and flourishing of habitats and realising the co-benefits of BNG for green infrastructure, carbon sequestration and ecosystems.

**RESOLVED:** That

- (1) (to ensure a proportionate approach based on development size in line with the schemes that had been considered in the past 5 years) the Bio-diversity Net Gain monitoring fees set out in paragraph 1.2.6 (Option 3) be adopted by Tonbridge and Malling Borough Council;



- (2) the income generated via Bio-diversity Net Gain monitoring costs be held in a separately identifiable cost centre in the Borough Council's financial budgets; and
- (3) consideration be given on how to best utilise the income generated to offset staffing and other costs over the relevant monitoring period.

#### **C 24/29 HOUSING SERVICES STAFFING**

Consideration was given to the recommendations of the General Purposes Committee of 13 March 2024 in respect of a number of establishment changes in Housing Services which were supported by the Management Team.

**RESOLVED:** That

- (1) the Housing Solutions Officers (DV0785 and DV0788), Accommodation Officer (DV0786), Homelessness Prevention Officers (DV0789 and DV0790) and Housing Allocations Assistant (DV0791), be permanently established with effect from 1 May 2024; and
- (2) the funding for these posts be provided from the annual Homelessness Prevention Grant Allocations commencing in 2024/25, and it be noted that should future grant allocations cease to provide sufficient funding, a review of resourcing would need to be undertaken.

#### **C 24/30 FEEDBACK FROM CONSULTATION RESULTS OF THE SCRAP METAL DEALERS POLICY 2024 - 2029**

Consideration was given to the recommendation of the Licensing and Appeals Committee of 26 March 2024 in respect of proposed changes to the Borough Council's Scrap Metal Dealers Policy 2024-29.

A public consultation ran from 9 October 2023 to 30 November 2023, during which no representations were received.

**RESOLVED:** That the proposed changes to the Scrap Metal Dealers Policy 2024-2029, be approved.

#### **MATTERS FOR INFORMATION**

#### **C 24/31 MINUTES OF CABINET AND COMMITTEES**

The Minutes of meetings of the Cabinet and Committees for the period February to March 2024 set out in the Minute Book (Volume 2) (attached as a supplement) were received and noted.

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

**C 24/32 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 9.30 pm  
having commenced at 8.15 pm

# **TONBRIDGE AND MALLING BOROUGH COUNCIL**

## **COUNCIL MEETING**

### **MINUTES**

**Tuesday, 9th April, 2024**

At the meeting of the Tonbridge and Malling Borough Council held in the Civic Suite, Gibson Building, Kings Hill, West Malling on Tuesday, 9th April, 2024

**Present:** His Worship the Mayor (Councillor J R S Lark), the Deputy Mayor (Councillor S M Hammond), Cllr L Athwal, Cllr K Barton, Cllr Mrs S Bell, Cllr A G Bennison, Cllr R P Betts, Cllr T Bishop, Cllr M D Boughton, Cllr P Boxall, Cllr G C Bridge, Cllr C Brown, Cllr R I B Cannon, Cllr J Clokey, Cllr M A Coffin, Cllr S Crisp, Cllr R W Dalton, Cllr D A S Davis, Cllr Mrs T Dean, Cllr D Harman, Cllr G B Hines, Cllr M A J Hood, Cllr F A Hoskins, Cllr S A Hudson, Cllr D Keers, Cllr A McDermott, Cllr A Mehmet, Cllr D W King, Cllr Mrs A S Oakley, Cllr R W G Oliver, 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 B Banks, A Cope, P M Hickmott and W J Mallard

### **PART 1 - PUBLIC**

#### **C 24/33 ADMITTANCE OF HONORARY FREEMAN**

Consideration was given to a Notice of Motion pursuant to Council Procedure Rule No. 5.18 submitted jointly by Councillors J Lark, M Boughton, D Davis, S Hammond and A Oakley that the title of Honorary Freeman be conferred on 220 Medical Squadron, 256 (City of London and South East) Multi-Role Medical Regiment in accordance with Section 249 (5) of the Local Government Act 1972.

In recognition of the eminent services, achievements, traditions and the distinguished record of the Regiment in loyal and devoted service and in order to perpetuate the close bonds of friendship and mutual respect which existed between the Regiment and Borough, it was proposed by Councillor Lark and seconded by Councillor Boughton and

**RESOLVED:** That

- (1) in recognition of their eminent services to the Borough of Tonbridge and Malling, 220 Medical Squadron, 256 (City of London and South East) Multi-Role Medical Regiment be

admitted as an Honorary Freeman of the Borough pursuant to Section 249(5) of the Local Government Act 1972; and

- (2) in pursuance of Section 249(9) of the Local Government Act 1972, expenditure be authorised to enable an address to be presented to the Honorary Freemen of the Borough referred to in (1) above.

