

TONBRIDGE AND MALLING BOROUGH COUNCIL
MINUTES OF COUNCIL, CABINET AND COMMITTEE MEETINGS

INDEX

| Item | Page (s) |
|---|-----------|
| 1. 14 February: Council <ul style="list-style-type: none"> - Minute Numbers: C 17/1 – 18 - Annex: Council Tax Resolution | 3 - 14 |
| 2. 1 March: Area 2 Planning Committee <ul style="list-style-type: none"> - Minute Numbers: AP2 17/8 - 16 | 15 - 20 |
| 3. 6 March: General Purposes Committee <ul style="list-style-type: none"> - Minute Numbers: GP 17/1 – 10 - Annex: Members Allowances | 21 - 28 |
| 4. 14 March: Licensing and Appeals Committee <ul style="list-style-type: none"> - Minute Numbers: LA 17/1 - 8 | 29 - 32 |
| 5. 16 March: Area 3 Planning Committee <ul style="list-style-type: none"> - Minute Numbers: AP3 17/12 - 16 | 33 - 36 |
| 6. 21 March: Cabinet <ul style="list-style-type: none"> - Minute Numbers CB 17/30 - 43 | 37 - 40 |
| 7. Cabinet Decision Notices <ul style="list-style-type: none"> - D170017MEM – D170018MEM - D170019MEM – D170024MEM - D170025MEM – D170029MEM - D170030CAB – D170036CAB | 41 - 68 |
| 8. 30 March: Area 1 Planning Committee <ul style="list-style-type: none"> - Minute Numbers: AP1 17/7 - | To Follow |
| 9. 3 April: Audit Committee <ul style="list-style-type: none"> - Minute Numbers: AU 17/16 - | To Follow |

NOTE: In the case of items containing exempt information, the report must remain confidential but details of the decisions need not remain confidential.

As part of the Council's environmental strategy, all Committee agenda, reports and minutes are produced with recycled paper and are available to view on line.

TONBRIDGE AND MALLING BOROUGH COUNCIL

COUNCIL MEETING

Tuesday, 14th February, 2017

At the meeting of the Tonbridge and Malling Borough Council held at Civic Suite, Gibson Building, Kings Hill, West Malling on Tuesday, 14th February, 2017

Present: His Worship the Mayor (Councillor M R Rhodes), the Deputy Mayor (Councillor R W Dalton), Cllr Mrs J A Anderson, Cllr O C Baldock, Cllr M A C Balfour, Cllr Mrs S M Barker, Cllr Mrs S Bell, Cllr R P Betts, Cllr T Bishop, Cllr P F Bolt, Cllr J L Botten, Cllr T I B Cannon, Cllr M A Coffin, Cllr D J Cure, Cllr D A S Davis, Cllr M O Davis, Cllr Mrs T Dean, Cllr T Edmondston-Low, Cllr S M Hammond, Cllr Mrs M F Heslop, Cllr N J Heslop, Cllr S R J Jessel, Cllr D Keeley, Cllr Mrs F A Kemp, Cllr R D Lancaster, Cllr D Lettington, Cllr Mrs S L Luck, Cllr B J Luker, Cllr D Markham, Cllr Mrs A S Oakley, Cllr M Parry-Waller, Cllr S C Perry, Cllr R V Roud, Cllr Miss J L Sergison, Cllr Miss S O Shrubsole, Cllr Ms S V Spence, Cllr Miss G E Thomas, Cllr F G Tombolis, Cllr B W Walker and Cllr T C Walker

Apologies for absence were received from Councillors M C Base, Mrs P A Bates, V M C Branson, B T M Elks, Mrs S M Hall, S M King, P J Montague, L J O'Toole, H S Rogers, C P Smith, A K Sullivan and M Taylor

PART 1 - PUBLIC

C 17/1 DECLARATIONS OF INTEREST

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

C 17/2 MINUTES

RESOLVED: That the Minutes of the proceedings of the meeting of the Council held on 1 November 2016 be approved as a correct record and signed by the Mayor.

C 17/3 MAYOR'S ANNOUNCEMENTS

The Mayor reported that since the last meeting he had attended many nativity plays, carol concerts and opening of Christmas fairs at schools and colleges throughout the Borough. He highlighted a number of memorable events including collecting for the RBL Poppy Appeal and the Remembrance Sunday parades, the various Christmas Festivals and switching on of lights around the Borough, the Leybourne Grange Riding

Centre for the Disabled Nativity, the Hi Kent Charity Draw and the Blessing of the Seas at Margate.

The Mayor reported on the successful dinner at the Old Fire Station which had raised funds for his charities. He also referred to future events including the Oast Theatre performance on 8 March which was now sold out and indicated that further details would follow of an Archery and Activity Day at Wide Horizons and a Charity Big Band event.

C 17/4 ELECTION OF MEMBER FOR TRENCH WARD

The Chief Executive as Returning Officer submitted the certificate of the result of the election held on 8 December 2016 to fill the vacancy for the Trench Ward. Members were advised that Miss Georgina Thomas (Conservative) had been duly elected as a Councillor to hold office until 2019.

C 17/5 POLITICAL BALANCE ARRANGEMENTS FOR COMMITTEES

The report of the Director of Central Services and Monitoring Officer gave details of the political balance arrangements to be applied to the Council's committees, sub-committees, advisory boards and panels following the by-election for Trench Ward.

It was noted that the overall allocation of seats was the same as that reported to the Annual Council meeting and details were given of proposed changes to membership notified by the Conservative Group.

RESOLVED: That

- (1) the composition of all committees, sub-committees, advisory boards and panels be approved in accordance with the table at paragraph 1.1.3 of the report and the Monitoring Officer be authorised to make any consequential amendments to the Council's Constitution in respect of political balance; and
- (2) the appointments set out at paragraph 1.1.4 of the report be approved as follows:

Councillor Mrs P Bates to fill the vacancy on the Overview and Scrutiny Committee

Councillor Miss G Thomas to fill the vacancy on the Joint Standards Committee

Councillor Miss G Thomas to replace Councillor Mrs P Bates on the Communities and Housing Advisory Board

Councillor Miss G Thomas to fill the vacancy on the Street Scene and Environment Services Advisory Board

C 17/6 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 17/7 QUESTIONS FROM MEMBERS PURSUANT TO COUNCIL PROCEDURE RULE NO 5.5

Councillor D Cure asked the following question pursuant to Council Procedure Rule No 5.5:

“Would Councillor Howard Rogers as Cabinet Member for Strategic Planning and Infrastructure of a Conservative Administration explain how he can dilute the Democratic Rights of residents of The Borough, by denying the right of neighbours and local residents to attend Area Planning Committee Site Meetings by a procedure which given its great implications has never been put to the Full Council.”

To which the Cabinet Member for Strategic Planning and Infrastructure replied as follows:

“The review of procedures for Members Site Inspections followed some initial consideration by a Panel of the Overview and Scrutiny Committee and subsequent work by officers, in consultation with the Chairmen of the Area Planning Committees and myself, to reflect the decision of Cabinet to implement some practical improvements to the current Area Planning Committee system.

The underlying approach was to clarify how Members Site Inspections should take place, taking into account current national guidance and good practice and recognising that the sole purpose of such Site Inspections is for Members of the Planning Committee to survey the site and surroundings in order to inform their subsequent consideration of a planning application.

Site Inspections by Planning Committee Members are not occasions for any debate, comment or the expression of views by any party. It is important that Members of the Planning Committee are allowed to simply view the site. Any queries arising can be put to planning officers who will answer them or note for further investigation. Members of the Public or other third parties have no ‘right’ to attend such site inspections. They do, of course, have an appropriate right to make written representations and speak at a Planning Committee meeting when decisions are made. The new procedure makes provision for a relevant Parish Council representative to attend as an observer.

The changes made are ones of clarity for the benefit of Planning Committee Members, the proper conduct of Site Inspections and to ensure the robustness of decisions ultimately made by the Planning

Committees. It is not a change that effects how the Council will look at planning applications or engage with members of the public through appropriate consultation”.

C 17/8 LEADER'S ANNOUNCEMENTS

The Leader welcomed Councillor Georgina Thomas to her first meeting of the Council, saying that she was born and raised in Trench and was now one of the representatives for Trench Ward.

He advised that Councillor Martin Coffin would shortly present the Cabinet's recommendations on the budget to Council and in considering the budget proposals, it was worth reflecting on the context of the challenge faced at Tonbridge and Malling. Firstly, this was the first meeting of Council when budget setting would be taken in the knowledge that revenue support grant no longer existed (for TMBC at least). The means of paying for services provided by the Borough Council including emptying the bins, sweeping the streets, providing a housing service, the planning function, licensing, leisure activities and parks was now wholly dependent upon taxation, a share of business rates, charging and how the Council made best use of its capital resources.

The Leader said that Members would also be aware that the Council, at its November meeting, had adopted a scheme of special expenses covering the costs of selected local services, which were provided by the Borough Council in some areas of the Borough and by parish councils in other parts. He believed that the new arrangements had cross party support.

Secondly, the Leader indicated that the stretch on local government was increasing and the means of balancing expectation of the delivery of those public services and the human and financial resources available continued to widen. He set out those thoughts because, in going through the agenda that evening, his concern was to do the best to protect what was cherished in Tonbridge and Malling, providing the services believed to be important to local people but also being mindful of the wider challenges faced. The Leader stressed that over the coming months the Council would have to turn its attention to making some more very difficult choices within the context of the Savings and Transformation Strategy. It was simply not possible to continue to provide everything in the same way and to the same level, given the financial pressures.

On a positive note, as in previous years, the Leader was pleased to report that the latest audit letter from Grant Thornton was extremely complimentary about the financial approach of the authority. Two key passages worthy of note were:

In respect of value for money, as they had in many previous years, the auditors were “satisfied that the Council put in place proper arrangements to ensure economy, efficiency and effectiveness in its use

of resources”; and commenting on the savings challenge, they observed “the Council continues to address this gap in a structured way.”

A further positive was the announcement that local growth funding had been secured towards the Medway Flood Storage Area Project. This was the final tranche of funding that would now enable the £24 million project to go ahead, giving the Council and local people/businesses more certainty on the future of flood defences and much needed improvements to the Leigh Flood Storage Area, together with a flood protection bund at Hildenborough and a separate scheme of flood mitigation measures at East Peckham.

The Leader reported that the Council had been single minded on this issue, holding the line purposefully and working very closely with the Environment Agency, Kent County Council and other agencies during the bid process. He particularly wished to acknowledge the dedication and professionalism of those officers involved in the project - in particular Julie Beilby, Steve Humphrey, Mark Raymond, Jeremy Whittaker, Ian Bailey and Andy Edwards.

C 17/9 DELEGATION OF FILM CLASSIFICATION

Item LA 16/92 referred from Licensing and Appeals Committee minutes of 29 November 2016

RESOLVED: That the recommendations at Minute LA 16/92 be approved.

