

# TONBRIDGE AND MALLING BOROUGH COUNCIL

## COUNCIL MEETING

### MINUTES

Tuesday, 14th May, 2024

At the statutory Annual meeting of the Tonbridge and Malling Borough Council held in the Civic Suite, Gibson Building, Kings Hill, West Malling on Tuesday, 14th May, 2024

**Present:** His Worship the Mayor (Councillor J R S Lark for items 1-3), Councillor S M Hammond for items 4-23), the Deputy Mayor (Councillor C Brown), Cllr L Athwal, Cllr B Banks, Cllr K Barton, Cllr Mrs S Bell, Cllr A G Bennison, Cllr R P Betts, Cllr T Bishop, Cllr M D Boughton, Cllr P Boxall, Cllr G C Bridge, 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 W J Mallard, Cllr A McDermott, Cllr A Mehmet, Cllr D W King, 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 24/35 ELECTION OF MAYOR**

It was proposed by Councillor Cannon and seconded by Councillor Williams that Councillor Steve Hammond be elected Mayor for the municipal year 2024/25.

Following a formal vote there was majority support for the proposal.

**RESOLVED:** That Councillor Steve Hammond be elected Mayor for the municipal year 2024/25

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

#### **C 24/36 VOTE OF THANKS TO RETIRING MAYOR**

Members expressed appreciation to the retiring Mayor for dedicated and loyal service to the Borough and its residents, commended their enthusiasm and active promotion and support of local community and voluntary organisations and groups.

In response to the thanks expressed, Councillor Lark recorded appreciation to Councillor Hammond for their support as Deputy Mayor, to the Mayoress, the many organisations that had contributed to the Mayoral events and everyone who had shown such generosity and support. Particular reference was made to the amazing work undertaken by voluntary and community groups, charities and businesses in the Borough particularly the Scouts, Guides, Schools, Tonbridge Lions, the Tonbridge Rotary Club and the community choirs.

Councillor Lark was pleased to report that over £5,500 had been raised in support of the Mayor's Charity, Arthurs Quest and expressed appreciation for the opportunity to have represented Tonbridge and Malling during the past year. The Mayor had attended many civic and charitable events in the past year, some of the most memorable being the Royal Garden Party at Buckingham Palace, the opening of the new Centenary Homes by HRH The Princess Royal and a medal presentation to Nuclear Veterans.

It was proposed by Councillor Boughton seconded by Councillor Hudson and

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

#### **C 24/37 ELECTION OF DEPUTY MAYOR**

It was proposed by Councillor Tanner seconded by Councillor Harman and following a formal vote

**RESOLVED:** That Councillor Christopher Brown be appointed Deputy Mayor for the municipal year 2024/25.

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

#### **C 24/38 DECLARATIONS OF INTEREST**

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

#### **C 24/39 MINUTES**

**RESOLVED:** That the Minutes of the proceedings of the ordinary and Special meetings of the Council held on 9 April 2024 be approved as a correct record and signed by the Mayor.

**C 24/40 MAYOR'S ANNOUNCEMENTS**

No formal announcements were made at this time. However, subsequent to the meeting the Mayor advised that Royal British Legion Industries would be his nominated charity for the year.

**C 24/41 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 24/42 QUESTIONS FROM MEMBERS PURSUANT TO COUNCIL PROCEDURE RULE NO 5.5**

In accordance with Council Procedure Rule No 5.5. a number of questions had been submitted by Members. Responses had been provided by the relevant Cabinet Members and the questions and answers published as supplements in advance of the meeting were noted.

The opportunity to ask a supplementary question was taken by Cllr Hood in respect of 24/001 (Rewilding and River Lawn) and related to the involvement of the Medway Valley Countryside Partnership (MCVP) in the rewilding project and whether there were better areas to rewild so that River Lawn could be tidied.

In response, the Cabinet Member for Climate Change, Regeneration and Property confirmed that MCVP had been consulted in accordance with the decision taken by the then Street Scene and Environment Services Advisory Board in 2021. Reference was also made to correspondence received asking the Borough Council to commit to 'no mow May' to improve biodiversity.

**C 24/43 NOTICE OF MOTION SUBMITTED PURSUANT TO COUNCIL PROCEDURE RULE NO. 5.27 (24/002)**

Consideration was given to a Notice of Motion (24/002) pursuant to Council Procedure Rule No. 5.7 submitted by Councillor Cope and seconded by Councillor Athwal on behalf of the Tonbridge and Malling Green Group in relation to 'debate not hate' (as set out on pages 29-30).

Members agreed that abuse of any sort was unacceptable, that behaviour in meetings and online should always be respectful and there should be less aggressive expression of opinions in writing, in the Council Chamber and especially on social media platforms. Personal experiences of abuse via social media and trolling were also shared.