**C 24/34 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 9.40 pm  
having commenced at 9.30 pm

# Agenda Item 9

Questions from the public pursuant to Council Procedure Rule No 5.6

This page is intentionally left blank

# Agenda Item 10

Questions from Members pursuant to Council Procedure Rule No 5.5

24/001 – Rewilding and River Lawn

24/002 – Social Housing

This page is intentionally left blank



## **COUNCIL**

### **MEETING OF 14 MAY 2024**

#### **AGENDA ITEM 10 – QUESTION 24/001 ASKED PURSUANT TO COUNCIL PROCEDURE RULE NO 5.5**

The following question (24/001) has been asked pursuant to Council Procedure Rule No 5.5 by Councillor Mark Hood:

On 23rd November 2021 the Street Scene and Environment Services Advisory Board agreed to partially rewild River Lawn in partnership with the Medway Valley Countryside Partnership to be progressed in consultation with the Cabinet Member for Environment and Climate Change. The promised consultation with local members did not materialise and no consultation with Medway Valley Countryside Partnership has ever been undertaken. No base study to establish the number of species present in the sward of grass was conducted and no increase in species is recognisable other than the Dock which is now dominating the area which appears to have become waste ground to any visitor who is unaware of the current management regime.

Does the Cabinet Member for Climate Change:

- (i) now recognise that rewilding is inappropriate under the canopy of the nine trees here;
- (ii) will he agree to restore the regular maintenance of this space and concentrate on rewilding in locations that local members have identified in Tonbridge Racecourse Sportsground where it will be successful; and
- (iii) acknowledge that biodiversity gain here can be achieved through the public realm improvements which are overdue?

**Response of the Cabinet Member for Climate Change, Regeneration and Property (Cllr Robin Betts):**

**To follow and will be published as a supplement as soon as possible**

This page is intentionally left blank

## COUNCIL

### MEETING OF 14 MAY 2024

#### AGENDA ITEM 10 – QUESTION ASKED PURSUANT TO COUNCIL PROCEDURE RULE NO 5.5

The following question (24/002) has been asked pursuant to Council Procedure Rule No 5.5 by Councillor L Athwal:

- How many units of social housing do we have across the borough?
- How many did we have in 2010?

I'd be grateful if we could differentiate between housing specifically for over 55s and those not.

It would also be good to understand how many temporary accommodation units we currently have within the borough, and how many we use outside of the borough.

#### **Response of the Cabinet Member for Finance and Housing (Cllr K Tanner):**

Latest Government figures, from the Regulator of Social Housing, are for 2023 (the Statistical Data Return submission for 2023, which is the 2022-23 data) and give the following for TMBC:

Private Registered Providers affordable housing stock	2011	2023
Number of PRPs with stock in TMBC	24	33*
Rental – general needs	7,287	7,809
Rental – supported housing	43	151
Rental – housing for older people	504	643
Low cost home ownership	685	1,049*

\*In addition MHS have 36 homes in Aylesford not captured in Government figures as they are not a Registered Provider.

Note: 2011 data is the earliest dataset published by the government at [Private registered provider social housing stock in England - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/datasets/private-registered-provider-social-housing-stock-in-england)

Note: TMBC does not own any affordable housing stock, the Council has nomination rights into stock owned by a range of registered providers.

TMBC currently has sixteen units of temporary accommodation within the borough. In addition to this we also have a number of units within the borough owned by other providers that we use for temporary accommodation depending on availability. As at 30/4/24 we had 116 households in temporary accommodation and 39 of those were placed within the borough, with the remainder being placed outside the borough.

## **Notice of Motion submitted pursuant to Council Procedure Rule No. 5.27**

**To consider the following Notice of Motion proposed by Councillor A Cope, seconded by Councillor L Athwal, on behalf of the Green Group in relation to Debate not Hate:**

Working cross-party, our Council will be encouraging respect and good debate on issues that matter to our residents both in and outside the Council, so that no councillor is expected to operate in a hostile working environment but can rely on standards of behaviour that are no different to those expected in other work settings.

- Sign up to the Debate Not Hate campaign on the LGA website;
- Write to the MPs for Tonbridge and Malling, and Chatham and Aylesford to ask them to support the campaign;
- Write to the Government to ask them to work with the LGA to develop and implement a plan to address abuse and intimidation of politicians;
- Ensure that every Member of this Council receives a copy of the Debate Not Hate campaign report;
- Take a zero-tolerance approach to abuse of councillors and officers;
- Ensure the council has a clear reporting mechanism which councillors can use to monitor and record incidents of harassment and abuse of councillors and officers;
- Regularly review the support available to councillors and officers in relation to abuse, intimidation and personal safety;
- Work with the local police to ensure there is a clear and joined-up mechanism for reporting threats and other concerns about the safety of councillors and their families and discuss the need to take a preventative approach that accounts for the specific risks that councillors face, as they do with other high-risk individuals like MPs.

Additional notes:

Debating and disagreeing with one another has always been, and will continue to be, a healthy part of democracy. However, the right engagement matters and abuse and intimidation crosses the line into dangerous territory and has no place in politics.

Seven in 10 councillors in England reported experiencing abuse and intimidation over the last 12 months and councillors reported feeling that abuse, both in person and on-line, is becoming more common and increasing in severity.

The intimidation and abuse of councillors, in person or otherwise, undermines democracy; it can prevent elected members from representing the communities they serve, deter individuals from standing for election and undermines public trust in the democratic process.

The increasing levels of toxicity in public and political discourse is having a detrimental impact on local democracy and that prevention, support and responses to abuse and intimidation of local politicians must improve to ensure that councillors feel safe and able to continue representing their residents. This should be extended into the council chamber.

The motion will commit this council to challenge the normalisation of abuse against councillors and officers and uphold exemplary standards of public and political debate in all it does. It is non-political and will be equally beneficial to all Members of this council.