C 17/10 POLICY STATEMENT - DISCLOSURE AND BARRING SERVICE

Item LA 16/93 referred from Licensing and Appeals Committee minutes of 29 November 2016

RESOLVED: That the recommendations at Minute LA 16/93 be approved.

C 17/11 APPOINTMENT OF EXTERNAL AUDITORS

Item CB 17/3 referred from Cabinet minutes of 31 January 2017

RESOLVED: That the recommendations at Minute CB 17/3 be approved.

C 17/12 RISK MANAGEMENT STRATEGY

Item CB 17/4 referred from Cabinet minutes of 31 January 2017

RESOLVED: That the recommendations at Minute CB 17/4 be approved.

C 17/13 TREASURY MANAGEMENT AND ANNUAL INVESTMENT STRATEGY 2017/18

Item CB 17/5 referred from Cabinet minutes of 31 January 2017

RESOLVED: That the recommendations at Minute CB 17/5 be approved.

C 17/14 SATURDAY HOUSEHOLD BULKY AND WASTE ELECTRICAL AND ELECTRONIC EQUIPMENT (WEEE) SERVICE REVIEW

Item CB 17/6 referred from Cabinet minutes of 31 January 2017

RESOLVED: That the recommendations at Minute CB 17/6 be approved.

C 17/15 SETTING THE BUDGET 2017/18

Item CB 17/19 referred from Cabinet minutes of 9 February 2017

It was proposed by Councillor M Coffin and seconded by Councillor N Heslop that the recommendations at Minute CB 17/19 be adopted. In accordance with Council Procedure Rule No 8.5 voting was recorded as follows:

Members voting for the motion:

Cllr Mrs J A Anderson, Cllr O C Baldock, Cllr M A C Balfour, Cllr Mrs S M Barker, Cllr Mrs S Bell, Cllr R P Betts, Cllr T Bishop, Cllr P F Bolt, Cllr J L Botten, Cllr T I B Cannon, Cllr M A Coffin, Cllr D J Cure, Cllr R W Dalton, Cllr D A S Davis, Cllr M O Davis, Cllr Mrs T Dean, Cllr T Edmondston-Low, Cllr S M Hammond, Cllr Mrs M F Heslop, Cllr N J Heslop, Cllr S R J Jessel, Cllr D Keeley, Cllr Mrs F A Kemp, Cllr R D Lancaster, Cllr D Lettington, Cllr Mrs S L Luck, Cllr B J Luker, Cllr D Markham, Cllr Mrs A S Oakley, Cllr M Parry-Waller, Cllr S C Perry, Cllr M R Rhodes, Cllr R V Roud, Cllr Miss J L Sergison, Cllr Miss S O Shrubsole, Cllr Ms S V Spence, Cllr Miss G E Thomas, Cllr F G Tombolis, Cllr B W Walker and Cllr T C Walker

Total 40

Members voting against the motion:

None

Members abstaining:

None

RESOLVED: That the recommendations at Minute CB 17/19 be approved.

C 17/16 SETTING THE COUNCIL TAX 2017/18

Item CB 17/20 referred from Cabinet minutes of 9 February 2017

It was proposed by Councillor M Coffin and seconded by Councillor N Heslop that the recommendations at Minute CB 17/20 be adopted. In accordance with Council Procedure Rule No 8.5 voting was recorded as follows:

Members voting for the motion:

Cllr Mrs J A Anderson, Cllr O C Baldock, Cllr M A C Balfour, Cllr Mrs S M Barker, Cllr Mrs S Bell, Cllr R P Betts, Cllr T Bishop, Cllr P F Bolt, Cllr J L Botten, Cllr T I B Cannon, Cllr M A Coffin, Cllr D J Cure, Cllr R W Dalton, Cllr D A S Davis, Cllr M O Davis, Cllr Mrs T Dean, Cllr T Edmondston-Low, Cllr S M Hammond, Cllr Mrs M F Heslop, Cllr N J Heslop, Cllr S R J Jessel, Cllr D Keeley, Cllr Mrs F A Kemp, Cllr R D Lancaster, Cllr D Lettington, Cllr Mrs S L Luck, Cllr B J Luker, Cllr D Markham, Cllr Mrs A S Oakley, Cllr M Parry-Waller, Cllr S C Perry, Cllr M R Rhodes, Cllr R V Roud, Cllr Miss J L Sergison, Cllr Miss S O Shrubsole, Cllr Ms S V Spence, Cllr Miss G E Thomas, Cllr F G Tombolis, Cllr B W Walker and Cllr T C Walker

Total 40

Members voting against the motion:

None

Members abstaining:

None

RESOLVED: That the recommendations at Minute CB 17/20 be approved and the Council Tax Resolution 2017/18, as set out as an Annex to these Minutes, be adopted.

C 17/17 APPOINTMENTS TO OUTSIDE BODIES

Consideration was given to the report of the Director of Central Services regarding the appointment of a replacement trustee of Sir Thomas Smythe's Charity for the parish of St Stephen, Tonbridge following the retirement of Mrs Betty Keywood.

RESOLVED: That

- (1) Councillor D Cure be appointed as a local representative/trustee of Sir Thomas Smythe's Charity for the parish of St Stephen; and
- (2) a letter of appreciation be sent to Mrs Keywood in acknowledgement of her service over many years.

C 17/18 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 8.24 pm

COUNCIL TAX

DRAFT RESOLUTION

1. It be noted that on 14th February 2017 the Council calculated:
 - (a) the Council Tax Base 2017/18 for the whole Council area as 48,878.88 [Item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended (the "Act")] and,
 - (b) for dwellings in those parts of its area to which one or more special items (Special expenses and or a Parish precept) relates as follows:

| | |
|--------------------------|-----------|
| Tonbridge | 13,408.94 |
| Addington | 386.67 |
| Aylesford | 4,098.45 |
| Birling | 198.15 |
| Borough Green | 1,616.04 |
| Burham | 450.02 |
| Ditton | 1,767.75 |
| East Malling & Larkfield | 4,931.70 |
| East Peckham | 1,279.50 |
| Hadlow | 1,498.29 |
| Hildenborough | 2,186.01 |
| Ightham | 1,093.73 |
| Kings Hill | 3,904.69 |
| Leybourne | 1,637.81 |
| Mereworth | 429.67 |
| Offham | 373.12 |
| Platt | 882.67 |
| Plaxtol | 584.11 |
| Ryarsh | 310.98 |
| Shipbourne | 251.80 |
| Snodland | 3,543.42 |
| Stansted | 258.42 |
| Trottscliffe | 266.83 |
| Wateringbury | 882.45 |
| West Malling | 1,111.40 |
| West Peckham | 176.29 |
| Wouldham | 486.88 |
| Wrotham | 863.09 |

2. £9,654,030 being the Council Tax requirement for the Council's own purposes for 2017/18 (excluding Parish precepts).

3. That the following amounts be calculated for the year 2017/18 in accordance with Sections 31 to 36 of the Act:

- (a) £85,616,532 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils.
- (b) £73,296,869 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
- (c) £12,319,663 being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act).
- (d) £252.04 being the amount at 3(c) above (Item R), all divided by Item T (1(a) above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year including Parish precepts.
- (e) £3,442,642 being the aggregate amount of all special items (Special expenses and Parish precepts) referred to in Section 34(1) of the Act.
- (f) £181.61 being the amount at 3(d) above less the result given by dividing the amount at 3(e) above by Item T (1(a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no special items relate (this is the Council Tax for General Expenses to which Special expenses and Parish precepts are added as applicable).

| (g) Part of the Council's area | Band D £ |
|---------------------------------------|-------------|
| Tonbridge | 232.06 |
| Addington | 245.62 |
| Aylesford | 238.26 |
| Birling | 233.42 |
| Borough Green | 284.56 |
| Burham | 237.30 |
| Ditton | 332.40 |
| East Malling & Larkfield | 244.14 |
| East Peckham | 291.47 |
| Hadlow | 255.34 |
| Hildenborough | 212.00 |
| Ightham | 288.54 |
| Kings Hill | 253.10 |
| Leybourne | 282.28 |
| Mereworth | 245.73 |
| Offham | 236.32 |
| Platt | 262.31 |
| Plaxtol | 247.06 |
| Ryarsh | 242.47 |
| Shipbourne | 222.10 |
| Snodland | 267.95 |
| Stansted | 267.75 |
| Trottscliffe | 243.45 |
| Wateringbury | 271.57 |
| West Malling | 288.60 |
| West Peckham | 212.24 |
| Wouldham | 254.95 |
| Wrotham | 278.41 |

being the amounts given by adding to the amount at 3(f) above the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned above divided in each case by the amount at 1(b) above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its council tax for the year for dwellings in those parts of its area to which one or more special items (Special expenses and Parish precepts) relate.

(h)

