

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

INDEX

Item	Page (s)	
1.	27 October: Council	3 - 10
	- Minute Numbers: C 20/31 - 47	
2.	29 October: Area 1 Planning Committee	11 - 14
	- Minute Numbers AP1 20/25 - 30	
3.	4 November: Area 2 Planning Committee	15 - 18
	- Minute Numbers: AP2 20/12 – 16	
4.	17 November: Licensing and Appeals Committee	19 - 20
	- Minute Numbers: LA 20/11 - 17	
5.	19 November: Area 3 Planning Committee	21 - 24
	- Minute Numbers: AP3 20/34 - 38	
6.	1 December: General Purposes Committee	25 - 28
	- Minute Numbers: GP 20/20 - 24	
7.	3 December: Overview and Scrutiny Committee	29 - 34
	- Minute Numbers: OS 20/24 - 31	
2021		
8.	18 January: Audit Committee	35 - 38
	- Minute Numbers: AU 21/1 - 11	
9.	19 January : Overview and Scrutiny Committee	39 - 42
	- Minute Numbers: OS 21/1 – 7	
10.	25 January: General Purposes Committee	43 - 46
	- Minute Numbers: GP 21/1 - 6	

11.	26 January: Cabinet	47 - 52
	- Minute Numbers: CB 21/1 - 14	
12.	Cabinet Member Decision Notices	53 - 82
	- D200077MEM – D200078MEM - D200079MEM – D200084MEM - D200085MEM – D200086MEM - D200087MEM - D210001MEM – D210008MEM	
13.	Cabinet Decision Notices	83 - 90
	- D210009CAB – D210016CAB	
14.	Decisions Taken Under Emergency Provisions	91 - 102
	- D200013EM – D200016EM - D200017EM - D200018EM	
15.	28 January: Area 3 Planning Committee	103 - 106
	- Minute Numbers: AP3 21/1 - 5	
16.	11 February: Cabinet (Budget)	To Follow
	- Minute Numbers: CB 21/15 - 34	
17.	Cabinet Decisions Notices	To Follow
	- D210020CAB – D210026CAB	
18.	Decisions Taken Under Emergency Provisions (if any)	111 - 114
	- D210001EM - D210002EM	

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

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TONBRIDGE AND MALLING BOROUGH COUNCIL

COUNCIL MEETING

Tuesday, 27th October, 2020

At the meeting of the Tonbridge and Malling Borough Council held via video-conferencing on Tuesday, 27th October, 2020

Present: Her Worship the Mayor (Councillor Mrs J A Anderson), the Deputy Mayor (Councillor R V Roud), Cllr M C Base, Cllr Mrs P A Bates, Cllr Mrs S Bell, Cllr R P Betts, Cllr T Bishop, Cllr J L Botten, Cllr V M C Branson, Cllr G C Bridge, Cllr C Brown, Cllr R I B Cannon, Cllr A E Clark, Cllr M A Coffin, Cllr D J Cooper, Cllr R W Dalton, Cllr D A S Davis, Cllr M O Davis, Cllr Mrs T Dean, Cllr N Foyle, Cllr N J Heslop, Cllr P M Hickmott, Cllr M A J Hood, Cllr F A Hoskins, Cllr S A Hudson, Cllr A P J Keeley, Cllr D Keers, Cllr Mrs F A Kemp, Cllr A Kennedy, Cllr D W King, Cllr K King, Cllr J R S Lark, Cllr D Lettington, Cllr Mrs R F Lettington, Cllr B J Luker, Cllr P J Montague, Cllr Mrs A S Oakley, Cllr L J O'Toole, Cllr W E Palmer, Cllr M R Rhodes, Cllr H S Rogers, Cllr J L Sergison, Cllr T B Shaw, Cllr N G Stapleton, Cllr K B Tanner, Cllr Mrs M Tatton, Cllr M Taylor, Cllr Miss G E Thomas, Cllr D Thornewell and Cllr C J Williams

Apologies for absence were received from Councillors M D Boughton, Mrs C B Langridge and F G Tombolis

PART 1 - PUBLIC

C 20/31 DECLARATIONS OF INTEREST

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

For reasons of transparency, Councillors T Bishop and M Davis each advised that they were the Borough Council's appointees to the Tonbridge and Malling Leisure Trust to which reference was made in the report on Leybourne Lakes Country Park – Facilities Improvements (Minute C 20/41 refers).

C 20/32 MINUTES

RESOLVED: That the Minutes of the proceedings of the meeting of the Council held on 14 July 2020 be approved as a correct record and signed by the Mayor.

C 20/33 MAYOR'S ANNOUNCEMENTS

The Mayor advised that she had attended the following Covid secure and/or socially distanced engagements since the last meeting of the Council:

- Tonbridge Model Engineering Society Cheque Presentation to the Mayor. A cheque for £500 was presented for the Mayor's charity CRY (Cardiac Risk in the Young);
- Her Majesty's Lord Lieutenant and County Chairman for SERFCA Virtual Awards Ceremony;
- The Chairman of Kent County Council's Virtual Civic Reception; and
- The Chairman of Sevenoaks District Council's coffee morning.

Future functions would include attendance at socially distanced Remembrance Day Services in Tonbridge and at the RBLI, Aylesford.

Finally, the Mayor thanked Members and officers of the Borough Council for the continuing support provided to residents, communities and businesses across the Borough during the ongoing coronavirus pandemic.

C 20/34 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 20/35 QUESTIONS FROM MEMBERS PURSUANT TO COUNCIL PROCEDURE RULE NO 5.5

No questions were received from Members pursuant to Council Procedure Rule No 5.5.

C 20/36 LEADER'S ANNOUNCEMENTS

The Leader reported that the latest number of Covid-19 cases recorded in Tonbridge and Malling through Public Health England was 92 as at 23 October 2020. He advised that the trend remained constant, with the 7 day rate per 100,000 population at 45.4 between 18 and 23 October. This was below the Kent average and significantly below the average across England. He cautioned against complacency and encouraged the use of every opportunity to reinforce public health messaging. He reported that the Council's Business Continuity officer group met regularly to discuss how the Council would respond to any potential spike in numbers. He expressed concern that the winter months, with

potential flooding and severe weather, would add to the challenges to be addressed.

The Leader advised that two emergency decisions had been made in accordance with the Emergency Provisions set out in Part 7 of the Constitution. He stated his preference for policy being brought before Members and regretted that the time-scale required for implementing the decisions had not allowed for this. The first decision had related to setting up arrangements for those who test positive for COVID-19 or are identified by NHS Test and Trace as a close contact, requiring them to self-isolate. Final guidance for the scheme had been received on a Friday with instructions that it be in place by the Monday. The second emergency decision had allowed the Council to make arrangements for engagement and enforcement work relating to COVID-19 using funding received from the Kent County Council.

The Leader commented that Covid-19 had had an impact on finances across the country, in the business sector, charities, and among families. Local government had been equally impacted and the Borough Council now faced enormous financial challenges. He stressed the need to work together to ensure the Borough Council's future financial stability and he welcomed the Government's most recent tranche of funding to Tonbridge and Malling of £226,802.00, which brought the total of four tranches of funding to £1,776,566.

With regard to Planning, the Leader stated that the scale of the increase in housing numbers planned for Tonbridge and Malling by the Government's algorithm was totally unsustainable and wrong. He advised that he and David Lettington had written directly to Robert Jenrick, the Housing Secretary, to amplify the objections raised by Members at the extraordinary meeting of the Planning and Transportation Advisory Board. He had also made the two local Members of Parliament aware of the objections and welcomed their support in opposing the Government's calculations.

The Leader advised that, together with David Lettington, he had written directly to the Secretary of State to object to the democratic deficit that would occur from the proposals in the Planning White Paper, which ignored community involvement in individual planning applications. He stated that this could not be right as communities changed and evolved over time and, whilst having a planning framework in place was crucial to guide development, the individual scheme proposals and their potential impact on the local environment were not something that could be fully considered years in advance.

With regard to the status of the Local Plan, the Leader expressed concern about the response received from the Planning Inspectorate to the first few days of the Examination in Public. He indicated that it would be unhelpful to speculate in the absence of further details and advised

that, once these have been received, the matter would be put to the appropriate forum for member discussion.

The Leader reminded Members that the Green Flag Award scheme recognised and rewarded well managed parks and green spaces, setting the benchmark standard for the management of recreational outdoor spaces across the United Kingdom and around the world. He advised that both Leybourne Lakes and Haysden Country Parks had, once again, been awarded this status. He was pleased to announce that the Tonbridge Racecourse Sportsground had also been put forward for this prestigious recognition and had been awarded green flag status. The Leader paid tribute to the officers and volunteers who maintain three, much cherished, green open spaces within the Borough and their achievement of the Green Flag Award.

The Leader advised that, in the build up to Christmas, he would be campaigning to support all of the Borough's high street businesses and discussing with others how to best support them. Additionally, he indicated that, since the last meeting of the Economic Regeneration Advisory Board, the Borough Council had received interest from independent retailers for the Local Centres and Parades Shopfront Scheme which was re-launched in mid-September.

In conclusion the Leader referred to Remembrance Sunday and the preparations made to remember the brave men and women who had made huge sacrifices to defend the liberties and freedoms in this country and abroad. He regretted that, due to the impact of COVID-19, many people would be unable to personally show their respect to the fallen at a public service of remembrance, with only limited numbers allowed at many services across the Borough. He advised that the Mayor would be representing the Borough Council at the service to be held at the Tonbridge Memorial Services and that this would be live streamed for those wishing to watch the proceedings. He was very honoured to be invited to attend, along with the Mayor, the Royal British Legion service in Aylesford. He extended his best wishes to all communities in arranging their own remembrance services.

C 20/37 AUDIT COMMITTEE ANNUAL REPORT

Item AU 20/13 referred from Audit Committee minutes of 27 July 2020

RESOLVED: That the recommendation at Minute AU 20/13 be approved.

C 20/38 LOCAL CODE OF CORPORATE GOVERNANCE

Item AU 20/14 referred from Audit Committee minutes of 27 July 2020

RESOLVED: That the recommendation at Minute AU 20/14 be approved.

C 20/39 TREASURY MANAGEMENT UPDATE AND ANNUAL REPORT FOR 2019/20

Item AU 20/15 referred from Audit Committee minutes of 27 July 2020

RESOLVED: That the recommendations at Minute AU 20/15 be approved.

C 20/40 SEX ESTABLISHMENTS AND SEXUAL ENTERTAINMENT VENUES - POLICY 2020-23

Item LA 20/9 referred from Licensing and Appeals Committee minutes of 15 September 2020

RESOLVED: That the recommendation at Minute LA 20/9 be approved.

C 20/41 LEYBOURNE LAKES COUNTRY PARK - FACILITIES IMPROVEMENTS

Item CB 20/65 referred from Cabinet minutes of 14 October 2020

RESOLVED: That the recommendations at Minute CB 20/65 be approved.

In accordance with Council and Committee Procedure Rule 8.6, Part 4 (Rules) of the Constitution, Councillors T Bishop and M Davis requested that it be recorded that they had abstained from voting in respect of this matter.

C 20/42 IT STRATEGY UPDATE AND ENTERPRISE DOCUMENT MANAGEMENT SYSTEM

Item CB 20/66 referred from Cabinet minutes of 14 October 2020

RESOLVED: That the recommendations at Minute CB 20/66 be approved.

C 20/43 TREASURY MANAGEMENT UPDATE AND MID-YEAR REVIEW

Item CB 20/67 referred from Cabinet minutes of 14 October 2020

RESOLVED: That the recommendations at Minute CB 20/67 be approved.

C 20/44 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.

MATTERS FOR CONSIDERATION IN PRIVATE**C 20/45 EXCLUSION OF PRESS AND PUBLIC**

The Mayor moved, it was seconded and

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

PART 2 - PRIVATE**C 20/46 UPDATE ON PROPERTIES AT PEMBURY ROAD, TONBRIDGE**

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

The report of the Director of Planning, Housing and Environmental Health provided an update on the properties in Pembury Road, Tonbridge that had been purchased for use as temporary accommodation and sought approval to proceed with the delivery stage of the project.

RESOLVED: That

- (1) additional funding of up to £157,000 for delivery of the Pembury Road project be approved; and
- (2) the funding be met from s106 contributions for affordable housing or an alternative funding source as appropriate, with the former being utilised in the first instance.

C 20/47 PURCHASE OF ADDITIONAL GROUND FLOOR UNIT, HIGH STREET, TONBRIDGE

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

The report of the Director of Planning, Housing and Environmental Health outlined details for the proposed purchase of a ground floor unit in Tonbridge High Street to provide storage and office facilities to manage the Council's temporary accommodation.

RESOLVED: That

- (1) the purchase of a ground floor unit in Tonbridge High Street, funded from the Homelessness Reserve and Homelessness Reduction Initiatives revenue budget, be added to the Capital Plan List A;

- (2) authority be delegated to the Director of Central Services and Deputy Chief Executive to negotiate terms for the acquisition of a 125 year lease in respect of the additional ground floor unit in Tonbridge High Street, subject to a maximum purchase price of £30,000;
- (3) the Director of Central Services and Deputy Chief Executive be authorised to carry out all necessary legal formalities to conclude the acquisition; and
- (4) following the acquisition of the ground floor unit, the subsequent fitting out as an office and storage space be funded from Housing reserves (to a maximum £5,000).

The meeting ended at 8.09 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

AREA 1 PLANNING COMMITTEE

Thursday, 29th October, 2020

Present: Cllr V M C Branson (Chairman), Cllr M D Boughton (Vice-Chairman), Cllr Mrs J A Anderson, Cllr J L Botten, Cllr G C Bridge, Cllr A E Clark, Cllr M O Davis, Cllr N Foyle, Cllr N J Heslop, Cllr M A J Hood, Cllr F A Hoskins, Cllr D W King, Cllr K King, Cllr J R S Lark, Cllr M R Rhodes, Cllr H S Rogers, Cllr J L Sergison, Cllr Miss G E Thomas and Cllr F G Tombolis

Councillors M C Base, M A Coffin, R W Dalton, D A S Davis, D Lettington and Mrs A S Oakley were also present pursuant to Council Procedure Rule No 15.21.

An apology for absence was received from Councillor Mrs P A Bates

PART 1 - PUBLIC

AP1 20/25 DECLARATIONS OF INTEREST

Councillor N Heslop advised that, as Leader of the Council, he occupied a 'position of control' and had been involved in the proposals to sell the land which was the subject of Planning Application TM/19/01108/FL – 1-4 River Walk, Tonbridge. He declared an Other Significant Interest (OSI) in this item and withdrew from the meeting during its consideration.

AP1 20/26 MINUTES

RESOLVED: That the Minutes of the meeting of the Area 1 Planning Committee held on 10 September 2020 be approved as a correct record and signed by the Chairman.

