

**FULL COUNCIL 2<sup>nd</sup> September 2020  
7:30PM – ZOOM MEETING**

**MINUTES**

- Present:** Mayor L Dyball, Deputy Mayor Cllr J Barnes,  
Cllr S Andrews, Cllr L Ball, Cllr C Barnes,  
Cllr G Darrington, Cllr P Darrington, Cllr J Domigan,  
Cllr M Foster, Cllr J Griffiths, Cllr M Horwood, Cllr C Lee,  
Cllr V Letchford, Cllr T Searles, Cllr A Skipper, Cllr J Tuckfield
- Officers:** CEO - Steve Nash,  
Assistant Town Clerk – Toni Roast  
Democratic Services Officer - Barbara Playfoot
- Public Session:** Nikki Hill from Flossy Flavours asked why she was asked to remove her Candy Floss stall in Swanley Park when the council portrays that it supports local business.  
Cllr Horwood said that the decision had been made without councillors consultation and the matter was going to be discussed as an agenda item.  
A resident questioned why there appeared to be two different times for registering interest to speak at the meeting which was clarified by the Democratic Services Officer. Cllr Horwood questioned why residents had to register interest when this was not required for meetings held in Council Chambers. It was agreed that there would be no further need to register for future ZOOM meetings
- Several Swanley residents spoke about the removal of the candy floss stall and asked why this had happened and the impact it had on the resident in question.
- Cllr Horwood proposed and seconded by Cllr Ball that Confidential Items 8 and 10 be brought forward into the public domain for discussion as the items pertain to the Candy Floss stall. All agreed that this action could be taken.

**11015 Apologies for Absence**

None

**11016 To receive Declarations of Interest**

None

**11017 To approve as correct the Minutes of the Meeting held on Wednesday  
15<sup>th</sup> July 2020**

## **APPROVED**

### **11018 PARK CONCESSIONS (ITEM 8)**

The CEO had prepared a report justifying the reasons why Swanley Park set up their own Candy Floss stall as opposed to inviting an independent to supply candy floss. A lengthy discussion took place regarding the contents of the report.

### **11019 PARK CONCESSIONS (ITEM 10)**

Cllr Horwood read out a Council motion which proposed that the removal of the independent Candy Floss stall be reconsidered and reinstated immediately. Terms under which the candy floss stall would be re-established was agreed by all parties.

### **11020 INTERNAL AUDIT REPORT**

The CEO reported that the Internal Audit report had been positive and any concerns were low risk. Cllr Domigan asked for clarification on the £38,145 VAT reclaim. The CEO explained that this was the VAT paid on the creation of the Splashpool.

Cllr Searles asked for it to be noted that the report stated that all Cllr gratuities/payments must be recorded in the public domain. Thanks goes to the RFO for a positive report

**NOTED**

### **11021 TERMS OF REFERENCE FOR LEADERSHIP – Appendix A,B,C & D**

To amend the terms to conform to legal requirements

Cllr Dyball asked the CEO to run through the appendices. The CEO explained that they were the legal advice for reference by the councillors. He went on to say that either Leadership remain a advisory group or Leadership becomes an official committee whereby agendas and minutes will have to be provided for the public domain.

Cllr Horwood said that Leadership discussed items i.e. Grass cutting which did not need to be a Full council agenda item just a prompt for some action. Leadership do not take any major decisions relating to the council as they are an advisory group and would always go to Full Council. He went on to say that there is a confidential item on the agenda that will discuss Leadership and delegated powers of the Town Clerk. Cllr Searles pointed out that as there was already a recommendation from the Town Clerk that an additional or different recommendation be agreed it would have to be taken to the next Full Council meeting. Cllr Horwood then asked for an amendment to the Town Clerk's recommendation. The Town Clerk to bring to Full Council any matters requiring a decision that arises from meeting with the Leadership group. That external advice be sought to review the delegated powers to the Town Clerk and the Leadership group. All agreed apart from one abstention.

### **Mayors Communication**

To receive such communications as the Town Mayor may desire to lay before the Council (Councillors are reminded that no decision making may take place as a result of this item)

The Mayor attended a social distanced VJ Day Remembrance Service at St Marys Church at the invitation of the British Legion.

The Mayor went on to say that she was sorry to hear that the Democratic Officer was retiring and thanked her for all her work she had done while in post.

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

(Councillors are reminded that no decision making may take place as a result of this item)

Cllr Tuckfield said that she had previously dealt with a surface water problem in Lullingstone Avenue and was aware that there had been a similar problem reported. Any councillors that required advise on the water problem she was willing to share her notes.

Cllr C Barnes informed the meeting that Travellers had taken up camp in Lower Road, Hextable and it is believed that they have applied for planning permission.

### **11022 HEADS OF TERMS**

The initial discussion to take place between the Town Clerk and the Leadership Group for it then to be taken to Full Council for further discussion and agreement.

### **11023 LEADERSHIP FUNDING**

The Leadership Committee (Cllrs Horwood, Dyball, Ball, Darrington and J Barnes) be granted delegated powers under **S111 of the 1972 Local Government Act** to spend up to £5,000 on legal advice from KALC, NALC, or a local government consultant for the 2020/21 and 2021/22 financial years covering:

- a. Clarification of town council governance procedures, including the limits of Council-approved Leadership Committee delegated powers, and those delegated to the Town Clerk
- b. HR advice regarding line management of the Town Clerk, and legal or procedural advice relating to addressing complaints made against him by residents, businesses or town council staff.

Any additional amounts required above the permitted spend in point 1 will require the Leadership Committee to move a further motion to Full Council.

The CEO pointed out that most of the legal advice would be free as the council has membership to NALC, KALC and ELAS.

Cllr Dyball said that if the advice was free and spending money would be the last resort. She added that transparency would be maintained as the spend would show in the financial accounts.

**Meeting closed at 22.06**

#### **Council Members:**

Mayor Cllr L Dyball

Leader Cllr M Horwood

Deputy Leader Cllr L Ball

Cllr S Andrews

Cllr C Barnes

Cllr J Barnes

Cllr G Darrington

Cllr P Darrington

Cllr J Domigan

Cllr M Foster

Cllr J Griffiths

Cllr C Lee

Cllr V Letchford

Cllr T Searles

Cllr A Skipper

Cllr J Tuckfield