

# **TONBRIDGE AND MALLING BOROUGH COUNCIL**

## **COUNCIL MEETING**

### **MINUTES**

**Wednesday, 17th May, 2023**

At the Statutory Annual meeting of the Tonbridge and Malling Borough Council held at Civic Suite, Gibson Building, Kings Hill, West Malling on Wednesday, 17th May, 2023

**Present:** Her Worship the Mayor (Councillor Mrs S Bell for Items 1-3)  
His Worship the Mayor (Councillor J R S Lark for Items 4 – 21),  
the Deputy Mayor (Councillor S M Hammond for Items 4 – 21),  
Cllr L Athwal, Cllr B Banks, Cllr K Barton, Cllr A G Bennison,  
Cllr R P Betts, Cllr T Bishop, Cllr M D Boughton, Cllr P Boxall,  
Cllr G C Bridge, Cllr C Brown, Cllr R I B Cannon, Cllr J Clokey,  
Cllr M A Coffin, Cllr A Cope, Cllr S Crisp, Cllr R W Dalton,  
Cllr D A S Davis, Cllr Mrs T Dean, Cllr D Harman, Cllr P M Hickmott,  
Cllr G B Hines, Cllr M A J Hood, Cllr F A Hoskins, Cllr S A Hudson,  
Cllr D Keers, Cllr D W King, Cllr W J Mallard, Cllr A McDermott,  
Cllr A Mehmet, Cllr Mrs A S Oakley, Cllr R W G Oliver,  
Cllr W E Palmer, Cllr B A Parry, Cllr M R Rhodes, Cllr R V Roud,  
Cllr K B Tanner, Cllr Mrs M Tatton, Cllr M Taylor, Cllr D Thornevell,  
Cllr K S Tunstall and Cllr C J Williams

### **PART 1 - PUBLIC**

#### **C 23/36 ELECTION OF MAYOR**

It was proposed by Councillor Boughton and seconded by Councillor Hudson that Councillor James Lark be elected Mayor for the municipal year 2023/24.

Particular reference was made to the importance of the Mayor's casting vote in a council with 'no overall control' and some Members indicated that they would vote against this nomination.

As the votes for and against were tied at 22 each the Mayor used their casting vote in favour of the nomination.

**RESOLVED:** That Councillor James Lark be elected Mayor for the municipal year 2023/24.

The Mayor, having made the statutory declaration of acceptance of office assumed the Chair and thanked Members for their election.

**C 23/37 VOTE OF THANKS TO RETIRING MAYOR**

Members expressed appreciation to the retiring Mayor for dedicated and loyal service to the Borough and its residents and commended their enthusiasm and active promotion of Tonbridge and Malling.

In response to the thanks expressed, Councillor Bell recorded appreciation to Councillor Lark for their support as Deputy Mayor, to the Mayor Consort, the many organisations that had contributed to the Mayoral events, the Chaplain and everyone who had shown such generosity and support. Finally, Councillor Bell was pleased to report that over £4,000 had been raised in support of the Mayor's Charity, the Tonbridge Dementia Friendly Community.

Finally, Councillor Bell expressed appreciation for the opportunity to have represented Tonbridge and Malling at the many events held to celebrate the late Queens Platinum Jubilee and felt honoured to have been involved in the new Kings Proclamation at Tonbridge Castle.

It was proposed by Councillor Lark, seconded by Councillor Boughton and

**RESOLVED:** That the Borough Council's sincere appreciation be recorded for the excellent manner in which the retiring Mayor, Councillor Sue Bell, had performed the mayoral duties both in the Council Chamber and throughout the Borough during the preceding year.

**C 23/38 ELECTION OF DEPUTY MAYOR**

It was proposed by Councillor Cannon, seconded by Councillor Williams and

**RESOLVED:** That Councillor Steve Hammond be appointed Deputy Mayor for the municipal year 2023/24.

The Deputy Mayor made the statutory declaration of acceptance of office and thanked Members for the appointment.

**C 23/39 MINUTES**

**RESOLVED:** That the Minutes of the proceedings of the meeting of the Council held on 11 April 2023 be approved as a correct record and signed by the Mayor.

