

TONBRIDGE AND MALLING BOROUGH COUNCIL

COUNCIL MEETING

MINUTES

Tuesday, 22nd February, 2022

At the meeting of the Tonbridge and Malling Borough Council held in the Civic Suite, Gibson Building, Kings Hill, West Malling on Tuesday, 22nd February, 2022

Present: His Worship the Mayor (Councillor R V Roud), the Deputy Mayor (Councillor Mrs S Bell), Cllr Mrs J A Anderson, Cllr R P Betts, Cllr T Bishop, Cllr M D Boughton, Cllr P Boxall, 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 A Cope, Cllr R W Dalton, Cllr D A S Davis, Cllr M O Davis, Cllr N Foyle, Cllr D Harman, Cllr P M Hickmott, Cllr M A J Hood, Cllr F A Hoskins, Cllr S A Hudson, Cllr D Keers, Cllr Mrs F A Kemp, Cllr A Kennedy, Cllr D W King, Cllr J R S Lark, Cllr P J Montague, Cllr Mrs A S Oakley, Cllr W E Palmer, Cllr M R Rhodes, Cllr H S Rogers, Cllr J L Sergison, Cllr K B Tanner, Cllr Mrs M Tatton, Cllr Miss G E Thomas, Cllr D Thornevell, Cllr F G Tombolis and Cllr C J Williams

(Note: Councillors Base, Bates, Shaw and Taylor participated via MS Teams and joined the discussion when invited by the Mayor to do so. They were unable to vote on any matters)

Apologies for absence were received from Councillors J L Botten, C Brown, Mrs T Dean, N J Heslop, B J Luker and N G Stapleton

PART 1 - PUBLIC

C 22/1 DECLARATIONS OF INTEREST

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

C 22/2 HONORARY FREEMAN MR M DOBSON

The Council observed a minute's silence in memory of Honorary Freeman and former Mayor and Borough Councillor, Mr Michael Dobson, who had recently died.

C 22/3 MINUTES

RESOLVED: That the Minutes of the proceedings of the ordinary and special meetings of the Council held on 26 October 2021 and of the

extraordinary meeting of Council held on 7 December 2021 be approved as a correct record and signed by the Mayor.

C 22/4 MAYOR'S ANNOUNCEMENTS

Councillors Boxall, Cope and Harman were welcomed to their first Council meeting following their election.

The Mayor advised that he had attended a number of engagements since the last meeting of the Council. These included school nativities, Christmas fayres and award presentations.

Memorable events included:

- Bravo Production's Opening Night of Castlemas at Tonbridge Castle
- Tonbridge Lions Club's Christmas Barrel Organ Collection
- Ightham Mote Christmas Carols Celebration
- The East Malling Centre's Silver Lunch Club Christmas
- West Malling Community Choir Concert

Future events included a Charity Garden Party at Bradbourne House, East Malling on 30 March and a Charity Dinner at Hadlow Manor on 28 April 2022.

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

C 22/5 ELECTION OF MEMBERS FOR CASTLE, KINGS HILL AND WEST MALLING AND LEYBOURNE WARDS

The report of the Chief Executive and Returning Officer set out the results of the elections held on 9 December 2021 to fill vacancies in Castle, Kings Hill and West Malling and Leybourne Wards.

Members were advised that Ms Anna Cope, Mr Dan Harman and Mr Paul Boxall had been duly elected as Councillors to hold office until 2023.

C 22/6 POLITICAL BALANCE ARRANGEMENTS

The report of the Director of Central Services and Deputy Chief Executive set out details of the political balance arrangements for committees, sub-committees, advisory boards and panels following the by-elections in Castle, Kings Hill and West Malling and Leybourne wards on 9 December and Councillor D Lettington becoming an independent Member.

RESOLVED: That the composition of all committees, sub-committees, advisory board and panels be approved in accordance with the table at

1.1.5 of the report and the Monitoring Officer make any consequential amendments to the Council's Constitution in respect of political balance.

C 22/7 APPOINTMENTS TO COMMITTEES, ADVISORY BOARDS AND PANELS AND OTHER GROUPS

As a consequence of the by-elections on 9 December 2021 and Councillor D Lettington becoming an Independent Member, there were a number of changes required to the membership of committees, sub-committees, advisory boards and panels and other groups for the remainder of the municipal year.

