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TONBRIDGE & MALLING
BOROUGH COUNCIL

EXECUTIVE SERVICES

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6 December 2024

Dear Councillor

CABINET - TUESDAY, 10TH DECEMBER, 2024

I am now able to enclose, for consideration at the Tuesday, 10th December, 2024 meeting of the Cabinet, the following recommendations that were unavailable when the agenda was printed.

Agenda No Item

6. **Review of Fees and Charges for Discretionary Planning Services (Pages 3 - 4)**

Consideration of recommendation HP 24/40 of the Housing and Planning Scrutiny Select Committee of 3 December 2024 in respect of discretionary fees across the planning service for 2025/26.

7. **HMO and Caravan Site Licensing Fee Charges for 2025/26 (Pages 5 - 6)**

Consideration of recommendation HP 24/41 of the Housing and Planning Scrutiny Select Committee of 3 December 2024 in respect of proposed fees for licensing of houses in multiple occupation (HMOs) and caravan sites for permanent residential use from 1 April 2025.

8. **Local Plan Engagement Strategy and Estimated Local Plan Budget (Pages 7 - 8)**

Consideration of recommendation HP 24/42 of the Housing and Planning Scrutiny Select Committee of 3 December 2024 in respect of a Local Plan Engagement and Consultation Strategy.

14. **Tree Protocol Update (Pages 9 - 10)**

Consideration of recommendation HP 24/43 of the Housing and Planning Scrutiny Select Committee of 3 December 2024 in respect of Tree Preservation Orders.

19. **Proposed Lease of Residential Apartments in Tonbridge for use as Temporary Accommodation (Pages 11 - 12)**

(Reason: Private: LGA 1972 - Sch 12A Paragraph 3 - Financial or business affairs of any particular person)

Consideration of recommendation HP 24/53 of the Housing and Planning Scrutiny Select of 3 December 2024 in respect of opportunity to lease residential apartments in Tonbridge for use as temporary accommodation.

Yours sincerely

DAMIAN ROBERTS
Chief Executive

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REVIEW OF FEES AND CHARGES FOR DISCRETIONARY PLANNING SERVICES

Item HP 24/40 referred from Housing and Planning Scrutiny Select Committee of 3 December 2024

The report of the Director of Planning, Housing and Environmental Health set out proposed fees and charges for 2025/26 for the provision of services in respect of development management, building control, high hedges, s106 monitoring and the Planning Performance Agreement (PPA) and Charging Schedule with effect from 1 April 2025. Fees had generally been increased between 3.5% - 5 %, with fees for strategic development being increased by 10%. Consideration had been given to each category of fee and further explanation of these increases were detailed in the report.

In bringing forward the charging proposals for 2025/26 consideration had been given to a range of factors, including the Borough Council's overall financial and market positions, trading patterns, the current rate of inflation and customer feedback. A set of guiding principles for the setting of fees and charges had also been taken into account and were summarised in 4.2 of the report.

Particular reference was made to the Borough Council's significant and challenging financial position and as it was becoming increasingly difficult to achieve further expenditure savings to meet the targets in the Savings and Transformation Strategy it was essential that opportunities to maximise income were taken.

***RECOMMENDED:** That

- (1) the updated Pre-application Charging Fee Schedule 2025/26 (attached at Annex 1) be adopted;
- (2) the updated Building Control Fee Schedule 2025/26 (attached at Annex 2) be adopted;
- (3) the updated High Hedges Fees (an increase to £540) as set out in paragraph 5.12 be adopted;
- (4) the updated charging fees for s106 monitoring and compliance (representing an increase to £460 for each obligation contained in the agreement) as set out 5.17-20 be adopted;
- (5) the updated Planning Performance Agreement template (attached at Annex 3) be included as a new Annex 1 to the PPA Protocol;
- (6) the updated Planning Performance Agreement charging schedule (attached at Annex 4) be adopted; and
- (7) the above proposed fees and charges be implemented with effect from 1 April 2025.

***Recommended to Cabinet**

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HMO AND CARAVAN SITE LICENSING FEE CHARGES FOR 2025/26

Item HP 24/41 referred from Housing and Planning Scrutiny Select Committee of 3 December 2024

Consideration was given to the proposed fees for licensing of houses in multiple occupation (HMOs) and caravan sites for permanent residential use with effect from 1 April 2025.

In bringing forward the charging proposals for 2025/26 consideration had been given to a range of factors, including the Borough Council's overall financial and market positions, trading patterns, the current rate of inflation and customer feedback. A set of guiding principles for the setting of fees and charges had also been taken into account and were summarised in 4.1 of the report.

Particular reference was made to the Borough Council's significant and challenging financial position and as it was becoming increasingly difficult to achieve further expenditure savings to meet the targets in the Savings and Transformation Strategy it was essential that opportunities to maximise income were taken.

