TONBRIDGE AND MALLING BOROUGH COUNCIL

COUNCIL MINUTE BOOK

JUNE – SEPTEMBER 205

VOLUME 4

TONBRIDGE AND MALLING BOROUGH COUNCIL

MINUTES OF COUNCIL, CABINET AND COMMITTEE MEETINGS

VOLUME 4
25 JUNE- 29 SEPTEMBER 2025

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

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

TONBRIDGE AND MALLING BOROUGH COUNCIL

AREA 2 PLANNING COMMITTEE

Wednesday, 25th June, 2025

Present: Cllr W E Palmer (Chair), Cllr C Brown (Vice-Chair), Cllr B Banks, Cllr R P Betts, Cllr M A Coffin, Cllr Mrs T Dean, Cllr J R S Lark, Cllr R V Roud, Cllr K B Tanner, Cllr Mrs M Tatton and Cllr M Taylor.

Apologies for absence were received from Councillors M D Boughton, P Boxall and S A Hudson.

PART 1 - PUBLIC

AP2 25/31 DECLARATIONS OF INTEREST

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

AP2 25/32 MINUTES

RESOLVED: That the Minutes of the meeting of the Area 2 Planning Committee held on 28 May 2025 be approved as a correct record and signed by the Chairman.

AP2 25/33 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 tabled at the meeting.

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

MATTERS FOR DECISION UNDER DELEGATED POWERS (IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION)

AP2 25/34 TM/25/00296/PA - GRIMBLES, LONG MILL LANE, CROUCH BOROUGH GREEN, SEVENOAKS

Section 73 application for variation of condition 2 (plans list) to allow various amendments to the approved plans under reference TM/23/03070 which granted permission for the demolition of the existing dwelling and the erection of two detached dwellings with associated works.

Due regard was given to the determining issues and conditions as detailed in the report of the Director of Planning, Housing and Environmental Health. During discussion, concern was raised in regard to the overdevelopment of the site.

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

[Speaker: Mr A Wells, agent on behalf of the applicant].

AP2 25/35 PLANNING APPEALS, PUBLIC INQUIRIES AND HEARINGS

The report setting out updates in respect of planning appeals, public inquiries and hearings since the last meeting of the Planning Committee was received and noted.

AP2 25/36 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 7.46 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

OVERVIEW AND SCRUTINY COMMITTEE

MINUTES

Thursday, 26th June, 2025

Present: Cllr Mrs A S Oakley (Chair), Cllr L Athwal (Vice-Chair), Cllr K B Tanner (Vice-Chair), Cllr Mrs S Bell, Cllr A G Bennison, Cllr T Bishop, Cllr C Brown, Cllr L Chapman, Cllr A Cope, Cllr F A Hoskins, Cllr S A Hudson, Cllr D W King, Cllr A McDermott, Cllr W E Palmer, Cllr D Thornewell and Cllr K S Tunstall

In attendance: Cllrs R P Betts*, J Clokey, M A Coffin*, R W Dalton*, D A S Davis*, D Keers*, M R Rhodes* and M Taylor were also present pursuant to Council Procedure Rule No 15.21.

(*participated via MS Teams).

Apologies for absence were received from Councillors R I B Cannon, P M Hickmott and M A J Hood

PART 1 - PUBLIC

OS 25/27 NOTIFICATION OF SUBSTITUTE MEMBERS

Notification of substitute members were recorded as set out below:

- Cllr A Bennison substitute for Cllr P Hickmott;
- Cllr Tunstall substitute for Cllr R Cannon

In accordance with Council Procedure Rules 17.5 to 17.9 these Councillors had the same rights as the ordinary member of the committee for whom they were substituting.

OS 25/28 DECLARATIONS OF INTEREST

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

OS 25/29 MINUTES

RESOLVED: That the Minutes of the meeting of the Overview and Scrutiny Committee held on 3 April 2025 be approved as a correct record and signed by the Chair.

MATTERS FOR INFORMATION

OS 25/30 EMPTY HOMES

Members were provided with an update on the work being done to monitor and return empty homes back into use. Current trends, activities and comparative data with other Kent local authorities were outlined.

As of 15 May 2025, there were 430 properties within the Borough empty for longer than six months and defined as long-term empty. It was noted that within the long-term empty property numbers there were known reasons for groups of properties being empty e.g unsold units. Members commented that the retirement property market was fragile at the moment.

It was reported that Tonbridge and Malling had the fourth lowest number of long-term empty properties in Kent. The Borough also had the largest decrease in number when compared to 2023. However, it was important to note that the decrease included any removal of properties from the Council Tax system.

Recent work included visits to empty properties, offering advice and support to owners and progressing a potential grant through the Kent County Council 'No Use Empty' Scheme. Work was also progressing on cleansing data and responding to complaints about empty homes.

Particular reference was made to the voids reported by Clarion Housing Group and as of March 2025 this was 92 voids with 50% being void for over 90 days. In was indicated that any property not allocated to a tenant, including those properties being repaired were considered void. This continued to be a priority area for discussion and the Borough Council had requested Clarion's 'unlocking voids plan' to understand the strategic detail. As soon as this information was received it would be shared with Members.

Members welcomed the successful recruitment of an Empty Homes Officer on a fixed-term contract. An update on the officer's progress including a project plan and impact assessment would be provided at a future meeting of the committee.

OS 25/31 CONSULTANT USE 2024-25

The report of the Chief Executive provided information on the spend and use of consultants by the Borough Council during 2024/25. As requested by the Overview and Scrutiny Committee of 11 September 2024, the organisation continued to closely manage use of external expertise and an ongoing review of use would be reported annually.

Members reviewed and noted the summary of consultant spend in 2024/25 (attached at Annex 1). Over half (60%) of all projects making using of consultants spent £5,000 or less in 2024/25. Only Planning, Housing and Environmental Health Services and Executive Services had engaged consultants for muti-year projects for which spend in 2024/25 was a proportion of the overall project total. These were mostly in relation to the emerging Local Plan and other significant projects requiring specialist skill.

It was noted that much of the consultant use was utilising external funding for time limited projects, without which the projects would not be feasible and the external funding potentially lost. Consultants provided expertise that was not available in house and where it was not feasible to recruit specialist staff as they would be under occupied for most of the time due to the specialist nature of the work.

OS 25/32 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 by them over the period 1 April 2024 to 31 March 2025 was presented for information.

In summary, the Ombudsman received 15 formal complaints over that period. The one complaint investigated and upheld related to planning conditions. The remaining complaints were either not for the ombudsman or were assessed and closed.

Details of the complaints were attached at Annex 1.

Whilst the Borough Council had a good record with the Ombudsman, complaints were a valuable tool in measuring performance and reviewing processes.

