



Town Hall
Royal Tunbridge Wells

Tuesday, 14 May 2019

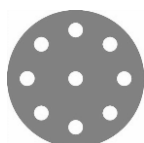
To the Members of the Tunbridge Wells Borough Council

I request your attendance at a meeting of the Tunbridge Wells Borough Council to be held at the Council Chamber, Royal Tunbridge Wells, Kent TN1 1RS, on Wednesday, 22 May 2019, at 10.00 am, when the following business is proposed to be transacted.

- 1 **Apologies for Absence** (Pages 5 - 6)
To receive any apologies for absence.
- 2 **Declarations of Interest** (Pages 7 - 8)
To receive any declarations of interest by members in items on the agenda. For any advice on declarations of interest; please contact the Monitoring Officer before the meeting.
- 3 **Election of Mayor for the Ensuing Municipal Year** (Pages 9 - 10)
To elect the Mayor of Tunbridge Wells Borough Council for the municipal year 2019/20.
- 4 **Presentation of Badge to the Immediate Past Mayor** (Pages 11 - 12)
To present a badge to the immediate past Mayor in recognition of valued service and the appreciation of the Borough Council.
- 5 **Appointment of Deputy Mayor for the Ensuing Municipal Year** (Pages 13 - 14)
To appoint the Deputy Mayor of Tunbridge Wells Borough Council for the municipal year 2019/20.
- 6 **Announcements from the Mayor and Chief Executive** (Pages 15 - 16)
To receive any announcements from the Mayor and / or the Chief Executive.
- 7 **Return of Persons Elected to the Borough Council** (Pages 17 - 18)
To note the names of each of the persons elected Borough Councillor as set out in the report.

- 8 **Election of Leader of the Council** (Pages 19 - 20)
To elect the Leader of the Council in accordance with the requirements of the Constitution.
- 9 **Appointments to Committees 2019/20** (Pages 21 - 26)
To consider and, if thought fit, to approve the recommendations set out in the report.
- 10 **Common Seal of the Council** (Pages 27 - 28)
To authorise the Common Seal of the Council to be affixed to any contract, minute, notice or other document arising out of the minutes, or pursuant to any delegation, authority or power conferred by the Council.

William Benson
Chief Executive



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All visitors wishing to attend a public meeting at the Town Hall between the hours of **9.00am and 5.00pm** should report to reception via the side entrance in Monson Way. **After 5pm**, access will be via the front door on the corner of Crescent Road and Mount Pleasant Road, except for disabled access which will continue by use of an 'out of hours' button at the entrance in Monson Way

Notes on Procedure

- (1) A list of background papers appears at the end of each report, where appropriate, pursuant to the Local Government Act 1972, section 100D(i).
- (2) Members seeking factual information about agenda items are requested to contact the appropriate Service Manager prior to the meeting.
- (3) Members of the public and other stakeholders are required to register with the Democratic Services Officer if they wish to speak on an agenda item at a meeting. Places are limited to a maximum of four speakers per item. The deadline for registering to speak is 4 pm the last working day before the meeting. Each speaker will be given a maximum of 3 minutes to address the Council.
- (4) All meetings are open to the public except where confidential or exempt information is being discussed. The agenda will identify whether a meeting or part of a meeting is not open to the public. Meeting rooms have a maximum public capacity as follows:
Council Chamber: 100, Committee Room A: 20, Committee Room B: 10.
- (5) Please note that the public proceedings of this meeting will be recorded and made available for playback on the Tunbridge Wells Borough Council website. Any other third party may also record or film meetings, unless exempt or confidential information is being considered, but are requested as a courtesy to others to give notice of this to the Democratic Services Officer before the meeting. The Council is not liable for any third party recordings.

Further details are available on the website (www.tunbridgewells.gov.uk) or from Democratic Services.

If you require this information in another format please contact us, call 01892 526121 or email committee@tunbridgewells.gov.uk

Accessibility into and within the Town Hall – There is a wheelchair accessible lift by the main staircase, giving access to the first floor where the committee rooms are situated. There are a few steps leading to the Council Chamber itself but there is a platform chairlift in the foyer.

Hearing Loop System – The Council Chamber and Committee Rooms A and B have been equipped with hearing induction loop systems. The Council Chamber also has a fully equipped audio-visual system.

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Full Council

22 May 2019

Apologies for Absence

Procedural Item:

To receive any apologies for absence.

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Full Council

22 May 2019

Declarations of Interest

Procedural Item:

To receive any declarations of interest by members in items on the agenda. For any advice on declarations of interest; please contact the Monitoring Officer before the meeting.

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Full Council

22 May 2019

Election of Mayor for the Ensuing Municipal Year

Procedural Item:

To elect the Mayor of Tunbridge Wells Borough Council for the municipal year 2019/20.

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Full Council

22 May 2019

Presentation of Badge to the Immediate Past Mayor

Procedural Item:

To present a badge to the immediate past Mayor in recognition of valued service and the appreciation of the Borough Council.

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Full Council

22 May 2019

Appointment of Deputy Mayor for the Ensuing Municipal Year

Procedural Item:

To appoint the Deputy Mayor of Tunbridge Wells Borough Council for the municipal year 2019/20.