Valuation Bands

| Part of the Council's area | A | B | C | D | E | F | G | H |
|---------------------------------------|----------|----------|----------|----------|----------|----------|----------|----------|
| | £ | £ | £ | £ | £ | £ | £ | £ |
| Tonbridge | 154.71 | 180.49 | 206.28 | 232.06 | 283.63 | 335.20 | 386.77 | 464.12 |
| Addington | 163.75 | 191.04 | 218.33 | 245.62 | 300.20 | 354.78 | 409.37 | 491.24 |
| Aylesford | 158.84 | 185.31 | 211.79 | 238.26 | 291.21 | 344.15 | 397.10 | 476.52 |
| Birling | 155.61 | 181.55 | 207.48 | 233.42 | 285.29 | 337.16 | 389.03 | 466.84 |
| Borough Green | 189.71 | 221.32 | 252.94 | 284.56 | 347.80 | 411.03 | 474.27 | 569.12 |
| Burham | 158.20 | 184.57 | 210.93 | 237.30 | 290.03 | 342.77 | 395.50 | 474.60 |
| Ditton | 221.60 | 258.53 | 295.47 | 332.40 | 406.27 | 480.13 | 554.00 | 664.80 |
| East Malling & Larkfield | 162.76 | 189.89 | 217.01 | 244.14 | 298.39 | 352.65 | 406.90 | 488.28 |
| East Peckham | 194.31 | 226.70 | 259.08 | 291.47 | 356.24 | 421.01 | 485.78 | 582.94 |
| Hadlow | 170.23 | 198.60 | 226.97 | 255.34 | 312.08 | 368.82 | 425.57 | 510.68 |
| Hildenborough | 141.33 | 164.89 | 188.44 | 212.00 | 259.11 | 306.22 | 353.33 | 424.00 |
| Ightham | 192.36 | 224.42 | 256.48 | 288.54 | 352.66 | 416.78 | 480.90 | 577.08 |
| Kings Hill | 168.73 | 196.86 | 224.98 | 253.10 | 309.34 | 365.59 | 421.83 | 506.20 |
| Leybourne | 188.19 | 219.55 | 250.92 | 282.28 | 345.01 | 407.74 | 470.47 | 564.56 |
| Mereworth | 163.82 | 191.12 | 218.43 | 245.73 | 300.34 | 354.94 | 409.55 | 491.46 |
| Offham | 157.55 | 183.80 | 210.06 | 236.32 | 288.84 | 341.35 | 393.87 | 472.64 |
| Platt | 174.87 | 204.02 | 233.16 | 262.31 | 320.60 | 378.89 | 437.18 | 524.62 |
| Plaxtol | 164.71 | 192.16 | 219.61 | 247.06 | 301.96 | 356.86 | 411.77 | 494.12 |
| Ryarsh | 161.65 | 188.59 | 215.53 | 242.47 | 296.35 | 350.23 | 404.12 | 484.94 |
| Shipbourne | 148.07 | 172.74 | 197.42 | 222.10 | 271.46 | 320.81 | 370.17 | 444.20 |
| Snodland | 178.63 | 208.41 | 238.18 | 267.95 | 327.49 | 387.04 | 446.58 | 535.90 |
| Stansted | 178.50 | 208.25 | 238.00 | 267.75 | 327.25 | 386.75 | 446.25 | 535.50 |
| Trottscliffe | 162.30 | 189.35 | 216.40 | 243.45 | 297.55 | 351.65 | 405.75 | 486.90 |
| Wateringbury | 181.05 | 211.22 | 241.40 | 271.57 | 331.92 | 392.27 | 452.62 | 543.14 |
| West Malling | 192.40 | 224.47 | 256.53 | 288.60 | 352.73 | 416.87 | 481.00 | 577.20 |
| West Peckham | 141.49 | 165.08 | 188.66 | 212.24 | 259.40 | 306.57 | 353.73 | 424.48 |
| Wouldham | 169.97 | 198.29 | 226.62 | 254.95 | 311.61 | 368.26 | 424.92 | 509.90 |
| Wrotham | 185.61 | 216.54 | 247.48 | 278.41 | 340.28 | 402.15 | 464.02 | 556.82 |

being the amounts given by multiplying the amounts at 3(g) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

4. That it be noted that for the year 2017/18 The Police & Crime Commissioner for Kent, the Kent & Medway Fire & Rescue Authority and the Kent County Council have stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:

| <u>Precepting Authority</u> | <u>Valuation Bands</u> | | | | | | | |
|--|-------------------------------|----------|----------|----------|----------|----------|----------|----------|
| | A | B | C | D | E | F | G | H |
| | £ | £ | £ | £ | £ | £ | £ | £ |
| The Police & Crime Commissioner for Kent | 104.77 | 122.23 | 139.69 | 157.15 | 192.07 | 226.99 | 261.92 | 314.30 |
| Kent & Medway Fire & Rescue Authority | 48.90 | 57.05 | 65.20 | 73.35 | 89.65 | 105.95 | 122.25 | 146.70 |
| Kent County Council | 785.88 | 916.86 | 1,047.84 | 1,178.82 | 1,440.78 | 1,702.74 | 1,964.70 | 2,357.64 |

5. That, having calculated the aggregate in each case of the amounts at 3(h) and 4. above, the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the following amounts as the amounts of council tax for the year 2017/18, for each of the categories of dwellings shown below:

| <u>Part of the Council's area</u> | <u>Valuation Bands</u> | | | | | | | |
|--|-------------------------------|----------|----------|----------|----------|----------|----------|----------|
| | A | B | C | D | E | F | G | H |
| | £ | £ | £ | £ | £ | £ | £ | £ |
| Tonbridge | 1,094.26 | 1,276.63 | 1,459.01 | 1,641.38 | 2,006.13 | 2,370.88 | 2,735.64 | 3,282.76 |
| Addington | 1,103.30 | 1,287.18 | 1,471.06 | 1,654.94 | 2,022.70 | 2,390.46 | 2,758.24 | 3,309.88 |
| Aylesford | 1,098.39 | 1,281.45 | 1,464.52 | 1,647.58 | 2,013.71 | 2,379.83 | 2,745.97 | 3,295.16 |
| Birling | 1,095.16 | 1,277.69 | 1,460.21 | 1,642.74 | 2,007.79 | 2,372.84 | 2,737.90 | 3,285.48 |
| Borough Green | 1,129.26 | 1,317.46 | 1,505.67 | 1,693.88 | 2,070.30 | 2,446.71 | 2,823.14 | 3,387.76 |
| Burham | 1,097.75 | 1,280.71 | 1,463.66 | 1,646.62 | 2,012.53 | 2,378.45 | 2,744.37 | 3,293.24 |
| Ditton | 1,161.15 | 1,354.67 | 1,548.20 | 1,741.72 | 2,128.77 | 2,515.81 | 2,902.87 | 3,483.44 |
| East Malling & Larkfield | 1,102.31 | 1,286.03 | 1,469.74 | 1,653.46 | 2,020.89 | 2,388.33 | 2,755.77 | 3,306.92 |
| East Peckham | 1,133.86 | 1,322.84 | 1,511.81 | 1,700.79 | 2,078.74 | 2,456.69 | 2,834.65 | 3,401.58 |
| Hadlow | 1,109.78 | 1,294.74 | 1,479.70 | 1,664.66 | 2,034.58 | 2,404.50 | 2,774.44 | 3,329.32 |
| Hildenborough | 1,080.88 | 1,261.03 | 1,441.17 | 1,621.32 | 1,981.61 | 2,341.90 | 2,702.20 | 3,242.64 |
| Ightham | 1,131.91 | 1,320.56 | 1,509.21 | 1,697.86 | 2,075.16 | 2,452.46 | 2,829.77 | 3,395.72 |
| Kings Hill | 1,108.28 | 1,293.00 | 1,477.71 | 1,662.42 | 2,031.84 | 2,401.27 | 2,770.70 | 3,324.84 |
| Leybourne | 1,127.74 | 1,315.69 | 1,503.65 | 1,691.60 | 2,067.51 | 2,443.42 | 2,819.34 | 3,383.20 |
| Mereworth | 1,103.37 | 1,287.26 | 1,471.16 | 1,655.05 | 2,022.84 | 2,390.62 | 2,758.42 | 3,310.10 |
| Offham | 1,097.10 | 1,279.94 | 1,462.79 | 1,645.64 | 2,011.34 | 2,377.03 | 2,742.74 | 3,291.28 |
| Platt | 1,114.42 | 1,300.16 | 1,485.89 | 1,671.63 | 2,043.10 | 2,414.57 | 2,786.05 | 3,343.26 |
| Plaxtol | 1,104.26 | 1,288.30 | 1,472.34 | 1,656.38 | 2,024.46 | 2,392.54 | 2,760.64 | 3,312.76 |
| Ryarsh | 1,101.20 | 1,284.73 | 1,468.26 | 1,651.79 | 2,018.85 | 2,385.91 | 2,752.99 | 3,303.58 |
| Shipbourne | 1,087.62 | 1,268.88 | 1,450.15 | 1,631.42 | 1,993.96 | 2,356.49 | 2,719.04 | 3,262.84 |
| Snodland | 1,118.18 | 1,304.55 | 1,490.91 | 1,677.27 | 2,049.99 | 2,422.72 | 2,795.45 | 3,354.54 |
| Stansted | 1,118.05 | 1,304.39 | 1,490.73 | 1,677.07 | 2,049.75 | 2,422.43 | 2,795.12 | 3,354.14 |
| Trottscliffe | 1,101.85 | 1,285.49 | 1,469.13 | 1,652.77 | 2,020.05 | 2,387.33 | 2,754.62 | 3,305.54 |
| Wateringbury | 1,120.60 | 1,307.36 | 1,494.13 | 1,680.89 | 2,054.42 | 2,427.95 | 2,801.49 | 3,361.78 |
| West Malling | 1,131.95 | 1,320.61 | 1,509.26 | 1,697.92 | 2,075.23 | 2,452.55 | 2,829.87 | 3,395.84 |
| West Peckham | 1,081.04 | 1,261.22 | 1,441.39 | 1,621.56 | 1,981.90 | 2,342.25 | 2,702.60 | 3,243.12 |
| Wouldham | 1,109.52 | 1,294.43 | 1,479.35 | 1,664.27 | 2,034.11 | 2,403.94 | 2,773.79 | 3,328.54 |
| Wrotham | 1,125.16 | 1,312.68 | 1,500.21 | 1,687.73 | 2,062.78 | 2,437.83 | 2,812.89 | 3,375.46 |

TONBRIDGE AND MALLING BOROUGH COUNCIL

AREA 2 PLANNING COMMITTEE

Wednesday, 1st March, 2017

Present: Cllr Mrs F A Kemp (Chairman), Cllr S R J Jessel (Vice-Chairman), Cllr Mrs J A Anderson, Cllr M A C Balfour, Cllr R P Betts, Cllr Mrs S L Luck, Cllr B J Luker, Cllr P J Montague, Cllr L J O'Toole, Cllr S C Perry, Cllr H S Rogers, Cllr Miss J L Sergison, Cllr T B Shaw and Cllr Miss S O Shrubsole

Councillors O C Baldock, N J Heslop, D Lettington, Mrs A S Oakley and M Taylor were also present pursuant to Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors Mrs S M Barker and M A Coffin

PART 1 - PUBLIC

AP2 17/8 DECLARATIONS OF INTEREST

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

However, for reasons of transparency, Councillor Mrs Luck advised the Committee that, in respect of Application TM/16/02318/FL, she owned business premises within the High Street, West Malling. As this did not represent either an Other Significant Interest or Disclosable Pecuniary Interest there was no requirement to leave the meeting.

[Subsequent to this agenda item and prior to the discussion for application TM/16/03038/FL (Rose Cottage, Bull Lane, Wrotham) Councillor Perry became aware of an Other Significant Interest (OSI) on the grounds that he knew a member of the Applicant's immediate family. He immediately withdrew from the meeting and did not participate in the debate or vote on the application.]

AP2 17/9 MINUTES

RESOLVED: That the Minutes of the meeting of the Area 2 Planning Committee held on 25 January 2017 be approved as a correct record and signed by the Chairman.

DECISIONS TO BE TAKEN BY THE COMMITTEE

AP2 17/10 DEVELOPMENT CONTROL

Decisions were taken on the following applications subject to the pre-

requisites, informatives, conditions or reasons for refusal set out in the report of the Director of Planning, Housing and Environmental Health or in the variations indicated below. Any supplementary reports were tabled at the meeting.

Members of the public addressed the meeting where the required notice had been given and their comments were taken into account by the Committee when determining the application. Speakers are listed under the relevant planning application shown below.