OS 25/33 RECORD OF DECISIONS TAKEN BY THE EXECUTIVE

The decisions taken by the Cabinet and Cabinet Members during May and June 2025 were presented for information and noted by the Committee.

OS 25/34 NOTICE OF FORTHCOMING KEY DECISIONS

The Notice setting out Key Decisions anticipated to be taken during the period July to August 2025 was presented for information. It was also noted that the Notice was subject to change if adjustments were necessary to the reporting timetable.

If there were any issues that the Committee wished to scrutinise, they were invited to raise these with the Chair.

OS 25/35 WORK PROGRAMME

The Work Programme setting out potential matters to be scrutinised during 2025/26 was noted. Members were invited to suggest future items by liaising with the Chair of the Committee.

The Committee asked that the following issues be covered in discussions on the replacement Angel Centre:

- Consultation and public engagement;
- Facility mix compared to current facilities;
- Disability access in new building;
- Funding

In recognition that these matters were to be considered by the Tonbridge Town Centre Programme Board, it was requested that a report be presented to the Overview and Scrutiny Committee.

MATTERS FOR CONSIDERATION IN PRIVATE

OS 25/36 EXCLUSION OF PRESS AND PUBLIC

The Chair moved, it was seconded by Cllr Brown and

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

PART 2 - PRIVATE

MATTERS FOR INFORMATION

OS 25/37 BUILT ENVIRONMENT AND PUBLIC PROTECTION SOFTWARE SYSTEM

(Reasons: Part 2 Private – LGA 1972 Sch 12A Paragraph 3 – Financial or business affairs of any particular person)

The findings of the independent review into the implementation of a new software system for the built environment and public protection services was presented.

Careful consideration was given to the findings of the review as summarised in paragraph 12 of the report and detailed in Annex 1. The actions identified to address the findings and the positive progress made at implementing these were noted.

Members were assured that the Borough Council proactively protected its infrastructure against cybersecurity threats and had mechanisms in place to ensure resilience against potential breaches. Work was also

ongoing to mitigate risks and ensure compliance with GDPR requirements.

After in-depth and robust discussion, it was recognised that better procurement processes, risk management, due diligence and project management were required. Members also felt that the Borough Council should have been quicker to recognise and address issues during the project. However, the positive progress already being made to address these areas was welcomed.

OS 25/38 RETIREMENT OF DIRECTOR OF FINANCE AND TRANSFORMATION

Whilst not a private item, Members wished to acknowledge the upcoming retirement of Sharon Shelton after 40 years with the Borough Council and 20+ years as Director of Finance and Transformation.

Gratitude was expressed for her contribution, commitment and support and appreciation was recorded for the excellent financial management of the Borough Council during this period.

The meeting ended at 9.20 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

CABINET

MINUTES

Monday, 30th June, 2025

Present: Cllr M D Boughton (Chair), Cllr R P Betts, Cllr M A Coffin, Cllr D Keers and Cllr M Taylor

Virtual: Cllr M R Rhodes, Cllr F A Hoskins, Cllr K B Tanner and Cllr K S Tunstall participated via MS Teams in accordance with Access to Information Rule No 23.

An apology for absence was received from Councillor A Mehmet.

PART 1 - PUBLIC

CB 25/72 DECLARATIONS OF INTEREST

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

CB 25/73 MINUTES

RESOLVED: That the Minutes of the meeting of the Cabinet held on 3 June 2025 be approved as a correct record and signed by the Chairman.

MATTERS IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION

EXECUTIVE KEY DECISIONS

CB 25/74 BUSINESS RATES POOL (SHARED GROWTH FUND) PROGRAMME

(Decision Notice D250073CAB)

Careful consideration was given to a proposed programme of activity to support the borough's local economy using funding through the Business Rate Pool (Shared Growth Fund).

Under the national business rates retention scheme, local authorities were able to come together, on a voluntary basis, to pool their business rates, given them scope to generate additional growth through collaborative effort and to smooth the impact of volatility in rates income across a wide economic area. The Council rejoined the Kent Business Rates Pool in April 2023, after improvements in local business rates income due to major commercial developments. Membership in the pool enabled the Council to access the Shared Growth Fund, collaboratively

managed with Kent County Council, which financed projects aligned with local and county strategic priorities. The selected projects were based on local and county wide strategies and had received approval from Kent County Council.

By the end of 2025/26, funding for the Shared Growth Fund was estimated at around £1.125m. However, upcoming business rate reforms may impact future income retention beyond 2026/27.

RESOLVED: That the proposed Business Rates Pool (Shared Growth Fund) Programme, as set out in Annex 1, be approved.

EXECUTIVE NON-KEY DECISIONS

CB 25/75 2024/25 FINANCIAL OUTTURN AND MAY 2025 BUDGETARY CONTROL

(Decision Notice D250074CAB)

The report of the Director of Finance and Transformation presented Members with the 2024/25 Financial Outturn and the current financial position to the end of May 2025 for the 2025/26 Financial Year, in accordance with the Borough Council's Financial Procedure Rules.

A detailed revenue and capital outturn position for the year 2024/25 was provided in the Revenue and Capital Outturn Booklet attached at Annex 1. Members were pleased with the positive revenue position for 2024/25, reported as a contribution to the Borough Council's General Revenue Reserve of £1,109,493 after taking into account the additional reserve movements as set out in paragraph 4.3 of the report. Given the outturn variation, additional reserve movements had been made to assist with the delivery of corporate priorities and future needs of the authority and these movements to reserve to account for the variation between the outturn and revised estimate were provided at paragraph 4.13 of the report.

Details of the movements in reserve balances as at 31 March 2025 were set out in Annex 2 and a summary of decisions taken by Cabinet and Committees with budget implications since the revenue budget was approved by Council in February 2025 to the end of May 2025 was attached at Annex 3.

Budgetary Control Monitoring Statements for Salaries and Incomes to the end of May 2025 were attached for information at Annex 4 and Annex 5 respectively. The 2024/25 revenue budget position was summarised in paragraph 5.8 of the report, which reflected a favourable net variance of £291,052 as at the end of May 2025.

With regard to Business Rates monitoring, particular reference was made to the variation of £198,640 below the original estimate of an

overall net income of £4,011,309, due to an increased level of empty properties and the awaited valuations of business properties adjacent to Junction 5 of the M20.

Cllr Coffin proposed, seconded by Cllr Boughton and Cabinet

RESOLVED: That

(1) the year end position for 2024/25 be noted and the reserve movements as shown in paragraph 4.13 be endorsed;

(2) at the end of May 2025, a net favourable variance of circa £291k when compared to the proportion of the 2025/26 budget, as shown in paragraph 5.8 of the report, be noted; and

(3) the current business rate pool position as at the end of May 2025, as set out in paragraph 6.2 of the report, be noted.

