

**FULL COUNCIL 5<sup>th</sup> July 2017**  
**7:30PM THE CIVIC CENTRE**

**MINUTES**

**Present:** Mayor Cllr Ball, Leader Cllr Morris, Deputy Leader Cllr Dyball,  
Cllr Halford, Cllr Komolafe, Cllr J Barnes, Cllr Hogg, Cllr Darrington,  
Cllr L Gaire, Cllr S Gaire, Cllr Searles, Cllr Southern, Cllr Willingale

**Officers:** CEO Steve Nash,  
Democratic Services Officer Barb Playfoot,

**Blessing:** The Mayor had invited Reverend Dayne Batley-Gladden to say a short prayer after the Presentation of Awards and invited those not wishing to take part to leave at this time.

**Public Session:** Cllr Ball gave his apologies on behalf of the meeting for the delay in letting the public in

- Mr Mark Flitlock – Archer Way, Swanley, asked what is the council's view on the revised plans, regarding the re-development of Swanley Centre by U & I.  
Cllr Morris responded that the council will await the Planning Application before passing any comments

**1. To receive Apologies for Absence**

Cllr J Halford

**2. To receive Declarations of Interest**

None

**3. To approve as correct the Minutes of the Meeting held on Wednesday 7<sup>th</sup> June 2017**

**AGREED**

**4. To receive Minutes of Committees and approve recommendations contained therein:**

Development Control

DATE: 21<sup>st</sup> June 2017

Personnel

DATE: 21<sup>st</sup> June 2017

Policy & Finance

DATE: 21<sup>st</sup> June 2017

**AGREED**

**5. Swanley Awards**

The Mayor gave a short speech about the 'Making It Happen' awards ceremony held at Sevenoaks District Council. He wanted to highlight all the nominees for the time they give for good causes and especially those winners that are Swanley Residents. The Deputy Mayor Cllr Dyball echoed the Mayor's sentiments.

A photo was taken with the award winners and the Mayor and the meeting showed their appreciation with a round of applause.

John Taylor – Individual Community Champion

Lewis Morris – Young Volunteer of the year

Abdul Aleen – Best Business

Liam Curren – Achievement Award for Rural Age Concern

Christine Hudson – Highly Commended Lifetime Achievement

## **6. Terms of Reference**

To approve the terms of reference for all committees (Report A)

Cllr Searles suggested changing Paragraph F & G under Leadership Group feeling that these were council decisions. The CEO pointed out that all decisions made by the Leadership group still had to be ratified by Full Council at the earliest convenient date.

**RESOLVED: Terms of Reference for all committees approved**

## **7. Lone Working Policy**

To approve the Lone Working Policy (Report B)

**RESOLVED: Lone Working Policy approved**

## **8. Re-Advertise The Woodlands**

To approve a recommendation from Development Control Committee that The Woodlands site be re-advertised for disposal as retirement accommodation development.

**RESOLVED: To re-advertise The Woodlands**

To also approve authority for the CEO to shortlist the Agents for appointment then consult with the Leadership Team and Cllr Hogg for final selection.

**RESOLVED: To approve delegated powers to the CEO**

## **9. Overhanging balcony Shopping Centre**

Cllr Scott voiced her concerns regarding the overhanging balcony adjacent to ASDA and the danger to children and young people.

**RESOLVED: To contact Sevenoaks District Council asking them to look at a physical barrier to prevent the possibility of injury.**

## **10. Mayors Communication**

The Mayor reported that he had attended the following events

10<sup>th</sup> June 2017 – Swanley Therapy Group - Fund raising Afternoon Tea & fete

12<sup>th</sup> June 2017 – Monday Club Lunch

‘Making It happen’ Awards ceremony Sevenoaks District Council

22<sup>nd</sup> June 2017 – CAB Grant Cheque Presentation

24<sup>th</sup> June 2017 – Armed Forces Day – Congratulations to the Council staff on a very successful 1<sup>st</sup> Armed Forces Day