Each Group Leader had considered the appointments and the nominations received were set out in Annexes 1 – 4.

RESOLVED: That

- (1) Councillor Mark Rhodes be appointed as Vice-Chairman to the Area 1 Planning Committee;
- (2) Councillor Piers Montague be appointed as the Chairman of the Joint Transportation Board;
- (3) the appointments to Committees, Sub-committees, Advisory Boards and Panels and Other Groups, as set out in Annexes 1 – 4, be approved; and
- (4) the appointments of external community representatives to the Tonbridge Community Forum be noted.

C 22/8 CHANGES TO THE CONSTITUTION

The report of the Monitoring Officer recommended that changes were made to the Constitution to allow for the use of substitute Members at Committees, Advisory Boards and Advisory Panels and to allow for Members to remain seated when speaking at full Council.

Consideration was given to the appointment of substitutes, the exceptions and powers as detailed in the report. Reference was made to Member attendance at training and it was explained that Protocol A would be amended to make it clear that substitute members were subject to the same training requirements. A revised set of Council and Committee Procedure Rules to reflect the use of substitutes was attached at Annex 1.

Finally, it was proposed to amend Council and Committee Procedure Rules 10.4 and 10.5 to remove the requirement to stand when addressing the Council.

RESOLVED: That:

- (1) the Monitoring Officer be authorised to amend the Constitution to give effect to:
 - a) the changes in respect of substitute members set out at Annex 1;
 - b) the changes to Protocol A (Member attendance at training) set out at paragraph 1.1.12 of the report;
 - c) the changes in respect of standing at full Council set out at paragraph 1.2.2 of the report.
- (2) the appointments of substitute members as nominated by Group Leaders (as set out on the supplement to the report) be approved.

C 22/9 LEADER'S ANNOUNCEMENTS

The Leader paid tribute to Honorary Freeman, former Mayor and former Borough Councillor Mr Michael Dobson and sent condolences to his family and friends on behalf of the Borough Council.

The Leader also recorded appreciation to Borough Council staff, emergency services and utility providers for their efforts in supporting residents and local communities during the recent Storms Eunice and Franklin.

There was an emphasis on employment and investment opportunities in the Borough and the ambition to make Tonbridge and Malling a clean and safe place to live. The headline messages included:

- Recent visits to the Base Camp community facility at the Royal British Legion Industries Village and the new Panettoni site at New Hythe Lane;
- Opportunities for supporting grass roots football would be explored;
- The ongoing distribution of Covid-19 related support grants to local businesses;
- Climate change initiatives including the installation of electric charging points throughout the Borough, the purchase of the Borough Councils first electric vehicle and the start of building works in respect of the eco café at Leybourne Lakes Country Park; and
- The recent assessment of the Borough Council's performance via a Peer Review. The outcomes of this would be given careful consideration by the Cabinet in due course. However, the Leader encouraged all Members to be open to and to embrace change.

Finally, the Leader referred to an opportunity to participate in the [Great British Railways](#) national headquarters selection process, being run by the Great British Railways Transition Team (GBRTT) on behalf of the

Department for Transport (DfT). The competition sought to recognise places with a rich railway heritage, strong links to the national network and public support for the selected location, creating a great opportunity to promote communities as the proud home for the start of a new era in Britain's railways. The Borough Council were preparing an expression of interest to nominate Tonbridge as the location for the headquarters.

The full statement was available to view on the Borough Councils [YouTube](#) channel.

C 22/10 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 22/11 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 22/12 NOTICE OF MOTION (22/01) SUBMITTED PURSUANT TO COUNCIL PROCEDURE RULE NO. 5.27

Consideration was given to a Notice of Motion (22/01) pursuant to Council Procedure Rule No. 5.7 submitted by Councillor G Bridge and seconded by Councillor T Bishop on behalf of the Tonbridge and Malling Liberal Democrat Group in the following terms:

Fair Game is an alliance of over 30 football clubs from all levels of the game below the Premier League, who, together, are calling for improved governance of the game. Fair Game is calling for a financial structure that is fairer and more responsible, greater recognition of, and protections for, current competitions and embedded and structured fan engagement at all clubs. Fair Game supports the fan-led review recently chaired by Tracey Crouch MP.