CB 25/76 WARM HOMES: LOCAL GRANT

(Decision Notice D250075CAB)

The Warm Homes: Local Grant, a government funded scheme in England aimed to improve the energy efficiency of homes and reduce fuel poverty for low-income households was part of the broader Warm Homes Plan, which aimed to upgrade 5 million homes within the next 5 years and support the transition to net zero by 2050.

The Borough Council had provisionally been awarded £1.5m of the Warm Homes: Local Grant funding to improve the energy efficiency of fuel poor homes in its district and help to deliver a wider net zero programme.

Due regard was given to the financial and value for money considerations and the assessment of risk detailed in the report. Members were advised of the scheme constraint that Administration and Ancillary (A&A) cost of delivery must not exceed 15% of the capital spend. This presented a high financial and reputational risk to the Council which could not be fully mitigated.

Consideration had been given options for delivery of the project, however the financial modelling schemes at Annex 1 and 2 to the reports showed that the scheme was not financially viable.

On the grounds of significant financial and reputational risk in delivering the scheme, Cllr Coffin proposed, seconded by Cllr Boughton and Cabinet

RESOLVED: That

(1) the Warm Homes: Local Grant funding be declined on the basis that the reputational and financial risk to the Council was too high; and

(2) the Government be advised that although the Council wished to deliver these improvements in residents' homes across the borough, the scheme set up and constraints made it too high a risk to accept the funding.

CB 25/77 UK SHARED PROSPERITY FUND (UKSPF) - COMMUNITY DEVELOPMENT GRANT SCHEME

(Decision Notice D250076CAB)

The report of the Chief Executive set out the Community Development Grant Scheme in detail and sought approval to launch the scheme in July 2025. The grant would support local voluntary, community and charitable groups to deliver targeted services that met residents' needs and enhance the quality of life in the community.

This would be the third round of the UKSPF Community Development Grant Scheme in addition to a recent TMBC 50th Anniversary Community Grant Scheme which had just been completed. All three previous schemes had been well received by the local voluntary, community and charity sector and many projects across the borough had been delivered, providing vital support to residents. As the schemes had been over-subscribed, and to help manage the process, guidance and scoring criteria was set out at Annex 1 to the report, to ensure applicants were aware of funding priorities and to maintain a fair and consistent approach to grant allocation.

In terms of the implementation, the scheme would be launched on 14 July 2025 and closed on 15 September 2025. The final approval of grant allocations would be at Cabinet on 14 October 2025, with funds distributed from the end of October 2025.

Careful consideration was given to the guidance and scoring criteria at Annex 1. In order to support local veterans and the Borough's armed forces community, Cllr Keers proposed, seconded by Cllr Boughton that additional points be included in the scoring criteria for any group proposing projects in support of the armed forces.

RESOLVED: That

(1) the priorities of the scheme, as set out in the report, be endorsed;

(2) the Guidance and Scoring Criteria as set out in Annex 1, be endorsed subject to the inclusion of additional points for any group proposing projects in support of the armed forces; and

(3) the launch of the scheme on 14 July 2025, be agreed;

CB 25/78 TONBRIDGE TOWN CENTRE - EAST OF HIGH STREET MASTERPLAN FRAMEWORK

(Decision Notice D250077CAB)

Consideration was given to the Masterplan Framework and Viability reports that were the culmination of the East of High Street (EOHS) Masterplan exercise that had been carried out by consultants Mace, Architects Periscope and Commercial Property Specialist Vail Williams since December 2024. The consultants had presented a high-level illustrative masterplan and spatial development proposals including viability and delivery analysis, to address housing and employment growth needs.

It was proposed that a public engagement exercise be undertaken on the Masterplan Framework, informed by feedback from the Programme Board. The consultation would run digitally for six weeks from mid-July, supplemented by information at key town centre locations and via social media to ensure broad community access. Over the summer, further work would develop delivery routes and detail for Member consideration, including funding and procurement options. The viability report highlighted current market challenges but noted that conditions might change. Not undertaking public engagement or further delivery analysis over the summer were outlined as alternative options, but both were considered less effective for stakeholder involvement and strategic planning.

Due regard was given to the financial and value for money considerations, the assessment of risks detailed in the report.

To ensure that the work was shared with local stakeholders to allow them to understand the process and the potentially deliverable options, as well as being able to comment on these proposals and raise issues and questions, Cllr Keers proposed, seconded by Boughton and Cabinet

RESOLVED: That

(1) the site development and delivery options in the Tonbridge Town Centre East of High Street Masterplan Framework Report at Annex 1, be noted and Members be invited to comment on these ahead of a more detailed report in October 2025;

(2) the Tonbridge Town Centre East of High Street Masterplan Viability Report at Annex 2 (Part 2 – Private) and the Masterplan Viability

Report Appendix 2 Market Insight & Benchmarking at Annex 3 (Part 2 – Private) be noted; and

(3) the recommendation of the Tonbridge Town Centre Programme Board in the meeting on 23 May 2025 at Annex 4 (Part 2 – Private) that a public engagement exercise be undertaken on the Masterplan Framework document, based on the views expressed by the Programme Board, be supported.

MATTERS SUBMITTED FOR INFORMATION

CB 25/79 MINUTES OF PANELS, BOARDS 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.

CB 25/80 DECISIONS TAKEN BY CABINET MEMBERS

Details of the Decisions taken in accordance with the rules for the making of decisions by executive members, as set out in Part 4 of the Constitution, were presented for information.

CB 25/81 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 IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION

EXECUTIVE KEY DECISIONS

CB 25/82 LEASE RENEWAL AT DERWENT ROAD, TONBRIDGE

(Decision Notice D250078CAB)

(Reasons: Part 2 – Private – LGA 1972 Sch 12A Paragraph 3 – Financial or business affairs of any particular person)

Consideration was given to the proposal to renew an existing lease for a shop unit the Council owned at Derwent Road in Tonbridge.

Due regard was given to the financial and value for money considerations, the assessed risk and legal implications.

Cllr Boughton proposed, seconded by Cllr Coffin and Cabinet

RESOLVED: That the terms of the lease renewal at 1A Derwent Road in Tonbridge as detailed in the report, be approved.

CB 25/83 LEASE RENEWAL - MARTIN SQUARE, LARKFIELD

(Decision Notice D250079CAB)

(Reasons: Part 2 – Private – LGA 1972 Sch 12A Paragraph 3 – Financial or business affairs of any particular person).

Consideration was given to a proposal to renew an existing lease of 48 and 50 Martin Square, Larkfield as detailed in the report.

