

TONBRIDGE AND MALLING BOROUGH COUNCIL

COUNCIL MEETING

Tuesday, 18th February, 2014

At the meeting of the Tonbridge and Malling Borough Council held at Civic Suite, Gibson Building, Kings Hill, West Malling on Tuesday, 18th February, 2014

Present: His Worship the Mayor (Councillor H S Rogers), the Deputy Mayor (Councillor Mrs S Luck) Cllr A W Allison, Cllr Mrs J A Anderson, Cllr J Atkins, Cllr Ms J A Atkinson, Cllr O C Baldock, Cllr M A C Balfour, Cllr Mrs P Bates, Cllr T Bishop, Cllr P F Bolt, Cllr Ms V M C Branson, Cllr Mrs B A Brown, Cllr F R D Chartres, Cllr M A Coffin, Cllr D J Cure, Cllr R W Dalton, Cllr D A S Davis, Cllr M O Davis, Cllr T Edmondston-Low, Cllr Miss J R L Elks, Cllr Mrs C M Gale, Cllr Mrs M F Heslop, Cllr N J Heslop, Cllr Mrs E M Holland, Cllr P J Homewood, Cllr S R J Jessel, Cllr D Keeley, Cllr Mrs F A Kemp, Cllr S M King, Cllr R D Lancaster, Cllr B J Luker, Cllr Miss A Moloney, Cllr Mrs S Murray, Cllr M Parry-Waller, Cllr M R Rhodes, Cllr T J Robins, Cllr Miss J L Sergison, Cllr Miss S O Shrubsole, Cllr Mrs E A Simpson, Cllr C P Smith, Cllr Ms S V Spence, Cllr A K Sullivan, Cllr M Taylor, Cllr D J Trice and Cllr Mrs C J Woodger

Apologies for absence were received from Councillors J A L Balcombe, Mrs J M Bellamy, C Brown, Mrs A S Oakley, A G Sayer, D W Smith and R Taylor

C 14/1 DECLARATIONS OF INTEREST

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

C 14/2 MINUTES

RESOLVED: That the Minutes of the proceedings of the meeting of the Council held on 5 November 2013 be approved as a correct record and signed by the Mayor.

C 14/3 MAYOR'S ANNOUNCEMENTS

The Mayor welcomed Councillor Mike Taylor to his first Council meeting following his election.

The Mayor then welcomed Mr Michael Lee of Gideons International who presented him with a copy of the New Testament and Psalms.

The Council was updated on the busy period leading up to Christmas, a full account of which was included in the Mayor's weekly journal on the website which recorded the 248 engagements attended to date. He mentioned the main highlights including the Poppy Appeal Collection at Royal British Legion Club, Tonbridge; the successful events surrounding switching on the Christmas lights at West Malling and Snodland; the Scotts Project Pantomime; the Nikolausabend and visit to Heusenstamm; and the Blessing of the Seas at Margate. Particular reference was made to the launch of the Friends of Kenwood Trust at the River Centre which included inspirational speeches from previous clients. The Mayor, in the guise of Father Christmas, had distributed presents from Tonbridge School's Toy Appeal at the Tonbridge Child Contact Centre and sacks had also been delivered to East Malling and Snodland.

The Mayor referred to his visit to the flood emergency rest centre at Weald of Kent School on Christmas Day and paid tribute to the staff involved in responding to the emergency. Finally, he reported on the Tonbridge Christmas Festival and the Tea and Cake 'Bake-off' at Kings Hill which had raised money for his charities.

The Council was advised of a number of forthcoming events including the Call My Bluff Quiz at Hadlow College on 22 February, the Waste of a Day on 13 March involving visits with other Mayors of Kent to Blaise Farm and Aylesford Newsprint, the performance of Tom Jones at the Oast Theatre on 25 March and a Gourmet Evening at K College which would replace the Pudding Evening.

C 14/4 ELECTION OF MEMBER FOR BOROUGH GREEN AND LONG MILL WARD

The Chief Executive as Returning Officer submitted the certificate of the result of the election held on 9 January 2014 to fill the vacancy for the Borough Green and Long Mill Ward. Members were advised that Mr Mike Taylor (Independent) had been duly elected as a Councillor to hold office until 2015.

C 14/5 POLITICAL BALANCE ARRANGEMENTS FOR COMMITTEES

The report of the Director of Central Services and Monitoring Officer gave details of the political balance arrangements to be applied to the Council's committees, sub-committees, advisory boards and panels following the by-election for Borough Green and Long Mill.

Consideration was given to a supplementary report on proposed changes to membership together with a recommendation that the prohibition within Part 3 of the Constitution on a Member serving on both the Audit Committee and the Overview and Scrutiny Committee be removed.