See: Debate Not Hate | Local Government Association  
<https://www.local.gov.uk/about/campaigns/debate-not-hate>

## **Notice of Motion submitted pursuant to Council Procedure Rule No. 5.27**

**To consider the following Notice of Motion proposed by Councillor M Hood, seconded by Councillor A Cope, on behalf of the Green Group:**

Council is asked to

- (1) Recommit publicly to zero tolerance of antisemitism, Islamophobia, or any form of hate crime so that residents are reassured that Tonbridge and Malling is a welcoming and inclusive community for the followers of all faiths and none.
- (2) Encourage residents to report hate crime to the Police and through our website so it can be referred to the Community Safety Partnership so we can support anyone affected by hate crime and ensure that the Council fully engages with the National Hate Crime Awareness Week 14-21st October.
- (3) Explore how the Council can enhance its support and facilitate events for people of all faiths and none, where they can come together and express solidarity and sadness in response to the tragedies in Israel and Palestine.
- (4) Write to the Secretary of State for Foreign and Commonwealth and Development Affairs, asking him to:
  - i. call for an immediate definitive ceasefire;
  - ii. the full resumption of humanitarian assistance and the release of all hostages;
  - iii. suspend all arms export licences to Israel.
  - iv. withdraw all public money from funds with investments in Israel; and end beneficial trade agreements with Israel (in the same vein as measures rightly taken against Russia following its invasion of Ukraine).
- (5) Request that Finance, Regeneration and Property Scrutiny Select Committee examines and reports on council investments in order to ascertain the degree to which these funds are invested in companies directly implicated in providing material support for the Israeli military, and to take steps to trigger divestment from these funds.

This page is intentionally left blank



## TONBRIDGE & MALLING BOROUGH COUNCIL

### COUNCIL

14 May 2024

#### Report of the Interim Chief Executive and Interim Monitoring Officer

#### Part 1- Public

#### Matters For Decision

#### 1 POLITICAL BALANCE ARRANGEMENTS FOR COMMITTEES

To determine the political balance arrangements for the Council's committees, 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:

Group	Total	%
Conservative	20	45.45
Liberal Democrat	11	25.00
Green	8	18.18
Labour	3	6.82
Independent Alliance (Kent)	2	4.55
<b>Total</b>	<b>44</b>	<b>100</b>

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 duty of the Council is to give effect to the above principles **so far as reasonably practicable**. This recognises that there cannot be an exact application of the rules.

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

Conservative Group	Liberal Democrat	Green	Independent Alliance Kent	Labour	Total Seats
50	27	20	5	8	<b>110</b>
45.45	25.00	18.18	4.55	6.82	<b>100%</b>

1.1.6 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. There are no changes proposed to the existing Committee sizes and it is suggested that those committees requiring to be politically balanced be composed as follows:

Committee	Size	Con	Green	Ind All	Lab	Lib. Dem.
Overview and Scrutiny	17	8	3	1	1	4
Licensing and Appeals	13	6	2	1	1	3
Communities and Environment Scrutiny Select Committee	13	6	2	1	1	3
Finance, Regeneration and Property Scrutiny Select Committee	13	6	2	1	1	3
Housing and Planning Scrutiny Select Committee	13	6	2	1	1	3
General Purposes	11	5	2	0	1	3
Joint Standards	11	5	2	0	1	3
Audit	7	3	2	0	0	2
JECC	7	3	2	0	0	2

<b>Committee</b>	<b>Size</b>	<b>Con</b>	<b>Green</b>	<b>Ind All</b>	<b>Lab</b>	<b>Lib. Dem.</b>
Housing Association Liaison Panel	5	2	1	0	1	1
<b>Total Number of Seats</b>	<b>110</b>	<b>50</b>	<b>20</b>	<b>5</b>	<b>8</b>	<b>27</b>
<b>Total Number of Seats Allocated</b>						<b>110</b>

## **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 1.1.6 and the Monitoring Officer make any consequential amendments to the Council's constitution in respect of political balance.

Background papers:

Nil

contact: Allison Parris/Joy Ukadike

Adrian Stanfield  
Interim Chief Executive

This page is intentionally left blank

## TONBRIDGE & MALLING BOROUGH COUNCIL

### COUNCIL

14 May 2024

#### Report of the Interim Chief Executive and Interim Monitoring Officer

#### Part 1- Public

#### Matters For Decision

#### **1 APPOINTMENTS TO CABINET 2024/25**

**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 be 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 2024/25 be noted, as set out at Annex 1 to the report.

Background papers:

Nil

contact: Allison Parris  
Principal Democratic Services  
Officer

Adrian Stanfield  
Interim Chief Executive

## TONBRIDGE & MALLING BOROUGH COUNCIL

### COUNCIL

14 May 2024

#### Report of Interim Chief Executive and Interim Monitoring Officer

#### Part 1- Public

#### Matters For Decision

#### **1 APPOINTMENTS TO COMMITTEES 2024/25**

**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 2024/25 be approved, as set out at Annex 2 to the report.

Background papers:

contact: Allison Parris

Nil

Adrian Stanfield  
Interim Chief Executive



## TONBRIDGE & MALLING BOROUGH COUNCIL

### COUNCIL

14 May 2024

#### Report Interim Chief Executive and Interim Monitoring Officer

#### Part 1- Public

#### Matters For Decision

#### **1 APPOINTMENTS TO SCRUTINY SELECT COMMITTEES, 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 Scrutiny Select Committees, 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 Scrutiny Select Committee, Panel and Other Member Group to reflect the determined political balance arrangements (where they apply).
- 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 Scrutiny Select Committees, 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 Community 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 Scrutiny Select Committees, 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 Scrutiny Select Committees, Panels and Other Member Groups for the municipal year 2024/25 be approved, as set out at Annex 3 to the report.