DECISIONS TAKEN UNDER DELEGATED POWERS IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION (RESPONSIBILITY FOR COUNCIL FUNCTIONS)

AP1 20/27 DEVELOPMENT CONTROL

Decisions were taken on the following applications subject to the prerequisites, 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. There were no supplementary reports circulated in advance of 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.

AP1 20/28 TM/19/01108/FL - 1-4 RIVER WALK, TONBRIDGE

Construction of building comprising 36 apartments including access and ground floor and undercroft parking, following demolition of existing built form on site at 1 - 4 River Walk, Tonbridge.

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

1. The site occupies a prominent and visually sensitive area within the town centre. The proposed development, by virtue of the specific design and form of the building at the corner of River Walk and New Wharf Road, would appear as a disjointed feature which does not treat the corner in an acceptable way and as a result would be visually harmful to the immediate street scene and wider views towards the site. Furthermore, by virtue of the design characteristics of the (southern) elevation of the building fronting New Wharf Road, the development would not create a suitably animated frontage and would not make a positive visual contribution to the street scene. The identified significant harm is not outweighed by the acknowledged benefits associated with the provision of 36 residential units. The proposal is therefore contrary to the requirements of policies CP24 of the Tonbridge and Malling Borough Core Strategy 2007, policy TCA1 of the Tonbridge Central Area Action Plan 2008 and paragraphs 127 and 130 of the National Planning Policy Framework 2019.

[Speakers: D Huntingford (on behalf of Tonbridge Civic Society) and J Wilson – member of the public]

In accordance with Committee Procedure Rule 8.6, Part 4 (Rules) of the Constitution, Councillors V Branson, G Bridge, A Clark, M Hood, F Hoskins, D King, K King and G Thomas requested that it be recorded that they had voted for refusal of the planning application.

AP1 20/29 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**AP1 20/30 TM/19/01108/FL - 1-4 RIVER WALK, TONBRIDGE**

(LGA 1972 Sch 12A Paragraph 5 – Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings)

The report of the Deputy Monitoring Officer outlined the potential consequences of taking decisions against the advice of officers (Minute AP1 20/28 refers).

RESOLVED: That the report be received and noted.

The meeting ended at 8.25 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

AREA 2 PLANNING COMMITTEE

Wednesday, 4th November, 2020

Present: Cllr H S Rogers (Chairman), Cllr B J Luker (Vice-Chairman), Cllr Mrs J A Anderson, Cllr R P Betts, Cllr M A Coffin, Cllr S A Hudson, Cllr Mrs F A Kemp, Cllr P J Montague, Cllr W E Palmer, Cllr J L Sergison, Cllr K B Tanner and Cllr M Taylor

Councillors Mrs T Dean, N J Heslop, D Lettington and R V Roud were also present pursuant to Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors C Brown, Mrs C B Langridge, T B Shaw and N G Stapleton

PART 1 - PUBLIC

AP2 20/12 DECLARATIONS OF INTEREST

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

AP2 20/13 MINUTES

RESOLVED: That the Minutes of the meeting of the Area 2 Planning Committee held on 27 May 2020 be approved as a correct record and signed by the Chairman.

DECISIONS TAKEN UNDER DELEGATED POWERS IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION (RESPONSIBILITY FOR COUNCIL FUNCTIONS)

AP2 20/14 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 circulated in advance of the meeting and published on the website.

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 20/15 TM/19/01067/FL - SCARBUTTS AND WINSOR WORKS, LONDON ROAD, ADDINGTON

Redevelopment of the site to provide 10 x detached dwelling houses with associated parking, turning, landscaping and improvements to the access road at Scarbutts and Winsor Works, London Road, Addington.

The supplementary report of the Director of Planning, Housing and Environmental Health advised that the Planning Inspectorate had confirmed that the applicants had lodged an appeal against the non-determination of the application and this appeal was valid. Although the Borough Council could no longer formally determine the planning application it remained necessary for the Planning Committee to confirm what decision would have been made were it still in a position to do so.

RESOLVED: That the Secretary of State (through his Inspector) and the applicant be advised that, had the Local Planning Authority been in a position to determine the application at this time planning permission would have been REFUSED on the following grounds:

- (1) The site lies within the Metropolitan Green Belt where there is a strong presumption against inappropriate development, as defined in the National Planning Policy Framework (2019). The development constitutes inappropriate development within the Green Belt which is substantially harmful by definition. Furthermore, the development would cause material harm to openness by virtue of the amount of built form across the site. No very special circumstances have been demonstrated that clearly outweigh the degree of harm to the Metropolitan Green Belt and the development is therefore contrary to paragraphs 143 to 145 of the National Planning Policy Framework (2019) and Policy CP3 of the Tonbridge and Malling Borough Core Strategy 2007 and Policy M1 of the Tonbridge and Malling Development Lane Allocations Development Plan Document 2010.
- (2) The proposed development due to the layout of the dwellings across the site and the resultant relationship of Plots 1 – 7 (inclusive) with the southern boundary given the change in land levels at this point, proximity of existing built development and the commercial nature of the uses of neighbouring land, would, when taken in combination, result in an unacceptable living environment and level of amenity for the future occupants of the new dwellings of Plots 1 – 7. As such, the proposed development is contrary to the requirements of policy CP24 of the Tonbridge and Malling Borough Core Strategy 2007 and paragraph 127(f) of the National Planning Policy Framework 2019.

AP2 20/16 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 8.20 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

LICENSING AND APPEALS COMMITTEE

Tuesday, 17th November, 2020

Present: Cllr D Keers (Chairman), Cllr C Brown (Vice-Chairman),
Cllr Mrs J A Anderson, Cllr Mrs P A Bates, Cllr A E Clark,
Cllr M A Coffin, Cllr Mrs F A Kemp, Cllr D W King,
Cllr Mrs R F Lettington, Cllr H S Rogers, Cllr N G Stapleton,
Cllr M Taylor and Cllr F G Tombolis

Councillors N J Heslop, M A J Hood, J R S Lark and Mrs A S Oakley were also present pursuant to Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors M C Base and R V Roud

PART 1 - PUBLIC

LA 20/11 DECLARATIONS OF INTEREST

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

LA 20/12 MINUTES

RESOLVED: That the Minutes of the meeting of the Licensing and Appeals Committee held on 15 September 2020 be approved as a correct record and signed by the Chairman.

LA 20/13 MINUTES OF PANEL

RESOLVED: That it be noted that there had been no meetings of the Licensing and Appeals Committee sitting as a Panel.

DECISIONS TAKEN UNDER DELEGATED POWERS IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION (RESPONSIBILITY FOR COUNCIL FUNCTION)

LA 20/14 CHANGES TO TMBC HACKNEY CARRIAGE AND PRIVATE HIRE POLICY IN LIGHT OF NEW STATUTORY TAXI AND PRIVATE HIRE VEHICLE STANDARDS

The report of the Director of Central Services and Deputy Chief Executive highlighted a number of proposed changes to the Council's current Hackney Carriage and Private Hire Policy in light of new statutory guidance received from the Secretary of State for Transport. The report made particular reference to the protection of children and vulnerable individuals from harm and the proposed changes were

highlighted within the current policy attached at Annex 1 to the report. The timeline and details of the consultation to be undertaken between 23 November 2020 and 31 January 2021 and subsequent consideration by Members were set out at 1.3 of the report.

RESOLVED: That the draft Hackney Carriage and Private Hire Policy, as set out at Annex 1 to the report, be approved for consultation purposes.

LA 20/15 REVIEW OF FEES AND CHARGES 2021/22 - LICENSING FEES

Following a review of the existing fee structure the report of the Director of Central Services and Deputy Chief Executive set out details of the proposed licensing fees and charges for 2021/22 in respect of Hackney Carriage and Private Hire, Pleasure Boats and Boatmen, Scrap Metal Dealers, Animal Welfare, Street Trading Consents in Tonbridge, Sex Establishments and the licensing of premises and practitioners providing Acupuncture, Tattooing, Ear Piercing, Semi-permanent make-up and Electrolysis.

RESOLVED: That the proposed scale of fees for licences, consents and registrations, as set out at Annex 1 to the report, be adopted with effect from 1 April 2021.

LA 20/16 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

LA 20/17 LICENSING UNDER COVID-19

LGA 1972 Sch 12A Paragraph 7 – Prevention, investigation and prosecution of criminal offences

The Head of Licensing provided an overview of Premises and Taxi licensing activity and performance during the coronavirus pandemic. Details of current licensing numbers, feedback from the 'trade' and enforcement visits were presented.

The meeting ended at 9.15 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

AREA 3 PLANNING COMMITTEE

Thursday, 19th November, 2020

Present: Cllr D A S Davis (Chairman), Cllr M C Base (Vice-Chairman), Cllr Mrs S Bell, Cllr T Bishop, Cllr R I B Cannon, Cllr D J Cooper, Cllr R W Dalton, Cllr Mrs T Dean, Cllr S M Hammond, Cllr P M Hickmott, Cllr D Keers, Cllr A Kennedy, Cllr D Lettington, Cllr Mrs R F Lettington, Cllr Mrs A S Oakley, Cllr R V Roud, Cllr Mrs M Tatton, Cllr D Thornewell and Cllr C J Williams

Councillors V M C Branson, N J Heslop, H S Rogers and N G Stapleton were also present pursuant to Council Procedure Rule No 15.21.

PART 1 - PUBLIC

AP3 20/34 DECLARATIONS OF INTEREST

Councillor Roud declared an Other Significant Interest in application TM/18/02966/OA (development site south of Brampton Field) on the grounds that a close relative was employed by NIAB/EMR at East Malling Research Centre and a member of the public might conclude that any decision might be prejudiced by this fact. He withdrew from the meeting prior to any discussion and did not vote on the application.

AP3 20/35 MINUTES

RESOLVED: That the Minutes of the meeting of the Area 3 Planning Committee held on 1 October 2020 be approved as a correct record and signed by the Chairman.

DECISIONS TAKEN UNDER DELEGATED POWERS IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION (RESPONSIBILITY FOR COUNCIL FUNCTIONS)

AP3 20/36 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 circulated in advance of the meeting and published to the website.

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 20/37 TM/18/02966/0A - DEVELOPMENT SITE SOUTH OF BRAMPTON FIELD BETWEEN BRADBOURNE LANE AND KILN BARN ROAD, DITTON

Outline Application: Development of the site to provide up to 300 dwellings (Use Class C3) and provision of new access off Kiln Barn Road at Development site south of Brampton Field between Bradbourne Lane and Kiln Barn Road, Ditton. All other matters reserved for future consideration.

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

- (1) the deletion of condition 15 from the main report (regarding the requirement for a construction management plan) as this is duplicated at condition 23;
- (2) the renumbering of conditions 18 to 23 as 18 to 24 to rectify the incorrect numbering of conditions in the main report;
- (3) the addition of conditions:-

25. Prior to the first occupation of the development hereby approved, the planned improvements being delivered by Kent County Council at the junction of A20/Mills Road/Hall Road must be substantially completed.

Reason: In the interests of highway safety.

26. Prior to the first occupation of the development hereby approved, the improvements to the junction of A20/Station Road/New Road, Ditton must be completed. These works are to be provided by the developer as shown in principle on Drawing number 182600-017A.

Reason: In the interests of highway safety.

27. The details submitted in pursuance of Condition 1 shall show arrangements for the secure storage and screening of bicycles to be approved by the Local Planning Authority. Prior to the occupation of each dwelling shown to be served by such storage, the approved arrangements shall be implemented in relation to that particular dwelling, and retained at all times thereafter.

Reason: To encourage sustainable modes of transport and preserve visual amenity.

(4) the addition of Informatives:-

4. The applicant is strongly encouraged to advise prospective occupants of the approved dwellings of the nearby quarrying activities and the potential for noise and vibration to be experienced as a result of these activities.

5. The applicant is strongly encouraged to liaise with Kent County Council Highways and Transportation to fully explore the possibility of making amendments to the speed restrictions on Kiln Barn Road.

6. The applicant is strongly encouraged, in formulating the detailed landscaping strategy for the site, to consider the retention of the southern boundary hedge in its entirety and to ensure that landscaping along the route of the public footpath is suitably rural in character and type.

7. In considering the scheme pursuant to Condition 10 of this planning permission, the applicant is requested to fully investigate opportunities for upgrading Public Right of Way MR100 to become a footpath and cycleway in order to further encourage alternative and sustainable modes of transport through and around the site and surrounding locality.

8. In designing the detailed layout of the development as approved, within the scope of the approved parameter plans, the applicant is reminded that the adopted vehicle parking standards (IGN3: Residential Parking) do not include garages as recognised parking spaces and tandem parking spaces are discouraged.

[Speakers: Verbal statements were made by Mr L Henry (on behalf of Ditton Parish Council) and Mr P Baldock, Mr C Clarke, Mr J Bailey, Mr A Martin and Mr C Rook (members of the public). Video or audio statements were made by Mrs H Baldock, Mr and Mrs Barden and Mr S Jenkins (members of the public).

The following representations were made by written statements and read out by the Democratic Services Officers: Aylesford Parish Council and Ms J Doorne (member of the public). The statement of Ms J Doorne was made on behalf of 65 local residents living in Brampton Field (J Masters, D Schwartz, H Lockyer, N Wines, J Wilson, J & J Sikes, M Edwards, Mr & Mrs Hisee, P Stevenson & G Lander, N & E Tabuga, S, M and P Spence, C Shanahan, M & K Carter, Mr & Mrs Jobling, W & L Lopez, J & M Harrigan, J Doorne and G & K Wiles), Cherry Orchard (R Apps), New Road (M Covey and N Carney), Scott Close (D & L Lomas), Woodlands Road (A Allies, P Ryan and T & P Cook), Acorn Grove (K & C Ridgeway) and Fernleigh Rise (L & D Wells) in Ditton and in East Malling (P Aldridge, K & M Barrett, A Davies and M & S Yates), Leybourne (D & S Smithson, E Lockyer and

R & J Brooks), Larkfield (A Dixon, L Mason, Mr & Mrs Paice, L Bobbett, J & J Tranter, C Lewis, T Hoad and G McCarthy) and Barming (P & L Baker).

Written statements had also been received from Mr R Angel; W Heeley, T Lee, Mr E Baldock, Mr D Morrissey, Mr S Soffe, Mr I Smith, Mr R Dixon, Mr & Mrs Burr, Mr R Steer, Mr K Wood, Mr J Rush, Mr C Shea, S Redmond, G Godden, Mr N Dave, Mr R Ware, Mr & Mrs Dean, A Gore, Mr R Zaborski, L Noble, I Pierce, Mr R Jackson, L Rush, Mr P Duplock, L Lopez, Mr E Lopez and Mr A Mulcuck. The Principal Democratic Services Officer read out a summary of any points raised in these written statements which had not been highlighted by other representations.

Mr G Evans (Agent) made a verbal statement on behalf of the Applicant.]