Due regard was given to the financial and value for money considerations, the assessed risk and legal implications.

Cllr Boughton proposed, seconded by Cllr Betts and Cabinet

RESOLVED: That the terms of the lease renewal at 48 and 50 Martin Square in Larkfield as detailed in the report, be approved.

EXECUTIVE NON-KEY DECISIONS

CB 25/84 PROGRESS AND UPDATE - PLANNING ADVISORY SERVICE (PAS) PEER CHALLENGE REVIEW

(Decision Notice 250080CAB)

(Reasons: Part 2 - Private: LGA 1972 - Sch 12A Paragraph 3 - Financial or business affairs of any particular person)

Cabinet received an update on the progress made to implement the requirements of the Annual Service Delivery Plan 2025/26 which sought an Independent Planning Advisory (PAS) Review to be completed by September 2025 and required an Action Plan for improvement to be considered by the Housing and Planning Scrutiny Select Committee by October 2025, with an Action Plan agreed by Cabinet by December 2025 and the Action Plan fully delivered by March 2026. The initial scoping letter, setting out a framework which would be used to guide the focus of the Peer Challenge was attached at Annex 1 to the report. The Housing and Planning Scrutiny Select Committee were supportive of the Peer Challenge and were in agreement with the proposed make up of Members which gave proportional representation.

Cabinet had due regard to the views of the Housing and Planning Scrutiny Select Committee, the financial considerations, in particular the

main variable factors, the value for money considerations and legal implications.

Cllr Boughton proposed, seconded by Cllr Taylor and Cabinet

RESOLVED: That

(1) the funding for the Peer Challenge at a cost of between £18-22k (the main variable factors being the availability of consultants and expenses, especially hotel costs which were estimated as part of the guide cost) be approved, with the funding to be drawn from the Transformation Reserve;

(2) the update on the fee quote, be noted; and

(3) the on-going work to deliver the Peer Challenge within the target dates set out by the Annual Service Delivery Plan, be noted.

CB 25/85 COUNCIL BANKING AND MERCHANT ACQUIRER SERVICES CONTRACT

(Decision Notice D250081CAB)

(Reasons: Part 2 – Private – LGA 1972 Sch 12A Paragraph 3 – Financial or business affairs of any particular person).

The report of the Director of Finance and Transformation set out details of the proposed review of the Council's Banking and Merchant Acquirer Services which were due to expire at the end of March 2026.

Cabinet had due regard to the financial and value for money considerations, the assessed risks and legal implications.

On the grounds of ensuring continuity of service, Cllr Boughton proposed, seconded by Cllr Coffin and Cabinet

RESOLVED: That

(1) 'Focus on Banking' be engaged to conduct a review of the current arrangements and provide recommendations for the renewal of the services from April 2026;

(2) the cost of £4,000 for the review be funded from the Budget Stabilisation Reserve; and

(3) the Head of Finance (designate) and the Cabinet Member for Finance, Waste and Technical Services be given delegated authority to proceed with the recommendations for the renewal of services from April 2026.

CB 25/86 URGENT ITEMS

The Chair agreed to take an urgent item of business by reason of special circumstances as the decision could not reasonably be deferred until the next meeting of Cabinet in September due to the need/wish to implement the service by 1 July 2025.

CB 25/87 ROUGH SLEEPER PREVENTION AND RECOVERY SERVICES - AWARD OF CONTRACT

(Decision Notice D250082CAB)

(Reasons: Part 2 – Private LGA 1972 Sch 12A Paragraph 3 – Financial or business affairs of any particular person)

Consideration was given to an award of contract for Rough Sleeper Prevention and Recovery Services following an award of £309,801 of Rough Sleeper Prevention and Resettlement Grant funding for rough sleeper services for the financial year. The proposed project would ensure that the Council have off the street accommodation for those rough sleeping across Tonbridge and Malling and Tunbridge Wells which aligned with the Council's aim to end rough sleeping and where it did happen, ensure that it was brief and non-recurring.

Due regard was given to the financial and value for money considerations and legal implications.

Cllr Betts proposed, seconded by Cllr Coffin and Cabinet

RESOLVED: That

(1) the award of contract to the successful tenderer to deliver the Rough Sleeper Prevention and Recovery Services for Tonbridge and Malling, be approved; and

(2) an initial appointment until March 2026 and a further 3 x 1 years be approved, subject to further funding being awarded.

The meeting ended at 8.41 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

COUNCIL MEETING

MINUTES

Tuesday, 8th July, 2025

At the meeting of the Tonbridge and Malling Borough Council held in the Civic Suite, Gibson Building, Kings Hill, West Malling on Tuesday, 8th July, 2025

Present: His Worship the Mayor (Councillor C Brown), the Deputy Mayor (Councillor K B Tanner), Cllr L Athwal, Cllr B Banks, Cllr Mrs S Bell, Cllr A G Bennison, Cllr R P Betts, Cllr T Bishop, Cllr M D Boughton, Cllr G C Bridge, Cllr R I B Cannon, Cllr L Chapman, Cllr J Clokey, Cllr M A Coffin, Cllr A Cope, Cllr R W Dalton, Cllr D A S Davis, Cllr Mrs T Dean, Cllr S M Hammond, Cllr D Harman, Cllr P M Hickmott, Cllr M A J Hood, Cllr F A Hoskins, Cllr S A Hudson, Cllr D Keers, Cllr J R S Lark, Cllr A McDermott, Cllr A Mehmet, Cllr D W King, Cllr Mrs A S Oakley, Cllr R W G Oliver, Cllr W E Palmer, Cllr S Pilgrim, Cllr B A Parry, Cllr M R Rhodes, Cllr R V Roud, Cllr Mrs M Tatton, Cllr M Taylor, Cllr D Thornewell, Cllr K S Tunstall and Cllr C J Williams

Apologies for absence were received from Councillors K Barton, P Boxall and S Crisp

PART 1 - PUBLIC

C 25/61 DECLARATIONS OF INTEREST

Cllr A Mehmet declared an Other Significant Interest in agenda items 21 and 22 (Budget Approval – Borough Council costs – Planning Appeals and Planning Appeal – Case Management Review) respectively as he had given advice to landowners in the area. He withdrew from the meeting and did not participate or vote on these matters.

C 25/62 MINUTES

RESOLVED: That the Minutes of the proceedings of the statutory annual meeting of the Council held on 13 May 2025 be approved as a correct record and signed by the Mayor.

C 25/63 MAYOR'S ANNOUNCEMENTS

The Mayor was pleased to welcome back former Mayor Cllr S Hammond after a period of ill health and took the opportunity to present him with a civic insigna. Cllr Hammond thanked the Council for their good wishes and for the support during the preceding year.