AP2 17/11 TM/16/01859/FL - DEVELOPMENT SITE, LONG POND WORKS, WROTHAM ROAD, BOROUGH GREEN

Demolition of 6 industrial buildings and construction of a replacement industrial unit and a flexible change of use within Use Classes B1, B2 and B8 as well as use by Robert Body Haulage for parking and maintenance of vehicles and office use as an administrative base at Development Site, Long Pond Works, Wrotham Road Borough Green.

RESOLVED: That planning permission be GRANTED for the following reason:

It is considered that the overall economic benefits that would arise from the proposed development of this site amounts to a case of very special circumstances that clearly outweighs the substantial harm to the Green Belt caused by the inappropriate development and the other harm identified in accordance with the requirements set out in paragraphs 87 and 88 of the National Planning Policy Framework (2012).

Planning Permission was granted subject to the conditions set out in the report of the Director of Planning, Housing and Environmental Health and with the amendment of conditions 3, 8, 9 and 10 as follows:-

3. The premises shall be used for Class B1(b) or (c) Business use, B2, B8 or haulage (with ancillary office space for haulage in unit 1 only as hereby approved) only and for no other purpose (including any other purpose in Class B1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to the Class in any statutory instrument amending, revoking and re-enacting that Order).

Reason: to protect the amenities of the neighbouring occupiers and to ensure that the development does not harm the character of the area or affect highway safety.

8. No part of the building(s) shall be occupied until the related areas shown on the submitted layout as turning and vehicle space for that part of the building have been provided, surfaced and drained. Thereafter those areas shall be kept available for such use and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any order

amending, revoking or re-enacting that Order) shall be carried out on the land so shown (other than the erection of a garage or garages) or in such a position as to preclude vehicular access to this reserved turning and parking space.

Reason: Development without adequate vehicle turning and parking provision is likely to lead to hazardous on-street parking.

9. There shall be no deliveries to or from the site outside the hours of 0700 to 1900 Monday to Friday or 0700 to 1300 on Saturdays. The office premises shall not be in use outside the hours of 0630 to 1930 Mondays to Fridays or 0630 to 1330 on Saturdays. There shall be no deliveries or working Sundays or Public and Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity.

10. No materials, plant or other equipment of any description shall be kept or stored in the open other than in areas and to such heights as may be approved in writing beforehand by the Local Planning Authority. The access road shall be kept clear of all materials, plant or other equipment and there shall be no vehicle parking on the access road.

Reason: To avoid obstruction of vehicle parking/turning areas and to ensure the character and appearance of the development and the locality is not significantly harmed.

[Speaker: Mr J Collins – Agent]

AP2 17/12 (A) TM/16/02318/FL AND (B) TM/16/02947/RD - BIG MOTORING WORLD, LONDON ROAD, ADDINGTON

(A) Section 73 application to vary condition 6 (Opening hours) of Planning Permission TM/10/00938/FL (Retrospective application for the change of use of the former Venture Café building, associated land and residential land for the display and sale of motor vehicles. Demolition of the existing bungalow, garage and office building (formerly Valrosa). Erection of a two storey extension to the former Venture Café building for office use in connection with the display and sale of motor vehicles. Provision of car parking and vehicle display areas.)

(B) Details submitted in pursuant to condition 7 (Lighting) of Planning Permission TM/10/00938/FL (Retrospective application for the change of use of the former Venture Café building, associated land and residential land for the display and sale of motor vehicles. Demolition of the existing bungalow, garage and office building (formerly Valrosa). Erection of a two storey extension to the former Venture Café building for office use in connection with the display and sale of motor vehicles. Provision of car parking and vehicle display areas.) at Big Motoring World, London Road, Addington, West Malling.

RESOLVED: That

In respect of Application (A) TM/16/02318/FL, Planning Permission be GRANTED in accordance with the submitted details, conditions, reasons and informatives set out in the report of the Director of Planning, Housing and Environmental Health.

In respect of Application (B) TM/16/02947/RD, Planning Permission be GRANTED in accordance with the submitted details, conditions, reasons and informatives set out in the report of the Director of Planning, Housing and Environmental Health, subject to

- (1) Substitution of the plan/document list at paragraph 7.2 of the main report with that set out in the supplementary report and repeated below:

Site Layout 1101/LG/101 Car Park Lighting received 13.02.2017, Lighting PM1437/15 REV B Report received 17.02.2017, Details LIGHTING DISTRIBUTION received 29.09.2016, Details LIGHTS received 29.09.2016, Other PICTURE LIGHTING received 29.09.2016, Letter JAC/SG/11758 received 29.09.2016, Drawing DHA/11758/SK01 Lighting Strategy received 29.09.2016, Email received 04.01.2016, subject to the conditions set out in the main report and

- (2) The amendment of Conditions 5 and 6

5. The business shall not be carried on outside the hours of 08.00 to 21:30 Mondays to Fridays and 08:00 to 18.00 on Saturdays, Sundays and Bank and Public Holidays, and the site shall be vacated by all persons by 21:30 Mondays to Fridays, unless otherwise approved by the Local Planning Authority.
Reason: In the interests of the amenity of the area.

6. Within one month of the date of this decision, the external lighting scheme including any and all modifications shall be installed and made operational in strict accordance with the Lighting Report (ref.PM1437/15 Rev B) and Lighting Strategy (Drawing No. DHA/11758/SK01) approved under planning reference TM/16/02947/RD and retained at all times thereafter unless otherwise approved by the Local Planning Authority.

Reason: To minimise harm to the visual amenity of the locality.

[Speakers: Mr M Thompson and Mr D Garrett – members of the public; Mr J Collins – Agent]

AP2 17/13 TM/16/02592/FL - 52 HIGH STREET, WEST MALLING

Change of use of ground floor residential unit to Class A4 (Drinking Establishment) with associated external alterations to the building and installation of an Air Conditioning unit and condenser at 52 High Street, West Malling.

RESOLVED: That planning permission be GRANTED in accordance with the submitted details, conditions, reasons and informatives set out in the report of the Director of Planning, Housing and Environmental Health subject to the addition of Informative

4. The applicant is strongly encouraged to take all reasonable steps to ensure patrons behave in an appropriate manner particularly when leaving the premises to ensure the residential neighbours do not experience any undue disturbance.

[Speakers: Mr R Selkirk – West Malling Parish Council; Mr P Trill – Architect to the Applicant]

AP2 17/14 TM/16/03038/FL - ROSE COTTAGE, BULL LANE, WROTHAM

Conversion of garage, loft conversion, installation of 4 No. dormer windows and installation of patio doors to west elevation of former annex to Park View House at Rose Cottage, Bull Lane, Wrotham.

RESOLVED: That planning permission be GRANTED in accordance with the submitted details, conditions, reasons and informatives set out in the report of the Director of Planning, Housing and Environmental Health.

[Speakers: Mr A Garlinge – Applicant]

AP2 17/15 ALLEGED UNAUTHORISED DEVELOPMENT 16/00350/WORKM - THE BIRCHES, SANDY LANE, ADDINGTON

The report of the Director of Planning, Housing and Environmental Health set out details of an Alleged Unauthorised Development at The Birches, Sandy Lane, Addington.

RESOLVED: That an Enforcement Notice be ISSUED to seek the removal of the unauthorised extension and the infilling of the unauthorised foundations, the detailed wording of which to be agreed with the Director of Central Services.

AP2 17/16 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 9.08 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

GENERAL PURPOSES COMMITTEE

Monday, 6th March, 2017

Present: Cllr O C Baldock (Chairman), Cllr L J O'Toole (Vice-Chairman), Cllr M A C Balfour, Cllr P F Bolt, Cllr M A Coffin, Cllr N J Heslop, Cllr R V Roud and Cllr C P Smith

Councillors Mrs J A Anderson, M C Base, D Lettington, M Parry-Waller, H S Rogers and T C Walker were also present pursuant to Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors Mrs S Bell, Ms S V Spence and M Taylor

PART 1 - PUBLIC

GP 17/1 DECLARATIONS OF INTEREST

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

GP 17/2 MINUTES

RESOLVED: That the Minutes of the meeting of the General Purposes Committee held on 20 October 2016 be approved as a correct record and signed by the Chairman.

GP 17/3 MINUTES OF ELECTORAL REVIEW WORKING GROUP

RESOLVED: That the Minutes of the meeting of the Electoral Review Working Group held on 22 November 2016 be received and noted.

MATTERS FOR RECOMMENDATION TO THE COUNCIL

GP 17/4 MEMBERS' ALLOWANCES

The report of the Management Team set out details of a review undertaken by the Joint Independent Remuneration Panel (IRP) on the Scheme of Members' Allowances and summarised the key recommendations arising from the Panel. Management Team advised that the recommendations of the Panel, if adopted, would produce a saving of circa £30,000 when compared to the budget included within the 2017/18 Estimates.


The Committee recognised the considerable work undertaken by the Panel in evaluating the role undertaken by Members and acknowledged

the case made for a reduction in the basic allowance. However, the Committee felt that it was neither appropriate nor fair to reduce the basic allowance mid-term and that the reduction should not be implemented until after the next Borough Council Election in 2019.

Members were reminded that, since the last review in 2013, the Council was now required to formally appoint a Deputy Leader on an annual basis and the report set out details of the Special Responsibility Allowance to be applied to this role.

Members recognised the value and role of the vice-chairmen and considered it appropriate to maintain an allowance to vice-chairmen based on 25% of the relevant chairman's allowance.

Following a comprehensive debate it was

RECOMMENDED: That, as summarised in the attached matrix at Annex 1, 

- (1) the Joint Independent Remuneration Panel's recommendations be accepted in full, effective after the Borough Council elections in 2019;
- (2) however, effective from the 2017 Annual Council and during the 'interim period' until the Borough Council elections in 2019:-
 - (a) the Basic Allowance remain at its current level of £5,283 and protected until after the next Borough Council Election in 2019;
 - (b) with regard to the Special Responsibility Allowances (SRA)
 - (i) the Leader's SRA remain at its current level of £18,384;
 - (ii) the SRA for the Deputy Leader be introduced and the figure for 2017/18 be £14,000;
 - (iii) the Opposition Leader's SRA be set at £2,250 (this being a flat sum of £1,250 per annum to recognise the collaborative way of working within the Council, plus £250 per member in the group);
 - (iv) Cabinet member's SRA remain at the current level of £8,400;
 - (v) the SRA in respect of chairmen of the Overview and Scrutiny, Licensing and Appeals, Joint Standards and Audit Committees be set at £2,500 per annum;

- (vi) the SRA in respect of chairmen of the three Area Planning Committees be set at £2,500 per chairman per annum;
 - (vii) the SRA in respect of chairmen of the General Purposes Committee and programmed Advisory Boards be set at £1,300 per annum;
 - (viii) with the exception of the Area Planning Committees, vice-chairmanship allowances for committees be retained and based on 25% of the relevant chairman's allowance until the Borough Council Election in 2019; and
 - (ix) the vice-chairmanship allowances for the Area Planning Committees be set at £325 per annum for each of the three vice-chairmen;
- (3) the level of Childcare and Dependent Carers Allowances be set as recommended by the JIRP;
 - (4) the level of Mileage Allowances and Subsistence Allowances be set as recommended by the JIRP;
 - (5) the principle of annual indexation of allowances in line with the staff pay award be retained. However, during the 'interim period' indexation should not apply; and
 - (6) it be confirmed that individual members should not receive more than one Special Responsibility Allowance (excluding group leaders)

***Referred to Council**

GP 17/5 LOCALISM ACT - PAY POLICY

The report of the Director of Central Services advised that the Localism Act 2011 required local authorities to review their pay policy statements for each financial year. The report summarised the requirements of the Act and presented an updated Pay Policy Statement for 2017/18. It was noted that there had been no changes in the Council's remuneration policy and the substantive content of the updated statement was identical to that adopted by the Council in February 2012.