PART 2 - PRIVATE

AP3 20/38 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 9.51 pm
having commenced at 6.30 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

GENERAL PURPOSES COMMITTEE

Tuesday, 1st December, 2020

Present: Cllr Mrs F A Kemp (Chairman), Cllr L J O'Toole (Vice-Chairman), Cllr Mrs P A Bates, Cllr Mrs S Bell, Cllr M A Coffin, Cllr D J Cooper, Cllr M A J Hood, Cllr K King, Cllr B J Luker, Cllr N G Stapleton and Cllr Mrs M Tatton

Councillors Mrs J A Anderson, M C Base, R P Betts, A E Clark, N J Heslop, S A Hudson, D Lettington, Mrs A S Oakley, M R Rhodes and H S Rogers were also present pursuant to Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors M D Boughton and D A S Davis

PART 1 - PUBLIC

GP 20/20 DECLARATIONS OF INTEREST

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

GP 20/21 MINUTES

RESOLVED: That the Minutes of the meeting of the General Purposes Committee held on 6 October 2020 be approved as a correct record and signed by the Chairman.

MATTERS SUBMITTED FOR INFORMATION

GP 20/22 ANNUAL HEALTH AND SAFETY REPORT

The Annual Corporate Health and Safety report summarised significant activity, key developments and achievements for the period 1 April 2019 to 31 March 2020.

Members welcomed the progress made on the management of Lone Working and were pleased to note that the level of incidents reported remained at a reasonable level. The two categories most reported during this period related to slips, trips and falls and violence, abuse and harassment with no particular trends identified. The objectives for 2020/21 were outlined and particular reference was made to the need to provide Corporate Health and Safety support to the organisation as it worked through the impact of the Covid-19 pandemic.

MATTERS FOR CONSIDERATION IN PRIVATE**GP 20/23 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**DECISIONS TAKEN UNDER DELEGATED POWERS IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION (RESPONSIBILITY FOR COUNCIL FUNCTION)****GP 20/24 ESTABLISHMENT REPORT**

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

The report of the Director of Central Services set out for approval a number of establishment changes arising from the ongoing operational management of the Borough Council's services.

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

- (1) the deletion of post DF0503, Benefits Office Supervisor, scale 5/6, 32 hours per week, with effect from 1 March 2021;
- (2) the deletion of post DF0504, Benefits Customer Support Assistant, scale 2/3, 37 hours per week, with effect from 1 March 2021;
- (3) the deletion of the posts of Benefits Assistants, scale 2/4: DF0505 (22.5 hours per week), DF0506 (26 hours per week), DF0507 (37 hours per week), DF0512 (37 hours per week), DF0525 (37 hours per week), DF1001 (37 hours per week), with effect from 1 March 2021;
- (4) the deletion of post DF0520, Administrative Assistant, scale 2/3, 37 hours per week, with effect from 1 March 2021;
- (5) the deletion of post DF0530, Overpayments Recovery Clerk, scale 1/2, 37 hours per week, with effect from 1 March 2021;
- (6) the deletion of post DF1004, Administrative Assistant, scale 2/3, with effect from 1 March 2021;

- (7) the deletion of the posts of Revenue Assistants, scale 2/4, 37 hours per week: DF0904, DF0905, DF0908, DF0912, DF0917, DF0920, with effect from 1 March 2021;
- (8) the deletion of post DF0911, Senior Revenue Officer, scale 4/6, 37 hours per week, with effect from 1 March 2021;
- (9) the deletion of post DF0916, Revenue Clerk, scale 2/4, 37 hours per week, with effect from 1 March 2021;
- (10) the deletion of post DF0918, Senior Revenue Officer, scale 5/6, 27 hours per week, with effect from 1 March 2021;
- (11) the deletion of post DF0919, Inspector, scale 3/4, 37 hours per week, with effect from 1 March 2021;
- (12) the deletion of post DF0518, Benefits Assurance Officer, scale 5, 37 hours per week, with effect from 1 March 2021;
- (13) the creation of the post of Senior Revenue and Benefits Officer, grade SO, 37 hours per week, with effect from 1 March 2021;
- (14) the creation of the post of Senior Revenue and Benefits Recovery Officer, grade SO, 37 hours per week, with effect from 1 March 2021;
- (15) the creation of the post of Systems Administration Officer, scale 5/6, with effect from 1 March 2021;
- (16) the creation of the post of Business Rates Officer/Inspector, scale 5/6, 37 hours per week, with effect from 1 March 2021;
- (17) the creation of the post of Appeals and Assurance Officer, scale 5/6, 37 hours per week, with effect from 1 March 2021;
- (18) the creation of six, 37 hours per week, posts of Revenue and Benefits Officer, scale 3/4/5, with effect from 1 March 2021;
- (19) the creation of one post of Revenue and Benefits Officer, 22.5 hours per week, scale 3/4/5, with effect from 1 March 2021;
- (20) the creation of one post of Revenue and Benefits Officer (Recovery), 37 hours per week, scale 3/4/5, with effect from 1 March 2021;
- (21) the creation of one post of Revenue and Benefits Administrative Assistant, scale 2/3, 37 hours per week, with effect from 1 March 2021;

- (22) the creation of one post of Revenue and Benefits Administrative Assistant – Business Rates, scale 2/3, 37 hours per week, with effect from 1 March 2021;
- (23) the creation of the post of Recovery Assistant, scale 2/3, 37 hours per week with effect from 1 March 2021;
- (24) the re-designation of post DF0929 (scale 5/6, 37 hours per week) from Senior Revenue and Benefits Liaison Officer to Revenue and Benefits Liaison Officer with effect from 1 March 2021;
- (25) the reduction in hours of post Clerical Support Officer (scale 1/2) from 37 to 22.2 hours per week with effect from 1 March 2021;
- (26) the creation within the Customer Services team of the scale 2/3 posts of Customer Services Adviser, DB0397 (30 hours per week) and DB0398 (37 hours per week) with immediate effect;
- (27) the deletion of post DA1004, Head of Buildings, Facilities and Administration Services, M6, 37 hours per week, with immediate effect;
- (28) the deletion of post DA1101, Estates Manager, M6, 37 hours per week, with immediate effect;
- (29) the establishment of a new post of Head of Administration and Property Services, M5, 37 hours per week, with immediate effect;
- (30) the establishment of a new post of Estates Surveyor, M9, 37 hours per week, with immediate effect;
- (31) the deletion of the post of Principal Solicitor Litigation, DR0007, M5, 37 hours per week, with immediate effect;
- (32) the deletion of the post of Principal Solicitor, DR0009, M5, 20 hours per week, with immediate effect;
- (33) the establishment of the new post of Head of Legal Services, M4, 37 hours per week, with immediate effect; and
- (34) the establishment of the new post of Solicitor, M6, 20 hours per week, with immediate effect.

The meeting ended at 8.25 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

OVERVIEW AND SCRUTINY COMMITTEE

Thursday, 3rd December, 2020

Present: Cllr J L Sergison (Chairman), Cllr Mrs A S Oakley (Vice-Chairman), Cllr F G Tombolis (Vice-Chairman), Cllr Mrs J A Anderson, Cllr M C Base, Cllr T Bishop, Cllr J L Botten, Cllr M D Boughton, Cllr C Brown, Cllr R W Dalton, Cllr M O Davis, Cllr M A J Hood, Cllr A P J Keeley, Cllr D Keers, Cllr H S Rogers, Cllr M Taylor, Cllr Miss G E Thomas and Cllr D Thornewell.

Councillors Mrs P A Bates, Mrs S Bell, A E Clark, M A Coffin, N J Heslop, D W King, K King, D Lettington, W E Palmer and R V Roud were also present pursuant to Council Procedure Rule No 15.21.

PART 1 - PUBLIC

OS 20/24 DECLARATIONS OF INTEREST

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

For reasons of transparency, Councillor Boughton advised that, in relation to item 5 (Recovery of Voluntary and Community Sector) he was the Borough Councils outside body appointment to the board of Citizens Advice North and West Kent. As this did not constitute an Other Significant Interest on the grounds that no financial support was being considered, he remained in the meeting but did not participate in the discussion and did not vote on this item.

OS 20/25 MINUTES

RESOLVED: That the Minutes of the meeting of the Overview and Scrutiny Committee held on 8 October 2020 be approved as a correct record and signed by the Chairman.

MATTERS FOR RECOMMENDATION TO THE CABINET

OS 20/26 RECOVERY OF VOLUNTARY AND COMMUNITY SECTOR

The Chief Executive provided an update to the scoping report considered at a previous meeting of the Overview and Scrutiny Committee, which had recognised that the voluntary and community sector had been significantly affected by the impact of the pandemic.

Representatives from Kent Community Foundation (KCF), West Kent Mind and Citizens Advice North and West Kent advised what services were being provided, how the organisations had been affected by the pandemic and how services had been adapted.

Members listened to the information provided by the invited speakers with interest and expressed appreciation for the good work undertaken by these organisations. A number of points were raised including the recent survey undertaken by KCF which found that voluntary sector organisations had a potential shortfall in income by March 2021 of 27% (£135M); the establishment of a new Voluntary Sector Steering Group for Kent to provide a strategic view and expert opinion on policies affecting the most disadvantaged communities; the increase in stress, anxiety and mental health issues and the positive transition to providing services online and via telephone. It was reported that many of the changes had been positively received and some customers found the new ways of working more accessible and convenient.

RECOMMENDED: That the Borough Council continued to:

- work with voluntary and community sector organisations;
- develop opportunities to support the sector; and
- explore new opportunities to provide assistance where appropriate.

***Referred to Cabinet**

OS 20/27 REVIEW OF CCTV

Careful consideration was given to the provision and operation of CCTV within Tonbridge and Malling. The matter had been previously reviewed by the Overview and Scrutiny Committee on 29 August and 10 October 2019. Updated statistics related to operational analysis and the number of incidents recorded (as set out in Annexes 6 and 7) were provided to aid deliberation.

The responses from the Kent Police and Crime Commissioner, Clarion Housing and Kent Police regarding financial contributions were noted.

Members had detailed discussion on the options set out in the report and recognised the value of CCTV in supporting crime prevention and public safety. However, Members also acknowledged the significant financial pressures faced by the Borough Council and discussed the benefits of live versus passive monitoring; the potential of new technology to reduce costs and which option represented best value for money. It was also recognised that community safety initiatives could be enhanced to maintain residents' confidence, safety and act as a crime deterrent.

RECOMMENDED: That

- (1) a passive only CCTV operation be provided, with a saving of circa £100,000 contributing towards the Borough Council's overall savings target within the Medium Term Financial Strategy. Due to the existing agreement, 2 years written notice was required to be given;
- (2) a further piece of work be undertaken to review the appropriate locations for passive only cameras; and
- (3) a further detailed analysis be undertaken to include any possible exit costs and reported to Cabinet prior to a final decision.

***Referred to Cabinet**

In accordance with CPR 8.6 of the Constitution (Part 4 – Rules) Councillors Boughton, Botten and Hood asked that their vote against the motion be recorded in the Minutes.

DECISIONS TO BE TAKEN BY THE COMMITTEE**OS 20/28 VIRTUAL MEETINGS AND HOMEWORKING - SCOPING REPORT**

The report of the Director of Central Services and Deputy Chief Executive set out the basis for a review of virtual meetings and homeworking. It was noted that any continuation of virtual meetings remained dependent upon Government extending the current temporary regulations beyond May 2021.

A number of options for inclusion in the review were set out for consideration as summarised below and detailed in paragraph 1.9.1 of the report:

- the effectiveness of the adopted protocol for the use of video-conferencing facilities;
- whether post pandemic, the Borough Council wished to continue with virtual Council meetings;
- the feasibility of rationalising the Borough Council's office accommodation at the Gibson Building, with a view to increasing the amount of homeworking to support the Climate Change Strategy and reduce overheads.

Members recognised that the adoption of virtual meetings had been a necessity during the coronavirus pandemic and had meant that the Borough Council business and decision making continued. A number of Members felt that the virtual meeting experience had been positive as the arrangements were efficient, transparent and aided structured debate. Other Members expressed a preference for a return to face to

face meetings. It was suggested that the review should give consideration to hybrid as well fully virtual and fully physical meetings.

In addition, Members supported the continuation of livestreaming meetings so that residents were able to observe proceedings.

With regard to homeworking, Members expressed support for reviewing the feasibility of rationalising office accommodation and the Borough Council's assets. However, Members were mindful of the work/life balance and the potential impact on staff of different working arrangements. The Director of Central Services indicated that the welfare of staff remained a priority for the Borough Council and the review would consider all options carefully.

RESOLVED: That

- (1) the contents of the report be noted;
- (2) the review include all of the options set out in paragraph 1.9.1 of the report, as summarised above, subject to the inclusion of exploring options for
 - hybrid meetings
 - fully virtual meetings
 - fully physical meetings; and
 - the continuation of livestreaming meetings even if the current regulations were not extended; and
- (3) a further report with final recommendations and associated financial implications be reported to a future meeting of the Overview and Scrutiny Committee.

MATTERS FOR INFORMATION

OS 20/29 LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN - ANNUAL REVIEW LETTER

The annual report of the Local Government and Social Care Ombudsman regarding complaints received and dealt with for the period 1 April 2019 to 31 March 2020 was presented for information.

Members noted that 16 formal complaints had been received during the period and 1 complaint had been upheld.

MATTERS FOR CONSIDERATION IN PRIVATE

OS 20/30 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

PART 2 - PRIVATE**MATTERS FOR INFORMATION****OS 20/31 REVIEW OF CCTV**

(Reason: LGA 1972 – Sch 12A Paragraph 7 – Prevention, investigation or prosecution of criminal offences)

The reports to the Overview and Scrutiny Committee of 29 August and 10 October 2019 were attached for information and noted by Members.

The meeting ended at 10.10 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

AUDIT COMMITTEE

Monday, 18th January, 2021

Present: Cllr V M C Branson (Chairman), Cllr Mrs F A Kemp (Vice-Chairman), Cllr T Bishop, Cllr N Foyle, Cllr S A Hudson, Cllr J R S Lark, Cllr L J O'Toole and Cllr K B Tanner.

Councillors Mrs J A Anderson, R P Betts, M A Coffin, N J Heslop, M A J Hood, D Lettington, Mrs A S Oakley, W E Palmer, M R Rhodes, H S Rogers and J L Sergison were also present pursuant to Council Procedure Rule No 15.21.

PART 1 - PUBLIC

AU 21/1 DECLARATIONS OF INTEREST

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

AU 21/2 MINUTES

RESOLVED: That the Minutes of the meeting of the Audit Committee held on 28 September 2020 be approved as a correct record and signed by the Chairman.

MATTERS FOR RECOMMENDATION TO THE CABINET

AU 21/3 RISK MANAGEMENT

Members reviewed the Risk Management Strategy and accompanying Risk Management Guidance attached at Annexes 1 and 2 respectively.