The Mayor advised of a number of engagements attended since the last meeting of Council and made particular reference to the following civic and charity events:

- Tonbridge Lions Club's Community Fete and Parade
- Blossom Care home Launch in Tonbridge
- Tonbridge Lions It's A knockout
- Chairman of KCC's Armed Forces Flag Raising Ceremony
- The Mayor of Medway's Armed Forces Day Celebration Event
- Plaxtol Nursery School's 50th Anniversary Event

Arrangements were being finalised for future civic and charity events and these would be announced as soon as possible. However, it was hoped that the Mayor's Go-Karting race could be reintroduced.

Finally, the Mayor thanked the Deputy Mayor, Past Mayors Cllrs Lark and Bell for attending a number of events on their behalf.

C 25/64 QUESTIONS FROM MEMBERS PURSUANT TO COUNCIL PROCEDURE RULE NO 5.5

In accordance with Council Procedure Rule No. 5.5 questions had been submitted by Cllr Hood in respect of social housing rents (25/004/MEM) and Cllr Athwal in respect of a local housing company (25/005/MEM).

A detailed response to these questions was provided by the Cabinet Member for Housing, Environment and Economy (Cllr R Betts) and the questions and answers, attached as an annex to these Minutes were noted.

In response to supplementary questions, the Cabinet Member for Housing, Environment and Economy recognised that the housing market was challenging and that there was room for improvement in respect of social housing rents. In addition, whilst he supported early discussions around the potential for a local housing company, careful consideration had to be given to the implications of local government reorganisation on significant projects.

C 25/65 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 25/66 MOTION WITHOUT NOTICE

In accordance with Council Procedure Rule 5.30 (c), Cllr Boughton proposed that the order of business on the agenda be changed and that item 16, Changes to the Constitution, be discussed immediately after Leaders Announcements on the grounds that the matter was substantive

and likely to have significant debate. This was seconded by Cllr Harman and

RESOLVED: That the order of business on the agenda be changed and that agenda item 16 – Changes to the Constitution - follow Leaders Announcements.

C 25/67 LEADER'S ANNOUNCEMENTS

The Leader referenced the Borough Council's recent achievements which included a silver award from the Defence Employer Recognition Scheme for supporting the armed forces, the Community Enforcement Teams success in tackling anti-social behaviour and the success of the 50th Anniversary Community Grant Scheme.

Other areas highlighted included the Banking Hub based temporarily in Tonbridge Castle pending identification of a permanent location, the ongoing consultation for a Tonbridge Town Council and the upcoming public engagement on proposals for the east of the High Street Master Plan. The importance of engaging with residents and delivering new, viable facilities for the town was outlined.

Finally, on behalf of Tonbridge and Malling Borough Council, the Leader paid tribute to Sharon Shelton, Director of Finance and Transformation as a dedicated, efficient and diligent officer. The Council recorded appreciation for 42 years of service and rigorous financial planning and expressed good wishes for a well-deserved retirement.

Full Leaders announcements were available on the Borough Council's YouTube channel.

MATTERS FOR DECISION

C 25/68 CHANGES TO THE CONSTITUTION

Careful consideration was given to the proposed changes to the Constitution as detailed in the report of the Monitoring Officer. An amended version of the Constitution with tracked changes was attached at Annex 1.

Changes to the operational arrangements, the Overview and Scrutiny Procedure Rules, the Rules for Decision Making during a Period of Serious and Unexpected Disruption, the Rules for Public Speaking at planning committees and the committee procedure rules were outlined in 4.1 to 4.22 of the report.

Members discussed the qualifications for First and Second vice-chairs of the Overview and Scrutiny Committee, the proposed changes aimed to clarify the roles and ensure a balance between the executive and opposition parties. On the grounds of maintaining effective scrutiny and

holding the executive to account, Cllr Oakley proposed that the First Vice-Chair should be a member of a political party which is neither the political party of the Chair nor a political party forming the executive. This was seconded by Cllr Hood.

Following a formal vote this amendment was defeated.

There was detailed and robust discussion on changes to the Rules for Public Speaking at Planning Committees which proposed a limit on the number of public speakers to ensure efficient meetings. In order to bring the Borough Council's approach more in line with established practice elsewhere it was proposed that within parished areas a maximum of 5 speakers be permitted for each application, plus the applicant (or their agent) and a representative of the relevant Parish/Town Council. In non-parished areas it was proposed that 6 speakers be permitted on each application, plus the application (or their agent).

Concern was expressed that these proposals would limit public participation, curtail debate and be seen as a failure in civic duty. However, some councillors supported the changes to improve the quality of decision-making and to reduce inefficiency. There was also recognition that planning decisions were required to reflect an objective assessment of material planning considerations and not be shaped by other factors, such as strength of feeling that may be expressed. It was confirmed that there were a number of ways in which residents were able to express their views on a planning application, such as submitting written representations and communicating directly with their local ward Councillor.

On the grounds of increasing public participation, Cllr Oakley proposed that the maximum number of public speakers should be increased to 10. This was seconded by Cllr Clokey.

Following a formal vote this amendment was defeated.

Particular reference was made to the occasions when the red line of the planning application straddled more than 2 Town/Parish Council areas and it was proposed by Cllr Clokey that in these instances a representative of each of the Town/Parish Council areas within the relevant area be permitted to speak. This was seconded by Cllr Boughton and agreed unanimously.

In accordance with Council Procedure Rule 6.15, the Council

RESOLVED: That the original motion be divided to facilitate individual votes.

Following formal votes on the individual motions it was

RESOLVED: That

(1) the changes to the Constitution to address the deletion of the post of Director of Finance and Transformation and creation of the new post Head of Finance and Section 151 Officer with effect from 28 July 2025 be noted;

(2) the changes to the Overview and Scrutiny Procedure Rules at Part 4 of the Constitution be agreed;

(3) the changes to the Rules for Decision Making during a Period of Serious and Unexpected Disruption at Part 7 of the Constitution be agreed;

(4) the changes to the Rules for Public Speaking in respect of planning applications at Part 4 Annex 1 of the Constitution be agreed; subject to allowing a representative from each of the Town/Parish Councils to speak where the red line of the application straddled 2 or more of those Town/Parish areas.

(5) the deletion of CPR 15.24 at Part 4 of the Constitution be agreed.

C 25/69 HEAD OF FINANCE AND SECTION 151 OFFICER - RECRUITMENT

Members were provided with an update on the recruitment process undertaken in respect of the newly established Head of Finance and Section 151 Officer.

At the meeting of Council on 13 May 2025, the formation of a Member Panel had been agreed to oversee and be involved in the recruitment process.

Due to the specialist skillset and seniority of the post, a rigorous selection and assessment process had been undertaken before Member Panel interviews had been undertaken on 4 July 2025.