Background papers:

contact: Allison Parris

Nil

Adrian Stanfield  
Interim Chief Executive

## TONBRIDGE & MALLING BOROUGH COUNCIL

### COUNCIL

14 May 2024

#### Report of the Interim Chief Executive

#### Part 1- Public

#### Matters For Decision

#### **1 APPOINTMENT OF CHAIR AND VICE-CHAIR 2024/25**

**At each Annual meeting of the Council and beginning of the municipal year, Members are asked to approve the appointment of Chair and Vice-Chair for Committees, 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, Panel and Other Member Group.
- 1.1.2 The role of the Chair 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 Chair and Vice-Chair 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 Chair and Vice-Chair for the municipal year 2024/25 be approved, as set out at Annex 4 to the report.

Background papers:

contact: Allison Parris

Nil

Adrian Stanfield  
Interim Chief Executive

## TONBRIDGE & MALLING BOROUGH COUNCIL

### COUNCIL

14 May 2024

#### Report of the Interim Chief Executive

#### Part 1- Public

#### Matters For Decision

#### **1 APPOINTMENTS TO OUTSIDE BODIES 2024/25**

**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 2024/25 be approved, as set out at Annex 5 to the report.

Background papers:

contact: Allison Parris

Nil

Adrian Stanfield  
Interim Chief Executive

## TONBRIDGE & MALLING BOROUGH COUNCIL

### COUNCIL

14 May 2024

#### Report of the Interim Chief Executive

#### Part 1- Public

#### Matters For Decision

### 1 APPOINTMENT OF SUBSTITUTE MEMBERS

1.1 **Substitute members have all the powers and duties of any primary ordinary member of the Board or committee but cannot exercise any special powers or duties exercisable by the person they are substituting e.g. they cannot act as Chair of a committee if they are substituting for a member who has been appointed by Council as the Chair of that committee. However, in the absence of both the Chair and Vice-Chair from a meeting it would be necessary to appoint a Chair for the meeting – this person may be drawn from any members (including any substitute members) present.**

1.1.1 Members are reminded that any substitute members need to be physically present in the Council Chamber in order for their formal attendance to be recorded and to exercise their right to vote. It will not be possible for substitute members to attend remotely.

1.1.2 The substitute members are named and appointed at the same time as the regular committee membership at annual Council. This method has the advantage of certainty in that the identity of the substitute members is publicised in advance. In the event that an ordinary Committee or Board member were unable to attend a specific meeting, one of the appointed substitutes (from within the same political group) could attend the meeting in their place, subject to the appropriate notification procedures (see paragraph 1.3.1 below).

1.1.3 Each political group is permitted to nominate up to 5 substitute members on each Committee (subject to the exceptions set out at paragraph 1.2.1 below).

### 1.2 **Exceptions**

1.2.1 There are a number of exceptions to the substitution rules:-

(a) The Cabinet is not lawfully able to have substitutes;

(b) The Licensing Act 2003 does not allow for the use of a formal substitution process for the Council's Licensing & Appeals Committee or any of its

panels dealing with alcohol, entertainment or gambling licensing (although the panels are drawn on a case-by-case basis from the membership of the Licensing & Appeals Committee so substitutions are not likely to be necessary);

- (c) Substitution cannot occur at full Council meetings;
- (d) Constitutionally, the Terms of Reference for the Audit Committee and the Overview & Scrutiny Committee prevent Cabinet Members from being a member of these Committees. Cabinet Members would not therefore be able to act as substitute members. Similarly, Cabinet Members are unable to chair Scrutiny Select Committees and have not been appointed as ordinary or substitute members.
- (e) Given the criteria set out in the Constitution for membership of the Council's 3 Area Planning Committees i.e. each of the 3 Committees contain only elected members from specific wards of the Borough there are no substitute members appointed to Area Planning Committees.

### **1.3 Notification Procedure at meetings**

1.3.1 The following provisions are made within the rules:-

- (a) Substitute Members may attend meetings in that capacity only
  - if the substitution is notified at the commencement of the meeting;
  - at the commencement of a reconvened meeting; or
  - immediately upon the substitute member arriving at the meeting
- (b) Once the meeting has been informed of the appointment of a substitute Member, the original Member may not resume membership of the Committee until after the conclusion of the meeting;

### **1.4 Legal Implications**

1.4.1 N/A

### **1.5 Financial and Value for Money Considerations**

1.5.1 N/A

### **1.6 Risk Assessment**

1.6.1 N/A

### **1.7 Equality Impact Assessment**

1.7.1 N/A



**1.8 Policy Considerations**

1.8.1 As set out in the Constitution

**1.9 Recommendations**

1.9.1 That the appointments for substitute members for the municipal year 2024/25 be approved, as set out at Annex 6 to the report

Background papers:

Nil

contact: Allison Parris  
Principal Democratic Services  
Officer

Adrian Stanfield  
Interim Chief Executive

This page is intentionally left blank

## **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).

This page is intentionally left blank

## TONBRIDGE & MALLING BOROUGH COUNCIL

### COUNCIL

14 May 2024

### Report of the Interim Chief Executive

#### Part 1- Public

#### Matters For Decision

#### **1 PROGRAMME OF MEETINGS 2024-26**

**The programme of meetings for the municipal years 2024-26 is attached for approval.**

- 1.1.1 The programme of meetings was approved by Council on 9 April 2024 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 programme is attached at Annexes 1 and 2 for adoption. However, it should be noted that since the last meeting of Council a typographical error has been identified and there should be a meeting of Council scheduled for 14 April 2026.
- 1.1.3 Any additional meetings required to be made to the programme will be set up in consultation with the relevant Chair, the Leader and Cabinet Member.
- 1.1.4 Democratic Services will continue to review the cycle for Committees with Services to ensure an even spread of meetings where possible throughout the year.
- 1.1.5 A request to avoid scheduling meetings during school holidays if possible or practicable had been received at the previous meeting of Council. This would be taken into consideration when drafting the longer-term programme for 2026/27.

#### **1.2 Legal Implications**

- 1.2.1 Except in the year of election of Councillors, the Borough Council is under a legal duty to hold its annual meeting during a particular period (March/April/ May) and to have calculated the council tax requirement by a specific date (11 March). 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 2024-26 (as set out in Annexes 1 and 2) be approved.

Background papers:

Nil

contact: Allison Parris  
Democratic Services

Adrian Stanfield  
Interim Chief Executive

## Timetable of Meetings 2024-25 (ADOPTED PROGRAMME WITH REVISIONS)

Annex 1

Meeting	Day	June 2024	July 2024	Aug 2024	Sept 2024	Oct 2024	Nov 2024	Dec 2024	Jan 2025	Feb 2025	March 2025	April 2025	May 2025
Council	Tue		9			22				18		8	13
Cabinet	Tue	4	4		3	1	12	10**	7	11	4	1	
Overview and Scrutiny Committee	Thurs	27			12		14		23			3	
Area 1 Planning Committee	Thurs	20		1	5	17	28		9	13	27		22
Area 2 Planning Committee	Wed	26		7	18	30		4	15	19		2	28
Area 3 Planning Committee	Thurs	6	11	15	26		7	12	30		13	10	
Audit Committee	Mon		22		23				13			14	
General Purposes Committee	Wed	12				9			22		12		
Joint Standards Committee	Mon	5							20				
Licensing and Appeals Committee	Tue	11			25		27				25		
Community and Environment	Wed		17		19		6			5			21
Finance, Regeneration & Property	Tue		23		17		19			25			27
Housing and Planning	Tue		16		24			3			18		20
JECC (Member) 0930	Thur									20			
JECC (OWG) 0930	Thur	6			5		14						
Joint Transportation Board	Mon	17			16			2			3		
Parish Partnership Panel	Thurs			29*			21			6*			29
Tonbridge Community Forum	Mon				2*		25			24*			19

## Timetable of Meetings 2024-25 (ADOPTED PROGRAMME WITH REVISIONS)

Meeting	Day	June 2024	July 2024	Aug 2024	Sept 2024	Oct 2024	Nov 2024	Dec 2024	Jan 2025	Feb 2025	March 2025	April 2025	May 2025
Elections (Borough + Parish)	<i>Thur</i>												County
Bank Holidays	-			26				25/26	1			18/21	5/26

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

\*meeting to be held online

\*\* if required

Dates in red font = budget setting cycle and assumes same process is followed ie Overview and Scrutiny Committee, Cabinet, Council. SSC in November could review fees and charges.



## Timetable of Meetings 2025-26 PROPOSED

Annex 2

Meeting	Day	June 2025	July 2025	Aug 2025	Sept 2025	Oct 2025	Nov 2025	Dec 2025	Jan 2026	Feb 2026	March 2026	April 2026	May 2026
Council	Tue		8			21				24		14	12
Cabinet	Tue	3	1		2	7	11	9**	6	10	3	7	
Overview & Scrutiny Committee	Thurs	26			11		13		22			2	
Area 1 Planning Committee	Thurs	19	31		4	16	27		8	12	26		21
Area 2 Planning Committee	Wed	25		6	17	29		3	14	18		1	27
Area 3 Planning Committee	Thurs	5	10	14	25		6	11	29		12	9	
Audit Committee	Mon		21		22				12			13	
General Purposes Committee	Wed	11				8			21		11		
Joint Standards Committee	Mon	2							19				
Licensing and Appeals Committee	Wed	10			24		26				25		
Community and Environment	Wed		16		18		5			4			20
Finance, Regeneration & Property	Tue		22		16		18			17			26
Housing and Planning	Tue		15		30			2			17		19
JECC (Member) 0930	Thur									19			
JECC (OWG) 0930	Thur	5			4		13						
Joint Transportation Board	Mon	16			8			1			2		
Parish Partnership Panel	Thurs			28*			20			5*			28
Tonbridge Community Forum	Mon				1*		24			23*			18

### Timetable of Meetings 2025-26 PROPOSED

Meeting	Day	June 2025	July 2025	Aug 2025	Sept 2025	Oct 2025	Nov 2025	Dec 2025	Jan 2026	Feb 2026	March 2026	April 2026	May 2026
Elections (Borough + Parish)	<i>Thur</i>												
Bank Holidays	-			25				25/26	1			3/6	4/25

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

\*meeting to be held online

\*\*if required

## **AUDIT COMMITTEE ANNUAL REPORT**

### **Item AU 24/13 referred from Audit Committee of 15 April 2024**

The report of the Chairman of the Audit Committee aimed to inform the Council of the means by which the Committee had provided independent assurance to those charged with governance on the adequacy of the risk management framework, the internal control environment and the integrity of financial reporting and annual governance processes. The report summarised the work carried out by the Committee during 2023/24 and concluded that the required assurance, as defined in the Chartered Institute of Public Finance and Accountancy (CIPFA) Guidance, had been provided by the Audit Committee to those charged with governance.