The report of the Management Team also provided an update on the risk management process and the Strategic Risk Register (Annex 3). Members were reminded that as a result of the Covid-19 pandemic and measures taken in response a number of risks had been re-categorised as RED and this remained the case. There had also been significant risks identified with the Local Plan and the delivery of local elections and these had been escalated to RED.

RECOMMENDED: That

- (1) the Risk Management Strategy and the Risk Management Guidance be commended to the Cabinet for adoption by Full Council; and

- (2) the updates to the Strategic Risk Register since the last iteration, with particular emphasis on the escalation to Red of the risks set out in paragraph 1.4.6 of the report, be noted.

***Referred to Cabinet**

**AU 21/4 TREASURY MANAGEMENT UPDATE AND TREASURY
MANAGEMENT AND ANNUAL INVESTMENT STRATEGY FOR
2021/22**

The report of the Director of Finance and Transformation provided details of investments undertaken and return achieved in the first nine months of the current financial year and introduced the Treasury Management and Annual Investment Strategy 2021/22.

In addition, the report made reference to non-treasury management practices and the required procedures to ensure compliance with the Treasury Management and Prudential Codes of Practice and Statutory Guidance on Local Government Investments. A 'practice note' which was to be applied to any assessment of a non-treasury investment and its subsequent management was attached as Annex 6.

RECOMMENDED: That

- (1) the treasury management position as at 31 December 2020 and the reduced level of income incorporated in the 2020/21 revised estimates be noted;
- (2) the Treasury Management and Annual Investment Strategy 2021/22 (set out at Annex 5 to the report) be adopted; and
- (3) the practice note (set out at Annex 6 to the report) to be applied to the assessment and management of a non-treasury investment be endorsed.

***Referred to Cabinet**

DECISIONS TO BE TAKEN UNDER DELEGATED POWERS

AU 21/5 ACCOUNTING POLICIES

The Accounting Policies proposed for the 2020/21 Financial Statements were presented for consideration and endorsement. It was noted that only minor changes were required to those adopted for 2019/20 and related to revaluation on an annual basis of investment properties and the inclusion of insured value in regard of heritage assets.

RESOLVED: That the Accounting Policies presented in the report to be used in the preparation of the 2020/21 Financial Statements (as set out in Annex 1) be endorsed.

AU 21/6 ANNUAL REVIEW OF ANTI-FRAUD, BRIBERY AND CORRUPTION POLICY AND WHISTLEBLOWING POLICY

The report informed Members of the outcome of the annual review of the Borough Council's Anti-Fraud, Bribery and Corruption Policy which resulted in enhancements being made to align with the Fighting Fraud and Corruption Locally Strategy produced by local government for local government.

The Whistleblowing Policy was also presented, no changes to which were considered necessary following the annual review.

RESOLVED: That

- (1) the Anti-Fraud, Bribery and Corruption Policy (attached at Annex 1) be approved; and
- (2) the General Purposes Committee be invited to approve the Whistleblowing Policy (attached at Annex 2)

AU 21/7 ANNUAL REVIEW OF ANTI-MONEY LAUNDERING POLICY

The report of the Director of Finance and Transformation gave details of the outcome of the annual review of the Council's Anti-Money Laundering Policy and supporting guidance notes.

Reference was made to the 6th Anti-Money Laundering Directive issued in December 2020 and which was taken into account in the review. However, no changes to the Policy were considered necessary at this time.

RESOLVED: That the Anti-Money Laundering Policy and supporting guidance notes (attached at Annexes 1 and 2 respectively) be approved.

MATTERS SUBMITTED FOR INFORMATION**AU 21/8 INTERNAL AUDIT AND COUNTER FRAUD UPDATE**

Members were provided with an update on the work of both the Internal Audit function and the Counter Fraud function for the period April to December 2020. Progress against the 2020/21 Plan was also reported and noted.

Particular reference was made to the requirement to undertake an External Quality Assessment in 2021. An external assessor had been procured, in partnership with Kent County Council, and the process was due to start in February.

AU 21/9 GRANT THORNTON AUDIT PROGRESS REPORT AND SECTOR UPDATE

The report of the Director of Finance and Transformation introduced the Audit Progress Report and Sector Update prepared by Grant Thornton on emerging national issues and developments relevant to the Borough Council. Mr Paul Dossett, Engagement Lead, presented the reports and answered questions raised by Members.

AU 21/10 ANNUAL AUDIT LETTER

The report of the Director of Finance and Transformation advised Members of the receipt of the Annual Audit Letter for the year ended 31 March 2020. The content was noted.

AU 21/11 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 8.38 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

OVERVIEW AND SCRUTINY COMMITTEE

Tuesday, 19th January, 2021

Present: Cllr J L Sergison (Chairman), Cllr Mrs A S Oakley (Vice-Chairman), Cllr Mrs J A Anderson, Cllr M C Base, Cllr T Bishop, Cllr J L Botten, Cllr M D Boughton, Cllr C Brown, Cllr R W Dalton, Cllr M O Davis, Cllr M A J Hood, Cllr D Keers, Cllr H S Rogers, Cllr M Taylor and Cllr Miss G E Thomas

Councillors Mrs P A Bates, Mrs S Bell, R P Betts, V M C Branson, A E Clark, M A Coffin, N J Heslop, S A Hudson, D W King, J R S Lark, D Lettington and P J Montague were also present pursuant to Council Procedure Rule No 15.21.

An apology for absence were received from Councillor F G Tombolis.

PART 1 - PUBLIC

OS 21/1 DECLARATIONS OF INTEREST

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

OS 21/2 MINUTES

RESOLVED: That the Minutes of the meeting of the Overview and Scrutiny Committee held on 3 December 2020 be approved as a correct record and signed by the Chairman.

MATTERS FOR RECOMMENDATION TO THE CABINET

OS 21/3 REVENUE ESTIMATES 2021/22

The report of the Director of Finance and Transformation referred to the responsibility of the Cabinet under the Constitution for formulating initial draft proposals in respect of the Budget. Reference was made to the role of the Overview and Scrutiny Committee in assisting the Cabinet and the Council in preparation of the Budget for 2021/22 within the context of the Medium Term Financial Strategy (MTFS) and the Council's priorities.

Attention was drawn to the difficulties experienced within the budget setting process of incorporating an estimate of the scale of the impact of the Covid-19 pandemic on the Borough Council's finances in 2020/21 and 2021/22 and over the medium term.

RECOMMENDED: That

- (1) the draft Revenue Estimates presented to the meeting of the Finance, Innovation and Property Advisory Board be endorsed for consideration by Cabinet at its special meeting on 11 February 2021; and
- (2) the Savings and Transformation Strategy be updated to reflect the latest projected funding gap as part of the budget setting process.

Referred to Cabinet*OS 21/4 CAPITAL PLAN 2021/22**

The report of the Director of Finance and Transformation considered progress on the 2020/21 Capital Plan Review and requested endorsement of recommendations to the Cabinet.

RECOMMENDED: That

- (1) the recommendations of the Finance, Innovation and Property Advisory Board detailed at paragraph 1.3 be endorsed;
- (2) the Cabinet be invited to endorse the Capital Strategy as attached (at Annex 5) for adoption by Council and publication on the Borough Councils' website.

Referred to Cabinet*OS 21/5 KING HILL PARISH COUNCIL - REQUEST FOR ADVANCE OF PRECEPT MONIES**

The joint report of the Chief Executive and the Director of Finance and Transformation advised of a request received from Kings Hill Parish Council for an advance of part of the 2021/22 local precept. At the meeting of the Finance, Innovation and Property Advisory Board held on 6 January, Members recommended that the request be supported given the exceptional circumstances.

Recommendations from both the Advisory Board and the Overview and Scrutiny Committee would be referred to Cabinet on 26 January 2021 for a final decision.

It was confirmed that the advance would be automatically recovered through the biannual payment of precept and therefore there was no risk to the Borough Council.

RECOMMENDED: That

- (1) the request from Kings Hill Parish Council for an advance of £60,000, and repayment as set out in the report, be supported due to the exceptional circumstances;
- (2) the recommendation from the Finance, Innovation and Property Advisory Board of 6 January 2021 be noted; and
- (3) Cabinet at its meeting on 26 January 2020 approve the request from Kings Hill Parish Council so that the payment timescale of 31 January 2021 could be met.

***Referred to Cabinet**

MATTERS FOR CONSIDERATION IN PRIVATE**OS 21/6 EXCLUSION OF PRESS AND PUBLIC**

There were no items considered in private.

PART 2 - PRIVATE**OS 21/7 URGENT ITEMS**

The meeting ended at 8.00 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

GENERAL PURPOSES COMMITTEE

Monday, 25th January, 2021

Present: Cllr Mrs F A Kemp (Chairman), Cllr L J O'Toole (Vice-Chairman), Cllr Mrs P A Bates, Cllr Mrs S Bell, Cllr M D Boughton, Cllr M A Coffin, Cllr D J Cooper, Cllr D A S Davis, Cllr M A J Hood, Cllr K King, Cllr B J Luker, Cllr W E Palmer, Cllr N G Stapleton and Cllr Mrs M Tatton

Councillors Mrs J A Anderson, R P Betts, V M C Branson, A E Clark, N J Heslop, F A Hoskins, D W King, D Lettington, P J Montague, Mrs A S Oakley, M R Rhodes, H S Rogers and R V Roud were also present pursuant to Council Procedure Rule No 15.21.

PART 1 - PUBLIC

GP 21/1 DECLARATIONS OF INTEREST

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

GP 21/2 MINUTES

RESOLVED: That the Minutes of the meeting of the General Purposes Committee held on 1 December 2020 be approved as a correct record and signed by the Chairman.

MATTERS FOR RECOMMENDATION TO THE COUNCIL

GP 21/3 LOCALISM ACT - PAY POLICY

The report of the Director of Central Services summarised the requirements of the Localism Act 2011 and presented an updated Pay Policy Statement for 2021/22. Members noted that, as there had not been any changes in the Borough Council's remuneration policy, the substantive content of the updated Pay Policy Statement set out at Annex 1 to the report was identical to the authority's first Pay Policy Statement adopted by Council on 16 February 2012.

RECOMMENDED: That the Pay Policy Statement, as set out at Annex 1 to the report, be commended to Council for adoption. ◀

***Referred to Council**

DECISIONS TAKEN UNDER DELEGATED POWERS IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION (RESPONSIBILITY FOR COUNCIL FUNCTIONS)

GP 21/4 ANNUAL REVIEW OF WHISTLEBLOWING POLICY

The report advised of the outcome of the annual review of the Borough Council's Whistleblowing Policy, which identified that no changes were required at this time. It was noted that, to align with best practice, ownership of the Policy was being transferred to the Director of Central Services and Deputy Chief Executive as the officer responsible for personnel and Human Resources. Members were advised that this matter had also been considered by the Audit Committee at its meeting of 18 January 2021 (Minute number AU 21/6 refers).

RESOLVED: That the Whistleblowing Policy, attached as Annex 1 to the report, be approved.

MATTERS FOR CONSIDERATION IN PRIVATE

GP 21/5 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

DECISIONS TAKEN UNDER DELEGATED POWERS IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION (RESPONSIBILITY FOR COUNCIL FUNCTIONS)

GP 21/6 ESTABLISHMENT CHANGES

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

The report of the Director of Central Services set out for approval a number of establishment changes arising from the ongoing operational management of the Borough Council's services.

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

- (1) post DA0301 be re-designated from Principal Administrator Democratic Services to Principal Democratic Services Officer, re-graded M7 (from M6) and the hours attached to the post be increased from 22.5 to 30 hours per week with immediate effect;

- (2) the hours pertaining to the vacated M9 post DA0304, Democratic Services Officer, be reduced from 29.5 to 22.5 hours per week with immediate effect;
- (3) a new full-time, scale 6, post of Animal Welfare Officer be established in the Licensing Team with immediate effect;
- (4) the release of the ring fenced sum of £10,000 in the Land Charges team, plus the saving of £8,353 resulting from the review of Democratic Services, be utilised to partially offset the cost of the establishment of the post of Animal Welfare Officer;
- (5) the hours pertaining to the post of Senior Revenue and Benefits Officer, agreed at the 1 December meeting of the Committee, be reduced from 37 to 27 hours per week, with effect from 1 March 2021;
- (6) the hours pertaining to the post of Senior Revenue and Benefits Recovery Officer, agreed at the 1 December meeting of the Committee, be reduced from 37 to 22 hours per week, with effect from 1 March 2021;
- (7) a new post of Senior Revenue and Benefits Officer (Processing), grade SO, 32 hours per week, be established with effect from 1 March 2021;
- (8) post DF0527, Overpayment Recovery Officer, scale 5/6, 22 hours per week, be deleted from the establishment with effect from 1 March 2021; and
- (9) a contingency provision of £13,750 be made in the re-structure of the Revenues and Benefits Team to enable further adjustments to working hours in the light of experience of the working reality of the proposed amended structure.

The meeting ended at 8.14 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

CABINET

Tuesday, 26th January, 2021

Present: Cllr N J Heslop (Chairman), Cllr R P Betts, Cllr M A Coffin, Cllr D Lettington, Cllr P J Montague and Cllr M R Rhodes

Councillors Mrs J A Anderson, M C Base, Mrs S Bell, J L Botten, M D Boughton, V M C Branson, G C Bridge, A E Clark, M A J Hood, F A Hoskins, S A Hudson, D W King, K King, J R S Lark, Mrs A S Oakley, W E Palmer, H S Rogers, R V Roud, J L Sergison and T B Shaw were also present pursuant to Access to Information Rule No 23.

PART 1 - PUBLIC

CB 21/1 DECLARATIONS OF INTEREST

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

CB 21/2 MINUTES

RESOLVED: That the Minutes of the meeting of the Cabinet held on 14 October 2020 be approved as a correct record and signed by the Chairman.

CB 21/3 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. Any financial matters were referred to the Budget meeting of the Cabinet to be held on 11 February 2021.

- Economic Regeneration Advisory Board of 3 November 2020
- Communities and Housing Advisory Board of 10 November 2020
- Planning and Transportation Advisory Board of 11 November 2020
- Street Scene and Environment Services Advisory Board of 8 December 2020
- Finance, Innovation and Property Advisory Board of 6 January 2021

RESOLVED: That the report be received and noted.

CB 21/4 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 12 November 2020

RESOLVED: That the report be received and noted.

MATTERS FOR RECOMMENDATION TO THE COUNCIL

CB 21/5 REVIEW OF CCTV - RECOMMENDATIONS FROM OVERVIEW AND SCRUTINY COMMITTEE

Decision Notice D210010CAB

The Cabinet reviewed the recommendations of the Overview and Scrutiny Committee of 3 December 2020 regarding the CCTV operation. Consideration was also given as to whether the recommendations presented an opportunity to identify funding to support wider Community Safety Partnership initiatives, such as those identified at the previous meeting of Cabinet on 14 October 2020.