Consideration was given to the recommendations of the Member Panel detailed in the supplementary report of the Chief Executive and the Leader of the Borough Council proposed that Mr Paul Worden be appointed as the Head of Finance and Section 151 Officer. This was seconded by Cllr Coffin and supported by the Council who welcomed the appointment and noted that the successful candidate had the requisite skills, knowledge and experience necessary to ensure the Borough Council's good financial position continued.

RESOLVED: That Paul Worden be appointed as permanent Head of Finance and Section 151 Officer with effect from 28 July 2025.

C 25/70 BLUEBELL HILL TEMPORARY ACCOMMODATION PROJECT

The report of the Director of Planning, Housing and Environmental Health provided a Capital Plan Evaluation for the Bluebell Hill temporary accommodation project and sought Member approval for the associated budget.

The proposed approach to procure a contractor to deliver a modular housing scheme at Bluebell Hill was supported by the Housing and Planning Scrutiny Select Committee and Cabinet and due regard had been given to a feasibility study prepared by an external consultant.

As a result of updating the Local Authority Housing Fund and revenue reserve for capital schemes funding to allow for commitment to the resettlement programme, Members noted that the partnership funding for the project had reduced to £4,670,663. In addition, the revenue impact section had been updated to allow for estimated staffing costs and to demonstrate the potential revenue saving of £157,500.

On the grounds that the principle of progressing this project had already been approved, Cllr Boughton proposed, Cllr Betts seconded and

RESOLVED: That the Capital Plan Evaluation (attached at Annex A) for the Bluebell Hill temporary accommodation project be approved.

C 25/71 RIVERSIDE ROUTE LIGHTING PROJECT, TONBRIDGE

Consideration was given to the recommendation of Cabinet in respect of a List C Capital Plan Evaluation for the Riverside Route Lighting Project, Tonbridge.

Due regard was given to the views of the Finance, Regeneration and Property Scrutiny Select Committee and Cabinet and on the grounds that the principle of this project had already been approved, Cllr Boughton proposed, Cllr Coffin seconded and Council

RESOLVED: That the Scheme be transferred to List A of the Capital Plan.

C 25/72 GIBSON EAST REFURBISHMENT TENDER

Consideration was given to the recommendation of Cabinet in respect of transferring some funding from the Decarbonising the Council's Estate Capital Plan Scheme to the Gibson East Refurbishment Scheme to help support the installation of renewable and decarbonising technologies.

Due regard was given to the financial and value for money considerations, the outcome of the tender evaluations and the progress being made on identifying further savings to close a shortfall in funding as considered by Cabinet.

On the grounds that the principle of the project had already been approved, Cllr Boughton proposed, Cllr Coffin seconded and Council

RESOLVED: That the transfer of £125,000 from the Decarbonising the Council's Estate Capital Plan Scheme to the Gibson East Refurbishment Scheme be approved.

C 25/73 STATEMENT OF LICENSING POLICY 2025-2030 CONSULTATION

Consideration was given to the recommendation of the Licensing and Appeals Committee to adopt the draft Statement of Licensing Policy 2025/30, which would include details of the 'Ask for Angela' initiative.

Cllr Williams proposed, Cllr Coffin seconded and Council

RESOLVED: That the draft Statement of Licensing Policy 2025/30, including reference to the Ask for Angela initiative be adopted.

C 25/74 ESTABLISHMENT REPORT

Consideration was given to the recommendations of the General Purposes Committee in respect of establishment changes recommended by the Management Team.

Due regard was given to the views of the General Purposes Committee and Cllr Rhodes proposed, Cllr McDermott seconded and Council

RESOLVED: That

(1) Post DV0723, Housing Solutions Manager, be regraded from Grade M7 to M6 with effect from 9 July 2025;

(2) Post DV0731, Housing Allocations Team Leader, be regraded from Scale 5/6 to SO with effect from 9 July 2025;

(3) Posts DV0726 and DV0745, Housing Allocations Officers, be regraded from Scale 3 and 3/4 respectively to Scale 5/6 with effect from 9 July 2025;

(4) the hours of post DR0016, Contracts and Procurement Lawyer, be increased from 21 to 37 hours per week with effect from 9 July 2025; and

(5) Post DE0107, Resilience Officer, be regraded from Scale SO to Grade M9 and the hours of the post be increased from 15 to 29.6 hours per week with effect from 9 July 2025.

C 25/75 APPOINTMENTS TO OUTSIDE BODIES

The report of the Director of Central Services recommended an addition to the Schedule of Outside Bodies and changes to annual appointments.

Particular reference was made to the Southern Water Local Authority Stakeholder Group whose main objective was to act as a platform for local authorities to come together to hold Southern Water to account for the poor quality of waterways and coastlines.

The Chair of Housing and Planning Scrutiny Select Committee had previously attended this Group on an informal basis. It was proposed that this arrangement be formalised by adding the Stakeholder Group to the Borough Council's Schedule of Outside Bodies for annual appointments and Cllr Boughton proposed, Cllr Harman seconded that Cllr D King, as the current Chair of Housing and Planning Scrutiny Select Committee, be appointed.

Following notification from the Parking and Traffic Regulations Outside London (PATROL) Adjudication Joint Committee that they were moving to in-person meetings in London, there was a requirement to appoint a new representative as the change in meeting arrangements was no longer convenient to the current appointee. Cllr Boughton proposed, Cllr Harman seconded that Cllr L Chapman be appointed as the Borough Council representative with immediate effect.

RESOLVED: That

(1) the Southern Water Local Authorities Stakeholder Group be added to the Schedule of Outside Bodes for annual appointments;

(2) Cllr D King be the Borough Council's appointment to the Southern Water Local Authorities Stakeholder Group with immediate effect; and

(3) Cllr L Chapman be appointed as the Borough Council representative to the PATROL Joint Committee with immediate effect.

MATTERS FOR INFORMATION

C 25/76 CHANGES TO THE CABINET PORTFOLIOS

In accordance with paragraph 6 of the Rules for the Making of Decisions by Executive Members (as set out in Part 4 of the Constitution) the Leader may amend the Scheme of Delegation relating to executive functions at any time during the year.

As advised at the Annual meeting of Council, the Leader had reviewed portfolio responsibilities to ensure effective decision making continued. Notice of this change had been given to the Chief Executive and to members of the Executive.

Decision Notice D250045MEM confirming the changes had been published on 3 June 2025. Revised Cabinet Member Portfolios was attached at Annex 1.

C 25/77 MINUTES OF CABINET AND COMMITTEES

The Minutes of meetings of the Cabinet and Committees for the period 1 April to 30 June 2025 set out in the Minute Book (Volume 3 attached as a supplement, were received and noted.