Whilst Members supported the ethos of maintaining exemplary standards it was recognised that the actions proposed to address the

normalisation of abuse against councillors and officers would not address the societal problems. However, there was general support for Members to adopt respectful and civil behaviour in meetings and foster better working relationships. The Leader of the Borough Council indicated that the subject of this motion would be discussed at the first Group Leader meeting of the municipal year.

**RESOLVED:** That the Notice of Motion (24/002) be supported.

**C 24/44 NOTICE OF MOTION SUBMITTED PURSUANT TO COUNCIL PROCEDURE RULE NO. 5.27 (24/003)**

Consideration was given to a Notice of Motion (24/003) pursuant to Council Procedure Rule No. 5.7 submitted by Councillor Hood and seconded by Councillor Cope on behalf of the Tonbridge and Malling Green Group in relation to 'zero tolerance of any form of hate crime (as set out on page 31).

Members recognised the importance of committing to zero tolerance of any form of hate so that residents were reassured that the borough was a welcoming and inclusive community. However, concern was expressed that the issues set out in the Motion were beyond the remit of the Borough Council and were for national Government to address.

Councillor A McDermott proposed, seconded by Councillor D King, an amendment to the Motion as follows (removal of (3) – (5) and amended (1) and (2)):

'The Council is asked to

- (1) Recommit publicly to zero tolerance of form of discrimination so that residents are reassured that Tonbridge and Malling is a welcoming and inclusive community;
- (2) Encourage residents to report hate crime to the police and through the website so it can be referred to the Community Safety Partnership in order than anyone affected by hate crime could be supported.

The aim of the proposed amendment was not to diminish the value of the original motion but to offer a practical solution that the Borough Council could deliver.

In accordance with Council Procedure Rule No. 6.5 (g) Cllr S Hudson proposed a closure motion to stop debating and make a decision on the matter. This was seconded by Cllr M Boughton and supported by the Council.

Following a formal vote on the amendment to the motion proposed by Cllr McDermott and seconded by Cllr King there was a majority in favour and this motion was carried.

Following a formal vote on the substantive motion, as amended, it was

**RESOLVED:** That the Notice of Motion (as amended) proposed by Councillor A McDermott and seconded by Councillor D King be approved.

### **MATTERS FOR DECISION**

#### **C 24/45 POLITICAL BALANCE ARRANGEMENTS**

The report of the Interim Chief Executive set out details of political balance arrangements required to be applied to the Borough Council's committees, scrutiny select committees and advisory panels and boards.

**RESOLVED:** That the composition of all committees, scrutiny select committees and advisory panels and boards be approved in accordance with the table set out at paragraph 1.1.6 of the report and the Monitoring Officer make any consequential amendments to the Borough Council's Constitution in respect of political balance.

#### **C 24/46 APPOINTMENT OF CABINET**

The Leader presented details of the composition of the Cabinet.

**RESOLVED:** That it be noted that the Cabinet would comprise 6 Members (including the Leader) with the responsibilities set out at Annex 1 and duplicated below:

Councillor M Boughton	-	Leader
Councillor R Betts	-	Climate Change, Regeneration and Property
Councillor M Coffin	-	Waste and Transformation
Councillor D Keers	-	Community Services
Councillor K Tanner	-	Finance and Housing
Councillor M Taylor	-	Planning

**C 24/47 APPOINTMENT OF COMMITTEES**

**RESOLVED:** That appointments to the Committees of the Borough Council for 2024/25 be approved as set out Annex 2.

**C 24/48 APPOINTMENT OF 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 2024/25 be approved as set out at Annex 3.

**C 24/49 APPOINTMENT OF CHAIR AND VICE-CHAIR**

**RESOLVED:** That appointments of Chair and Vice-Chair of each Committee, Scrutiny Select Committee, Panel and Group for 2024/25 be approved as set out at Annex 4.

**C 24/50 APPOINTMENTS TO OUTSIDE BODIES**

**RESOLVED:** That appointments to serve on outside bodies for 2024/25 be approved as set out at Annex 5.

**C 24/51 APPOINTMENT OF SUBSTITUTE MEMBERS**

**RESOLVED:** That appointments to serve as substitute members for 2024/25 be approved as set out Annex 6.

**C 24/52 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;
- (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 24/53 PROGRAMME OF MEETINGS**

The programme of Council, Cabinet, Committee and Panel meetings for 2024/25 was presented for approval.

**RESOLVED:** That the programme of meetings for 2024/25 and the provisional programme of meetings for 2025/26 (as set out at Annexes 1 and 2 to the report) be approved.

**C 24/54 AUDIT COMMITTEE ANNUAL REPORT**

Consideration was given to the recommendations of the Audit Committee of 15 April 2024 in respect of the Audit Committee Annual Report.

**RESOLVED:** That the Annual Report be approved as independent assurance on the adequacy of the risk management framework, the internal control environment and the integrity of the financial reporting and annual governance processes.

**C 24/55 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 9.43 pm  
having commenced at 8.00 pm