RECOMMENDED: That the Pay Policy Statement 2017/18 set out in Annex 1 to the report be commended for adoption by the Council. ◀

*** Referred to Council**

DECISIONS TAKEN UNDER DELEGATED POWERS IN ACCORDANCE WITH PARAGRAPH 3. PART 3 OF THE CONSTITUTION

GP 17/6 ANNUAL REVIEW OF WHISTLEBLOWING POLICY

The report of the Director of Finance and Transformation gave details of the outcome of the annual review of the Council's Whistleblowing Policy and its consideration by the Audit Committee on 23 January 2017. The Committee noted that the Policy, once approved, would be circulated to all staff with computer access and made available on the Council website.

RESOLVED: That the Whistleblowing Policy set out at Annex 1 to the report be approved.

MATTERS SUBMITTED FOR INFORMATION

GP 17/7 2018 REVIEW OF PARLIAMENTARY CONSTITUENCIES

The report of the Chief Executive confirmed details of the response made to the Boundary Commission for England to the consultation on the 2018 Review of Parliamentary Constituencies.

RESOLVED: That the report be received and noted.

GP 17/8 APPRENTICESHIP UPDATE

The report of the Director of Central Services set out details of national changes to apprenticeship funding and the application of 'apprenticeship targets' to public bodies from April 2017.

RESOLVED: That the report be received and noted.

MATTERS FOR CONSIDERATION IN PRIVATE

GP 17/9 EXCLUSION OF PRESS AND PUBLIC

The Chairman moved, it was seconded and

RESOLVED: That as public discussion would disclose exempt information, the following matters be considered in private.

PART 2 - PRIVATE**GP 17/10 ESTABLISHMENT CHANGES****(LGA 1972 Sch 12A Paragraph 1 – Information relating to an individual)**

The report of the Director of Central Services presented for approval a number of establishment changes within the Exchequer team, Finance and Transformation Services arising from the on-going operational management of the Council's services. It was noted that the proposals would result in net savings of £39,431, which had been incorporated into the 2017/18 Estimates presented to the Finance, Innovation and Property Advisory Board on 4 January 2017.

RESOLVED: That the proposals and establishment adjustments set out in the report be endorsed as follows:

- (1) the hours of post DF0403 (Exchequer Services Manager, M8) be reduced from 37 to 22.5 hours per week with effect from 1 April 2017; and
- (2) the hours of post DF0404 (Payroll Officer, Grade 6/SO) be reduced from 37 to 21 hours per week with effect from 1 January 2017.

The meeting ended at 8.28 pm

Recommendations from GP Committee - Members' Allowances

| Allowance | Effective: From Annual Council 2017 until BC Elections 2019 | Effective: After Borough Council Elections 2019 |
|---------------------------------------|---|---|
| | £ | £ |
| Basic Allowance | 5,283 | 5,000 |
| Special Responsibility (SRA):- | | |
| Leader | 18,384 | 20,000 |
| Deputy Leader | 14,000 | 15,000 |
| Opposition Group Leader | 2,250 # | 2,250 # |
| Cabinet | 8,400 | 8,500 |
| Chair | | |
| Overview & Scrutiny | 2,500 | 2,500 |
| Standards | 2,500 | 2,500 |
| Licensing & Appeals | 2,500 | 2,500 |
| General Purposes | 1,300 | 1,600 |
| Audit | 2,500 | 2,500 |
| Area Planning x 3 | 2,500 | 1,665 |
| Programmed Advisory Board | 1,300 | 1,600 |
| Vice Chair | | |
| Overview & Scrutiny | 625 | 0 |
| Standards | 625 | 0 |
| Licensing & Appeals | 625 | 0 |
| General Purposes | 325 | 0 |
| Audit | 625 | 0 |
| Area Planning x 3 | 325 | 333 |
| Programmed Advisory Board | 0 | 0 |

Note: Opposition Group Leader Allowance made up of £1,250 lump sum plus £250 per member of group. For illustrative purposes, figures above assume group composition remains the same.

- 1 Childcare and Dependent Carers Allowances be set as recommended by the JIRP
- 2 Mileage Allowances and Subsistence Allowances be set as recommended by the JIRP
- 3 Principle of annual indexation of allowances in line with the staff pay award be retained. However, during the 'interim' period (Annual Council 2017 to Borough Council elections 2019) indexation should not apply
- 4 Individual members should not receive more than one SRA (excluding group leaders)

TONBRIDGE AND MALLING BOROUGH COUNCIL

LICENSING AND APPEALS COMMITTEE

Tuesday, 14th March, 2017

Present: Cllr Mrs J A Anderson (Chairman), Cllr Mrs P A Bates (Vice-Chairman), Cllr O C Baldock, Cllr Mrs S M Barker, Cllr Mrs B A Brown, Cllr M A Coffin, Cllr B T M Elks, Cllr Mrs F A Kemp, Cllr S M King, Cllr H S Rogers, Cllr R V Roud, Cllr A K Sullivan, Cllr M Taylor and Cllr F G Tombolis

Councillor N J Heslop was also present pursuant to Council Procedure Rule No 15.21.

PART 1 - PUBLIC

LA 17/1 DECLARATIONS OF INTEREST

There were no declarations of interest in accordance with the Code of Conduct. However, Councillor Mrs J Anderson indicated that she was a taxi user and held an account with a local firm but had been advised that this did not constitute a Disclosable Pecuniary Interest so she remained and participated in the meeting.

LA 17/2 MINUTES

RESOLVED: That the minutes of the meeting of the Licensing and Appeals Committee held on 29 November 2016 be approved as a correct record and signed by the Chairman.

LA 17/3 MINUTES OF PANEL

RESOLVED: That the Minutes of the meetings of the Licensing and Appeals Committee sitting as a Panel held on 15 December 2016 be received and noted.

MATTERS FOR RECOMMENDATION TO THE COUNCIL

LA 17/4 SEX ESTABLISHMENTS AND SEXUAL ENTERTAINMENT VENUES - POLICY FOR 2017-2020

Further to Minute LA 16/85, the report of the Director of Central Services and Monitoring Officer gave details of the outcome of the consultation in respect of the new Sex Establishments and Sexual Entertainment Venues Policy for 2017 - 2020. It was noted that Kent Police had requested that reference to Article 8 of the Human Rights Act 1998 (Right to a Private Life) be included under section 11 of the Policy.

RECOMMENDED: That the draft Statement of Policy set out at Annex A to the report be approved, incorporating the change outlined at Annex C (inclusion of Article 8 in section 11).

***Referred to Council**

DECISIONS TAKEN UNDER DELEGATED POWERS IN ACCORDANCE WITH PARAGRAPH 3, PART 3 OF THE CONSTITUTION

LA 17/5 APPOINTMENTS OF STANDS FOR HACKNEY CARRIAGES

The report of the Director of Central Services and Monitoring Officer referred to the Council's power to appoint stands for hackney carriages within the Borough and to the two existing Regulations in place for the appointment of stands. Details were given of an Order made by Kent County Council to coincide with the improvement scheme on Tonbridge High Street resulting in the taxi stands in Avebury Avenue and Bradford Street being designated as Disabled Persons Parking Spaces. Since the Order had no legal effect in relation to the taxi stands, a new Regulation was presented for consideration to replace the two existing regulations and take into account the KCC Experimental Order. This also provided an opportunity to consolidate the existing provisions into a single regulation.

RESOLVED: That the draft Regulation set out at Annex 3 to the report be approved for consultation purposes subject to deletion of the reference to Botany, Tonbridge in Part 1 of the Schedule.

LA 17/6 REVIEW OF HACKNEY CARRIAGE FARES

In accordance with the commitment to review hackney carriage fares on an annual basis, the report of the Director of Central Services and Monitoring Officer invited the Committee to consider whether any increase in maximum fares was appropriate, the current schedule of authorised fares having applied from 7 January 2013. Details were given of the outcome of consultation with hackney carriage and dual badge licence holders on an increase proposed by Castle Cars, Tonbridge. Members were also advised of changes in fuel prices and consumer price indices. A table of proposed fare increase options was presented together with a comparison with other Kent authorities.

RESOLVED: That an increase in maximum fares, as set out in proposal 2 of the table at paragraph 1.4.5 of the report, be approved with effect from 1 May 2017 to allow for the statutory public consultation period and should any relevant objections be received, the matter be reported back to the Committee to consider whether to proceed with the proposed increase.

MATTERS SUBMITTED FOR INFORMATION**LA 17/7 UPDATE ON FEES AND CHARGES**

Members were advised that the proposed scale of fees and charges for hackney carriage and private hire licences approved by the Committee on 29 November 2016 (Minute LA 16/94) would take effect on 1 April 2017 as no comments had been received during the 28 day period of the formal notice.

RESOLVED: That the report be received and noted.

MATTERS FOR CONSIDERATION IN PRIVATE**LA 17/8 EXCLUSION OF PRESS AND PUBLIC**

There were no items considered in private.

The meeting ended at 8.00 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

AREA 3 PLANNING COMMITTEE

Thursday, 16th March, 2017

Present: Cllr Mrs S M Hall (Vice-Chairman in the Chair), Cllr M C Base, Cllr Mrs S Bell, Cllr T Bishop, Cllr Mrs B A Brown, Cllr T I B Cannon, Cllr R W Dalton, Cllr D A S Davis, Cllr D Keeley, Cllr S M King, Cllr D Lettington, Cllr D Markham, Cllr Mrs A S Oakley, Cllr R V Roud, Cllr A K Sullivan, Cllr B W Walker and Cllr T C Walker

Councillors N J Heslop and H S Rogers were also present pursuant to Council Procedure Rule No 15.21.

An apology for absence was received from Councillor M Parry-Waller (Chairman)

PART 1 - PUBLIC

AP3 17/12 DECLARATIONS OF INTEREST

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

AP3 17/13 MINUTES

RESOLVED: That the Minutes of the meeting of the Area 3 Planning Committee held on 2 February 2017 be approved as a correct record and signed by the Chairman.