Any recommendations to the Council from Cabinet or Committees were resolved elsewhere on the agenda.

C 25/78 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.

C 25/79 EXCLUSION OF PRESS AND PUBLIC

The Mayor moved, it was seconded by Cllr Boughton and

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

PART 2 - PRIVATE

MATTERS FOR DECISION

C 25/80 BUDGET APPROVAL - BOROUGH COUNCIL COSTS - PLANNING APPEALS

(Reasons: Part 2 – Private – LGA 1972, Sch 12A Paragraph 3- Financial or business affairs for any particular person)

The report of the Director of Planning, Housing and Environmental Health sought approval for a supplementary estimate/budget to pay for appeal costs arising as a result of the Borough Council defending the grounds for refusal in respect of an upcoming planning appeal. These costs related only to Tonbridge and Malling's own costs and did not relate to the appellants costs.

Cllr Brown proposed, Cllr Boughton seconded and Council

RESOLVED: That a supplementary estimate/budget to pay for the Borough Council's costs in defending the upcoming planning appeal be agreed, as set detailed in the report.

C 25/81 PLANNING APPEAL - CASE MANAGEMENT REVIEW

(Reasons: Part 2 – Private – 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 Director of Central Services and Monitoring Officer presented the legal advice prepared by Counsel for consideration.

RESOLVED: That

(1) reason for refusal 4 be withdrawn;

(2) subject to securing an appropriate Grampian condition, reason for refusal 5 be withdrawn; and

(3) reason for refusal 6 be withdrawn.

C 25/82 DISPENSATION FOR COUNCILLOR NON-ATTENDANCE

(Reasons: Part 2 – Private – LGA 1972 Sch 12A Paragraph 1 – Information relating to an individual)

On the grounds that the Member had attended this meeting, the Mayor proposed that this item be withdrawn. This was seconded by Cllr Boughton and supported by the Council.

RESOLVED: That the matter be withdrawn.

The meeting ended at 11.05 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

HOUSING AND PLANNING SCRUTINY SELECT COMMITTEE

MINUTES

Tuesday, 15th July, 2025

Present: Cllr D W King (Chair), Cllr Mrs S Bell (Vice-Chair), Cllr G C Bridge, Cllr R W Dalton, Cllr P M Hickmott, Cllr M A J Hood, Cllr R W G Oliver, Cllr W E Palmer, Cllr K B Tanner, Cllr D Thornewell, Cllr C J Williams, Cllr R I B Cannon (substitute) and Cllr F A Hoskins (substitute)

Councillors A G Bennison, Mrs M Tatton, M Taylor, R P Betts*, M D Boughton*, L Chapman*, S Crisp*, Mrs A S Oakley* and M R Rhodes* were also present pursuant to Council Procedure Rule No 15.21.

(*participated via MS Teams)

Apologies for absence were received from Councillors D A S Davis and R V Roud.

HP 25/27 NOTIFICATION OF SUBSTITUTE MEMBERS

Notification of substitute Members were recorded as set out below:

- Councillor R Cannon substituted for Councillor D Davis
- Councillor F Hoskins substituted for Councillor R Roud

In accordance with Council Procedure Rules 17.5 to 17.9 these Councillors had the same rights as the ordinary member of the committee for whom they were substituting.

HP 25/28 DECLARATIONS OF INTEREST

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

HP 25/29 MINUTES

RESOLVED: That the notes of the meeting of the Housing and Planning Scrutiny Select Committee held on 20 May 2025 be approved as a correct record and signed by the Chair.

HP 25/30 KENT DOWNS NATIONAL LANDSCAPE - OUTSIDE BODY UPDATE

Representatives from the Kent Downs National Landscape, one of the Borough Council's outside bodies, provided Members with an overview of their organisation, particularly their role in planning.

Formerly known as Areas of Outstanding Natural Beauty, National Landscapes were nationally statutorily designated landscapes, on a par with National Parks, both aiming to conserve and enhance natural beauty.

Kent Downs National Landscape was in partnership with 12 local authorities, with Tonbridge and Malling Borough Council being one of them and having a Member representative and an officer representative sitting on their Advisory Committee.

During the presentation, particular reference was made to a statutory Kent Downs Management Plan, required under Section 89 of the Countryside and Rights of Way Act 2000, which Kent Downs National Landscape was seeking to deliver in consultation with all the local authorities in the area in the next 18 months.

Despite their limited role in Planning, Kent Downs National Landscape mainly focused on inputs to Local Plans and other strategies, including providing consultation responses, guidance documents and training. A further explanation was provided in respect of the Section 85 duty under the Countryside and Right of Way Act 2000 and how it should be complied with by the decision maker within the context of their Local Plans and Enforcement function.

Members welcomed the introduction and raised questions over the weight that was given to the response from the National Landscape in the determination of a planning application. It was recognised that, although not being a statutory consultee and having statutory planning function, the National Landscape would always seek to influence and advise on potential harm and their response was a key consideration taken into account by the Local Planning Authority, especially their advice provided on statutory requirements.

MATTERS FOR RECOMMENDATION TO THE CABINET

HP 25/31 PROPOSAL FOR MONTHLY MEMBER BRIEFING SESSIONS ON PRE-APPLICATION DEVELOPMENT PROPOSALS

Consideration was given to a proposal to establish regular, officer-chaired briefing sessions for Members, providing early visibility of major development proposals progressing through the pre-application

process. The aim was to enhance Member engagement while maintaining the confidentiality and integrity of the planning process.

As highlighted to Members, this new category of early Member engagement session service was intended solely for major and strategic development proposals and, in order to be eligible for participation, a scheme must fall within one of the qualifying categories and must either be currently undergoing or had recently completed one of the Council's formal pre-application services. Detailed qualifying criteria and proposed fees were set out in Section 4 of the report and in Annex 1 attached to the report.

Furthermore, within the proposal there was provision for an optional follow-up session, subject to a discounted fee, which could provide an opportunity for a revised scheme to be presented, demonstrating how the earlier Member feedback had been taken into account in the design development process.

Following a benchmarking exercise, the cost of presentation to Members for each scheme was proposed to be £1000 for an initial presentation and £500 for each follow-up presentation, and it was noted that these were compliant with the relevant legislation under the Local Government Act 2003.

A proposed structure and details of the operation of the sessions were set out in Section 5 of the report. With regard to the membership for these sessions, given that there was scope for all Members to be invited so that they could have a strategic oversight of the developments within the borough, particularly in the case of a planning application in one planning committee area having impact on another area, Members supported that invitation of the sessions be sent to all Members.

