

TONBRIDGE AND MALLING BOROUGH COUNCIL

COUNCIL MEETING

Tuesday, 14th July, 2020

At the meeting of the Tonbridge and Malling Borough Council held via video-conferencing on Tuesday, 14th July, 2020

Present: Her Worship the Mayor (Councillor Mrs J A Anderson), the Deputy Mayor (Councillor R V Roud), Cllr M C Base, Cllr Mrs P A Bates, Cllr Mrs S Bell, Cllr R P Betts, Cllr T Bishop, Cllr J L Botten, Cllr M D Boughton, Cllr V M C Branson, Cllr G C Bridge, Cllr R I B Cannon, Cllr A E Clark, Cllr M A Coffin, Cllr D J Cooper, Cllr R W Dalton, Cllr D A S Davis, Cllr M O Davis, Cllr Mrs T Dean, Cllr N Foyle, Cllr N J Heslop, Cllr P M Hickmott, Cllr M A J Hood, Cllr F A Hoskins, Cllr S A Hudson, Cllr A P J Keeley, Cllr D Keers, Cllr Mrs F A Kemp, Cllr A Kennedy, Cllr D W King, Cllr K King, Cllr J R S Lark, Cllr D Lettington, Cllr Mrs R F Lettington, Cllr B J Luker, Cllr P J Montague, Cllr Mrs A S Oakley, Cllr L J O'Toole, Cllr W E Palmer, Cllr M R Rhodes, Cllr H S Rogers, Cllr J L Sergison, Cllr T B Shaw, Cllr N G Stapleton, Cllr K B Tanner, Cllr Mrs M Tatton, Cllr M Taylor, Cllr Miss G E Thomas and Cllr C J Williams

Apologies for absence were received from Councillors C Brown, S M Hammond and D Thornewell

PART 1 - PUBLIC

C 20/20 DECLARATIONS OF INTEREST

Councillors T Bishop and M Davis each declared an Other Significant Interest in the item on the Tonbridge and Malling Leisure Trust on the grounds that they were members of the Trust's Board. Councillor M Davis declared an Other Significant Interest in the item on Appointments to Outside Bodies on the grounds that his father was one of the nominees. They withdrew from the meeting during consideration of these items.

C 20/21 MINUTES

RESOLVED: That the Minutes of the proceedings of the meeting of the Council held on 18 February 2020 be approved as a correct record and signed by the Mayor.

C 20/22 MAYOR'S ANNOUNCEMENTS

The Mayor advised of the recent death of former Councillor and Mayor, Honorary Alderman Terry Barton and expressed her personal sadness and deepest sympathy to his family and friends.

The Mayor thanked Members and officers of the Council, Parish Councils, community groups and local businesses for the support provided to residents across the Borough during the Covid-19 emergency.

C 20/23 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 20/24 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 20/25 MOTION SUBMITTED UNDER COUNCIL PROCEDURE RULE NO 5.27

Consideration was given to a Notice of Motion pursuant to Council Procedure Rule No. 5.27 submitted by Councillor A Clark on behalf of the Green Party in the following terms:

Transparency and Accountability Motion

Since the onset of the COVID-19 pandemic, the Council has stepped up to the challenge of continuing to perform our duties and serve our community - including rapidly identifying, testing and executing a new system of meeting and voting online that meets current regulatory and constitutional requirements. It is a great credit to the Officers and all the Members who have demonstrated flexibility and versatility in order to ensure the success of this new way of working together.

We therefore propose that we amend the way that this Council records the business of its meetings beyond the pandemic response period, in order to continue to:

- encourage and enable the greatest possible participation in meetings and local democracy by Members and Residents alike,*
- build trust between Residents and Members who represent them, and*

- *enable greater understanding of how the Council conducts its business and makes decisions.*

The measures proposed are all designed to complement the Council's Digital Strategy, and to bring the meeting practices of the Council in line with many other local authorities that have already put such measures in place successfully. At such time as we find ourselves able to meet again in person, the investment already made in the microphone system in the Council Chamber at King's Hill, as well as a portable system available for meetings held in the Angel Centre, to provide a hearing loop, mean that only a small estimated additional investment will be required, if any, in order to put these measures in place. Electronic voting has also recently been tested by Members with positive feedback on the functionality and security of the system proposed.

