

## **TONBRIDGE AND MALLING BOROUGH COUNCIL**

### **CABINET**

**Wednesday, 6th June, 2018**

**Present:** Cllr N J Heslop (Chairman), Cllr M A Coffin, Cllr Mrs M F Heslop, Cllr D Lettington and Cllr P J Montague

Councillors Mrs J A Anderson, O C Baldock, M C Base, R P Betts, D J Cure, Mrs A S Oakley, M R Rhodes, A K Sullivan and M Taylor were also present pursuant to Access to Information Rule No 22.

Apologies for absence were received from Councillor H S Rogers

### **PART 1 - PUBLIC**

#### **CB 18/38 DECLARATIONS OF INTEREST**

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

#### **CB 18/39 MINUTES**

**RESOLVED:** That the Minutes of the meeting of the Cabinet held on 20 March 2018 be approved as a correct record and signed by the Chairman.

### **MATTERS FOR RECOMMENDATION TO THE COUNCIL**

#### **CB 18/40 REVIEW OF THE CONSTITUTION**

The report of the Director of Central Services and Monitoring Officer provided an update on the review of the Council's Constitution and addressed specific questions raised at the meeting of the Overview and Scrutiny Committee held on 19 April 2018.

Particular reference was made to concerns expressed about arrangements for call-in of planning applications by ward Members. In response, the specific delegation DPHEH 100 had been amended so that the relevant Area Planning Committee Chairman would be a consultee to any determination by the Director of Planning, Housing and Environmental Health as to whether the request for call-in was supported with a reasoned justification on planning grounds. It was also noted that the time limit for making a request for call-in had been amended to 21 days commencing on the date of notification of the application via List B. Members welcomed the changes and the opportunity for dialogue with the planning officers prior to any request for call-in although it was noted that the onus was on Members to trigger such dialogue.

At the meeting of the Overview and Scrutiny Committee the Leader had given an undertaking to allow further consideration of the question of removing the 15 minute time limit on debating petitions at Council meetings and for petitions to be debated in the first instance elsewhere than at full Council. Since the process for receiving and considering petitions was at the discretion of the Council, the draft petition scheme had been amended to allow for petitions with over 1500 signatures to be considered by either Council or Cabinet depending on whether the subject matter was an executive or Council function. Members endorsed this course of action and agreed that there should be no time limit on the overall debate of petitions, subject to a five minute limit on speeches by individual Members and the two petitioners whether at Council or Cabinet, with specific permission for non-executive Members to speak at Cabinet meetings during the debate on petitions.

**RECOMMENDED:** That

- (1) the overall time limit for debate of petitions be removed, subject to a five minute limit on speeches by individual Members and two petitioners, and specific reference be made to the ability of both executive and non-executive Members to speak at Cabinet meetings when petitions are debated;
- (2) the proposed revisions to the Constitution arising from the questions raised by the Overview and Scrutiny Committee, as set out in section 1.6 of the report, be approved;
- (3) subject to (1) above, the amended Constitution at Annexes 1 to 6 of the report be adopted; and
- (4) authority be delegated to the Director of Central Services and Monitoring Officer to make any further changes to the formatting of the Constitution as he considers appropriate.  
**\*Referred to Council**

**DECISIONS TAKEN IN ACCORDANCE WITH PARAGRAPH 4,  
PART 3 OF THE CONSTITUTION**

**CB 18/41 REVENUE AND CAPITAL OUTTURN 2017/18**

Decision Notice D180042CAB

**CB 18/42 CORPORATE ENFORCEMENT POLICY**

Decision Notice D180043CAB

**MATTERS SUBMITTED FOR INFORMATION****CB 18/43 MATTERS REFERRED FROM ADVISORY BOARDS**

The notes of the meetings of the following Advisory Boards were received, any recommendations contained therein being incorporated within the decisions of the Cabinet reproduced at the annex to these Minutes.

Finance, Innovation and Property Advisory Board of 23 May 2018  
Communities and Housing Advisory Board of 29 May 2018  
Economic Regeneration Advisory Board of 4 June 2018

**RESOLVED:** That the report be received and noted.

**CB 18/44 MATTERS REFERRED FROM ADVISORY PANELS AND OTHER GROUPS**

The Minutes of the meetings of the following Advisory Panels and other Groups were received, any recommendations contained therein being incorporated within the decisions of the Cabinet reproduced at the annex to these Minutes.

Tonbridge Forum of 16 April 2018

**RESOLVED:** That the report be received and noted.

**CB 18/45 EXCLUSION OF PRESS AND PUBLIC**

The Chairman moved, it was seconded and

**RESOLVED:** That as public discussion would disclose exempt information, the following matters be considered in private.

**DECISIONS TAKEN IN ACCORDANCE WITH PARAGRAPH 4,  
PART 3 OF THE CONSTITUTION****CB 18/46 LAND AT COMMERCIAL ROAD, TONBRIDGE**

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

Decision Notice D180044CAB

The meeting ended at 8.28 pm