**RECOMMENDED\*:** That the Annual Report be presented to the Council as independent assurance on the adequacy of the risk management framework, the internal control environment and the integrity of the financial reporting and annual governance processes.

**\*Referred to Council**

This page is intentionally left blank

# TONBRIDGE & MALLING BOROUGH COUNCIL

## AUDIT COMMITTEE

15 April 2024

### Report of the Chair of the Audit Committee

#### Part 1- Public

#### Matters for Recommendation to Council

#### 1 AUDIT COMMITTEE ANNUAL REPORT

**This report is produced to inform Council on how the Audit Committee has provided independent assurance on the adequacy of the risk management framework, the internal control environment and the integrity of the financial reporting and annual governance processes. It is recommended that the Audit Committee agree that this report is presented to Council to support this assurance.**

#### 1.1 Introduction

- 1.1.1 The Accounts & Audit (England) Regulations impose a responsibility on a local authority “for ensuring that the financial management of the body is adequate and effective and that the body has a sound system of internal control which facilitates the effective exercise of that body’s functions and which includes arrangements for the management of risk.”
- 1.1.2 The Chartered Institute of Public Finance & Accountancy (CIPFA) sets out the role of Audit Committees in their Practical Guidance for Local Authorities 2018. This states that “*the purpose of the Audit Committee is to provide to those charged with governance independent assurance on the adequacy of the risk management framework, the internal control environment and the integrity of the financial reporting and annual governance processes.*”
- 1.1.3 Since Annual Council in May 2023, the Audit Committee comprises seven Members (previously this had been nine Members). The Committee has four planned meetings each year at which reports submitted by Officers and the External Auditor are considered. By consideration of these reports and matters raised within them it is considered that the Audit Committee fulfils the core functions of an Audit Committee as set out in the CIPFA Guidance and is able to give independent assurance to the Council to meet the requirements of the Accounts & Audit (England) Regulations.
- 1.1.4 The core functions of the Audit Committee are dealt with in the following paragraphs.

## **1.2 Assurance Statements**

- 1.2.1 In April 2023 the Committee considered and endorsed management responses to Informing the Audit Risk Assessment 2022/23 in respect of the audit of the financial statements.
- 1.2.2 In July 2023 the Committee endorsed the revised Local Code of Corporate Governance that sets out how the Council will comply with the principles of the 2016 CIPFA/SOLACE (Society of Local Authority Chief Executives) “Delivering Good Governance in Local Government Framework 2016”. The Committee noted that the proposed changes to the Local Code were relatively minor in nature, with no significant activities having taken place since July 2022 that impacted the Council’s corporate governance arrangements.
- 1.2.3 The Committee is required to consider and approve the contents of the Annual Governance Statement (AGS), and this took place in July 2023. The AGS (which accompanies the Statement of Accounts but is not part of the Accounts) explains how the Council complies with the Local Code of Corporate Governance and the Accounts & Audit Regulations, assessing and demonstrating that there is a sound system of corporate governance throughout the organisation.
- 1.2.4 The AGS is supported by signed Assurance Statements provided by members of the core Management Team and the three statutory officers and is prepared by way of a self-assessment questionnaire and supporting evidence. No significant concerns were raised as a result of this exercise.

## **1.3 Internal Audit Function**

- 1.3.1 The Audit Committee has a role in relation to the Council’s Internal Audit function to: -
- Oversee its independence, objectivity, performance and professionalism.
  - Support the effectiveness of the Internal Audit process.
  - Promote the effective use of Internal Audit within the assurance framework.
- 1.3.2 The Audit Committee received a number of reports to oversee the role of the Internal Audit function.
- 1.3.3 The professional standards for Internal Audit require the Chief Audit Executive to establish a risk-based plan to determine the priorities of the internal audit activity, consistent with the organisation’s goals. As Members are aware, the Internal Audit function is carried out by Kent County Council under a delegation arrangement.
- 1.3.4 The Annual Internal Audit and Fraud Plan for 2023/24 was presented to the Audit Committee in April 2023 and Members were able to consider the content prior to recommending approval.