DECISIONS TAKEN UNDER DELEGATED POWERS IN ACCORDANCE WITH PARAGRAPH 3, PART 3 OF THE CONSTITUTION

AP3 17/14 DEVELOPMENT CONTROL

Decisions were taken on the following applications subject to the pre-requisites, informatives, conditions or reasons for refusal set out in the report of the Director of Planning, Housing and Environmental Health or in the variations indicated below. Any supplementary reports were tabled at the meeting.

Members of the public addressed the meeting where the required notice had been given and their comments were taken into account by the Committee when determining the application. Speakers are listed under the relevant planning application shown below.

AP3 17/15 TM/16/03497/FL - DOWNS FARM, PILGRIMS WAY, WOULDHAM

Proposed change of use / conversion of existing offices to single residential unit at Downs Farm, Pilgrims Way, Wouldham.

RESOLVED: That planning permission be GRANTED in accordance with the submitted details, conditions, reasons and informatives set out in the report of the Director of Planning, Housing and Environmental Services, subject to

(1) Amended Conditions:

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking and re-enacting that Order) no development shall be carried out within Classes A, B, C, D, E and F (inclusive) of Part 1 of Schedule 2 or Class A of Part 4 of Schedule 2 of that Order unless planning permission has been granted on an application relating thereto.

Reason: In the interests of visual amenity on the site and its surroundings and wider views into the Area of Outstanding Beauty.

5. Prior to the first occupation of the dwelling hereby approved, a scheme of landscaping and boundary treatment showing additional planting to the western site boundary shall be submitted to and approved in writing by the Local Planning Authority. The scheme of landscaping and boundary treatment shown on the approved plans shall be carried out in the first planting season following occupation of the buildings or the completion of the development, whichever is the earlier. Any trees or plants which within 10 years of planting are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality and the wider views into the Area of Outstanding Natural Beauty.

(2) Additional Condition:

6. Prior to the first occupation of the dwelling hereby approved, the existing caravan and metal storage container sited to the north of the building shall be removed from the site identified on plan number 1229-01 REV A. At all times thereafter the land shall be kept available as vehicle parking space and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending revoking

and re-enacting that Order) shall be carried out on the land or in such a position to preclude vehicular access to the reserved parking area.

Reason: To ensure adequate parking provision and in the interests of visual amenity.

[Speakers: Wouldham Parish Council (Mrs N Grimes); Mr T Fulwell and Ms G Goode – members of the public]

PART 2 - PRIVATE

AP3 17/16 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 8.22 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

CABINET

Tuesday, 21st March, 2017

Present: Cllr N J Heslop (Chairman), Cllr M A Coffin, Cllr Mrs M F Heslop, Cllr D Lettington, Cllr H S Rogers and Cllr Miss S O Shrubsole

Councillors Mrs J A Anderson, O C Baldock, P F Bolt, D J Cure, Mrs S L Luck, A K Sullivan and T C Walker were also present pursuant to Access to Information Rule No 22.

PART 1 - PUBLIC

CB 17/30 DECLARATIONS OF INTEREST

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

CB 17/31 MINUTES

RESOLVED: That the Minutes of the meeting of the Cabinet held on 31 January 2017 be approved as a correct record and signed by the Chairman.

CB 17/32 MINUTES

RESOLVED: That the Minutes of the meeting of the Cabinet held on 9 February 2017 be approved as a correct record and signed by the Chairman subject to amendment of the list of attendees to include Councillor P Bolt.

MATTERS FOR RECOMMENDATION TO THE COUNCIL

CB 17/33 PUBLIC SPACE PROTECTION ORDER - CONSULTATION RESPONSES

Further to Decision No D170009CAB, the report of the Director of Central Services provided feedback on the responses received on the Public Space Protection Order (PSPO) consultation. An explanation was given of the application of the PSPO to parish council owned play areas, the position regarding existing byelaws and the "dogs on leads with direction" provision. Members discussed possible extensions to the PSPO at the three yearly review and requested clarification of the currency of evidence required in justifying each measure in time for the Council meeting.

RECOMMENDED: That the Public Space Protection Order for Tonbridge and Malling be adopted.

***Referred to Council**

**DECISIONS TAKEN IN ACCORDANCE WITH PARAGRAPH 4,
PART 3 OF THE CONSTITUTION**

CB 17/34 REVENUE AND BENEFITS - POTENTIAL SHARED SERVICE

Decision Notice D170030CAB

CB 17/35 POLICY ON MANAGING UNREASONABLE COMPLAINANT BEHAVIOUR

Decision Notice D170031CAB

CB 17/36 PLANNING APPLICATION FEES: THE GOVERNMENT'S OFFER

Decision Notice D170032CAB

CB 17/37 PARKING ACTION PLAN - PHASE 8A

(Item JTB 17/3 referred from Joint Transportation Board of 13 March 2017)

Decision Notice D170033CAB

MATTERS SUBMITTED FOR INFORMATION

CB 17/38 MATTERS REFERRED FROM ADVISORY BOARDS

The notes of the meetings of the following Advisory Boards were received, any recommendations contained therein being incorporated within the decisions of the Cabinet reproduced at the annex to these Minutes.

Economic Regeneration Advisory Board of 22 February 2017
Communities and Housing Advisory Board of 28 February 2017
Planning and Transportation Advisory Board of 7 March 2017

RESOLVED: That the report be received and noted.

CB 17/39 MATTERS REFERRED FROM ADVISORY PANELS AND OTHER GROUPS

The Minutes of the meetings of the following Advisory Panels and other Groups were received, any recommendations contained therein being incorporated within the decisions of the Cabinet reproduced at the annex to these Minutes.

Parish Partnership Panel of 16 February 2017
Tonbridge Forum of 27 February 2017
Joint Transportation Board of 13 March 2017

RESOLVED: That the report be received and noted.

CB 17/40 EXCLUSION OF PRESS AND PUBLIC

The Chairman moved, it was seconded and

RESOLVED: That as public discussion would disclose exempt information, the following matters be considered in private.

**DECISIONS TAKEN IN ACCORDANCE WITH PARAGRAPH 4,
PART 3 OF THE CONSTITUTION**

CB 17/41 CESSATION OF COUNCIL USAGE OF CO-OPERATIVE BANK

(LGA 1972 Sch 12A Paragraph 3 – Financial or business affairs of any particular person)

Decision Notice D170034CAB

CB 17/42 DEBTS FOR WRITE OFF

(LGA 1972 Sch 12A Paragraph 2 – Information likely to reveal information about an individual)

Decision Notice D170035CAB

CB 17/43 PROPOSED ACTION ON A LONG TERM EMPTY PROPERTY IN BURHAM

(LGA 1972 Sch 12A Paragraph 1 – Information relating to an individual)

(Item CH 17/14 referred from Communities and Housing Advisory Board minutes of 28 February 2017)

Decision Notice D170036CAB

The meeting ended at 8.43 pm

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION

Decision Taken By: Cabinet Member for Economic Regeneration

**Decision No:
D170017MEM**

Date: 22 February 2017

Decision(s) and Reason(s)

Economic Regeneration Strategy Action Plan - Review and Update

(Report of the Chief Executive)

The report provided a detailed overview of the progress made in delivering the Economic Regeneration Strategy Action Plan during 2016. Overall, good progress was being made on a wide range of initiatives and these were set out in Annex 1 to the report.

It was indicated that ‘business advice and support’ would also offer guidance regarding the changes to business rates and the Borough Council would continue to lobby Government on behalf of local businesses.

Reference was made to the three year survival rates, set out in Annex 2 to the report, and it was suggested that comparisons throughout Kent and the United Kingdom be included in future to provide context.

Following consideration by the Economic Regeneration Advisory Board, the Cabinet Member for Economic Regeneration resolved that:

- (1) the Borough Council Economic Regeneration Strategy Action Plan update, as set out in Annex 1 to the report, be endorsed;
- (2) the amendments to the targets relating to certain indicators reflecting ‘previous performance, as set out in paragraph 1.2.7 of the report, be agreed; and
- (3) the priorities for 2017/18, as set out in paragraph 1.3.1 of the report, be agreed.

Reasons: As set out in the report submitted to the Economic Regeneration Advisory Board of 28 February 2017.

Signed Cabinet Member for
Economic Regeneration and
Leader N Heslop

Signed Chief Executive: J Beilby

Date of publication: 24 February 2017

This decision will come into force and may then be implemented on the expiry of 5 working days after publication unless it is called in.

Decision Taken By: Cabinet Member for Economic Regeneration

**Decision No:
D170018MEM**

Date: 22 February 2017

Decision(s) and Reason(s)

Skills and Work Readiness

(Report of Chief Executive)

The report provided feedback on the findings of the Skills Panel held in November 2016. A series of actions intended to contribute towards improving skills attainment and careers guidance were also set out.

In addition, proposals for new initiatives were outlined and included the establishment of an Enterprise Adviser Network, taster days and Make It Work and Speed Networking events.

Following consideration by the Economic Regeneration Advisory Board, the Cabinet Member for Economic Regeneration resolved that:

- (1) the feedback from the Skills Panel be noted; and
- (2) the proposed next steps and initiatives set out in paragraphs 1.3.1 – 1.3.7 of the report, and summarised above, be supported and endorsed.

Reasons: As set out in the report submitted to the Economic Regeneration Advisory Board of 28 February 2017.

Signed Cabinet Member for
Economic Regeneration and
Leader N Heslop

Signed Chief Executive: J Beilby

Date of publication: 24 February 2017

This decision will come into force and may then be implemented on the expiry of 5 working days after publication unless it is called in.

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION

Decision Taken By: Cabinet Member for Community Services

**Decision No:
D170019MEM**

Date: 28 February 2017

Decision(s) and Reason(s)

Playscheme - Review of Equality Impact Assessment

(Report of Chief Executive)

Further to Decision No D160084MEM, the report reviewed the Equality Impact Assessment (EQIA) in relation to the provision of Playscheme Plus for children with additional needs in the light of experience gained from the 2016 play scheme programme. This was an outstanding recommendation of the Overview and Scrutiny Committee review of delivery of the Council's Summer Playscheme and details were given of the uptake of Playscheme Plus in 2016.

Following consideration by the Communities and Housing Advisory Board, the Cabinet Member for Community Services resolved that:

Sufficient publicity be given to Playscheme Plus in 2017 and future years to ensure potential attendees are fully aware of the additional support being offered.

Reasons: As set out in the report submitted to the Communities and Housing Advisory Board of 28 February 2017.

Signed Cabinet Member for Community Services M Heslop

Signed Leader: N Heslop

Signed Chief Executive: J Beilby

Date of publication: 3 March 2017

This decision will come into force and may then be implemented on the expiry of 5 working days after publication unless it is called in.