**C 23/40 MAYOR'S ANNOUNCEMENTS**

The new Mayor thanked Members for their election, expressed appreciation for the good wishes received and acknowledged the challenges in respect of the 'casting vote. It was announced that the Mayor's Charity would be Arthur's Quest which was a Tonbridge based

patient advocacy group dedicated to improving the lives of children and families affected by a rare debilitating neurological condition that currently had no cure. Their focus was to raise awareness and fundraising to advance scientific research that would ultimately result in a cure.

All were asked to show support by participating in the Mayoral events and fundraising efforts throughout the year.

#### **C 23/41 RETURNING OFFICER'S CERTIFICATE**

The Deputy Chief Executive, as Returning Officer, submitted a report listing persons who had been elected as Councillors at the Borough Council Elections held on 4 May 2023

The Council's thanks were recorded to the Returning Officer and all staff involved for their efficiency during the polling and count for the elections and in maintaining services from the office.

#### **C 23/42 ELECTION OF LEADER**

It was proposed by Councillor Coffin and seconded by Councillor Hudson that Councillor Matt Boughton be elected as Leader of the Council for the next four years.

Some Members indicated that they did not endorse this nomination and would vote against this nomination. As the votes for and against were tied at 22 each the Mayor used their casting vote in favour of the nomination.

**RESOLVED:** That Councillor Matt Boughton be elected as Leader of the Council for the ensuing four years.

#### **C 23/43 APPOINTMENTS TO CABINET**

The Leader presented details of the composition of the Cabinet and expressed his gratitude to former Cabinet Members for their contributions. He also thanked the Independent Alliance (Kent) group for supporting his leadership and welcomed the opportunity for greater collaborative working.

**RESOLVED:** That it be noted that the Cabinet would comprise 5 Members (in addition to the Leader) with the responsibilities as set out in Annex 1 and duplicated below:

Cllr Matt Boughton	-	Executive Leader
Cllr Martin Coffin	-	Deputy Executive Leader; and Cabinet Member for Transformation and Infrastructure
Cllr Robin Betts	-	Climate Change, Regeneration and Property
Cllr Des Keers	-	Community Services
Cllr K Tanner	-	Finance and Housing
Cllr M Taylor	-	Planning

### **C 23/44 CHANGES TO THE CONSTITUTION - ELECTORAL CHANGES**

The report of the Monitoring Officer recommended a number of amendments to the Constitution to reflect the changes introduced by the Local Government Boundary Commission. The changes proposed were predominantly required to ensure that the governance arrangements for the Borough Council were in accordance with the Tonbridge and Malling (Electoral Changes) Order 2022.

The principal changes related to a reduced number of councillors, warding arrangements for the Area Planning Committees and the size of committees. Details of these proposed changes were set out in 1.1.8 to 1.1.15 and 1.1.16 to 1.1.18 of the report.

In addition, the opportunity had been taken to make some minor changes to address inconsistencies and inaccuracies and these were set out in Annex 1.

After careful consideration of the options in respect of the warding arrangements for the Area Planning Committees to reflect the new ward boundaries, it was proposed by Councillor Coffin, seconded by Councillor Boughton that:

- Members for both Bourne and East Malling, West Malling and Offham wards attend Area 2 Planning Committee.

This proposal was supported by the majority of Members. However, it was suggested that joint meetings of Area Planning Committees should be considered for significant applications that covered or adjoined more than one ward area.

**RESOLVED:** That

- (1) the proposed changes to the Area Planning Committees as set out in paragraph 1.1.15 of the report, and summarised above, be

approved and the Monitoring Officer authorised to make consequential changes to the Constitution;

- (2) the Monitoring Officer be authorised to amend the Constitution, as set out at Annex 1, to give effect to the changes outlined in 1.1.6 and 1.1.19 of the report; and
- (3) subject to the amendments set out above, the current Constitution as set out at Annex 2 be approved.

### **C 23/45 POLITICAL BALANCE ARRANGEMENTS**

The report of the Director of Central Services and Deputy Chief Executive set out details of political balance arrangements to be applied to the Borough Council's committees, sub-committees, boards and panels.