- *Tonbridge and Malling Borough Council believes that football clubs are community assets, playing important social, civic and cultural roles in their local communities.*
- *This council supports the manifesto for football proposed by Fair Game and calls on other councils to join us in our support.*
- *The council will write to the Minister for Sport and the Local Government Association Culture Tourism and Sport Board, with copies sent to Tom Tugendhat MP and Tracey Crouch MP, urging them to work towards implementing Fair Game's manifesto.*

- *The council is pleased to note that Tonbridge Angels Football Club is a member of Fair Game and supports their manifesto.*
- *The council further notes that Tom Tugendhat MP supports the Fair Game manifesto.'*

RESOLVED: That the Notice of Motion (22/01) be agreed.

(In accordance with Council Procedure Rule No 8.6 Councillor M Rhodes asked that his abstention from the vote be recorded)

C 22/13 NOTICE OF MOTION (22/02) SUBMITTED PURSUANT TO COUNCIL PROCEDURE RULE NO. 5.27

The Notice of Motion submitted under Council Procedure Rule No. 5.7 by Councillor A Clark on behalf of the Tonbridge and Malling Green Group was withdrawn as the proposals in respect of appointments to committees and the introduction of substitute Members had been addressed under Minute Number C 22/8.

C 22/14 LOCALISM ACT - PAY POLICY

Item GP 22/3 referred from General Purposes Committee minutes of 31 January 2022

RESOLVED: That the recommendation at Minute GP 22/3 be approved.

C 22/15 SETTING THE BUDGET 2022/23

Item CB 22/17 referred from the Cabinet minutes of 10 February 2022

It was proposed by Councillor Coffin and seconded by Councillor Boughton that the recommendations at Minute CB 22/17 be adopted. In accordance with Council Procedure Rule No 8.5 voting was recorded as follows:

Members voting for the motion:

Cllr Mrs J Anderson; Cllr Mrs S Bell; Cllr R Betts; Cllr T Bishop; Cllr M Boughton; Cllr P Boxall; Cllr V Branson; Cllr G Bridge; Cllr R Cannon; Cllr A Clark; Cllr M Coffin; Cllr D Cooper; Cllr A Cope; Cllr R Dalton; Cllr D Davis; Cllr M Davis; Cllr N Foyle; Cllr D Harman; Cllr P Hickmott; Cllr M Hood; Cllr F Hoskins; Cllr S Hudson; Cllr D Keers; Cllr Mrs A Kemp; Cllr A Kennedy; Cllr D King; Cllr J Lark; Cllr P Montague; Cllr Mrs A Oakley; Cllr W Palmer; Cllr M Rhodes; Cllr H Rogers; Cllr R Roud; Cllr J Sergison; Cllr K Tanner; Cllr Mrs M Tatton; Cllr G Thomas; Cllr D Thornewell; Cllr F Tombolis; and Cllr C Williams

Total = 40

Members voting against the motion: None

Total = 0

Members abstaining: None

Total = 0

(Total Members eligible to vote = 40)

RESOLVED: That the recommendations at Minute CB 22/17 be approved.

C 22/16 SETTING THE COUNCIL TAX 2022/23

Item CB 22/18 referred from Cabinet minutes of 10 February 2022

It was proposed by Councillor Coffin and seconded by Councillor Boughton that the recommendations at Minute CB 22/18 be adopted. In accordance with Council Procedure Rule No. 8.5 voting was recorded as follows:

Members voting for the motion:

Cllr Mrs J Anderson; Cllr Mrs S Bell; Cllr R Betts; Cllr T Bishop; Cllr M Boughton; Cllr P Boxall; Cllr V Branson; Cllr G Bridge; Cllr R Cannon; Cllr A Clark; Cllr M Coffin; Cllr D Cooper; Cllr A Cope; Cllr R Dalton; Cllr D Davis; Cllr M Davis; Cllr N Foyle; Cllr D Harman; Cllr Hickmott; Cllr M Hood; Cllr F Hoskins; Cllr S Hudson; Cllr D Keers; Cllr Mrs A Kemp; Cllr A Kennedy; Cllr D King; Cllr J Lark; Cllr P Montague; Cllr Mrs A Oakley; Cllr W Palmer; Cllr M Rhodes; Cllr H Rogers; Cllr R Roud; Cllr J Sergison; Cllr K Tanner; Cllr Mrs M Tatton; Cllr G Thomas; Cllr D Thornewell; Cllr F Tombolis; and Cllr C Williams