RESOLVED: That

- (1) the composition of all committees, sub-committees, advisory boards and panels be approved in accordance with the table at paragraph 1.1.3 of the report;
- (2) the Monitoring Officer be authorised to make any consequential amendments to the Council's Constitution; and
- (3) the appointments set out at paragraph 1.1.1 of the supplementary report be approved as follows:

Councillor Miss S Shrubsole to fill the vacancy arising from the resignation of former Councillor Evans on the Overview and Scrutiny Committee;

Councillor M Taylor to replace Councillor A Sullivan on the Licensing and Appeals Committee;

Councillor S Jessel to fill the vacancy on the General Purposes Committee;

Councillor T Robins to fill the vacancy on the Audit Committee;

Councillor M Taylor to fill the vacancy on the Communities and Health Advisory Board;

Councillor M Taylor to replace Councillor T Robins on the Community Safety Advisory Board;

Councillor H Rogers to fill the vacancy on the Finance, Innovation and Property Advisory Board;

Councillor M Taylor to fill the vacancy on the Planning and Transportation Advisory Board;

Councillor M Taylor to be a member of the Area 2 Planning Committee.

C 14/6 RECORDED VOTES AT BUDGET MEETINGS

The report of the Director of Central Services and Monitoring Officer set out the provisions of the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 requiring all budget decisions taken by local authorities to be subject to a recorded vote. It was noted that whilst the current Council and Committee Procedure Rules provided for two Members of the Council to require a recorded vote, there were no circumstances in which this was otherwise mandatory. Accordingly consideration was given to proposed amendments to the Rules to meet the requirements of the 2014 Regulations.

It was noted that the Regulations would come into force on 25 February 2014 but the Council agreed that a recorded vote should be held in respect of the subsequent items on setting the budget and council tax for 2014/15.

RESOLVED: That the proposed amendments to the Council and Committee Procedure Rules set out at Annex 2 to the report be approved.

C 14/7 QUESTIONS FROM THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO 5.6

No questions were received from the public pursuant to Council Procedure Rule No 5.6.

C 14/8 QUESTIONS FROM THE MEMBERS PURSUANT TO COUNCIL PROCEDURE RULE NO 5.5

No questions were received from Members pursuant to Council Procedure Rule No 5.5.

C 14/9 LEADER'S ANNOUNCEMENTS

The Leader reflected on the first flood alert in the Borough on 5 December 2013 and the subsequent flooding of a number of residential and business properties in East Peckham, Hildenborough and central Tonbridge over the Christmas period. He referred to the recent report to Cabinet on the Council's response including operational activities on the ground, in the emergency control centre and at rest centres where evacuated residents were supported. The Leader reiterated the sympathy extended on behalf of the Council to those affected by the flooding.

Referring to the continuation of the bad weather, the Leader indicated that the officers had attended Gold Command and other multi-agency briefings on an almost daily basis. He expressed gratitude to the Chief Executive, Management Team and all the staff for their professionalism and dedication, putting residents before self, during a very challenging period. The Leader particularly thanked the Chief Executive for providing clear and focussed strategic direction since the emergency situation first arose, attending many meetings in addition to her regular duties and exhibiting a significant personal commitment. He added that any alternative chief executive arrangement would have seriously challenged the Council's ability to deliver the level of service provided.

The Leader reported on a recent meeting of the Kent and Medway Economic Partnership where he had won support for the inclusion of flood defence improvements in the growth strategy 'Unlocking Kent's Potential'. This significant report set out the local infrastructure projects

which should be given priority by the South East Local Enterprise Partnership. He was pleased to inform the Council that the strategy included many of the priorities put forward with the support of the Cabinet Member for Economic Regeneration and the Advisory Board. Most significantly support had been given to the inclusion of key road infrastructure improvements such as the east facing slips at the M25/M26 junction, additional A21 dualling, an eastern over-bridge on the M20 at junction 4 and for M2 junction 3 improvements (Bluebell Hill). In addition there was support for direct rail services between Maidstone East and the City of London and the reinstatement of direct Tonbridge - Gatwick rail services and the A228 Colts Hill relief road.

The Leader indicated that the Cabinet Member for Finance, Innovation and Property would shortly be discussing efficiency savings and improvements delivered over the course of the last 12 months. He particularly highlighted the recent introduction of the 'My Account' and 'My Location' features on the Council's website to allow residents a more personalised way of accessing services 24 hours a day.

C 14/10 REVIEW OF PART OF THE HACKNEY CARRIAGE AND PRIVATE HIRE POLICY 2013 - PROBATIONARY BADGES

Item LA 13/091 referred from Licensing and Appeals Committee minutes of 4 December 2013

RESOLVED: That the recommendations at Minute LA 13/091 be adopted.

C 14/11 OVERVIEW AND SCRUTINY COMMITTEE - ANNUAL REPORT

Item OS 14/003 referred from Overview and Scrutiny Committee minutes of 28 January 2014

RESOLVED: That the recommendations at Minute OS 14/003 be adopted.

C 14/12 TREASURY MANAGEMENT STRATEGY STATEMENT AND ANNUAL INVESTMENT STRATEGY FOR 2014/15

Item CB 14/003 referred from Cabinet minutes of 4 February 2014

RESOLVED: That the recommendations at Minute CB 14/003 be adopted.

C 14/13 UPDATE OF ANTI FRAUD POLICIES

Item CB 14/006 referred from Cabinet minutes of 4 February 2014

RESOLVED: That the recommendations at Minute CB 14/006 be adopted.

