

# **TONBRIDGE AND MALLING BOROUGH COUNCIL**

## **COUNCIL MEETING**

**Tuesday, 31st October, 2017**

At the meeting of the Tonbridge and Malling Borough Council held at Civic Suite, Gibson Building, Kings Hill, West Malling on Tuesday, 31st October, 2017

**Present:** His Worship the Mayor (Councillor R W Dalton), the Deputy Mayor (Councillor Mrs P A Bates), Cllr Mrs J A Anderson, Cllr O C Baldock, Cllr M A C Balfour, Cllr Mrs S M Barker, Cllr M C Base, Cllr Mrs S Bell, Cllr R P Betts, Cllr T Bishop, Cllr P F Bolt, Cllr J L Botten, Cllr V M C Branson, Cllr Mrs B A Brown, Cllr M A Coffin, Cllr D J Cure, Cllr D A S Davis, Cllr M O Davis, Cllr B T M Elks, Cllr Mrs M F Heslop, Cllr N J Heslop, Cllr S R J Jessel, Cllr D Keeley, Cllr D Keers, Cllr Mrs F A Kemp, Cllr D Lettington, Cllr Mrs S L Luck, Cllr B J Luker, Cllr P J Montague, Cllr Mrs A S Oakley, Cllr L J O'Toole, Cllr M Parry-Waller, Cllr S C Perry, Cllr M R Rhodes, Cllr H S Rogers, Cllr R V Roud, Cllr Miss J L Sergison, Cllr T B Shaw, Cllr C P Smith, Cllr Ms S V Spence, Cllr A K Sullivan, Cllr M Taylor, Cllr Miss G E Thomas, Cllr B W Walker and Cllr T C Walker

Apologies for absence were received from Councillors T I B Cannon, Mrs T Dean, S M Hammond, S M King, R D Lancaster, Miss S O Shrubsole and F G Tombolis

### **PART 1 - PUBLIC**

#### **C 17/63 DECLARATIONS OF INTEREST**

Councillors R Betts and M Davis declared an Other Significant Interest in the item on Leisure Trust – Review of Service Fee/Business Plan on the grounds that they were members of the Board of the Tonbridge and Malling Leisure Trust. They withdrew from the meeting during its consideration.

#### **C 17/64 MINUTES**

**RESOLVED:** That the Minutes of the proceedings of the meeting of the Council held on 11 July 2017 be approved as a correct record and signed by the Mayor.

#### **C 17/65 MAYOR'S ANNOUNCEMENTS**

The Mayor reported that since May, he and the Deputy Mayor had attended 120 engagements including school fetes, plays and award presentations. He mentioned a range of events and highlighted the

Young Cricket Leaders Presentation at Lords Cricket Ground, the Disability Sports Day at the Angel Centre and the launch of Music at Malling. Members were advised of the successful Mayor's Garden Party where over £600 had been raised. Future events included a debate for 14 schools across the Borough at the Council Offices on 3 November and the Mayor's Quiz on 4 November. In relation to the latter, the Mayor said that 90 people had indicated that they would be attending and tickets for the raffle would be available after the meeting.

**C 17/66 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 17/67 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 17/68 LEADER'S ANNOUNCEMENTS**

Emergency planning

Further to his report to the last meeting on the Council's involvement in Kent-wide strategic briefings led by the Police following the bombing attacks in Manchester and London and the Grenfell Tower fire, the Leader advised that in recent months the authority had been directly involved in responding to two serious incidents within the Borough and one in London. The first related to a major gas leak in central Tonbridge on 24 August, requiring the evacuation of the local residents, in response to which an incident liaison officer was sent on site to establish any action by the Borough Council.

On Friday 15 September, after a failed terrorist attack at Parsons Green, the Council again found itself taking part in a Kent-wide strategic response. Events of that weekend took a dramatic turn on the Saturday when 24 flats within the Holborough Lakes development caught fire in the early hours of the morning, the Leader becoming aware of the unfolding events at 7.30 am. He advised that again officers were on the scene very rapidly and throughout the day staff from housing services and building control and an Incident Liaison Officer were on site, with staff from other services manning the emergency control centre at Kings Hill. The Council's involvement continued on the Sunday and to date.

The Leader expressed gratitude on behalf of Members to the Chief Executive and Management Team for their direct involvement but also to the staff who demonstrated the highest levels of professional judgement in ensuring the best possible service for the residents affected.

### Business Rate Retention

The Leader reported that the Government had invited bids for the piloting of business growth rate retention in the financial year 2018/19, particularly encouraging two tier authorities to work together. In response, Kent Council leaders and Medway Council had joined forces to put forward a bid and the Leader provided the following update to Members.

The totality of the Kent and Medway financial bid at circa £25 million was significant due in part to the sheer size of the area. Were the bid to be successful, the funding would be divided into two streams – one going directly to individual councils to assist with financial sustainability and the second being pooled for economic growth on a ‘cluster’ basis.