1<sup>st</sup> July 2017 – Swanley Football Club – Annual Awards Presentation –  
Congratulated them on a successful 1<sup>st</sup> year

## **11. Report from County and District Councillors**

Cllr Horwood reported that he had met with the KCC Highways Officer to run through 27 issues that had been reported to him by the Swanley residents including lack of Street lighting, Pot Holes, Parking and Road lines. A priority was to re-instate the street lighting on London Road, Swanley from the Premier Inn northwards and reduce the speed limit to 30mph. Cllr Horwood reported that a sample of Horizon Houses’ cladding had been taken and now awaiting the results.

Cllr Dyball also reported that she had a successful meeting regarding the St Marys traffic survey and received some positive results.

## **12. Forthcoming Meetings**

Policy & Finance  
Development Control  
Personnel

7:30pm Wednesday 19<sup>th</sup> July 2017  
After 7:30pm Wednesday 19<sup>th</sup> July 2017  
After 7.30pm Wednesday 19<sup>th</sup> July 2017

## **13. DATE OF NEXT MEETING**

7:30pm Wednesday 6<sup>th</sup> September 2017

**Meeting closed at 8.15pm**

If you would like further information on any of the agenda items, please contact Mr Steve Nash, on 01322 611663 or [snash@swanleytowncouncil.gov.uk](mailto:snash@swanleytowncouncil.gov.uk)

### **Council Members:**

Mayor Cllr L Ball  
Leader Cllr R Morris  
Deputy Leader Cllr L Dyball  
Cllr C Barnes  
Cllr J Barnes  
Cllr P Darrington  
Cllr L Gaire  
Cllr S Gaire

Cllr J Halford  
Cllr M Hogg  
Cllr M Horwood  
Cllr E Komolafe  
Cllr N Scott  
Cllr V Southern  
Cllr T Searles  
Cllr H Willingale

## **REPORT A**



### **COMMITTEE TERMS OF REFERENCE**

These committees are selected by councillors with members putting themselves forward or being nominated by other councillors. This is then ratified at Full Council along with membership of all Committees being confirmed.

The Leadership Group is made up of 3 councillors nominated by the Leading Party or by nominations depending on the political makeup of the council. They will be identified as The Leader, Deputy Leader and Leadership Member which will also be published on Agendas for clarity.

## **Leadership Group**

### **Leadership Group**

The Leadership group provides an immediate response to concerns, issues or questions raised by the CEO/Town Clerk in relation to the activities of the Town Council and its forward plan or involvement in local events. Members of the Leadership group also provide Line Management of the CEO and will be responsible for his annual appraisal and performance requirements. They will report to appropriate committees any of their actions which relate to operational or budgetary changes and seek ratification of decisions from the appropriate committee as required.

The Leadership group shall have the following powers:

- a) To agree the contracts of key personnel, including: CEO, RFO, Civic Manager, Estates Manager and Venue Managers
- b) To agree with the CEO the staffing structure of the Town Council within existing budgets and specific to the needs of the council.
- c) To delegate to the CEO such authority as required to allow for the smooth running of the Town Council's activities if:
  - Within existing budgets or permitted expenditure
  - The Town Council has the power or authority to act in these matters

- That such actions are legally allowed under an appropriate piece of legislation
  - That such actions will not bring the town council into disrepute
  - Any delay in decision making would incur additional costs or liability upon the town council
- d) To sign cheques and view bank balances upon request
- e) To formulate and agree Tender Documents alongside the CEO for new projects or to seek better services via existing service provision as appropriate
- f) To agree contracts with External Providers which exceed the limit granted to the CEO under delegated powers.
- g) To agree changes to rental income / charges which are needed to allow increased use of Town Council facilities by local community groups which exceed the powers delegated to the CEO.
- h) To manage all aspects of performance of the Chief Executive Officer including conducting regular performance reviews. To make recommendations in conjunction with the Policy and Finance Committee concerning remuneration of the Chief Executive Officer

N.B All decisions made by the Leadership group should be notified to Full Council at the earliest opportunity and where needed must be ratified at the first available council meeting.