C 14/14 RESPONSE TO DRAFT HIGH WEALD AND KENT DOWNS AONB DRAFT MANAGEMENT PLANS AND ADOPTION OF FINAL PLANS

Item CB 14/007 referred from Cabinet minutes of 4 February 2014

RESOLVED: That the recommendations at Minute CB 14/007 be adopted.

C 14/15 ARRANGEMENTS FOR DEALING WITH CODE OF CONDUCT COMPLAINTS

Item ST 14/002 referred from Joint Standards Committee minutes of 11 February 2014

RESOLVED: That the recommendations at Minute ST 14/002 be adopted.

C 14/16 SETTING THE BUDGET FOR 2014/15

Item CB 14/026 referred from Cabinet minutes of 13 February 2014

It was proposed by Councillor Coffin and seconded by Councillor N Heslop that the recommendations at Minute CB 14/026 be adopted. Upon receipt of the necessary requisition voting was recorded as follows:

Members voting for the motion:

Cllr A W Allison, Cllr Mrs J A Anderson, Cllr Ms J A Atkinson, Cllr O C Baldock, Cllr M A C Balfour, Cllr Mrs P Bates, Cllr T Bishop, Cllr P F Bolt, Cllr Ms V M C Branson, Cllr Mrs B A Brown, Cllr F R D Chartres, Cllr M A Coffin, Cllr D J Cure, Cllr R W Dalton, Cllr D A S Davis, Cllr M O Davis, Cllr T Edmondston-Low, Cllr Miss J R L Elks, Cllr Mrs C M Gale, Cllr Mrs M F Heslop, Cllr N J Heslop, Cllr Mrs E M Holland, Cllr P J Homewood, Cllr S R J Jessel, Cllr D Keeley, Cllr Mrs F A Kemp, Cllr S M King, Cllr R D Lancaster, Cllr Mrs S Luck, Cllr B J Luker, Cllr Miss A Moloney, Cllr Mrs S Murray, Cllr M Parry-Waller, Cllr M R Rhodes, Cllr T J Robins, Cllr H S Rogers, Cllr Miss J L Sergison, Cllr Miss S O Shrubsole, Cllr Mrs E A Simpson, Cllr C P Smith, Cllr Ms S V Spence, Cllr A K Sullivan, Cllr M Taylor, Cllr D J Trice and Cllr Mrs C J Woodger

Total 45

Members voting against the motion:

Cllr J Atkins

Total 1

Members abstaining:

None

RESOLVED: That the recommendations at Minute CB 14/026 be adopted.

C 14/17 SETTING THE COUNCIL TAX FOR 2014/15

Item CB 14/027 referred from Cabinet minutes of 13 February 2014

It was proposed by Councillor Coffin and seconded by Councillor N Heslop that the recommendations at Minute CB 14/027 be adopted. Upon receipt of the necessary requisition, voting was recorded as follows:

Members voting for the motion:

Cllr A W Allison, Cllr Mrs J A Anderson, Cllr Ms J A Atkinson, Cllr O C Baldock, Cllr M A C Balfour, Cllr Mrs P Bates, Cllr T Bishop, Cllr P F Bolt, Cllr Ms V M C Branson, Cllr Mrs B A Brown, Cllr F R D Chartres, Cllr M A Coffin, Cllr D J Cure, Cllr R W Dalton, Cllr D A S Davis, Cllr M O Davis, Cllr T Edmondston-Low, Cllr Miss J R L Elks, Cllr Mrs C M Gale, Cllr Mrs M F Heslop, Cllr N J Heslop, Cllr Mrs E M Holland, Cllr P J Homewood, Cllr S R J Jessel, Cllr D Keeley, Cllr Mrs F A Kemp, Cllr S M King, Cllr R D Lancaster, Cllr Mrs S Luck, Cllr B J Luker, Cllr Miss A Moloney, Cllr Mrs S Murray, Cllr M Parry-Waller, Cllr M R Rhodes, Cllr T J Robins, Cllr H S Rogers, Cllr Miss J L Sergison, Cllr Miss S O Shrubsole, Cllr Mrs E A Simpson, Cllr C P Smith, Cllr Ms S V Spence, Cllr A K Sullivan, Cllr M Taylor, Cllr D J Trice and Cllr Mrs C J Woodger

Total 45

Members voting against the motion:

Cllr J Atkins

Total 1

Members abstaining:

None

RESOLVED: That the recommendation at Minute CB 14/027 be approved and the Council Tax resolution 2014/15, as set out as an Annex to these Minutes, be adopted.

C 14/18 APPOINTMENTS TO OUTSIDE BODIES

Consideration was given to the report of the Director of Central Services regarding the nomination of a replacement representative to serve as a Trustee of the William Strong Foundation in place of Mr J Brooker.

RESOLVED: That Cllr H Rogers be nominated as a Trustee of the William Strong Foundation.

C 14/19 SEALING OF DOCUMENTS

RESOLVED: That authority be given for the Common Seal of the Council to be affixed to any instrument to give effect to a decision of the Council incorporated into these Minutes and proceedings.

The meeting ended at 8.39 pm