We believe these measures will also ensure that we respond to the potential equality impact on residents who would like to observe and participate in meetings by asking questions, as well as Members. This especially applies to those with caring responsibilities, short- and long-term disabilities, pregnancy and post-natal care, unavoidable work commitments, illness or who are on low incomes without access to affordable transport in the evenings.

To ensure that the objectives above are addressed, this motion proposes that:

- (1) Every Council Meeting, Cabinet, Advisory Board and Committee Meeting be live streamed on a secure internet connection, as well as recorded, beyond the pandemic period. Recordings should be made available on the Council's website for members of the public to access within 2 working days of the meeting having taken place.*
- (2) Electronic voting be introduced for every Council Meeting, Cabinet Meeting, Advisory Board and Committee Meeting.*
- (3) Recorded votes be extended to every Council Meeting, Advisory Board and Committee Meeting on Member request.*
- (4) As long as government regulation continues to allow (especially in the instance that the current concession introduced during the pandemic response period be made permanent), that the option for full remote participation in meetings, including remote voting for Members of Council, Cabinet and Advisory Boards, be continued.*

Councillor M Coffin proposed, seconded by Councillor N Heslop, an amendment to the Motion as follows:

The Conservative Group has long argued that it is essential for Tonbridge and Malling Borough Council to make its proceedings as accessible as possible to all members of the council and members of the public, and has taken action to ensure this is the case.

We note the suggestions made by Green Party Councillors. However, all of these suggestions are already under consideration or have been implemented. Borough Councillors had the option to attend a trial for an electronic voting system in October 2019, and any member can request their vote be recorded in minutes and on any item under Part 4, Section 1, Paragraph 8.6 of the constitution when voting at Council.

At present, regulations made by the government under Section 78 of the Coronavirus Act 2020 enable the council to allow remote participation in meetings until 7 May 2021. We will await further guidance from the Government about whether it is able to extend this. In the interim, a review of virtual meetings is included in the work programme for the Overview and Scrutiny Committee, as part of our recovery phase from the pandemic.

On 30 June 2020, Decision Notice D200039CAB was taken by Cabinet which resolved that Management Team be asked to conduct a review of all the Borough Council's assets, including use of the Gibson Building, to cover all areas as well as the need, function and capability of the Council Chamber and Committee Room for Council, Cabinet, Advisory Board and Committee meetings, in line with the Digital and Climate Change Strategies.

Any decision on recording meetings should only be agreed following the outcome of this review, considering the likely costs of installing a system in all locations where Council, Cabinet, Advisory Board and Committee meetings take place. This must consider the full costs of installation at all venues (currently the Gibson Building and Angel Centre), and our commitments in the Digital Strategy and Climate Change Strategy.

We therefore move that the motion be referred to the Overview and Scrutiny Committee to consider further.

Members signified consent to this amendment and it was

RESOLVED: That the Notice of Motion (as amended) proposed by Councillor M Coffin and seconded by Councillor N Heslop be referred to the Overview and Scrutiny Committee to consider further.

C 20/26 LEADER'S ANNOUNCEMENTS

The Leader welcomed the opportunity to hold a meeting of the full Council since the emergence of the pandemic and the cancellation of all meetings in recognition of the concerns of many members and those wishing to attend meetings about potential exposure to the virus. In light of Government guidance and officer advice about holding face to face meetings he supported the ability to hold virtual meetings.

The Leader stated that the immediate response to the pandemic had been rapid, with local communities, including parish councils, churches, community groups, families, friends and neighbours, providing assistance to the most vulnerable within the Borough's communities. The Borough Council had opened a Community Hub to help get supplies to the most vulnerable, and had worked alongside the Kent Growth Hub, run by the County Council, to provide business support.