Subsequent to the publication of the agenda, the Monitoring Officer had confirmed that as the proposals did not make any changes to the approved Budget and Policy Framework, the recommendations were the responsibility of the Executive and not Council.

RESOLVED: That

- (1) the recommendations of the Overview and Scrutiny Committee of 3 December 2020, as set out in paragraph 1.1.5 of the report, be noted; and
- (2) prior to a final decision being taken, the further work set out below be undertaken and reported back to Cabinet:
 - (i) a review of the appropriate locations for passive only cameras. This to include statistics on the number of times live monitored CCTV had been used by all agencies within the Community Safety Partnership and an analysis of the impact of moving to passive CCTV on those key cameras which were subject of the most reports;
 - (ii) a detailed financial analysis to include any possible exit costs; and
 - (iii) an evaluation as to whether any savings achieved could contribute to ongoing funding of the Community Safety Partnership priorities and resources.

DECISIONS TAKEN IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION (RESPONSIBILITY FOR EXECUTIVE KEY DECISIONS)

CB 21/6 SECTION 106 PROTOCOL AND MONITORING

Decision Notice D210009CAB

In order to mitigate the impact of development taking place across the Borough, consideration was given to the adoption of a planning obligations protocol and associated monitoring fee. This was intended to provide a clear and transparent framework in respect of how planning obligations, under Section 106 of the Town and Country Planning Act 1990, would be negotiated and secured.

The Planning and Transportation Advisory Board at its meeting of 11 November 2020 had recommended that the Protocol be amended to maintain a level of flexibility to assist and support all types of applicants. A revised Protocol reflecting these comments was attached at Annex 1.

RESOLVED: That

- (1) the Planning Obligations Protocol in its revised form be adopted; and
- (2) the associated monitoring fee of £300 per planning obligation (as set out at Annex 1 to the report) be adopted.

DECISIONS TAKEN IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION (RESPONSIBILITY FOR EXECUTIVE NON-KEY DECISIONS)

CB 21/7 INNOVATION PARK MEDWAY - ADOPTION OF THE LOCAL DEVELOPMENT ORDER AND MASTERPLAN

Decision Notice D210011CAB

The report sought permission to recommend to Council that the Innovation Park Medway Local Development Order (LDO) was adopted. The LDO set out the principles to bring forward a high quality development that supported growth in the high-value technology, engineering, manufacturing and knowledge-intensive sectors.

In addition, approval was also sought to adopt the Innovation Park Medway masterplan for economic development and marketing purposes.

RESOLVED: That

- (1) the content of the report be noted;

- (2) the Innovation Park Medway Masterplan be adopted for economic development and marketing purposes;
- (3) subject to no legal challenge being lodged against the Medway Council LDO, the Local Development Order, as set out in Appendix A, be commended to the Council for adoption; and
- (4) the Council be commended to delegate authority to the Director of Central Services and the Director of Planning, Housing and Environmental Health, in consultation with the Leader and Cabinet Member for Strategic Planning and Infrastructure, to approve any necessary minor amendments to the LDO for the purposes of presentation, improving clarity and consistency with Medway Council.

CB 21/8 CORONAVIRUS UPDATE

Decision Notice D210012CAB

The report of the Chief Executive and the Management Team provided an overview on a number of aspects as the Borough Council and its communities continued to adapt to living with coronavirus. Updates were provided on the key issues, priorities and risks associated with the new national lockdown measures introduced in January 2021.

As a result of the ongoing pandemic, it would be necessary to review the progress of the 1 year Addendum to the Corporate Plan (adopted by Cabinet on 3 June 2020) and reflect on the need for a further Addendum.

Particular reference was made to the financial support provided to businesses and a number of decisions taken under emergency provisions had enabled the Borough Council to distribute grant funding as quickly as possible. It was reported that an additional £3.6 million was due to be distributed to approximately 500 businesses in the forthcoming week.

The Cabinet recorded its appreciation to the Chief Executive, the Management Team and all staff at the Borough Council for their valuable contribution in supporting residents, businesses and communities at this extremely difficult time.

RESOLVED: That

- (1) the Borough Council's ongoing response in respect to Covid-19 be endorsed; and
- (2) the Corporate Plan Addendum be reviewed at the end of the first year, in Summer 2021.

CB 21/9 BOROUGH ECONOMIC RECOVERY STRATEGY 2021-23

Decision Notice D210013CAB

Consideration was given to the recommendations from the meeting of the Economic Regeneration Advisory Board of 3 November 2020 (as set out at Minute Number ERG 20/14).

RESOLVED: That the Borough Economic Recovery Strategy 2021-23 be approved.

CB 21/10 RECOVERY OF VOLUNTARY AND COMMUNITY SECTOR

Decision Notice D210014CAB

Consideration was given to the recommendations from the meeting of the Overview and Scrutiny Committee of 3 December 2020 (as set out at Minute Number OS 20/26).

RESOLVED: That the Borough Council continued to:

- Work with voluntary and community sector organisations;
- Develop opportunities to support the sector; and
- Explore new opportunities to provide assistance where appropriate.

CB 21/11 KINGS HILL PARISH COUNCIL - REQUEST FOR ADVANCE OF PRECEPT MONIES

Decision Notice D210015CAB

Consideration was given to the recommendations from the meetings of the Finance, Innovation and Property Advisory Board and Overview and Scrutiny Committee of 6 and 19 January 2021 respectively (as set out at Minute Numbers FIP 21/5 and OS 21/5).

RESOLVED: That

- (1) due to the exceptional circumstances, the request from Kings Hill Parish Council for an advance of £60,000, and repayment as set out in the report, be approved so that the payment timescale of 31 January 2021 could be met; and
- (2) the recommendations from the Finance, Innovation and Property Advisory Board of 6 January 2021 and the Overview and Scrutiny Committee of 19 January 2021 be noted.

CB 21/12 LEYBOURNE LAKES COUNTRY PARK LEASE

Decision Notice D210016CAB

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

Consideration was given to the recommendations from the meeting of the Finance, Innovation and Property Advisory Board of 6 January 2021 (as set out at Minute Number FIP 20/19).

RESOLVED: That

- (1) a lease for Leybourne Lakes Country Park to the Tonbridge and Malling Leisure Trust be supported in principle;
- (2) the decision be deferred to enable a detailed evaluation of the overall transfer proposal to be considered by the Communities and Housing Advisory Board; and
- (3) the recommendations arising from the Communities and Housing Advisory Board be considered at a future meeting of the Cabinet.

MATTERS SUBMITTED FOR INFORMATION**CB 21/13 DECISIONS TAKEN UNDER EMERGENCY PROVISIONS**

Details of the Decisions taken in accordance with Emergency Provisions were presented for information.

RESOLVED: That the report be received and noted.

CB 21/14 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 8.25 pm

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION

Decision Taken By: Cabinet Member for Economic Regeneration

**Decision No:
D200077MEM**

Date: 03 November 2020

Decision(s) and Reason(s)

Business Rates Retention Pilot and Pool Update

(Report of the Chief Executive)

The report provided an update on projects funded from the Business Rates Retention Pilot and Business Rates Pool. Further to the initial report presented to the Board on 2 September 2020 (Minute ERG 20/6 refers) the report set out details of potential priority projects which supported economic growth and resilience and could be funded from the remaining funds.

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

- (1) the report be noted; and
- (2) the proposed funding areas, as set out in Appendix 1 to the report, be approved and submitted to Kent County Council for its agreement.

Reasons:

As set out in the report submitted to the Economic Regeneration Advisory Board of 3 November 2020

Signed Cabinet Member for
Economic Regeneration and
Leader:

N Heslop

Signed Chief Executive:

J Beilby

Date of publication:

6 November 2020

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:
D200078MEM**

Date: 03 November 2020

Decision(s) and Reason(s)

West Kent Kickstart Programme

(Report of Chief Executive)

The report provided an outline of the national Kickstart Scheme together with an update on measures undertaken to set up a ‘gateway’ to help tackle youth unemployment in West Kent. The report identified areas in which the Borough Council could actively support and encourage participation in the West Kent Kickstart Programme.

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

The support of the West Kent Kickstart Programme and, specifically, the provision of placements at the Borough Council through the programme, be endorsed.

Reasons:

As set out in the report submitted to the Economic Regeneration Advisory Board of 3 November 2020

Signed Cabinet Member for
Economic Regeneration and
Leader:

N Heslop

Signed Chief Executive:

J Beilby

Date of publication:

6 November 2020

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 Housing

**Decision No:
D200079MEM**

Date: 10 November 2020

Decision(s) and Reason(s)

Temporary Accommodation Policy

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

The report provided details of a Temporary Accommodation Policy which set out the Council's approach to meeting its Statutory Housing Duties regarding the demand, supply, prioritisation and suitability of temporary accommodation. Particular reference was made to the need to demonstrate a clear and consistent approach to the provision of temporary accommodation.

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

The Temporary Accommodation Policy, as set out at Annex 1 to the report, be adopted.

Reasons: As set out in the report submitted to the Communities and Housing Advisory Board of 10 November 2020.

Signed Cabinet Member for Housing: P Montague

Signed Leader: N Heslop

Signed Chief Executive: J Beilby

Date of publication: 13 November 2020

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:
D200080MEM**

Date: 10 November 2020

Decision(s) and Reason(s)

Update on Disabled Facilities Grant Budget and Spend

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

The report gave an update on spend against the 2020/21 Disabled Facilities Grants (DFG) budget and advised how changes in distribution of this money were being built into the Estimates process to provide a degree of certainty regarding funding for the approved social care capital projects in the current financial year as well as an option to fund hospital discharge/handypersons costs in 2021/22.

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

- (1) the following revisions, which are being incorporated into the 2020/21 Revised Estimates and 2021/22 Estimates due to be presented during the forthcoming budget cycle, be noted:
 1. the amendment of the 2020/21 capital plan provision for mandatory DFGs to £900,000;
 2. the use of £89,000 to fund the hospital discharge/handypersons costs for the current financial year 2020/21;
 3. the use of £16,000 to fund the One You Your Home scheme for the current financial year 2020/21;
 4. the use of £90,000 of underspend this year to enable the funding of hospital discharge/handypersons costs in 2021/22;
 5. the allocation of £77,400 from this year into the 2021/22 mandatory DFG budget to provide a buffer for an unknown allocation from central Government moving forwards; and
- (2) the removal of £125,000 of Council funding for DFGs in 2020/21 during the update of the Capital Plan be noted and viewed as an in-year saving.

Reasons: As set out in the report submitted to the Communities and Housing Advisory Board of 10 November 2020.

Signed Cabinet Member for Housing: P Montague

Signed Leader: N Heslop

Signed Chief Executive: J Beilby

Date of publication: 13 November 2020

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.

Date: 10 November 2020

Decision(s) and Reason(s)

Rent Guarantee Pilot for Private Landlords

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

The report outlined a proposal to pilot rent guarantee and incentive payments for tenancies in the private rented sector. Under the proposal rent would be guaranteed through a financial commitment to pay any rent arrears during a tenancy to give financial reassurance to private landlords. Incentives would be through one off payments to private landlords.

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

- (1) a pilot offer for incentive payments and rent guarantee, using both Discretionary Housing Payments (DHP) and the homelessness reduction initiatives budget, be approved to access tenancies in the private rented sector. This to continue until 31 March 2021 initially with scope to continue beyond this date, dependent on the number of tenancies secured and associated staff resources. Incentive payments will be one off payments to a landlord and rent guarantee will be in place for 6 - 12 months;
- (2) in view of the pressure on the Temporary Accommodation budget and the difficulty in finding good quality private rented accommodation that can be used to discharge the duties of the Borough Council, the decision be taken by the Cabinet Member for Housing, in liaison with the Cabinet Member for Finance, Innovation and Property, and not held over to the next meeting of Cabinet in order to expedite this opportunity as quickly as possible; and
- (3) the pilot offer be monitored and a progress report provided to the Communities and Housing Advisory Board at regular intervals for review and consideration of extending the pilot offer. Monitoring of the pilot will include tenancy sustainment success, administration options, homelessness prevention and landlord and tenant feedback.

Reasons: As set out in the report submitted to the Communities and Housing Advisory Board of 10 November 2020.

Signed Cabinet Member for Housing: P Montague

Signed Leader: N Heslop

Signed Chief Executive: J Beilby

Date of publication: 13 November 2020

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:
D200082MEM**

Date: 10 November 2020

Decision(s) and Reason(s)

Revised Safeguarding Policy

(Report of Chief Executive)

The report sought endorsement of an updated Safeguarding Policy and Reporting Procedure for Children, Young People and Adults at Risk. Attention was drawn to the different reporting arrangements and responsibilities arising from the change of the Kent Safeguarding Children Board to become the Kent and Medway Safeguarding Children Multi-Agency Partnership (KSCMP) and to the reporting of concerns about adult safeguarding.

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

- (1) the revised version of the Safeguarding Policy and Reporting Procedure for Children, Young People and Adults at Risk be endorsed; and
- (2) Councillor M Rhodes be the Member Champion for Safeguarding.

Reasons: As set out in the report submitted to the Communities and Housing Advisory Board of 10 November 2020.

Signed Cabinet Member for Community Services: M Rhodes

Signed Leader: N Heslop

Signed Chief Executive: J Beilby

Date of publication: 13 November 2020

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.

Date: 10 November 2020

Decision(s) and Reason(s)

**Leybourne Lakes Country Park- Future Management and Facility Development
(Report of Director of Street Scene, Leisure and Technical Services)**

The report provided an update on the proposed transfer of the site management of Leybourne Lakes Country Park (LLCP) to the Tonbridge and Malling Leisure Trust (Leisure Trust) and on the Capital Plan scheme for the provision of additional lakeside facilities. Members were reminded that the proposed transfer had been identified in the Council's First Year Addendum to the Corporate Strategy.

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

- (1) subject to the Monitoring Officer being satisfied about the legality of the actions in relation to the potential transfer:
 1. the potential transfer of the site management continues to be addressed in liaison with the Leisure Trust in accordance with the principles of the existing Management Agreement;
 2. consultation continues with the relevant on site staff at LLCP in liaison with HR regarding their potential TUPE transfer to the Leisure Trust;
 3. a report be presented to the next meeting of this Board on the financial implications/viability of a future transfer; and
 4. the transfer only be progressed if it achieves a saving to the Council and an income stream to the Leisure Trust; and
- (2) in regard to the potential development of a new Lakeside Facility at LLCP
 1. Alliance Leisure Services Ltd be appointed through the UK Leisure Framework to progress the project up to the Cost Confidence stage outlined in its Development Proposal;
 2. the project only be progressed to the Cost Certainty stage by Alliance Leisure Services Ltd if there is confidence that the project can be funded from within the available budget; and

3. approval be granted for a Planning Application to be submitted for the proposed facility development.