## Development Control Committee

The Development Control Committee is consulted on all planning applications within the parish. The committee may listen to comments from residents before responding with comments to Sevenoaks District Council which is the Planning Authority for the area.

The Development Control Committee shall as far as possible and practical have due regard to the political balance of the Council and allocate places to other parties accordingly. The Council may exercise discretion by allocating seats to an independent individual councillor not in a political group.

The Development Control Committee shall have the following powers:

- a) To consider and comment on planning applications notified to the Council under the Town and Country Planning Acts and to resolve its decisions thereon
- b) If the meeting is inquorate urgent applications will be referred to Full Council should there not be another Committee meeting prior to the response deadline

- c) To consider and monitor local development plans and strategic planning issues
- d) Review STC strategy with regard the Development of its own existing or new facilities within the town
- e) Explore Commercial Development within the town both for STC and for the local business community.
- f) Seek government and other forms of funding as appropriate to support future Development in areas of the town which create opportunities for economic development

## Estates and Facilities Committee

The Estates and Facilities Committee is responsible for the management and maintenance of all leisure facilities, parks and open spaces and land or buildings owned or managed by Swanley Town Council including St Mary's Recreation Ground (in conjunction with the charity trustees) verge and maintenance contracts with KCC and SDC, footpaths and allotments.

The Committee is also responsible for liaising with Kent Highways Services and Sevenoaks District Council on all issues related to roads, including road maintenance, flood issues, bus services and winter plans.

The Estates and Facilities Committee shall be as far as possible and practical have due regard to the political balance of the Council. The Council may exercise discretion by allocating seats to an independent individual councillor not in a political group.

The Estates and Facilities Committee shall have the following powers:

- a) To resolve minor matters connected with the following:
  - b) Highways and traffic regulations, including bus services
  - c) Trees and Planting, TPOs
  - d) Access licences over Council property
  - e) Street naming and numbering, naming of buildings
- f) To respond to consultative documents concerning highways, transportation and environmental issues
- g) To consider and develop a Swanley Parish Plan
- h) To consider the environmental impacts to the Town and make recommendations of actions to Full Council for the improvement of these.

- i) Where possible to seek external funding to develop activities for all age groups within the town creating opportunities for intergenerational partnership and networking where possible
- j) To manage the facilities and activities within Swanley Park and review developments there annually.
- k) To review all Risk Assessments and Procedures relating to park activities at least every 3 years and for every new activity created prior to the commencement of such activities.

## **Policy and Finance Committee**

The Policy and Finance Committee are responsible for all financial, legal and audit issues of the Council.

The Policy and Finance Committee shall be as far as possible and practical have due regard to the political balance of the Council. The Council may exercise discretion by allocating seats to an independent individual councillor not in a political group.

The Policy and Finance Committee shall have the following powers:

- a) The power to consider the financial estimates of the Council and recommend the level of precept to be levied to Full Council
- b) The power to approve and oversee the Council's revenue and capital budget following approval by Full Council
- c) To ensure the proper collection and reporting of all types of all revenue streams for the Town Council and the raising and/or renewal of local and insurances are carried out
- d) To be responsible for the banking, financial and accounting methods of the Council and their regular inspections.
- e) To consider and develop the annual budget for adoption by Full Council in conjunction with the CEO and other council officers.
- f) To consider and approve all items relating to income and expenditure as set out in the Council's budget
- g) To allocate Grant Aid as set out in the Grant Aid procedure
- h) To consider the Annual Audit Report and take action to resolve any recommendation therein
- i) To review probity and the effectiveness of the internal controls including the action recommended in the internal Auditor's annual report

- j) To review all major assets (valued over £25,000) of the Council annually and review minor assets (Valued under £25,000) at least 3 yearly with the CEO and Estates Manager.
- k) To review contracts, concessions and service plans which are provided by external contractors upon renewal

## Personnel Committee

The Personnel Committee is responsible for HR matters of the Council.