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Full Council

22 May 2019

Announcements from the Mayor and the Chief Executive

Procedural Item:

To receive any announcements from the Mayor and / or the Chief Executive.

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**TOWN HALL
ROYAL TUNBRIDGE WELLS**

**TUNBRIDGE WELLS
BOROUGH COUNCIL**

I, WILLIAM BENSON, the duly appointed Returning Officer for the Borough Council elections held on the 2 May 2019, DO HEREBY RETURN the names of each of the persons elected Borough Councillors as set out in the following schedule.

Dated this 3rd day of May, 2019

William Benson
Returning Officer

Ward	Persons Elected			
	Name	Address	Description	Year of Retirement
Benenden and Cranbrook	Nancy Warne	5 Victoria Cottages, Carriers Road, Cranbrook, Kent, TN17 3JP	Tunbridge Wells Alliance	2023
Culverden	James Rands	Address in Tunbridge Wells Borough	Liberal Democrat	2023
Frittenden and Sissinghurst	Andrew Fairweather	Orchard Cottage, The Common, Sissinghurst, Kent, TN17 2AD	The Conservative Party	2023
Goudhurst and Lamberhurst	Linda Hall	Address in Tunbridge Wells Borough	The Conservative Party	2023
Hawkhurst and Sandhurst	Godfrey Bland	White Gables, Rye Road, Sandhurst, Kent, TN18 5PG	The Conservative Party	2023
Paddock Wood East	Rodney Atkins	4 Goldfinch Close, Paddock Wood, Kent, TN12 6XW	Independent	2023

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Paddock Wood East	Sarah Hamilton	Address in Tunbridge Wells Borough	The Conservative Party	2022
Paddock Wood West	Matthew Bailey	Address in Tunbridge Wells Borough	The Conservative Party	2023
Pantiles and St. Mark's	Andrew Hickey	2 Copperfields, Tunbridge Wells, Kent, TN2 5HZ	Liberal Democrat	2023
Park	Christian Atwood	Address in Tunbridge Wells Borough	Tunbridge Wells Alliance	2023
Park	Becki Bruneau	Address in Tunbridge Wells Borough	Tunbridge Wells Alliance	2020
Pembury	David Hayward	3 Stanam Road, Pembury, Kent, TN2 4LD	Tunbridge Wells Alliance	2023
Rusthall	Dave Funnell	33 Parsonage Road, Rusthall, Kent, TN4 8TA	Liberal Democrat	2023
Sherwood	Hugo Pound	Address in Tunbridge Wells Borough	Labour Party	2023
Southborough and High Brooms	Luke Everitt	School Lodge, Broadwater Lane, Tunbridge Wells, Kent, TN2 5RP	Labour Party	2023
Southborough North	Trevor Poile	30 Fernhurst Crescent, Southborough, Kent, TN4 0TB	Liberal Democrat	2023
Speldhurst and Bidborough	Lucy Willis	Address in Tunbridge Wells Borough	Tunbridge Wells Alliance	2023
St. John's	Marguerita Morton	Address in Tunbridge Wells Borough	Liberal Democrat	2023

Full Council

22 May 2019

Election of Leader of the Council

Procedural Item:

To elect the Leader of the Council in accordance with the requirements of the Constitution.

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Full Council

22 May 2019

Is the final decision on the recommendations in this report to be made at this meeting?

Yes

Appointments to Committees 2019/20

Final Decision-Maker	Full Council
Lead Member	Councillor Alan McDermott – Acting Leader of the Council
Lead Director	Lee Colyer – Director of Finance, Policy and Development
Head of Service	Finbar Gibbons – Head of Policy and Governance
Lead Officer/Author	Mark O’Callaghan – Democratic Services Officer
Classification	Non-exempt
Wards affected	All

This report makes the following recommendations to the final decision-maker:

1. That the allocation of seats to committees, as set out at paragraph 2.9 of the report, be approved;
2. That the appointments to the committees, as set out at Appendix A to the report, be approved;
3. That the appointment take place of any unallocated seats to committees, if appropriate; and
4. That the appointments made by the Leader of the Council to the Cabinet portfolio-holder positions, as set out at Appendix B to the report, be noted.

This report relates to the following Five Year Plan Key Objectives:

- A Confident Borough

Timetable

Meeting	Date
Council	22 May 2019

Appointments to Committees 2019/20

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 This report sets out the process for the appointment of councillors to committees, in accordance with the political balance legislation.