Total = 40

Members voting against the motion: None

Total = 0

Members abstaining: None

Total = 0

(Total members eligible to vote = 40)

RESOLVED: That the recommendations at Minute CB 22/18 be approved and the Council Tax Resolution 2022/23, as set out as an Annex to these Minutes, be adopted.

C 22/17 LOCAL COUNCIL TAX REDUCTION SCHEME 2022/23

Item CB 22/19 referred from Cabinet minutes of 10 February 2022.

Member's attention was drawn to the supplementary report of the Director of Finance and Transformation which presented a revised Tonbridge & Malling Borough Council Working Age Local Council Tax Reduction Scheme 2022/23 to incorporate a disregard for the recently announced national Energy Rebate Scheme 2022.

RESOLVED: That the draft Local Council Tax Reduction Scheme 2022/23, as updated for the Energy Rebate Scheme be approved.

C 22/18 APPOINTMENT OF EXTERNAL AUDITORS

Item CB 22/22 referred from the Cabinet minutes of 10 February 2022.

RESOLVED: That the recommendations at Minute CB 22/22 be approved.

C 22/19 AUDITORS ANNUAL REPORT

Item CB 22/23 referred from the Cabinet minutes of 10 February 2022.

RESOLVED: That the recommendations at Minute CB 22/23 be approved.

C 22/20 RISK MANAGEMENT

Item CB 22/24 referred from the Cabinet minutes of 10 February 2022.

RESOLVED: That the recommendations at Minute CB 22/24 be approved.

C 22/21 TREASURY MANAGEMENT UPDATE AND TREASURY MANAGEMENT AND ANNUAL INVESTMENT STRATEGY FOR 2022/23

Item CB 22/25 referred from the Cabinet minutes of 10 February 2022.

RESOLVED: That the recommendations at Minute CB 22/25 be approved.

C 22/22 MEMBERS SCHEME OF ALLOWANCES

Members considered whether the basic and special responsibility allowances payable for the 2022/23 financial year should be frozen.

The Leader reiterated that with an increasingly difficult financial situation, services would have to be prioritised in order to set a balanced budget and felt that freezing Member allowances until the 2023 elections was a reasonable proposal. It was reported that freezing allowances for 2022/23 would generate a budget saving of £8,150.

Reference was made to the process of establishing a new Joint Independent Remuneration Panel to review and make recommendations to Council on the future range and levels of remuneration for elected Members. The Panel was to be appointed jointly with Sevenoaks District Council and Tunbridge Wells Borough Council. It was expected that these recommendations would be brought forward for consideration in the 2022/23 municipal year.

RESOLVED: That the basic and special responsibility allowances for the 2022/23 municipal year be frozen at the current level.

C 22/23 APPOINTMENTS TO OUTSIDE BODIES

The report of the Director of Central Services and Deputy Chief Executive advised that a request had been received from the Petley and Deakins Almhouses Charity asking that Councillors A Clark and F Hoskins be considered as the Borough Council representatives.

The Charity was based in South Tonbridge and felt that the appointment of Councillors representing Judd and Vauxhall Wards would be beneficial.

RESOLVED: That

- (1) Councillor April Clark be appointed as a Trustee to the Petley and Deakins Almhouses for a four year term of office (until October 2025); and
- (2) Councillor Frani Hoskins be appointed as a Trustee to the Petley and Deakins Almhouses for a four year term of office (until October 2025)

MATTERS FOR INFORMATION**C 22/24 USE OF URGENCY PROVISIONS**

Details of a decision taken under urgency provisions in respect of the Tonbridge Town Centre Asset Review were set out on Decision Notice D220003URG for awareness.

RESOLVED: That the report be received and noted

C 22/25 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