Members were also invited to consider whether to reduce the size of committees in light of changes introduced by the Tonbridge and Malling (Electoral Changes) Order 2022, which had seen a reduction in the number of Members from 54 to 44. The number of committee seats allocated to the political parties depended upon whether Members wished to reduce the size of committees or retain the existing sizes.

A number of options in respect of political balance calculations had been undertaken and were presented for consideration. Option A was based upon the existing 128 seats in total; Option B was based upon a reduced number of 110 seats (all committees with odd numbers); Option C was based upon a reduced number of 104 seats (all committees with even sizes. These were detailed in Annex 1.

After careful consideration of the political balance options presented, Councillor Boughton proposed, seconded by Councillor Coffin that the Borough Council's political balance be based upon a reduced number of 110 seats (all committees with odd numbers) as set out in Option B on the grounds of reflecting a reduced number of Members and removing the reliance on Chair casting votes.

This proposal was supported by the majority of Members.

**RESOLVED:** That the composition of all committees, sub-committees and boards/panels be approved in accordance with Members preferred Option B, as detailed in Annex 1 of the report, and the Monitoring Officer authorised to make any consequential amendments to the Council's Constitution in respect of political balance.

### **C 23/46 APPOINTMENTS TO COMMITTEES**

**RESOLVED:** That appointments to the Committees of the Council for 2023/24 be approved as set out at Annex 2 (Option B)

**C 23/47 APPOINTMENTS TO SCRUTINY SELECT COMMITTEES, PANELS AND OTHER MEMBER GROUPS**

**RESOLVED:** That appointments to the Scrutiny Select Committees, Advisory Panels and other member groups of the Council for 2023/24 be approved as set out at Annex 3 (Option B).

**C 23/48 APPOINTMENT OF CHAIR AND VICE-CHAIR**

**RESOLVED:** That appointments of Chair and Vice-Chair of each Committee, Scrutiny Select Committee, Panel and Group for 2023/24 be approved as set out at Annex 4; subject to:

- (1) Councillor Mark Hood approved as second Vice-Chair of Overview and Scrutiny Committee; and
- (2) Councillor George Hines approved as Chair of Tonbridge Community Forum

**C 23/49 APPOINTMENTS TO OUTSIDE BODIES**

A number of queries related to the procedure for appointing to outside bodies, and receiving update reports from those organisations were raised. It was suggested that the remit of outside bodies and appointments be reviewed by the Overview and Scrutiny Committee as part of their future work programme.

**RESOLVED:** That appointments to serve on outside bodies for 2023/24 be approved as set out at Annex 5.

**C 23/50 APPOINTMENT OF SUBSTITUTE MEMBERS**

**RESOLVED:** That appointments to serve as substitute members for 2023/24 be approved as set out at Annex 6.

**C 23/51 SCHEME OF DELEGATIONS**

Members were invited to confirm the Scheme of Delegation in compliance with the Constitution.

**RESOLVED:** That

- a) those parts of the scheme of delegation set out in Part 3 of the Constitution which are for the Council to approve (Responsibility for Council Functions) be confirmed;
- b) the Leader's recommendations concerning the arrangements for decision-making by individual executive Members set out in Part 3 of the Constitution (Responsibility for Executive Functions and Portfolios of Cabinet Members) be adopted; and

- c) the current scheme of delegation to officers in respect of executive functions set out in Part 3 of the Constitution (Functions and Powers Delegated to Officers) be re-adopted.

**C 23/52 PROGRAMME OF MEETINGS**

The programme of Council, Cabinet, Committee and Panel meetings for 2023/24 was presented for approval.

**RESOLVED:** That

- (1) the programme of meetings for 2023/4 (as set out at Annex 1 to the report) be approved; and
- (2) the provisional programme of meetings for 2024/25 (as set out at Annex 2 to the report) be approved.

**C 23/53 AUDIT COMMITTEE ANNUAL REPORT**

Item AU 23/14 referred from the Audit Committee minutes of 17 April 2023

**RESOLVED:** That the recommendations at Minute AU 23/24 be approved.

**C 23/54 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 9.25 pm