***RECOMMENDED:** That

- (1) the proposed fee for licensing of HMOs (representing an increase of 3.5%) as detailed in 5.1.6 of the report be approved;
- (2) the proposed fee for caravan sites for permanent residential use (representing an increase of 3.5%) as detailed in 5.2.3 the report be approved
- (3) the proposed fees be implemented from 1 April 2025

***Recommended to Cabinet**

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LOCAL PLAN ENGAGEMENT STRATEGY AND ESTIMATED LOCAL PLAN BUDGET

Item HP 24/42 referred from Housing and Planning Scrutiny Select Committee of 3 December 2024

The report of the Director of Planning, Housing and Environmental Health provided an update on the progress of a number of workstreams following the Government consultation on a revised National Planning Policy Framework (NPPF).

As a revised NPPF had not yet been published the report focused on an Engagement and Consultation Strategy (attached as Annex 1) and provided an interim position in respect of the Local Plan.

The Engagement and Consultation Strategy set out the consultation details against key local plan stages, who would be engaged at the various stages and the engagement and consultation methods that would be used. Further detail in respect of engagement with Councillors, Officers and Parish/Town Councils were set out in Annex 2.

It was recognised that engagement was an essential and critical element of the plan-making process and provided an opportunity for Members, communities, partners and stakeholders to be involved. It was also important for consultation and engagement to be effective and Members welcomed the commitment to regular dialogue with parish/town councils and communities via the Parish Partnership Panel and the Tonbridge Community Forum. Other methods of engagement proposed and welcomed included consultation/drop-in sessions; virtual exhibition; digital consultation platform and digital maps.

In addition, it was hoped that the introduction of a new software platform to host the Regulation 18b and Regulation 19 Consultations would be easier for residents to navigate and interact with. The benefits of collecting information via on-line methods was outlined as it would be more efficient for the Borough Council to assess and analysis the data received. Alternative methods would be available for those who had difficulty in accessing services online and there would be opportunity for residents' views to be collected at drop-in sessions and virtual exhibitions. Residents would also be invited to sign up to receive emails or printed materials.

Members attention was drawn to the significant financial and value for money implications associated with the Local Plan preparation beyond that which was originally identified before the Government consultation and 'pausing' of the process. Detailed budgetary considerations were set out at 7.1 – 7.6 of the report. The budget provision within the Medium-Term Financial Strategy (MTFS) had recently been increased (on an interim basis) to £160,000 to take into account that the previously identified £80,000 would likely be insufficient to meet the requirements of a new NPPF and submission timescales. Given the work that would be required to produce a national policy compliant Local Plan it was likely that additional funds beyond the £160,000 currently identified would be required. Further updates to the figures presented in the MTFS would be considered as soon as possible in line with the publication of a revised NPPF.

***RECOMMENDED:** That

- (1) the Local Plan Engagement and Consultation Strategy (attached at Annex 1) be approved;
- (2) the Engagement Programme (attached at Annex 2) be endorsed; and
- (3) the updates provided in relation to the Local Plan, including the likely increase in the annual budget allocation to the Local Plan reserve that would be required to progress a Local Plan under a revised National Planning Policy Framework be noted.

***Recommended to Cabinet**

TREE PROTOCOL UPDATE

Item HP 24/43 referred from Housing and Planning Scrutiny Select Committee of 3 December 2024

Following the adoption of the Tree Preservation Order Protocol and the Enforcement Tree Protocol in May 2024, Members had expressed concern that the measures proposed to address an existing backlog of Tree Preservation Order (TPO) requests were insufficient to make a significant improvement within a reasonable timeframe.

As the Borough Council did not have current capacity to clear the backlog of requests in a timely manner, three options were presented for consideration. These were detailed in paragraph 5 of the report and included:

- seeking a consultant to work on the backlog of requests
- continue to attempt to reduce the backlog within existing resource
- await the outcome of a wider review of case work and capacity.

Members recognised that one of the proposed options would require a funding stream to be identified as there was no budget provision available. It had been estimated that a one-off cost of approximately £29,000 would be required to clear the backlog.

Due regard was given to the Borough Council's financial position and the potential impact on the Medium-Term Financial Strategy. Members also recognised that this needed to be balanced with providing an effective service and on the grounds of reducing the backlog Cllr King proposed that a consultant be sought to work on the backlog of TPO requests (detailed in Option A). This was seconded by Cllr Roud and supported by the Committee.

Whilst recommending the use of an external consultant to address the backlog, Members felt it was important to identify and understand the ongoing and future demand and capacity within the Service. Concern was also expressed that the existing backlog was delaying the protection of other trees.

***RECOMMENDED:** That

- (1) a consultant be sought to work on reducing the backlog of Tree Preservation Order requests (Option A), as detailed in 5.3 – 5.7 of the report; and
- (2) the approximate one-off cost for Option A of £29,000 and the need to identify a funding stream be noted.

***Recommended to Cabinet**

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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