The Leader reminded Members that the Borough Council no longer received revenue support grant and, as part of the move towards full business rate retention (part of a four year settlement), the Treasury was clawing back £1 million from the current business rate income. Furthermore, the closure of Aylesford Newsprint (formerly the Council’s largest business ratepayer) had taken the Borough Council below the baseline for business rate retention purposes with the consequence that it would lose out on this potential source of funding but, worse, had to pay its share of the safety net from its own resources under the risk/reward model.

As the bid was in two parts and if awarded in full, Tonbridge and Malling would secure £560k as a windfall sum to assist with financial stability which would be most welcome. In addition, the Kent and Medway bid had a second allocation of funding for each of the three cluster areas. So for the West Kent cluster (Tonbridge Wells, Sevenoaks and Tonbridge and Malling) there was a potential further £1.055 million to support future housing and commercial growth in the region.

### Consultation on standardised methodology for assessing housing needs

The Leader referred to the Government’s consultation on a standardised methodology for assessing housing needs, a robust response having been prepared by Ian Bailey (Planning Policy Manager), in consultation with the Cabinet Members for Strategic Planning and Infrastructure and Finance, Innovation and Property and the Leader, and submitted by the consultation deadline of 9 November 2017. A copy would be sent to all Members the following morning and the subject reported to the next meeting of the Planning and Transportation Advisory Board with any further observations made by Members being sent to the department. The response would be shared with the Parish Councils in view of their local interest and reported to the Parish Partnership Panel at its next meeting.

The Leader stated that Tonbridge and Malling had a good track record of housing delivery despite being heavily constrained (77% Metropolitan Green Belt and AoNB designations), consistently delivering over and above the targets set by the former South East Plan to address the housing needs of the Borough and being able to demonstrate a five year housing land supply.

The authority also had a good track record for getting development plans in place, the Tonbridge and Malling Local Development Framework, adopted between 2007 and 2010, being one of the first in the country to comprise a complete set of documents. Preparation of the new Local Plan started soon after the publication of the NPPF in 2012 and much time and resources had been committed to preparing the evidence base, particularly the Strategic Housing Market Assessment, working closely with neighbouring authorities and using the same consultants G L Hearn and Partners. This had been updated regularly to take account of revised sub-national population and household projections and to take on board on-going national planning reforms, providing satisfaction that the methodology used was robust and fit for purpose.

Members were advised that over the last 15 years, a complete economic cycle, the Council had delivered an average of 605 new dwellings per year, the South East Plan housing target being 450 per year. The latest Objectively Assessed Need (OAN) for new homes was 696. The Council had now prepared complementary evidence for new infrastructure and for mitigating the potential impacts of this level of growth and consulted on a proposed development strategy for its new Local Plan that could potentially meet the OAN across two housing market areas, one of which was almost entirely designated as Metropolitan Green Belt.

The Leader drew attention to the current Local Plan timetable which anticipated carrying out a Regulation 19 consultation in respect of a draft Local Plan early in 2018 with submission of the Plan following later in the year, but after 31 March which was the date on which the new methodology was expected to come into force. He indicated that the proposed standardised methodology would result in the OAN increasing from 696 to 859 per year, an increase of 23%. Over the 20 year Local Plan period this equated to an additional 3,260 dwellings. To deliver this level of housing growth would require a growth rate of 1.6%, which had never been achieved in Tonbridge and Malling or indeed by any Local Authority in England over the period 2001-16. It was simply undeliverable unless there were to be intervention in the housing and construction market unprecedented in recent times.

If this level of increase was maintained as proposed in the consultation paper, the Leader stated that it would require the Council to revisit its evidence, revisit the sites already included within the call for sites and re-consult, resulting in an unavoidable delay in preparing the Local Plan at a time when sound progress was being made. He highlighted that if

the standardised OAN was accepted as a given and that there would be unmet need, it would be necessary to turn to the duty to cooperate and negotiate with neighbouring authorities within the two housing market areas to agree where the unmet need could be accommodated. However, it was already known that the Council's neighbours to the west (Sevenoaks and Tunbridge Wells) were unable to meet their current OAN let alone the need generated by the standardised methodology which would see further increases.

### Leisure Trust

The Leader indicated that the Council's partnership with the Leisure Trust had entered its fifth year and had enabled the Council to secure a further saving of £150k per annum and reduce the management fee to zero. He advised that the Trust had also commenced a £750k investment scheme in the facilities at Larkfield Leisure Centre without requesting a penny from the Council and commented that just as important was the level of service being delivered to residents.

The Leader was therefore delighted to learn that Tonbridge Swimming Pool had recently been awarded Quest Outstanding for the second time. Further investigation revealed that of the 706 leisure centres in the UK being independently inspected by Quest only 12 had achieved this rating, two of those 12 facilities being Tonbridge Swimming Pool and Larkfield Leisure Centre. This placed the Council's facilities in the top 2%. Members were advised that Quest had now started to include the inspection of golf courses and Poulton Wood Golf Course had already achieved Quest entry level status.