- 1.3.5 In July 2023 the Audit Committee was presented with a report from the Chief Audit Executive as a summary of supporting evidence to the AGS. This report gave the Chief Audit Executive's opinion that the Council had maintained an adequate and effective internal control environment. The CAE stated *"In my capacity as the Chief Audit Executive, with responsibility for the provision of Internal Audit services to the Council, it is my opinion that Tonbridge and Malling Borough Council's framework of governance, risk management and control substantially contributed to the proper, economic, efficient and effective use of resources in achieving the Council's objectives during 2022/23"*.
- 1.3.6 The Audit Committee is required to consider the effectiveness of Internal Audit on an annual basis. This review was based upon evidence produced and the view of Management Team. A report was submitted to the Audit Committee in July 2023 which reported that Management Team opinion on the effectiveness of Internal Audit was "Good". Members considered the findings of this review and endorsed the opinion that the effectiveness of Internal Audit was "Good".
- 1.3.7 As part of the Public Sector Internal Audit Standards (PSIAS), Internal Audit is required to maintain a Quality Assurance and Improvement Programme (QAIP), which is overseen by the Audit Committee. The QAIP summarises all of the measures in place to enable an evaluation of the internal audit activity's conformance with the PSIAS. The programme also assesses the efficiency and effectiveness of the internal audit activity and identifies opportunities for improvement and learning for the team.
- 1.3.8 The PSIAS require an independent external quality assessment (EQA) to be undertaken at least every five years. The most recent independent EQA was undertaken in February to March 2021 and an improvement plan developed in response to the recommendations raised in the assessment.
- 1.3.9 The Audit Committee was given a report in July 2023 on the work completed by Internal Audit and Fraud in the previous year that detailed how resources had been used. The report also covered a number of performance measures to assist the Audit Committee to assess the performance and effectiveness of the function.
- 1.3.10 The Internal Audit Charter, which is reviewed against professional standards, is a key document in the delivery of Internal Audit setting out the purpose, authority and responsibilities of the service which was subject to review at the April 2023 meeting of the Audit Committee.
- 1.3.11 The Internal Audit Charter gives the Audit and Assurance Manager (on behalf of the Chief Audit Executive) the right to raise issues directly with the Chair of the Audit Committee if considered necessary. This would only occur in circumstances where the Audit and Assurance Manager considered that the Chair of the Audit Committee needed to be made aware of significant assurance concerns. There have not been any instances where this has been considered necessary.

1.3.12 Throughout the year the Audit Committee received a number of reports updating Members of the progress of work carried out by Internal Audit and Fraud against the Annual Plan. These reports informed the Audit Committee of Internal Audit's opinion on the audits undertaken and gave additional information where a limited or no assurance was given.

#### **1.4 Audit Committee Responsibilities**

1.4.1 The responsibilities of the Audit Committee are set out in the Constitution of the Council.

#### **1.5 Risk Management Arrangements and Control Environment**

1.5.1 The Audit Committee is required to consider the effectiveness of the Council's risk management arrangements and the control environment. The Members are required to review the risk profile for the Council and seek assurances that action is being taken on risk-related issues, including partnerships with other organisations.

1.5.2 The risk profile for the Council is undertaken as part of the audit needs assessment to identify those areas where Internal Audit is most effective.

1.5.3 The Risk Management Strategy is the framework for setting out the responsibilities for ensuring that a sound risk management process is in place. The strategy is reviewed by the Audit Committee on an annual basis and this review last took place in January 2024.

1.5.4 The Risk Management Strategy requires Management Team to escalate any relevant risks to the Strategic Risk Register (SRR) for reporting to this Committee with changes highlighted. The SRR is considered to be a 'live' document and is updated, as often as is required, by the Management Team. An update of the current strategic risks and how they are being managed is reported to each meeting of the Committee.

1.5.5 The strategy states that Audit Committee Members will receive risk management training during their term of office. Member training was delivered by Zurich Municipal (the Council's Insurers) prior to the January 2024 meeting and during the formal meeting in January a report from Zurich Risk Management in respect of a Risk Management Health Check was received and considered. A number of recommendations were made and the Committee endorsed a management action plan to address these.

1.5.6 The Insurance Officer maintains a record of all claims made against the Council which are reported to the Audit Committee half-yearly. These reports also inform Members of the steps being taken to minimise similar claims being made.

1.5.7 All reports to Council require a risk assessment of the issues involved to be reported as part of the consideration of the report.



## **1.6 Assurance Framework and Planning**

- 1.6.1 The assurance framework is the overall process that provides evidence to support the AGS. The Audit Committee has a responsibility to understand what assurance is available to support the AGS.
- 1.6.2 The AGS was presented to Members at the meeting of July 2023. The supporting evidence to the AGS consisted of a document setting out the areas of the assurance framework to be considered with an explanation of evidence that supported the conclusions of the AGS.

## **1.7 Value for Money and Best Value**

- 1.7.1 One specific area for the Audit Committee should be consideration of the external auditor opinion on value for money as set out in the codes of audit practice. In addition, the Audit Committee should consider what other assurances are available in relation to identified value for money risks and highlight areas for improvement. (CIPFA Audit Committee Guidance).
- 1.7.2 The Auditor's Annual Report for the year ended 31 March 2023 on the Authority's overall arrangements for securing economy, efficiency and effectiveness in its use of resources was presented to the Audit Committee at their meeting in September 2024. Two significant weaknesses in arrangements were identified by Grant Thornton relating to performance management and procurement under the heading 'Improving economy, efficiency and effectiveness' In addition a few improvement recommendations were made. Progress in addressing the significant weaknesses is being monitored.
- 1.7.3 As part of the embedded system for achieving value for money all Council reports contain a section where value for money is considered.