Decision Taken By: Cabinet Member for Housing

**Decision No:
D170020MEM**

Date: 28 February 2017

Decision(s) and Reason(s)

Homelessness Reduction Bill

(Report of Director of Planning, Housing and Environmental Health)

The report gave details of proposed changes to homelessness legislation and provided an overview of the implications and potential risks to the Council. Reference was made to a new duty to prevent homelessness for all eligible applicants irrespective of priority need status and the extension of the period of the prevention duty from 28 to 56 days. It was anticipated that the changes would increase both in-house workloads and the use of temporary accommodation.

Concern was also expressed about the growing issue of out of London placements in Kent and its impact on the local housing market. A copy of a briefing note presented to Kent MPs on behalf of Kent Leaders and the Kent Housing Group was annexed to the report and Members would be updated in due course on the outcome of the resulting representations to be made to the Housing and Planning Minister.

Following consideration by the Communities and Housing Advisory Board, the Cabinet Member for Housing resolved that:

The Homelessness Reduction Bill be noted and actions taken by officers to date be endorsed together with the representations made to Kent MPs on out of London placements.

Reasons: As set out in the report submitted to the Communities and Housing Advisory Board of 28 February 2017.

Signed Cabinet Member for Housing S Shrubsole

Signed Leader: N Heslop

Signed Chief Executive: J Beilby

Date of publication: 3 March 2017

This decision will come into force and may then be implemented on the expiry of 5 working days after publication unless it is called in.

Decision Taken By: Cabinet Member for Housing

**Decision No:
D170021MEM**

Date: 28 February 2017

Decision(s) and Reason(s)

Housing Related Support Update

(Report of Director of Planning, Housing and Environmental Health)

The report provided an update on the former supporting people programme together with details of progress on development of opportunities for devolution and collaborative working within west Kent on housing related support. It also sought endorsement of a response to the Government's consultation on the Funding of Supported Housing which had been submitted by the 13 February 2017 deadline.

Following consideration by the Communities and Housing Advisory Board, the Cabinet Member for Housing resolved that:

The response to the Government's "Funding for Supported Housing" consultation set out at Annex 1 to the report be endorsed.

Reasons: As set out in the report submitted to the Communities and Housing Advisory Board of 28 February 2017.

Signed Cabinet Member for Housing S Shrubsole

Signed Leader: N Heslop

Signed Chief Executive: J Beilby

Date of publication: 3 March 2017

This decision will come into force and may then be implemented on the expiry of 5 working days after publication unless it is called in.

Decision Taken By: Cabinet Member for Community Services

Decision No: D170022MEM

Date: 28 February 2017

Decision(s) and Reason(s)

Leisure Facilities - Leisure Trust Update

(Report of Director of Street Scene, Leisure and Technical Services)

The report reviewed the recent performance of the Tonbridge and Malling Leisure Trust as contained within the Annual Service Delivery Plan – Cumulative Quarterly Monitoring Report for the period 1 July to 30 September 2016 and provided an update on a number of key issues including the review of the existing Service Fee.

Following consideration by the Communities and Housing Advisory Board, the Cabinet Member for Community Services resolved that:

- (1) the Trust's performance over the second quarter of the Annual Service Delivery Plan be noted; and
- (2) the proposed Service Fee and Business Plan for the next five years of the Management Agreement be reported for consideration at the next meeting of the Advisory Board.

Reasons: As set out in the report submitted to the Communities and Housing Advisory Board of 28 February 2017.

Signed Cabinet Member for Community Services M Heslop

Signed Leader: N Heslop

Signed Chief Executive: J Beilby

Date of publication: 3 March 2017

This decision will come into force and may then be implemented on the expiry of 5 working days after publication unless it is called in.

Decision Taken By: Cabinet Member for Community Services

**Decision No:
D170023MEM**

Date: 28 February 2017

Decision(s) and Reason(s)

Leisure Trust - Review of Charges and Annual Service Delivery

(Report of Director of Street Scene, Leisure and Technical Services)

The report brought forward for consideration proposed core charges for facilities managed on the Council's behalf by the Tonbridge and Malling Leisure Trust together with the Trust's proposed Annual Service Delivery Plan for 2017/18.

Following consideration by the Communities and Housing Advisory Board, the Cabinet Member for Community Services resolved that:

- (1) the proposed Tonbridge and Malling Leisure Trust Core Charges set out at Annex 1 to the report be approved and implemented from 1 April 2017;
- (2) the Tonbridge and Malling Leisure Trust draft Annual Service Delivery Plan for 2017/18 shown at Annex 2 to the report be approved; and
- (3) pitch hire charges at Tonbridge Sportsground be increased as outlined in the report for implementation from 1 April 2017.

Reasons: As set out in the report submitted to the Communities and Housing Advisory Board of 28 February 2017.

Signed Cabinet Member for Community Services M Heslop

Signed Leader: N Heslop

Signed Chief Executive: J Beilby

Date of publication: 3 March 2017

This decision will come into force and may then be implemented on the expiry of 5 working days after publication unless it is called in.

Decision Taken By: Cabinet Member for Community Services

Decision No: D170024MEM

Date: 28 February 2017

Decision(s) and Reason(s)

Leybourne Lakes Country Park - Facility Provision

(Report of Director of Street Scene, Leisure and Technical Services)

The report gave an update on progress with the Capital Plan scheme for improved facility provision at Leybourne Lakes Country Park and sought approval for the way forward. Reference was also made to the development of a new Management Plan for the site and the onsite Water Sports Concession.

Following consideration by the Communities and Housing Advisory Board, the Cabinet Member for Community Services resolved that:

- (1) the opportunity to generate appropriate new/additional income at Leybourne Lakes Country Park be endorsed and reflected in any future facility improvements;
- (2) Oaks Consultancy be appointed in accordance with its proposal set out at Annex 2 to the report to assist the Council in the business/financial appraisal of options linked to potential capital investment;
- (3) the approach to the production, consultation and approval of the new Leybourne Lakes Country Park Management Plan be endorsed with a report to a future meeting of the Advisory Board; and
- (4) liaison continue with identified individuals for the continuation of water sports activities in the short/medium term.

Reasons: As set out in the report submitted to the Communities and Housing Advisory Board of 28 February 2017.

Signed Cabinet Member for Community Services M Heslop

Signed Leader: N Heslop

Signed Chief Executive: J Beilby

Date of publication: 3 March 2017

This decision will come into force and may then be implemented on the expiry of 5 working days after publication unless it is called in.

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION

Decision Taken By: Cabinet Member for Strategic Planning and Infrastructure

**Decision No:
D170025MEM**

Date: 07 March 2017

Decision(s) and Reason(s)

National Policy Statement on Airports

(Report of Director of Planning, Housing and Environmental Health)

The report advised on the publication of the Government's National Policy Statement (NPS) on Airports, drawing on key issues of interest to the Borough.

Following consideration by the Planning and Transportation Advisory Board, the Cabinet Member for Strategic Planning and Infrastructure resolved that:

- (1) the Borough Council's support for meeting need for additional airport capacity at Heathrow and the Government's preferred option of the northwest runway be reaffirmed; and
- (2) the overall approach towards environmental mitigation measures in respect of the preferred option be supported by the Borough Council but the risks to deliverability as outlined in the report be noted.

Reasons: As set out in the report submitted to the Planning and Transportation Advisory Board of 7 March 2017.

Signed Cabinet Member for
Strategic Planning and
Infrastructure

H Rogers

Signed Leader:

N Heslop

Signed Chief Executive:

J Beilby

Date of publication:

10 March 2017

This decision will come into force and may then be implemented on the expiry of 5 working days after publication unless it is called in.

Decision Taken By: Cabinet Member for Strategic Planning and Infrastructure

**Decision No:
D170026MEM**

Date: 07 March 2017

Decision(s) and Reason(s)

Kent County Council Freight Action Plan for Kent - Consultation (Draft)

(Report of the Director of Planning, Housing and Environmental Health)

A consultation draft Freight Action Plan for Kent setting out 5 specific actions on how the County Council and partners planned to reduce the impact of road freight on local communities had been produced by Kent County Council. Views on the draft document were sought by 12 March 2017. It was reported that the Freight Action Plan (FAP) acted as a ‘daughter’ document to the KCC Local Transport Plan 4.

Consideration was given to a proposed response to the consultation questionnaire, attached as Annex 1 to the report, which was generally supportive of the actions set out.

Following consideration by the Planning and Transportation Advisory Board, the Cabinet Member for Strategic Planning and Infrastructure resolved that:

- (1) the content of the report be endorsed; and
- (2) the Borough Council’s proposed response to the consultation, as set out in Annex 1 to the report, be endorsed.

Reasons: As set out in the report submitted to the Planning and Transportation Advisory Board of 7 March 2017.

Signed Cabinet Member for
Strategic Planning and
Infrastructure H Rogers

Signed Leader: N Heslop

Signed Chief Executive: J Beilby

Date of publication: 10 March 2017

This decision will come into force and may then be implemented on the expiry of 5 working days after publication unless it is called in.

Decision Taken By: Cabinet Member for Strategic Planning and Infrastructure

**Decision No:
D170027MEM**

Date: 07 March 2017

Decision(s) and Reason(s)

Kent Minerals and Waste Local Plan: Safeguarding Supplementary Planning Document (Draft - September 2016)

(Report of Director of Planning, Housing and Environmental Health)

The report sought endorsement of officer-level comments made in response to a draft mineral and waste infrastructure safeguarding Supplementary Planning Document (SPD) consultation held between 5 December 2016 and 30 January 2017. These were set out in Annex 1 to the report.

In addition, the principal Safeguarding Mineral Resources policy in the Kent Minerals and Waste Local Plan (Policy DM7) was set out for information in Annex 2 of the report.

Following consideration by the Planning and Transportation Advisory Board, the Cabinet Member for Strategic Planning and Infrastructure resolved that:

The officer-level comments made in response to the consultation on the County mineral and waste infrastructure safeguarding Supplementary Planning Document, set out in Annex 1 to the report, be endorsed.

Reasons: As set out in the report submitted to the Planning and Transportation Advisory Board of 7 March 2017.

Signed Cabinet Member for Strategic Planning and Infrastructure H Rogers

Signed Leader: N Heslop

Signed Chief Executive: J Beilby

Date of publication: 10 March 2017

This decision will come into force and may then be implemented on the expiry of 5 working days after publication unless it is called in.

Decision Taken By: Cabinet Member for Strategic Planning and Infrastructure

**Decision No:
D170028MEM**

Date: 07 March 2017

Decision(s) and Reason(s)

The Housing White Paper

(Report of Director of Planning, Housing and Environmental Health)

The report summarised the main points arising from the recently published Housing White Paper 'Fixing Our Broken Housing Market' and highlighted those matters which might potentially have significant implications for the Local Plan and housing delivery through the planning system generally. The report also set out comments that could form the basis for a formal response to the Government which could be made up to 2 May 2017.