The Personnel Committee shall be as far as possible and practical have due regard to the political balance of the Council. The Council may exercise discretion by allocating seats to an independent individual councillor not in a political group.

The Personnel Committee shall have the following powers:

- a) To oversee all matters relating to general staffing, grievance, disciplinary issues in accordance with the Council's established policy
- b) To consider the development, welfare, superannuation, remuneration, recruitment, training, qualifications, health and safety aspects and other conditions of service of all employees
- c) To consider schemes of employment such as modern apprenticeships
- d) To determine and approve the policies and procedures of the Council in connection with all matters of personnel

## Appeals Committee

The Appeals Committee shall hear and determine matters of appeal in cases of discipline, grievance and efficiency of service.

The Appeals Committee shall be as far as possible and practical have due regard to the political balance of the Council. The Council may exercise discretion by allocating seats to an independent individual councillor not in a political group.

The Appeals Committee shall be formed as and when it is required.

The Appeals Committee shall have the power to:

- a) Deal with matters referred to it by either individual staff members or by the Council

**Recommendation: That the Appeals Committee is only formed as and when required when requested by the Chair of the Committee, CEO and/or Leadership Group.**

## **REPORT B**

## **Swanley Town Council**

### **Health & Safety at Work Act 1974 Health & Safety Lone Working Policy Statement**

#### **STC Definition**

Lone working in its clearest form means exactly what it says 'working alone'. This does not mean in isolated locations such as Ground Staff or Park Rangers who work in Parks and Open Spaces, rather it refers to the absence of other staff who could be called on for support or to witness events taking place.

#### **Swanley Town Council's statement of policy in regard to lone working is to:**

- Consider lone working as a higher risk activity where Swanley Town Council's ("the Council") management strive to minimise such working instances
- Minimise particularly where high risk work is also undertaken under lone working conditions e.g. in an isolated facility
- Never unknowingly expose an employee to uncontrolled risks particularly associated with lone working where non-members of staff have access.
- Consider and act on all reasonable concerns raised by employees in relation to lone working situations e.g. in times of absence of a colleague, safety concerns
- Provide adequate resources and training for the employee to ensure their Health and Safety particularly under lone working conditions backed by other policies and procedures.
- Ensure the Council minimises the risks and liabilities associated with employee lone working and that its duties as required by Health and Safety legislation are not compromised, e.g. provide lone workers telephone access
- Provide adequate control of the additional Health and Safety risks arising from lone working across the organisation
- Provide timely information and instruction to supervisors to ensure that instances of lone working are minimised or that associated risks are properly assessed and controlled
- Ensure that all employees are competent to do their tasks and to give them adequate training
- Review and revise this policy as necessary at regular intervals

The Council also accepts its responsibility for assessing the risks to the health and safety of councillors and volunteers who work for the Council and other people who may be affected by our activities.

All employees, councillors and volunteers have a responsibility to co-operate with supervisors and managers to achieve a healthy, safe workplace and to take care of themselves and others.

Where any incident relating to physical, verbal abuse, unwelcome remarks comments and intimidation are made toward any member of staff, councillor or volunteer this should be reported IMMEDIATELY to the CEO. Failing that to the next senior member of staff to ensure early recording of concerns and appropriate action taken.

Supporting Policies and Procedures include:

- Complaints procedure
- Whistle Blowing
- Children and Vulnerable Adults
- Alcohol, Drug and Substance Misuse Policy

Overall and final responsibility for Health and Safety in the Council is that of:

**Steve Nash – CEO & Proper Officer**

Signed .....

Dated .....

*This policy was approved on and will be kept up to date as the size and nature of the council changes and as new legislation is introduced. Otherwise date of next review May 2020.*