He commented that, due to previous investment in IT, the Council had been able to react quickly, with a majority of staff working from home and the ability to hold virtual Council meetings, which had ensured the delivery of services and democratic decision making process. He recognised the enormous amount of work undertaken by all officers and thanked the Chief Executive, Management Team and all the Council's staff for their responses to these challenging and unique circumstances.

He reminded Members that, as with every emergency situation, the Council would review the response to the pandemic. The review and reorientation process would include the possibility of adjusting how to make best use of buildings in future, further investment in technology and support of the climate change strategy aimed at making the Borough carbon neutral by 2030. He recognised that these were complex areas and that any decisions would be determined on the grounds of practicality, efficiency and delivering value for money for local taxpayers.

He commented that the Government's support for businesses had involved eye-watering sums of money with just over £19 million of grants awarded to 1,300 businesses in the retail, hospitality and leisure sectors. He was delighted to announce that, in June, NIAB EMR had secured £18 million 'Strength in Places' funding through a consortium-bid which was only 1 of seven in the UK (and one of only 3 successful projects in England). The total project would see £33 million invested into the horticultural sector in Kent and Medway, with East Malling Research Station as the focal point of research activity into emerging technologies such as Artificial Intelligence, automation and smart-packaging for food production to help improve efficiencies and reduce waste. In addition, NIAB EMR had, with the Council's support, managed to secure £1.7 million of Local Growth Fund investment into state-of-the-art greenhouses and energy centre to ensure that they have the required facilities to continue the world-class research which takes place on site.

The Leader reported that a further example of investor confidence in the Borough was evident at the Colas site in Tonbridge, where Chancerygate, the UK's largest privately-owned, multi-unit industrial developer and asset manager will develop the site with 15 units of between 5-15,000 sq. ft. and 2 units between 40,000 and 50,000 sq. ft. He advised that the Trade Park had been designed to high environmental standards and fitted within the Council's strategy of working with the private sector to deliver sustainable development on brownfield sites.

He outlined work undertaken with Kent County Council to make travel more sustainable and reported that the Government's Emergency Active Travel Fund would allow Kent Highways to trial schemes across Kent.

He advised that helping residents and businesses in need had come at a significant cost to the Council which, fortunately, had been cushioned by a prudent approach in previous years. The financial losses were significant and it had been necessary to limit immediate future expenditure to protect core services and the most vulnerable.

Finally, he commented that, while no-one could predict the future and how life would look, it would not be 'business as usual' for the Borough Council. The Council would need to adjust the way it served the citizens of the Borough, with a measured and pragmatic response to a profound and long-lasting change.

C 20/27 TONBRIDGE AND MALLING LEISURE TRUST

Item CB 20/52 referred from Cabinet minutes of 30 June 2020

RESOLVED: That the recommendation at Minute CB 20/52 be approved.

C 20/28 APPOINTMENTS TO OUTSIDE BODIES

Consideration was given to the report of the Director of Central Services regarding a request received from the Clerk of the Town Wardens for the re-appointment of Mr David Davis and Dr Gordon Court to the Tonbridge Town Lands and Richard Mylls Charity for a further four-year term.

RESOLVED: That Mr David Davis and Dr Gordon Court be re-appointed for a further four-year term of office to the Tonbridge Town Lands and Richard Mylls Charity.

C 20/29 AMENDMENT TO SCHEME OF DELEGATION - PROTOCOL FOR MEETINGS HELD BY VIDEO CONFERENCING FACILITIES

The report of the Chief Executive provided confirmation of action taken to amend the Scheme of Delegation, as agreed with the Leader of the

Council on 7 May 2020, to include a protocol for the use of video-conferencing facilities to enable the Council to hold virtual meetings.

RESOLVED: That the report be received and noted.

C 20/30 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 8.43 pm