## **1.8 Countering Fraud, Bribery and Corruption**

- 1.8.1 The Audit Committee role is defined as having an oversight of the strategy to counter fraud and to assess whether or not it meets recommended practice and standards.
- 1.8.2 The Audit Committee is responsible for the review of the policies relating to countering fraud, bribery and corruption and anti-money laundering. In January 2024 it reviewed the Whistleblowing Policy including an external policy to support the public who may witness wrongdoing and recommended they be endorsed by the General Purposes Committee.
- 1.8.3 The Audit Committee also receives updates on the progress of the National Fraud Initiative results and other work undertaken by the Fraud Team as part of the audit and fraud updates to every meeting. The work of the Fraud Team reported to the Committee in 2023/24 include amounts to be recovered and increased annual liability due to fraud and error.

1.8.4 The Whistleblowing Policy requires the Audit Committee to be informed of the outcome of any investigations arising from concerns raised under it. No such matters have been drawn to the attention of the Committee in the period covered by the report.

## **1.9 External Audit**

1.9.1 The Audit Committee should receive all reports from the external auditor and monitor action to be taken that arises from them.

1.9.2 The Audit Committee has received copies of all external auditor reports during the year and has been able to consider the content. The external auditor provides a representative to all Audit Committee meetings where the Audit Committee is able to raise questions regarding the content of reports.

## **1.10 Financial Reporting**

1.10.1 Local Authority accounts are produced in line with guidance set out by CIPFA. The role of the Audit Committee with regard to these financial statements is not one of detailed knowledge of this guidance but is more aligned to focus on financial reporting and financial governance rather than on the wider issues of spending and performance.

1.10.2 The CIPFA Guidance identifies areas that the Audit Committee should be concerned with as follows: -

- reviewing the narrative report to ensure consistency with the statements and the financial challenges and risks facing the Council in the future
- reviewing whether the narrative report is readable and understandable by a lay person
- identifying the key messages from each of the financial statements and evaluating what that means for the Council in future years
- monitoring trends and reviewing for consistency with what is known about financial performance over the course of the year
- reviewing the suitability of accounting policies and treatments
- seeking explanations for changes in accounting policies and treatments
- reviewing major judgemental areas, e.g. provisions
- seeking assurances that preparations are in place to facilitate the external audit.

1.10.3 The Audit Committee received the Statement of Accounts 2022/23 at the meeting of September 2023. This report gave the Audit Committee assurance that the

accounts were presented in compliance with required legislation and best practice guidance. Following consideration of the accounts and a detailed report giving evidence of how compliance is achieved the Audit Committee agreed to endorse the Statement of Accounts and supporting documents. This was accompanied by the Audit Findings Report from the external auditor on the outcome of the audit of the accounts, and subsequently issued an unqualified audit opinion on the financial statements.

- 1.10.4 At the same meeting in September 2023, the Committee received the Auditor's Annual Report in January 2023 on the Authority's overall arrangements for securing economy, efficiency and effectiveness in its use of resources. As stated in paragraph 1.7.2 two significant weaknesses in arrangements were identified, and a few improvement recommendations were also made.

### **1.11 Partnership Governance**

- 1.11.1 The latest CIPFA Guidance identifies that the Audit Committee should review assurances over partnerships to ensure that arrangements are satisfactorily established and are operating effectively.
- 1.11.2 The arrangements for significant partnerships are covered as part of the audit planning process and covered within individual audits as appropriate.

### **1.12 Treasury Management**

- 1.12.1 Although it is not included as a core objective of the Audit Committee, the CIPFA Guidance recognises that Treasury Management scrutiny may be a function of some Audit Committees to meet the requirements of the CIPFA Treasury Management Code of Practice.
- 1.12.2 The Committee receive regular updates on Treasury Management including the treasury management mid-year review and annual report. At the meeting of January 2024 Members of the Audit Committee reviewed the Treasury Management and Annual Investment Strategy for 2024/25 and recommended to Cabinet it be adopted by full Council.

### **1.13 Training**

- 1.13.1 The Chair and Members of the Audit Committee receive in-house and or external training at varying intervals to assist with the understanding of the issues considered.
- 1.13.2 Training on the Statement of Accounts, Risk Management and Treasury Management was provided following the May 2023 Local Elections. Further training needs addressed as and when required.

## 1.14 Conclusion

1.14.1 The evidence in the preceding paragraphs explains how the Audit Committee has overseen the core functions of an Audit Committee as defined in the CIPFA Guidance.

1.14.2 As stated at 1.1.2 the CIPFA Guidance identifies that the purpose of the Audit Committee '*is to provide to those charged with governance independent assurance on the adequacy of the risk management framework, the internal control environment and the integrity of the financial reporting and annual governance processes.*' This report acts to provide that independent assurance to Council.

## 1.15 Legal Implications

1.15.1 The Audit Committee role is based upon the CIPFA Guidance and meets the requirements of the Accounts & Audit (England) Regulations.

## 1.16 Financial and Value for Money Considerations

1.16.1 The Audit Committee has a role considering the external opinion on value for money. This has been undertaken as outlined in section 1.7 of this report.

## 1.17 Risk Assessment

1.17.1 The Audit Committee consideration of risk assessment is covered in section 1.5 of this report.

## 1.18 Equality Impact Assessment

1.18.1 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.

## 1.19 Recommendations

1.19.1 That Members of the Audit Committee consider this report and **RECOMMEND** that it is presented to Council to provide independent assurance on the adequacy of the risk management framework, the internal control environment and the integrity of the financial reporting and annual governance processes.

Background papers:

contact: Robert Cannon

Nil

Councillor Robert Cannon  
Chair of the Audit Committee