Reasons: As set out in the report submitted to the Communities and Housing Advisory Board of 10 November 2020.

Signed Cabinet Member for Community Services: M Rhodes

Signed Leader: N Heslop

Signed Chief Executive: J Beilby

Date of publication: 13 November 2020

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:
D200084MEM**

Date: 10 November 2020

Decision(s) and Reason(s)

Leisure Trust Update

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

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

The report provided updates on the reopening and operation of the Council's leisure facilities operated by the Leisure Trust and to potential changes to the Management Agreement and the Service Management Fee as a result of the Covid-19 virus.

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

- (1) the Service areas identified in sub-section 1.4 of the report be reviewed further in liaison with the Leisure Trust and updates be reported to future meetings of this Board;
- (2) the management fee (provisional) for the year 2020/21 be set at £300,000 and the cash advance remaining at the year-end be rolled forward and that the assumed level of support required in 2021/22 be part of the forthcoming budget setting process subject to the Monitoring Officer being satisfied as to the legality of the action to be taken; and
- (3) an update on the Government's recent funding announcement to support council leisure centres most in need be provided to the Communities and Housing Advisory Board.

Reasons: As set out in the report submitted to the Communities and Housing Advisory Board of 10 November 2020 (contains exempt information).

Signed Cabinet Member for Community Services: M Rhodes

Signed Leader: N Heslop

Signed Chief Executive: J Beilby

Date of publication: 13 November 2020

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:
D200085MEM**

Date: 11 November 2020

Decision(s) and Reason(s)

Development Management Update

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

Members were updated on a number of matters related to the Development Management function during the current year.

It was reported that the ongoing work, as set out in the report, would ensure that all functions undertaken by the Development Management team continued to meet all statutory duties and requirements. In addition, all these services were managed within existing budgets.

Members commented on the quality of the technical advice provided by Officers which had resulted in a successful record of defending planning appeals and the Borough Council consistently performing above national targets.

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

- the contents of the report be noted; and
- the provision of excellent technical advice, service and expertise on a range of planning issues be recognised and appreciated.

Reasons: As set out in the report submitted to the Planning and Transportation Advisory Board of 11 November 2020.

Signed Cabinet Member for
Strategic Planning and
Infrastructure

D Lettington

Signed Leader:

N Heslop

Signed Chief Executive: J Beilby

Date of publication: 13 November 2020

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.

Date: 11 November 2020

Decision(s) and Reason(s)

Kent Rail Strategy Consultation

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

The report provided details of the Kent Rail Strategy consultation and set out a proposed response (attached as Annex 1) to be submitted to Kent County Council by the deadline of 17 November 2020.

The Kent Rail Strategy aimed to influence train services in the county for the next decade and set out requirements for rail infrastructure enhancements to keep pace with increased demand for services. The Borough Council expressed support for the Strategy as it included known rail priorities for Tonbridge and Malling. In addition, a greater role for the Medway Valley Line was promoted by the Borough Council in the proposed response to the consultation.

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 noted; and
- (2) the issues raised in response to the Kent Rail Strategy consultation (set out in Annex 1 to the report) be agreed by the Cabinet Member for Strategic Planning and Infrastructure, in consultation with the Leader and Director of Planning, Housing and Environmental Health, and submitted to Kent County Council by the deadline of 17 November 2020; subject to emphasising the value of the Medway Valley Line as an important strategic link for the north of the borough and Tonbridge.

Reasons: As set out in the report submitted to the Planning and Transportation Advisory Board of 11 November 2020

Signed Cabinet Member for
Strategic Planning and
Infrastructure

D Lettington

Signed Leader:

N Heslop

Signed Chief Executive:

J Beilby

Date of publication: 13 November 2020

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 Street Scene
and Environment Services**

**Decision No:
D200087MEM**

Date: 08 December 2020

Decision(s) and Reason(s)

Kent and Medway Energy and Low Emission Strategy

(Report of Chief Executive)

The report sought endorsement of the Kent and Medway Energy and Low Emissions Strategy (ELES) which outlined the approach to be taken to achieve a reduction in carbon emissions and improvements in air quality across the county. The Strategy, attached at Annex 1, identified a number of priority actions (set out on pages 15-28 of the Strategy) and included a commitment to meet the UK Government target to achieve net-zero emissions by 2050. The ELES had been formally adopted at the Kent and Medway Net-Zero Conference held on 27 November and district councils would work in partnership to support the implementation of the priority actions.

The report identified the links between the ELES and the Tonbridge and Malling Climate Change Strategy and Action Plan and the Borough Council's aspiration of carbon neutrality within 10 years. In addition, the report recognised the synergies between the aims and objectives of the Strategy and the Borough Council's Air Quality Action Plan (AQAP), due to go out to public consultation in January 2021, which focussed on transport, planning and infrastructure, policy guidance and public health and well-being.

Following consideration by the Street Scene and Environment Services Advisory Board, the Cabinet Member for Street Scene and Environment Services resolved that:

- (1) the Kent and Medway Energy and Low Emissions Strategy be endorsed; and
- (2) implementation in line with existing Borough Council Climate Change and Air Quality objectives be supported.

Reasons: As set out in the report submitted to the Street Scene and Environment Services Advisory Board of 8 December 2020.

Signed Cabinet Member for Street Scene and Environment Services R Betts

Signed Leader: N Heslop

Signed Chief Executive: J Beilby

Date of publication: 11 December 2020

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 Finance,
Innovation and Property**

**Decision No:
D210001MEM**

Date: 06 January 2021

Decision(s) and Reason(s)

Appeals - Expanded Retail Discount

(Report of Director of Finance and Transformation)

The report gave details of businesses appealing the decision to not award the Expanded Retail Discount for the 2020/21 financial year and invited determination of these appeals. Guidance from the Ministry of Housing, Communities and Local Government (MHCLG) was attached at Annex 1.

Following consideration by the Finance, Innovation and Property Advisory Board, the Cabinet Member for Finance, Innovation and Property resolved that:

- (1) the appeal from Countryside Properties PLC be dismissed for the reasons set out in the report;
- (2) the appeal from Watts Farm Catering Limited be dismissed for the reasons set out in the report; and
- (3) the appeal from Green Parking Limited be dismissed for the reasons set out in the report.

Reasons: As set out in the report submitted to the Finance, Innovation and Property Advisory Board of 6 January 2021.

Signed Cabinet Member for Finance, Innovation and Property: M Coffin

Signed Leader: N Heslop

Signed Chief Executive: J Beilby

Date of publication: 8 January 2021

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 Finance,
Innovation and Property**

**Decision No:
D210002MEM**

Date: 06 January 2021

Decision(s) and Reason(s)

Revision to the IT Strategy (2018-2022)

(Report of Director of Finance and Transformation)

The report set out details of a number of revisions made to the IT Strategy (2018-2022) to reflect the changing environment the Borough Council operated within. Particular reference was made to the Digital Strategy, adopted in 2019, which continued until 2023. It was recommended that the Strategies should have aligned timescales to underpin the Borough Council's Corporate Strategy.

Following consideration by the Finance, Innovation and Property Advisory Board, the Cabinet Member for Finance, Innovation and Property resolved that:

- (1) the revised IT Strategy, as attached at Annex 1 to the report, be approved and extended until 2023 to align with the Digital Strategy.

Reasons: As set out in the report submitted to the Finance, Innovation and Property Advisory Board of 6 January 2021.

Signed Cabinet Member for Finance, Innovation and Property: M Coffin

Signed Leader: N Heslop

Signed Chief Executive: J Beilby

Date of publication: 8 January 2021

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 Finance,
Innovation and Property**

**Decision No:
D210003MEM**

Date: 06 January 2021

Decision(s) and Reason(s)

Progress with New Council Website

(Joint report of Director of Finance and Transformation and Director of Central Services)

The report provided an update on the progress made with the technical implementation and the preparation of content for the new website and advised that, in liaison with the Member Working Group, the launch of the new website had been deferred until June 2021. The delay would mitigate the risk related to local County Council and Police and Crime Commissioner Elections in May 2021 and allow sufficient time for the development of website content and enhanced digital services for local residents.

Following consideration by the Finance, Innovation and Property Advisory Board, the Cabinet Member for Finance, Innovation and Property resolved that:

- (1) the progress in delivering the technical aspects of the website be noted;
- (2) the deferral of the launch of the website until June 2021 for the reasons set out in the report be endorsed; and
- (3) the additional costs of the deferral of the launch of the website be built into draft Estimates for 2021/22.

Reasons: As set out in the report submitted to the Finance, Innovation and Property Advisory Board of 6 January 2021.

Signed Cabinet Member for Finance, Innovation and Property: M Coffin

Signed Leader: N Heslop

Signed Chief Executive: J Beilby

Date of publication: 8 January 2021

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.

Date: 06 January 2021

Decision(s) and Reason(s)

Covid Winter Grant Fund

(Joint report of Chief Executive and Director of Finance and Transformation)

The report provided details of the new Winter Grant Fund and set out a process to ensure that vulnerable households, particularly those with children, were not struggling to pay for food or fuel over the winter months. Full guidance for the grant was attached at Annex 1 to the report.

Groups and organisations working in the community had been invited to submit bids based on a number of requirements, as detailed in 1.1.3 of the report. A summary of the applications received was set out in 1.2.1 of the report. The report highlighted that the application by Aylesford Parish Council had not met the scheme criteria but could be incorporated with the application submitted by St Peter and St Paul's Church, Aylesford in respect of a new food bank.

Following consideration by the Finance, Innovation and Property Advisory Board, the Cabinet Member for Finance, Innovation and Property resolved that:

- (1) Covid Winter Grants be awarded in accordance with the approved bids listed at 1.2 of the report, with the exception of the Aylesford Parish Council bid of £3,000 which was to be added to the bid from St Peter and St Pauls Church; and
- (2) the balance of £5,600.55 be held on reserve for use as necessary within the parameters of the Scheme under the direction of the Chief Executive or the Director of Finance and Transformation.

Reasons: As set out in the report submitted to the Finance, Innovation and Property Advisory Board of 6 January 2021.

Note: In the absence of the Leader, who had declared an Other Significant Interest and withdrawn from the meeting during consideration of this item, this Decision was countersigned by the Deputy Leader.

Signed Cabinet Member for
Finance, Innovation and
Property: M Coffin

Signed Deputy Leader: M Coffin

Signed Chief Executive: J Beilby

Date of publication: 8 January 2021

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 Finance,
Innovation and Property**

**Decision No:
D210005MEM**

Date: 06 January 2021

Decision(s) and Reason(s)

Proposed Transfer of Public Conveniences

(Report of Director of Central Services and Deputy Chief Executive)

The report set out the proposed terms of the freehold disposal of public conveniences to Parish and Town Councils. It was noted that West Malling Parish Council had indicated that it did not wish to proceed with the transfer but that this had yet to be formally confirmed. It was also noted that Borough Green Parish Council had requested the transfer to them of two areas of public space and that this matter would be investigated and reported to a future meeting of the Advisory Board.

Following consideration by the Finance, Innovation and Property Advisory Board, the Cabinet Member for Finance, Innovation and Property resolved that:

- (1) subject to the receipt of formal confirmation from West Malling Parish Council as to whether or not it wishes to proceed with the transfer, the public conveniences at Borough Green, East Malling and Larkfield, East Peckham and West Malling be transferred to the respective Parish Councils in line with the terms outlined in the report;
- (2) the request by Borough Green Parish Council regarding the transfer of land at Crowhill and Staleys Acre, Borough Green be investigated and a report submitted to a future meeting of the Advisory Board; and
- (3) options for the disposal/alternative use of any public convenience sites not transferred to Parish/Town Councils be investigated.

Reasons: As set out in the report submitted to the Finance, Innovation and Property Advisory Board of 6 January 2021.

Signed Cabinet Member for Finance, Innovation and Property: M Coffin

Signed Leader: N Heslop

Signed Chief Executive: J Beilby

Date of publication: 8 January 2021

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 Finance,
Innovation and Property**

**Decision No:
D210006MEM**

Date: 06 January 2021

Decision(s) and Reason(s)

Debts for Write-Off

(Reasons: LGA 1972 Sch 12A Paragraph 2 – Information which is likely to reveal the identity of individual)

(Report of Director of Finance and Transformation)

The report sought approval to the writing-off of debts considered to be irrecoverable.

Following consideration by the Finance, Innovation and Property Advisory Board, the Cabinet Member for Finance, Innovation and Property resolved that:

- (1) the 4 items shown in the schedule of amounts over £5,000 (as set out at Annex 1 to the report), totalling £28,733.95 be written off the reason stated within the schedule.

Reasons: As set out in the report submitted to the Finance, Innovation and Property Advisory Board of 6 January 2021.

Signed Cabinet Member for Finance, Innovation and Property: M Coffin

Signed Leader: N Heslop

Signed Chief Executive: J Beilby

Date of publication: 8 January 2021

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 Finance,
Innovation and Property**

**Decision No:
D210007MEM**

Date: 06 January 2021

Decision(s) and Reason(s)

Use of Scape Framework

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

(Report of Director of Central Services and Deputy Chief Executive)

The report set out the proposed use of the Scape Minor Works Framework to deliver the conversion of properties at Pembury Road, Tonbridge for use as temporary accommodation.

Following consideration by the Finance, Innovation and Property Advisory Board, the Cabinet Member for Finance, Innovation and Property resolved that:

- (1) the conversion scheme at Pembury Road, Tonbridge be progressed via the Scape Minor Works Framework.

Reasons: As set out in the report submitted to the Finance, Innovation and Property Advisory Board of 16 January 2021.

Signed Cabinet Member for Finance, Innovation and Property: M Coffin

Signed Leader: N Heslop

Signed Chief Executive: J Beilby

Date of publication: 8 January 2021

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 Finance,
Innovation and Property**

**Decision No:
D210008MEM**

Date: 06 January 2021

Decision(s) and Reason(s)

Angel Indoor Bowls Association Lease

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

(Report of Director of Central Services and Deputy Chief Executive)

The current position regarding a lease to the Angel Indoor Bowls Association was outlined and options to progress the matter were set out for consideration.

Following consideration by the Finance, Innovation and Property Advisory Board, the Cabinet Member for Finance, Innovation and Property resolved that:

- (1) delegated authority be given to the Director of Central Services and Deputy Chief Executive, in consultation with the Cabinet Member for Finance, Innovation and Property, to set out the proposed terms for the new lease in a Section 25 notice (or by way of a response to the purported s26 notice if it is deemed to be valid) and that a further report be brought back to the Finance, Innovation and Property Advisory Board to agree the final terms of any lease renewal.

Reasons: As set out in the report submitted to the Finance, Innovation and Property Advisory Board of 6 January 2021.