Following consideration by the Planning and Transportation Advisory Board, the Cabinet Member for Strategic Planning and Infrastructure, resolved that:

- (1) the summary of the Housing White Paper be noted; and
- (2) the comments in respect of the key points set out at paragraph 1.3 of the report form the basis of a response to Government by the consultation deadline of 2 May 2017.

Reasons: As set out in the report submitted to the Planning and Transportation Advisory Board of 7 March 2017.

Signed Cabinet Member for
Strategic Planning and
Infrastructure

H Rogers

Signed Leader:

N Heslop

Signed Chief Executive:

J Beilby

Date of publication:

10 March 2017

This decision will come into force and may then be implemented on the expiry of 5 working days after publication unless it is called in.

Decision Taken By: Cabinet Member for Strategic Planning and Infrastructure

**Decision No:
D170029MEM**

Date: 07 March 2017

Decision(s) and Reason(s)

Local Plan Update

(Report of Director of Planning, Housing and Environmental Health)

The report provided an update on the preparation of the Local Plan, including an overview of the responses to the Regulation 18 consultations that closed in November 2016 and looked forward to the next stages of Plan making. Potential implications arising from the Housing White Paper were also reported.

A revised timetable for the Local Plan was attached for information and approval at Annex 1 to the report.

Following consideration by the Planning and Transportation Advisory Board, the Cabinet Member for Strategic Planning and Infrastructure resolved that:

- (1) the progress made on the Local Plan be noted; and
- (2) the revised timetable, set out at Annex 1 to the report, be agreed.

Reasons: As set out in the report submitted to the Planning and Transportation Advisory Board of 7 March 2017.

Signed Cabinet Member for
Strategic Planning and
Infrastructure

H Rogers

Signed Leader:

N Heslop

Signed Chief Executive:

J Beilby

Date of publication:

10 March 2017

This decision will come into force and may then be implemented on the expiry of 5 working days after publication unless it is called in.

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION

Decision Taken By: Cabinet
Decision No: D170030CAB
Date: 21 March 2017

Decision(s) and Reason(s)

Revenue and Benefits - Potential Shared Service

(Report of Director of Finance and Transformation)

The report described progress towards a proposed shared Revenue and Benefits service between the Council and Gravesham Borough Council which would offer a number of service and efficiency benefits, contributing to the Savings and Transformation Strategy as well as improving resilience. Reference was made to accommodation and IT issues and it was noted that a more detailed financial analysis of all elements and full staff consultation would be undertaken once both authorities had agreed to progress towards a fully shared service.

Members discussed potential scenarios in terms of the “hosting” of a combined Revenue and Benefits team and confirmed that none of these should prove to be a barrier in agreeing to the establishment of a shared service.

The Cabinet resolved that:

- (1) the establishment of a Shared Service for Revenue and Benefits between Tonbridge and Malling Borough Council and Gravesham Borough Council be approved as set out in the report;
- (2) the Director of Finance and Transformation, in liaison with the Cabinet Member for Finance, Innovation and Property and Leader, be authorised to progress detailed negotiations with Gravesham Borough Council accordingly;
- (3) Tonbridge and Malling Borough Council would prefer to be considered as the lead authority (and site provider) for the Shared Service and the Overview and Scrutiny Committee be advised accordingly for the purposes of the accommodation review;
- (4) the Director of Finance and Transformation be authorised to commence consultation and discussion with staff as appropriate;

- (5) the target implementation date of July 2018 be noted; and
- (6) further progress reports setting out detailed proposals for the implementation of the shared service be presented to either Finance, Innovation and Property Advisory Board, General Purposes Committee or directly to Cabinet as appropriate.

Reasons: As set out in the report of the Director of Finance and Transformation.

Signed Chief Executive: J Beilby

Date of publication: 24 March 2017

This decision will come into force and may then be implemented on the expiry of 5 working days after publication unless it is called in.

Decision Taken By: Cabinet
Decision No: D170031CAB
Date: 21 March 2017

Decision(s) and Reason(s)

Policy on Managing Unreasonable Complainant Behaviour

(Report of Director of Central Services)

The report presented proposed revisions to the existing policy adopted by the Council in relation to unreasonable or unreasonably persistent complainants. A copy of the updated guidance from the Local Government Ombudsman on managing unreasonable complainant behaviour was annexed to the report.

The Cabinet resolved that:

The revised policy on managing unreasonable complainant behaviour, as set out at Annex 3 to the report, be adopted.

Reasons: As set out in the report of the Director of Central Services.

Signed Chief Executive: J Beilby

Date of publication: 24 March 2017

This decision will come into force and may then be implemented on the expiry of 5 working days after publication unless it is called in.

Decision Taken By: Cabinet
Decision No: D170032CAB
Date: 21 March 2017

Decision(s) and Reason(s)

Planning Application Fees: the Government's Offer

(Report of Management Team)

The report gave details of a proposal from the Government to offer local authorities an increase in planning fees providing they committed to invest the whole additional income in their planning department. Approval was sought for action taken on behalf of the Council to accept the offer by the deadline of 13 March 2017.

The Cabinet resolved that:

- (1) retrospective approval be given to the urgent decision taken by the Management Team in liaison with the Leader, Cabinet Member for Finance, Innovation and Property and Cabinet Member for Strategic Planning and Infrastructure to accept the offer from the Department for Communities and Local Government (DCLG) to increase planning fees by 20% from July 2017; and
- (2) it be noted that the Director of Finance and Transformation submitted the required certified return to the DCLG prior to the deadline of 13 March 2017.

Reasons: As set out in the report of the Management Team.

Signed Chief Executive: J Beilby

Date of publication: 24 March 2017

This decision will come into force and may then be implemented on the expiry of 5 working days after publication unless it is called in.

Decision Taken By: Cabinet
Decision No: D170033CAB
Date: 21 March 2017

Decision(s) and Reason(s)

Parking Action Plan - Phase 8A

(Item JTB 17/3 referred from Joint Transportation Board minutes of 13 March 2017)

Consideration of recommendations to the Cabinet from the Joint Transportation Board of 13 March 2017.

The Cabinet resolved that:

The recommendations of the Joint Transportation Board be approved as follows:

- (1) the objection to the extension of the parking restriction within Cage Green Road, Tonbridge, be set aside and the restrictions, as advertised, be introduced;
- (2) in light of the level of response from residents and the potential for the resident of No 3 Offham Road to change their entrance to ease the access issues, the proposal to shorten the parking bays in respect of Offham Road, West Malling be abandoned and the existing on-street parking and yellow line restrictions be retained;
- (3) the objections to the revised proposal in respect of Norman Road, West Malling be set aside and the restrictions, as advertised, be introduced; and
- (4) the proposed changes to the draft Amendment 13 to the Borough Council's On-Street Traffic Regulation Order be made and the Order be sealed.

Reasons: As set out in the report submitted to the Joint Transportation Board of 13 March 2017.

Signed Chief Executive: J Beilby

Date of publication: 24 March 2017

This decision will come into force and may then be implemented on the expiry of 5 working days after publication unless it is called in.

Decision Taken By: Cabinet
Decision No: D170034CAB
Date: 21 March 2017

Decision(s) and Reason(s)

Cessation of Council Usage of Co-operative Bank

(LGA 1972 Sch 12A Paragraph 3 – Financial or business affairs of any particular person)

(Report of Director of Finance and Transformation)

The report advised that notice had been received from the Co-operative Bank that it would be withdrawing from the local government market from March 2018, affecting council taxpayers who used payment cards. A review of the Council's usage of the bank had been undertaken and consideration was given to possible alternatives and a recommended way forward.

The Cabinet resolved that:

- (1) the termination of the contract with Co-operative Bank by 31 December 2017 at the latest and withdrawal of payment cards as a method of payment be approved;
- (2) authority be delegated to the Director of Finance and Transformation and the Chief Executive, in liaison with the Cabinet Member for Finance, Innovation and Property, to implement termination of the contract at the appropriate time;
- (3) officers be authorised to contact all existing card holders giving them early warning of the withdrawal of the facility that will occur sometime during the calendar year 2017 and promote the alternative options; and
- (4) the preparation of a 'fast track capital plan evaluation' to expand the current payment facilities be agreed if required.

Reasons: As set out in the report of the Director of Finance and Transformation (contains exempt information).

Signed Chief Executive:

J Beilby

Date of publication: 24 March 2017

This decision will come into force and may then be implemented on the expiry of 5 working days after publication unless it is called in.

Decision Taken By: Cabinet
Decision No: D170035CAB
Date: 21 March 2017

Decision(s) and Reason(s)

Debts for Write Off

(LGA 1972 Sch 12A Paragraph 2 – Information likely to reveal information about an individual)

(Report of Director of Finance and Transformation)

The report sought approval of the writing-off of debts considered to be irrecoverable. Details were also given of debts under £1,000 which had been written-off in accordance with Financial Procedure Rule 17.2 together with cumulative totals of debts in the current and previous financial years and information on budgeted bad debt provision.

The Cabinet resolved that:

The 20 items shown in the schedule of amounts over £1,000, totalling £76,206.99 be written-off for the reasons stated within the schedule.

Reasons: As set out in the report of the Director of Finance and Transformation (contains exempt information).

Signed Chief Executive: J Beilby

Date of publication: 24 March 2017

This decision will come into force and may then be implemented on the expiry of 5 working days after publication unless it is called in.

Decision Taken By: Cabinet
Decision No: D170036CAB
Date: 21 March 2017

Decision(s) and Reason(s)

Proposed Action on a Long Term Empty Property in Burham

(LGA 1972 Sch 12A Paragraph 1 – Information relating to an individual)

(Item CH 17/14 referred from Communities and Housing Advisory Board minutes of 28 February 2017)

Consideration of recommendations to the Cabinet from the Communities and Housing Advisory Board of 28 February 2017

The Cabinet resolved that:

The recommendations of the Communities and Housing Advisory Board be approved as follows:

In the event of the owner of the property refusing to take steps to bring the property back into use by way of occupation or voluntary sale to another party for occupation, the making of a Compulsory Purchase Order be approved, subject to the Director of Central Services and Director of Planning, Housing and Environmental Health being satisfied of the results of the surveys and valuations described in the report.

Reasons: As set out in the report submitted to the Communities and Housing Advisory Board of 28 February 2017 (contains exempt information).

Signed Chief Executive: J Beilby

Date of publication: 24 March 2017

This decision will come into force and may then be implemented on the expiry of 5 working days after publication unless it is called in.

- Minutes of the Area 1 Planning Committee held on 30 March 2017 are *'to follow'*

- Minutes of the Audit Committee held on 3 April 2017 are *'to follow'*