2. INTRODUCTION AND BACKGROUND

Political Balance

- 2.1 As a result of the Borough Council elections held on 2 May 2019, the political balance of the Council is as follows:

Political parties	Number of actual seats on the Council	Balance expressed as a percentage
Conservatives	28	58.33%
Liberal Democrat	9	18.75%
Tunbridge Wells Alliance	6	12.5%
Labour	4	8.33%
Independent	1	2.08%
Total	48	99.99%

- 2.2 The political balance legislation requires that each committee is established to reflect the overall political balance of the Council. The Council must allocate seats on committees and other prescribed bodies so as to give effect to the political balance rules.
- 2.3 Section 15(4) of the Local Government and Housing Act 1989 sets out four rules, and requires authorities to apply them in descending order of priority:
- 2.3.1 When some or all of the members of an authority have formed into two or more political groups, then no committee may comprise just members from one political group;
- 2.3.2 Where a majority of members of the Council are members of one political group, that political group must have a majority of the seats on each committee;
- 2.3.3 Without being inconsistent with the first two rules, the number of seats allocated to each political group on all the committees taken together be as near as possible proportionate to their strength on the Council; and
- 2.3.4 So far as is consistent with rules 1-3, each political party must be allocated that number of seats on each committee taken individually as is proportionate to their strength on the Council.

Allocation of seats on committees

- 2.4 For the purposes of allocating seats, the Cabinet Advisory Boards are committees of the Full Council and must be treated in the same way as all other committees.
- 2.5 The allocation applies in respect of the number of ‘ordinary’ seats, but not including substitute seats.
- 2.6 A political group can only be formed if it has at least two elected members. The political balance legislation requires that the unallocated seats are given to those members who are not part of a political group.
- 2.7 The total allocation of seats applied to each political group does not include the Cabinet (or any Cabinet sub-committees, working groups or Executive appointments), which are not subject to the statutory rules on political balance.
- 2.8 The table below sets out the total number of applicable committee seats:

Applicable committees	Number of Seats
Appeals Committee	5
Audit & Governance Committee	8
General Purposes Committee	8
Investigating & Disciplinary Committee	5
Licensing Committee	15
Overview & Scrutiny Committee	12
Planning Committee	14
Communities & Economic Development Cabinet Advisory Board	11
Finance & Governance Cabinet Advisory Board	11
Planning & Transportation Cabinet Advisory Board	11
Total	100

- 2.9 The table below sets out the allocation of seats to each political group (rounded up/down to the nearest whole seat), in accordance with the above political balance.

Political group	Entitlement of seats on committees
Conservatives	58
Liberal Democrats	19
Tunbridge Wells Alliance	13
Labour	8
Unallocated seats	2
Total	100

Further considerations

- 2.10 The Council's Constitution further requires the membership of the Planning Committee to consist of seven members each from the Eastern and the Western areas of the Borough. (TWBC Constitution, Part 3, paragraph 4.3, page 12.)
- 2.11 Each of the Cabinet Advisory Boards must include at least 8 non-Executive members, plus the relevant Cabinet portfolio-holder, who will be the Chairman. (TWBC Constitution, Part 3, paragraph 3.2, page 10.)

Process

- 2.12 The four political group leaders and the independent member were provided with a notice indicating the above politically balanced allocations of seats to each committee. The nominations from each group leader are compiled into a full list, Appendix A, for the approval of the Full Council.
- 2.13 The proposed appointments made by the Leader of the Council to the Cabinet portfolio positions are set out in Appendix B for noting.

3 AVAILABLE OPTIONS

- 3.1 The calculation of political balance is a statutory process and not subject to approval. However, the rounding applied to actual seats is for agreement by the Council.
- 3.2 In order for the Council to conduct its business and for the committees to function, formal appointments need to be made to each committee, according to the allocation of seats set out and with a membership determined by each political group leader.
- 3.3 Individual appointees may be substituted provided the political balance is maintained.

4 PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 That appointments be made to each committee, as set out. Appointees have been consulted by their respective political groups.

5 CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 5.1 As an internal procedural matter, no public consultation is required. Members have been consulted.
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6 NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 6.1 The allocation of seats and the appointment of councillors to each committee will be determined by the Full Council and will come into effect immediately.
- 6.2 This decision will be communicated through the publication of the minutes of this meeting.

7 CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Legal including Human Rights Act	The allocation of seats and the appointment of councillors to committees is a statutory requirement, set out in the Local Government and Housing Act 1989, section 15. The Council has a duty to allocate seats to certain committees and ensure that the allocation is proportional to the seats attained for the Council. The appointment to these committees should reflect the wishes of the political groups – Local Government (Committees and Political Groups) Regulations 1990 (as amended).	Patricia Narebor, Head of Legal Partnership and Monitoring Officer 13 May 2019
Finance and other resources	There are no significant cross-cutting implications as a result of this decision.	Mark O'Callaghan, Democratic Services Officer 13 May 2019
Staffing establishment		
Risk management		
Data Protection		
Environment and sustainability		
Community safety		
Health and Safety		
Health and wellbeing		
Equalities		

8 REPORT APPENDICES

The following documents are to be published with and form part of the report:

- Appendix A: Appointments to committees 2019/20, for approval by the Council (TO FOLLOW)
- Appendix B: Appointments to the Cabinet 2019/20 to be made by the Leader of the Council for noting (TO FOLLOW)

9 BACKGROUND PAPERS

- None

Full Council

22 May 2019

Common Seal of the Council

Procedural Item:

To authorise the Common Seal of the Council to be affixed to any contract, minute, notice or other document arising out of the minutes, or pursuant to any delegation, authority or power conferred by the Council.

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