Signed Cabinet Member for Finance, Innovation and Property: M Coffin

Signed Leader: N Heslop

Signed Chief Executive: J Beilby

Date of publication: 8 January 2021

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: D210009CAB

Decision Type: Key

Date: 26 January 2021

Decision(s) and Reason(s)

Section 106 Protocol and Monitoring

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

In order to mitigate the impact of development taking place across the Borough, consideration was given to the adoption of a planning obligations protocol and associated monitoring fee. This was intended to provide a clear and transparent framework in respect of how planning obligations, under Section 106 of the Town and Country Planning Act 1990, would be negotiated and secured.

The Planning and Transportation Advisory Board at its meeting of 11 November 2020 had recommended that the Protocol be amended to maintain a level of flexibility to assist and support all types of applicants. A revised Protocol reflecting these comments was attached at Annex 1.

The Cabinet resolved that:

- (1) the Planning Obligations Protocol in its revised form be adopted; and
- (2) the associated monitoring fee of £300 per planning obligation (as set out at Annex 1 to the report) be adopted.

Reasons: As set out in the report submitted to Cabinet of 26 January 2021

Signed Chief Executive: J Beilby

Date of publication: 29 January 2021

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: D210010CAB
Decision Type: Non Key
Date: 26 January 2021

Decision(s) and Reason(s)

Review of CCTV - Recommendations from Overview and Scrutiny Committee

(Joint report of the Director of Central Services and Deputy Chief Executive and the Director of Street Scene, Leisure and Technical Services)

The Cabinet reviewed the recommendations of the Overview and Scrutiny Committee of 3 December 2020 regarding the CCTV operation. Consideration was also given as to whether the recommendations presented an opportunity to identify funding to support wider Community Safety Partnership initiatives, such as those identified at the previous meeting of Cabinet on 14 October 2020.

The Cabinet resolved that:

- (1) the recommendations of the Overview and Scrutiny Committee of 3 December 2020, as set out in paragraph 1.1.5 of the report, be noted; and
- (2) prior to a final decision being taken, the further work set out below be undertaken and reported back to Cabinet:
 - (i) a review of the appropriate locations for passive only cameras. This to include statistics on the number of times live monitored CCTV had been used by all agencies within the Community Safety Partnership and an analysis of the impact of moving to passive CCTV on those key cameras which were subject of the most reports;
 - (ii) a detailed financial analysis to include any possible exit costs; and
 - (iii) an evaluation as to whether any savings achieved could contribute to ongoing funding of the Community Safety Partnership priorities and resources.

Reasons: As set out in the report submitted to Cabinet of 26 January 2021

Signed Chief Executive: J Beilby

Date of publication: 29 January 2021

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: D210011CAB
Decision Type: Non Key
Date: 26 January 2021

Decision(s) and Reason(s)

Innovation Park Medway - Adoption of the Local Development Order and Masterplan

(Report of Chief Executive)

The report sought permission to recommend to Council that the Innovation Park Medway Local Development Order (LDO) was adopted. The LDO set out the principles to bring forward a high quality development that supported growth in the high-value technology, engineering, manufacturing and knowledge-intensive sectors.

In addition, approval was also sought to adopt the Innovation Park Medway masterplan for economic development and marketing purposes.

The Cabinet resolved that:

- (1) the content of the report be noted;
- (2) the Innovation Park Medway Masterplan be adopted for economic development and marketing purposes;
- (3) subject to no legal challenge being lodged against the Medway Council LDO, the Local Development Order, as set out in Appendix A, be commended to the Council for adoption; and
- (4) the Council be commended to delegate authority to the Director of Central Services and the Director of Planning, Housing and Environmental Health, in consultation with the Leader and Cabinet Member for Strategic Planning and Infrastructure, to approve any necessary minor amendments to the LDO for the purposes of presentation, improving clarity and consistency with Medway Council.

Reasons: As set out in the report submitted to Cabinet of 26 January 2021.

Signed Chief Executive: J Beilby

Date of publication: 29 January 2021

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: D210012CAB
Decision Type: Non Key
Date: 26 January 2021

Decision(s) and Reason(s)

Coronavirus Update

(Report of the Chief Executive and Management Team)

The report provided an overview on a number of aspects as the Borough Council and its communities continued to adapt to living with coronavirus. Updates were provided on the key issues, priorities and risks associated with the new national lockdown measures introduced in January 2021.

As a result of the ongoing pandemic, it would be necessary to review the progress of the 1 year Addendum to the Corporate Plan (adopted by Cabinet on 3 June 2020) and reflect on the need for a further Addendum.

The Cabinet resolved that:

- (1) the Borough Council's ongoing response in respect to Covid-19 be endorsed; and
- (2) the Corporate Plan Addendum be reviewed at the end of the first year, in Summer 2021.

Reasons: As set out in the report submitted to Cabinet of 26 January 2021

Signed Chief Executive: J Beilby

Date of publication: 29 January 2021

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: D210013CAB
Decision Type: Non Key
Date: 26 January 2021

Decision(s) and Reason(s)

Borough Economic Recovery Strategy 2021-23

Consideration of recommendations (ERG 20/14) to the Cabinet from the meeting of the Economic Regeneration Advisory Board of 3 November 2020.

The Cabinet resolved that:

- (1) the Borough Economic Recovery Strategy be approved.

Reasons: As set out in the report submitted to Cabinet of 26 January 2021

Signed Chief Executive: J Beilby

Date of publication: 29 January 2021

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: D210014CAB
Decision Type: Non Key
Date: 26 January 2021

Decision(s) and Reason(s)

Recovery of Voluntary and Community Sector

Consideration of recommendations (OS 20/26) to the Cabinet from the meeting of Overview and Scrutiny Committee of 3 December 2020.

The Cabinet resolved that:

- (1) The Borough Council continued to:
- Work with voluntary and community sector organisations;
 - Develop opportunities to support the sector; and
 - Explore new opportunities to provide assistance where appropriate.

Reasons: As set out in the report submitted to Cabinet of 26 January 2021

Signed Chief Executive: J Beilby

Date of publication: 29 January 2021

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: D210015CAB
Decision Type: Non Key
Date: 26 January 2021

Decision(s) and Reason(s)

Kings Hill Parish Council - Request for advance of Precept Monies

Consideration of recommendations to the Cabinet from the meetings of Finance, Innovation and Property Advisory Board (FIP 20/5) and Overview and Scrutiny Committee (OS 21/5) of 6 and 19 January 2021 respectively.

The Cabinet resolved that:

- (1) due to the exceptional circumstances, the request from Kings Hill Parish Council for an advance of £60,000, and repayment as set out in the report, be approved so that the payment timescale of 31 January 2021 could be met; and
- (2) the recommendations from the Finance, Innovation and Property Advisory Board of 6 January 2021 and the Overview and Scrutiny Committee of 19 January 2021 be noted.

Reasons: As set out in the report submitted to Cabinet of 26 January 2021

Signed Chief Executive: J Beilby

Date of publication: 29 January 2021

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: D210016CAB
Decision Type: Non Key
Date: 26 January 2021

Decision(s) and Reason(s)

Leybourne Lakes Country Park Lease

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

Consideration of recommendations (FIP 20/19) to the Cabinet from the meeting of Finance, Innovation and Property Advisory Board of 6 January.

The Cabinet resolved that:

- (1) a lease for Leybourne Lakes Country Park to the Tonbridge and Malling Leisure Trust be supported in principle;
- (2) the decision be deferred to enable a detailed evaluation of the overall transfer proposal to be considered by the Communities and Housing Advisory Board; and
- (3) the recommendations arising from the Communities and Housing Advisory Board be considered at a future meeting of the Cabinet.

Reasons: As set out in the report submitted to Cabinet of 26 January 2021

Signed Chief Executive: J Beilby

Date of publication: 29 January 2021

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 TAKEN UNDER EMERGENCY POWERS

Decision No:	D200013EM
Decision Taken By:	Leader of the Borough Council
Authority under which Decision Taken:	Emergency provisions for decision making during a period of serious and unexpected disruption under Part 7 of the Constitution.
Decision Type:	Executive Key Decision
Date:	23 October 2020

Decision(s) and Reason(s)

ENGAGEMENT AND ENFORCEMENT ACTIVITY – GRANT FUNDING

To enable engagement and enforcement activity related to Covid-19 to be undertaken, the Borough Council were receiving a number of funding grants. These were being provided by both county and national levels of government.

Details of the grant funding was set out in Annex 1. All funding streams had reporting requirements that the Borough Council needed to agree to access the funding. These had been assessed and considered achievable through the use of engagement and enforcement tracking documents to record activity.

An engagement and enforcement approach centred on working with businesses and premises, in the first instance, to ensure they understood and were able to comply with Covid-19 restrictions had been developed. This would be delivered through communication activity, including mail outs and online discussion sessions. In addition Covid-19 Marshals would be deployed in town centre areas to provide advice and guidance to the community and businesses.

It was also proposed that the funding be used for additional overtime hours for officers to carry out enforcement visits and supporting activity, including intelligence reviews. Officers would then be able to assess whether the use of enforcement powers such as Fixed Penalty Notices (FPN) was appropriate for any individual case. Any income from FPNs would, in the first instance, be utilised to support ongoing engagement and enforcement activity.

RESOLVED: That:

- (1) the three grant funding sources as set out in Annex 1 be approved; and
- (2) the proposed uses of the grant funding as set out above be approved.

Taken in accordance with the Emergency Provisions set out at Part 7 Paragraph 1.3 of the Constitution and in agreement with the Chairman of Overview and Scrutiny Committee.

Signed Leader: N Heslop

Signed Chairman of Overview and Scrutiny Committee: J Sergison

Signed Chief Executive: J Beilby

Date of publication: 23 October 2020

This decision is urgent and therefore not subject to call-in (in accordance with Overview and Scrutiny Committee Procedure Rule 15 (i) as set out in Part 4 of the Constitution) and may be implemented immediately.

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION TAKEN UNDER EMERGENCY POWERS

Decision No:	D200014EM
Decision Taken By:	Leader of the Borough Council
Authority under which Decision Taken:	Emergency provisions for decision making during a period of serious and unexpected disruption under Part 7 of the Constitution.
Decision Type:	Executive Key Decision
Date:	11 November 2020

Decision(s) and Reason(s)
LOCAL RESTRICTIONS SUPPORT GRANT (CLOSED) SCHEME
<p>Government funding of £1,413,378 had been allocated to Tonbridge and Malling Borough Council in respect of the Local Restrictions Support Grant (Closed) Scheme. It was expected that the grant funding would be received on 13 November 2020.</p> <p>The aim was to support those specified businesses required to close under regulations made, using powers in Part 2A of the Public Health (Control of Disease) Act 1984, in response to the threat posed by coronavirus and as part of a wider set of measures arising from a second National Lockdown in England from 5 November to 2 December 2020.</p> <p>The awarding of grants would be the Borough Council's responsibility and the Department of Business, Energy & Industrial Strategy (BEIS) had laid down criteria to be met. In order to meet this criteria, it was necessary for the Borough Council to adopt a Policy to award grant funding and this was attached as Annex 1.</p>
RESOLVED: That: <ul style="list-style-type: none">- the Tonbridge and Malling Borough Council Local Restrictions Support Grant (Closed) Scheme, as set out at Annex 1, be approved.
Taken in accordance with the Emergency Provisions set out at Part 7 Paragraph 1.3 of the Constitution and in agreement with the Chairman of Overview and Scrutiny Committee.

Signed Leader:

N Heslop

Signed Chairman of Overview and Scrutiny Committee: J Sergison

Signed Chief Executive: J Beilby

Date of publication: 13 November 2020

This decision is urgent and therefore not subject to call-in (in accordance with Overview and Scrutiny Committee Procedure Rule 15 (i) as set out in Part 4 of the Constitution) and may be implemented immediately.

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION TAKEN UNDER EMERGENCY POWERS

Decision No:	D200015EM
Decision Taken By:	Leader of the Borough Council
Authority under which Decision Taken:	Emergency provisions for decision making during a period of serious and unexpected disruption under Part 7 of the Constitution.
Decision Type:	Executive Key Decision
Date:	18 November 2020

Decision(s) and Reason(s)

ADDITIONAL RESTRICTIONS GRANT SCHEME

The Government had announced a second grant scheme to support businesses affected by the measures imposed during the second National Lockdown in England from 5 November to 2 December 2020. The new Additional Restrictions Grant (ARG) Scheme provided local councils with grant funding to support closed businesses that did not directly pay business rates and businesses that did not have to close but were impacted by the coronavirus pandemic. Local councils could determine which businesses to target and determine the amount of funding distributed from the ARG.

Government funding of £2,643,060 had been allocated to Tonbridge and Malling Borough Council to support the award of grants under this Scheme. Funding provided under the ARG could be used across the financial years 20/21 and 21/22 and if there were further lockdown measures or restrictions announced, it was expected that this would be the continued source of support to business and no further funding would be provided.

It was also noted that Local Authorities had the discretion to use funds for wider business support. However, the Department for Business, Energy and Industrial Strategy (BEIS) advised that funds should be allocated in line with the broader purpose of the Scheme and used to support businesses affected by the pandemic.

In order to award the grants as required it was necessary for the Borough Council to adopt a Policy and this was attached as Annex 1.

RESOLVED: That

- the Tonbridge & Malling Borough Council Additional Restrictions Grant (ARG) Scheme, as set out at Annex 1, be approved.

Taken in accordance with the Emergency Provisions set out at Part 7 Paragraph 1.3 of the Constitution and in agreement with the Chairman of Overview and Scrutiny Committee.

Signed Leader: N Heslop

Signed Chairman of Overview and Scrutiny Committee: J Sergison

Signed Chief Executive: J Beilby

Date of publication: 18 November 2020

This decision is urgent and therefore not subject to call-in (in accordance with Overview and Scrutiny Committee Procedure Rule 15 (i) as set out in Part 4 of the Constitution) and may be implemented immediately.

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION TAKEN UNDER EMERGENCY POWERS

Decision No:	D200016EM
Decision Taken By:	Leader of the Borough Council
Authority under which Decision Taken:	Emergency provisions for decision making during a period of serious and unexpected disruption under Part 7 of the Constitution.
Decision Type:	Executive Key Decision
Date:	25 November 2020

Decision(s) and Reason(s)

LOCAL CONTACT TRACING – CONTAIN OUTBREAK MANAGEMENT FUND

- (1) Kent County Council (KCC) had been allocated funding from the Contain Outbreak Management Fund (COMF) to set up a COVID-19 Local Tracing Partnership across Kent as part of the COVID-19 response. The aim of this crucial service was to contact positive cases of COVID-19 in Kent, support them in order that they can self-isolate for the required period and identify anyone they had come into contact with during their infectious period, so that local authorities contributed to breaking the chain of transmission through reducing onward spread of the virus.
- (2) KCC aimed to start the Local Contact Tracing approach from Thursday 26 November. This was a very quick implementation date and meant that information was based on the most up to date material available, although the picture was likely to change up to and beyond the roll out date.
- (3) One part of the Kent Local Tracing Partnership would be staffed by Agilisys call-handlers, trained to use the national Contact Tracing system, through a call-centre approach operating 7 days a week to complement the national NHS Test and Trace service. Telephone contact with each case would be attempted four times in 48-hours. The other crucial part of the Kent Local Tracing Partnership was the link with Borough and District Councils. The two key points at which KCC needed support from Tonbridge and Malling Borough Council (TMBC) were:
 - a. Where they identify cases with incorrect, incomplete or missing telephone numbers, help would be needed in searching for these individuals in the data held by TMBC and for any contact details to be returned.
 - b. Where they were not able to get hold of a case by telephone or they spoke to a case who refused to provide the necessary information over the telephone. In both scenarios these cases would need to be referred to TMBC for to attempt to get in touch with them by attending home

addresses to 'door knock'.