It was noted that in the Quest assessment of Tonbridge Swimming Pool, the inspectors made specific reference to the quality of the engagement by the Borough Council, both by the Cabinet Member and senior officers.

### Remembrance Sunday and Poppy carpet

The Leader informed Members that on Friday 27 October hundreds of people gathered on the lawn at Tonbridge Castle as a magnificent carpet of knitted and crocheted poppies and a unique sculpture representing 'Women in War' were revealed to mark the launch of this year's Royal British Legion Poppy Appeal. The poppy carpet was the result of a project launched by the Borough Council with support from the Royal British Legion and Kent County Council which captured the interest of local residents and community groups who produced and donated thousands of knitted and crocheted poppies for the campaign.

The 'Women in War' sculpture was created by pupils at Hillview School for Girls as part of their after-school art club project with the help of local artist Guy Portelli. Hillview teachers Cavan Pledge and Sarah Pledge and Deputy RBL Poppy Appeal Co-ordinator Pam Mills led the project,

which aimed to reflect on the part women had played in war particularly in the approach to the centenary of the end of WW1 next year. The sculpture was dedicated to Margaret Waite, from Postern Farm, who joined the First Aid Nursing Yeomanry and left for France and Belgium to serve her country in 1914. She was awarded the Order of Leopold II for bravery in the field, giving first aid to those on the front line trenches.

The Leader expressed thanks to all those who contributed to these projects. He concluded by passing to the Mayor the framed display of poppies presented to the Council at the launch event by Pilot Officer Tim Bristow (Tonbridge Squadron Royal Air Force Air Cadets) and suggested that it be displayed at Tonbridge Castle.

### **C 17/69 STRATEGIC RISK REGISTER**

Item CB 17/54 referred from Cabinet minutes of 11 October 2017

**RESOLVED:** That the recommendations at Minute CB 17/54 be approved.

### **C 17/70 TREASURY MANAGEMENT UPDATE AND MID-YEAR REVIEW**

Item CB 17/55 referred from Cabinet minutes of 11 October 2017

**RESOLVED:** That the recommendations at Minute CB 17/55 be approved.

### **C 17/71 APPOINTMENT OF CABINET**

The Leader presented details of an amendment to the composition of the Cabinet.

**RESOLVED:** That it be noted that the Cabinet will comprise five Members (in addition to the Leader) with the responsibilities indicated:

Councillor M Coffin - Finance, Innovation and Property and Deputy Executive Leader

Councillor Mrs M Heslop – Community Services

Councillor D Lettington – Street Scene and Environment Services

Councillor P Montague - Housing

Councillor H Rogers – Strategic Planning and Infrastructure

The Economic Regeneration portfolio to be held by the Leader

### **C 17/72 APPOINTMENT OF COMMITTEES, ADVISORY PANELS AND BOARDS AND OTHER MEMBER GROUPS**

Consideration was given to the report of the Director of Central Services on appointments to a number of committees, advisory boards and panels and other Member groups as a consequence of the change to the composition of the Cabinet.

It was noted that there was no change to political balance and details were given of proposed changes to membership notified by the Conservative Group.

**RESOLVED:** That the appointments set out at paragraph 1.1.1 of the report be approved as follows:

Councillor Miss S Shrubsole to replace Councillor P Montague on the Overview and Scrutiny Committee, the Joint Standards Committee and the Communities and Housing Advisory Board (in the latter case as Chairman)

Councillor P Montague to replace Councillor Miss S Shrubsole on the Housing Associations Liaison Panel (as Chairman).

### **C 17/73 APPOINTMENTS TO OUTSIDE BODIES**

Consideration was given to the report of the Director of Central Services regarding the reappointment of Councillor A Sullivan as a nominated trustee of the Hospital of the Holy Trinity, Aylesford for a further four year term to November 2021.

Details were also given of an invitation from Medway Council for the Borough Council to appoint a representative to the Delivery Board established to progress the development of the Enterprise Zone at Rochester Airport.

**RESOLVED:** That

- (1) Councillor A Sullivan be reappointed as a trustee of the Hospital of the Holy Trinity, Aylesford for a further four year term; and
- (2) Councillor B Luker, as Chairman of the Economic Regeneration Advisory Board, be appointed as a representative on the Rochester Airport Delivery Board.

### **C 17/74 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.

**PART 2 - PRIVATE**

**C 17/75 LEISURE TRUST - REVIEW OF SERVICE FEE/BUSINESS PLAN**

**(LGA 1972 Sch 12A Paragraph 3 – Financial or business affairs of any particular person)**

Item CB 17/64 referred from Cabinet minutes of 11 October 2017

**RESOLVED:** That the recommendations at Minute CB 17/64 be approved.

The meeting ended at 8.02 pm