- (4) A Kent wide approach to funding had been agreed between the county and second tier authorities and on that basis TMBC had been allocated £277,000 to carry out these activities. There would be reporting requirements on the number of cases processed and timescales. This would be carried out on an ongoing basis by the assigned officers to enable up to date reporting to be provided to KCC.
- (5) It was proposed that the Local Contact Tracing work was led by the Environmental Health service, with a cross service approach to additional resourcing as required. An officer would be assigned to this work each day.
- (6) A seven day a week service as required and it was is proposed that the funding as utilised to initially to ensure adequate resource during the week and to pay out of hour's overtime at weekends.
- (7) The programme would be dynamically managed and risk assessed by the Director of Planning, Housing and Environmental Health and the Head of Housing and Health. This would include further decisions about the use of the funding, which would be consulted on with the Leader of the Council, Deputy Leader of the Council and Cabinet Member with responsibility for Emergency Planning as required.

RESOLVED: That

- (1) acceptance of the grant funding, as set out in (4) above, be approved; and
- (2) the proposed uses of this funding, as set out in (6) and (7) above, be approved.

Taken in accordance with the Emergency Provisions set out at Part 7 Paragraph 1.3 of the Constitution and in agreement with the Chairman of Overview and Scrutiny Committee.

Signed Leader:

N Heslop

Signed Chairman of Overview and Scrutiny Committee:

J Sergison

Signed Chief Executive:

J Beilby

Date of publication:

27 November 2020

This decision is urgent and therefore not subject to call-in (in accordance with Overview and Scrutiny Committee Procedure Rule 15 (i) as set out in Part 4 of the Constitution) and may be implemented immediately.

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION TAKEN UNDER EMERGENCY POWERS

Decision No:	D200017EM
Decision Taken By:	Leader of the Borough Council
Authority under which Decision Taken:	Emergency provisions for decision making during a period of serious and unexpected disruption under Part 7 of the Constitution.
Decision Type:	Executive Key Decision
Date:	30 December 2020

Decision(s) and Reason(s)

LOCAL RESTRICTIONS SUPPORT GRANT - CHRISTMAS SUPPORT PAYMENT – WET LED PUBS

On 1 December 2020 the government announced additional support for wet-led pubs in Local Covid Alert Tiers 2 and 3 during the Christmas period of 2 December to 29 December.

When the second national lockdown ended on 2 December the Tonbridge and Malling area was placed into Tier 3 restrictions. From 20 December the government created a new, more restrictive, Tier 4 which Tonbridge and Malling fell into. However, this grant support still applied. Any pub in the Borough which was mainly 'wet-led' was eligible for the one-off amount of £1,000. Applications had to be made to receive the funding and the applicant needed to demonstrate that it derived less than 50% of its income from sales of food.

There was no absolute definition of a pub for this purpose. However, the government stated that it expected eligible pubs to be open to the general public; allow free entry (generally); and allow drinking without being required to purchase food. It excluded a number of specific entities including restaurants, cafes, hotels, snack-bars and sporting venues.

Funding of £57,600 has so far been received from Government.

In order to award the grants as required, it was necessary to adopt a policy. A draft scheme for approval was attached at Annex 1.

An application process would be made available to eligible businesses via the Council's website. Applications had to be made by 31 January 2021.

Applications would be reviewed by the Revenue & Benefits team and the Director of Finance & Transformation who would arrange payment of the grant awards.

RESOLVED: That:

The Tonbridge and Malling Borough 'Christmas Support Payment for wet-led Pubs' Scheme (as set out at Annex 1) be approved.

Taken in accordance with the Emergency Provisions set out at Part 7 Paragraph 1.3 of the Constitution and in agreement with the Chairman of Overview and Scrutiny Committee.

Signed Leader: N Heslop

Signed Chairman of Overview and Scrutiny Committee: J Sergison

Signed Chief Executive: J Beilby

Date of publication: 30 December 2020

This decision is urgent and therefore not subject to call-in (in accordance with Overview and Scrutiny Committee Procedure Rule 15 (i) as set out in Part 4 of the Constitution) and may be implemented immediately.

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION TAKEN UNDER EMERGENCY POWERS

Decision No:	D200018EM
Decision Taken By:	Leader of the Borough Council
Authority under which Decision Taken:	Emergency provisions for decision making during a period of serious and unexpected disruption under Part 7 of the Constitution.
Decision Type:	Executive Key Decision
Date:	31 December 2020

Decision(s) and Reason(s)
LOCAL RESTRICTIONS SUPPORT GRANT (OPEN) SCHEME
<p>On 2 December 2020, Tonbridge & Malling entered Local Covid Alert level Tier 3. Government made provision to support businesses in Tiers 2 and 3 that were not legally required to close, but were nevertheless severely impacted by the localised restrictions.</p> <p>The Borough Council was required to adopt a policy to enable such payments to be made. The draft policy entitled Local Restrictions Support Grant (OPEN) Scheme is attached at Annex 1 for approval.</p> <p>As the Tonbridge & Malling area entered Tier 4 on 20 December 2020, the "OPEN" scheme was currently only valid for the period 2 to 19 December 2020. Funding of £26,036 had been received from Government for this scheme.</p> <p>The Director of Finance and Transformation indicated that the scheme could be 'reactivated' if Tonbridge and Malling came under a different tier in the future and anticipated that a new funding package would be made available.</p> <p>Applications would be reviewed by the Revenue & Benefits team in liaison with the Economic Development team and the Director of Finance & Transformation who would arrange payment of the grant awards.</p>
RESOLVED: That: the Tonbridge & Malling Borough Council Local Restrictions Support Grant (OPEN) Scheme as set out at Annex 1 be approved.
Taken in accordance with the Emergency Provisions set out at Part 7 Paragraph 1.3 of the Constitution and in agreement with the Chairman of Overview and Scrutiny Committee.

Signed Leader: N Heslop

Signed Chairman of Overview and Scrutiny Committee: J Sergison

Signed Chief Executive: J Beilby

Date of publication: 31 December 2020

This decision is urgent and therefore not subject to call-in (in accordance with Overview and Scrutiny Committee Procedure Rule 15 (i) as set out in Part 4 of the Constitution) and may be implemented immediately.

TONBRIDGE AND MALLING BOROUGH COUNCIL

AREA 3 PLANNING COMMITTEE

Thursday, 28th January, 2021

Present: Cllr D A S Davis (Chairman), Cllr M C Base (Vice-Chairman), Cllr Mrs S Bell, Cllr T Bishop, Cllr R I B Cannon, Cllr D J Cooper, Cllr R W Dalton, Cllr Mrs T Dean, Cllr S M Hammond, Cllr P M Hickmott, Cllr D Keers, Cllr A Kennedy, Cllr D Lettington, Cllr Mrs R F Lettington, Cllr Mrs A S Oakley, Cllr R V Roud, Cllr Mrs M Tatton, Cllr D Thornewell and Cllr C J Williams

Councillors N J Heslop, P J Montague and N G Stapleton were also present pursuant to Council Procedure Rule No 15.21.

PART 1 - PUBLIC

AP3 21/1 DECLARATIONS OF INTEREST

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

AP3 21/2 MINUTES

RESOLVED: That the Minutes of the meeting of the Area 3 Planning Committee held on 19 November 2020 be approved as a correct record and signed by the Chairman.

AP3 21/3 GLOSSARY AND SUPPLEMENTARY MATTERS

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 circulated in advance of the meeting and published to the website.

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.

**DECISIONS TAKEN UNDER DELEGATED POWERS IN
ACCORDANCE WITH PART 3 OF THE CONSTITUTION
(RESPONSIBILITY FOR COUNCIL FUNCTIONS)**

**AP3 21/4 TM/19/00376/OAEA - LAND SOUTH WEST OF LONDON ROAD
AND WEST OF CASTOR PARK, ALLINGTON**

Outline Application: permission for a residential scheme of up to 106 units, associated access and infrastructure at Land South West of London Road and West of Castor Park, Allington.

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

- (1) the amendment of the Recommendation at Paragraph 7.1 to omit plan numbers LE03, LE04, PL010, PL012, PL014, PL015 and PL016;
- (2) the amendment of the Recommendation at Paragraph 7.1, second bullet point to read as follows:

The applicant entering into a planning obligation with Kent County Council to make financial contributions to the provision of education facilities and community services, secure a Travel Plan and make a financial contribution towards its implementation; and

- (3) the addition of Informatives:

7. The applicant should explore all opportunities to maximise the provision of the natural green space buffer along the boundary of the site with the railway line as indicated on plan number PL011 Rev. 1.

8. The application should explore all opportunities to include a proportion of bungalows within the scheme, subject to detailed discussions with the Council regarding local housing needs.

9. The applicant's specific attention is drawn to the submitted Badger Report and the recommendations contained within the report when considering the reserved matters and the specific requirements of Condition 17.

10. The applicant is strongly encouraged to negotiate with surrounding landowners with a view to establishing whether connectivity can be established from the site to Barming Station in the interests of encouraging sustainable modes of transport. Should such negotiations identify a potential solution, the

applicant should contact the Local Planning Authority to discuss avenues for implementation.

[Speaker: Mr J Chapman made a verbal statement on behalf of the Applicant]

PART 2 - PRIVATE

AP3 21/5 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 9.10 pm

- Minutes of the Cabinet (Budget) held on 11 February 2021 are *'to follow'*

- Cabinet Decision Notices arising from the meeting of Cabinet held on 11 February 2021 are 'to follow'

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION TAKEN UNDER EMERGENCY POWERS

Decision No:	D210001EM
Decision Taken By:	Leader of the Borough Council
Authority under which Decision Taken:	Emergency provisions for decision making during a period of serious and unexpected disruption under Part 7 of the Constitution.
Decision Type:	Executive Key Decision
Date:	21 January 2021

Decision(s) and Reason(s)

Business Support Grants – Tier 4 and Lockdown

Due to the coronavirus pandemic and escalating infections, Government had imposed Tier 4 restrictions from 20 December 2020 until 4 January 2021, when a new national lockdown was introduced.

As a result of these new measures Government had provided additional funding for businesses. To enable this to be distributed as quickly as possible it was necessary to adopt a number of policies (as summarised below):

- Local Restrictions Support Grants (Closed Addendum) Scheme – Tier 4 only (as detailed in Annex 1)
- Local Restrictions Support Grant (Closed) Addendum: 5 January 2021 onwards Scheme (as detailed in Annex 2)
- Closed Businesses Lockdown Payment (as detailed in Annex 3)

In response to the Government's request that grant payments were made as soon as possible in order to protect businesses, the Borough Council intended to make payments automatically to those entitled to payment under 'lockdown 2'.

Recipients would be advised that these payments had been made automatically, and that by accepting this grant (and subsequent grants), they were confirming eligibility for the respective scheme(s).

Businesses who had not applied for 'lockdown 2' grant funding could still apply for ongoing support via the website.

Applications/eligibility would be reviewed by the Revenue & Benefits team and the Director of Finance & Transformation who would arrange payment of the grant awards.

RESOLVED: That

- (1) the Local Restrictions Support Grants (Closed Addendum) Scheme – Tier 4 only (as detailed in Annex 1) be approved;
- (2) the Local Restrictions Support Grant (Closed) Addendum: 5 January 2021 onwards Scheme (as detailed in Annex 2) be approved; and
- (3) the Closed Businesses Lockdown Payment (as detailed in Annex 3) be approved.

Taken in accordance with the Emergency Provisions set out at Part 7 Paragraph 1.3 of the Constitution and in agreement with the Chairman of Overview and Scrutiny Committee.

Signed Leader: N Heslop

Signed Chairman of Overview and Scrutiny Committee: J Sergison

Signed Chief Executive: J Beilby

Date of publication: 22 January 2021

This decision is urgent and therefore not subject to call-in (in accordance with Overview and Scrutiny Committee Procedure Rule 15 (i) as set out in Part 4 of the Constitution) and may be implemented immediately.

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION TAKEN UNDER EMERGENCY POWERS

Decision No:	D210002EM
Decision Taken By:	Leader of the Borough Council
Authority under which Decision Taken:	Emergency provisions for decision making during a period of serious and unexpected disruption under Part 7 of the Constitution.
Decision Type:	Executive Key Decision
Date:	24 January 2021

Decision(s) and Reason(s)
(Revised) Tonbridge And Malling Borough Council Additional Restrictions Grant (ARG) Scheme – January 2021 (Lockdown Support)
<p>Following the establishment of the Additional Restrictions Grant Scheme (Decision Notice 200015EM) in November 2020 and as a result of the introduction of a third National Lockdown, Government had provided top up funding of £1,173,922. It was, therefore, appropriate to open up a new round of funding to support businesses.</p> <p>In recognition of the significant impact of the lockdown measures on the leisure and hospitality sector, it was proposed to increase the levels of grant funding on offer to align with the other mandatory schemes there were available and to also adjust the existing Scheme to introduce a Hospitality and Leisure Supplement. This supplement was aimed at specific types of business only, as set out in paragraph 3.11 of the Scheme. A revised Scheme was attached at Annex 1.</p> <p>An application process would be available to eligible businesses via the Borough Council's website. Applications would be reviewed by the Economic Development Team, in liaison with the Revenue and Benefits Team and the Director of Finance and Transformation who would arrange payment of the grant awards as soon as possible.</p>
RESOLVED: That:
(1) the revised Tonbridge and Malling Borough Council Additional Restrictions Grant (ARG) Scheme – January 2021 onwards (Lockdown Support) as set out in Annex be approved.
Taken in accordance with the Emergency Provisions set out at Part 7 Paragraph 1.3 of the Constitution and in agreement with the Chairman of Overview and Scrutiny Committee.

Signed Leader: N Heslop

Signed Chairman of Overview and Scrutiny Committee: J Sergison

Signed Chief Executive: J Beilby

Date of publication: 25 January 2021

This decision is urgent and therefore not subject to call-in (in accordance with Overview and Scrutiny Committee Procedure Rule 15 (i) as set out in Part 4 of the Constitution) and may be implemented immediately.