In addition, Members were reminded that information shared during these sessions should not be disclosed to the public at this stage and that they should keep an open mind throughout the session. In response to concerns raised by Members in respect of the risk of pre-determination, it was clarified that as Members were not making decisions at these sessions but only providing advice based on their local knowledge, pre-determination was not considered an issue within this proposal.

Members welcomed the introduction of this early-stage engagement opportunity, which would allow them to raise key planning issues, highlight local sensitivities, with the potential to influence the direction of development while changes could still be readily accommodated.

Finally, due regard was given to the finance and value for money consideration, the risk assessment and the legal implications outlined in the report.

It was proposed by Councillor King (Chair), seconded by Councillor Dalton and the Housing and Planning Scrutiny Select Committee

RECOMMENDED*: That the proposed approach to Council, indicating support for the establishment of monthly briefing sessions and the introduction of the proposed fees, which would supplement the existing pre-application services and as set out in Annex 1, be endorsed.

***Recommended to Cabinet**

HP 25/32 HERITAGE INFORMATION AND ADVICE TO SUPPORT THE LOCAL PLAN INCLUDING INFORMATION IN RELATION TO CONSERVATION AREAS

The report of the Director of Planning, Housing and Environmental Health set out the approach the Council should take in relation to obtaining heritage information and evidence to support the emerging Local Plan, including progressing work on Conservation Area Statements and Appraisals. In doing so, the report also considered advice from the Heritage Strategy [Annex 2], which was produced in 2024 to support the Local Plan.

Members acknowledged that information and evidence on heritage matters, including Conservation Area Statements / Appraisals, would provide information to help inform future change, development and design with regard to the sensitivities of the borough's historic environment and its unique character, ensuring that development could make a positive contribution to local character and distinctiveness as set out in paragraph 203 of the National Planning Policy Framework.

Careful consideration was given to a Conservation Area Appraisal / Statement Priority List, attached at Annex 1, which set out each Conservation Area within the borough, the size of the Conservation Area and whether a Conservation Area Appraisal already existed and the date of the Appraisal, where one had been undertaken previously. It was noted that out of the 60 Conservations Areas within the borough, 20 Areas had an Appraisal that detailed the aspects of their character which made them significant, although 16 of these were published between 2001 and 2011, and the remaining 40 Areas did not currently have a Statement or Appraisal at all.

Members appreciated that obtaining full Conservation Area Appraisals, either new or updated, for 60 Conservation Areas was not achievable within the Local Plan timetable given the deadline to submit a plan by December 2026. Therefore, a list of priority areas for which Conservation Area Statements were required to be obtained to support the emerging Local Plan were proposed in a table under paragraph 7.5.3 of the report.

Furthermore, Members recognised that where a Conservation Area Statement was prepared, it would be necessary to progress full Conservation Area Appraisals as well, as Conservation Area Statements were only a temporary measure to ensure that information was available in the absence of a full Conservation Area Appraisal, particularly for those Conservation Areas identified in Phase A and Phase B as set out in Annex 1. Therefore, an additional cost would be incurred should Members support producing Conservation Area Statements for all Conservation Areas that did not currently have a Conservation Area Appraisal rather than focusing on producing full Conservation Area Appraisals where necessary in the identified priority order. However, on the grounds of treating all Conservation Areas equally and ensuring up-to-date information, albeit in a brief form, was available for all the Conservation Areas to support the Local Plan process and development management functions, it was proposed by Councillor King (Chair) and seconded by Councillor Palmer that option (a) under paragraph 3.1.5 of the report be agreed by the Committee. Following a formal vote, there was majority support for the proposal.

Reference was also made to a draft Settlement Hierarchy [Annex 3], which set out the emerging settlement hierarchy and settlements considered to be sustainable.

Finally, due regard was given to the finance and value for money consideration, the risk assessment and the legal implications outlined in the report.

RECOMMENDED*: That

(1) the approach set out within this paper to progressing heritage information and evidence to support the Local Plan, be agreed;

(2) the approach to progressing Conservation Area Statements for those areas considered to be a priority to support the Local Plan, as set out in Table 3 under paragraph 7.5.3 or the report, be agreed;

(3) it be noted that, as part of the evidence gathering approach for the Local Plan, work would be progressed in relation to identifying any heritage issues as relevant to potential site allocations within the Local Plan process to ensure that sufficient information was provided at each key stage of the Local Plan process;

(4) the priority in progressing the additional work between the various Conservation Areas as set out in Annex 1, be agreed;

(5) short Conservation Area Statements be produced for all Conservation Areas that did not currently have a Conservation Area Appraisal as a starting point to ensure that information was

available for all Conservation Areas in the borough; it be noted that this would be at extra cost and would take both financial and staffing resource away from progressing full Conservation Area Appraisals for those that did not currently have one or where Appraisals required a review and update; and

(6) it be noted that the Heritage Strategy, attached at Annex 2, would be made publicly available follow this meeting of the Housing and Planning Scrutiny Select Committee on 15 July 2025.

***Recommended to Cabinet**

HP 25/33 DEVELOPMENT OF A HOMELESSNESS AND ROUGH SLEEPING STRATEGY

(Decision Notice D250083MEM)

The report of the Director of Planning, Housing and Environmental Health outlined a proposal to develop a standalone Homelessness and Rough Sleeping Strategy, as required under the Homelessness Act 2021 and within the context of a UK wide housing crisis, setting out how the Council would continue to tackle this increase in demand, and to ensure homelessness was prevented at the earliest opportunity and a range of housing options were available for those who had lost their homes.

The proposed approach of undertaking a comprehensive evidence base review of the challenges faced at a national, regional and local levels by the district, involving key stakeholders including Members and key partners, which would then be used to inform the development of a draft strategy and an associated action plan, was supported by Members.

In addition, the proposed timetable leading to the adoption of the strategy by Cabinet on 3 March 2026, following consideration of a draft strategy by the Scrutiny Select Committee on 2 December 2025 before undertaking a public consultation in December 2025 / January 2026, was noted.

Finally, Members were pleased to note that a contract to deliver the Rough Sleeper Prevention and Recovery Services for the borough had been awarded to Porchlight until the end of the financial year pending further grant funding from the Government.

It was proposed by Councillor King (Chair), seconded by Councillor Dalton and the Housing and Planning Scrutiny Select Committee

RECOMMENDED*: That

(1) the approach to the development of a draft Homelessness and Rough Sleeping Strategy for consultation, be endorsed;

(2) the engagement of key stakeholders, including Members and key partners, to assist and inform the development of the draft strategy, be agreed; and

(3) the proposed timetable which aimed to present a draft strategy to Housing and Planning Scrutiny Select Committee on 2 December 2025 with a final draft following consultation to be presented to Cabinet on 3 March 2026, be agreed.

***Decision taken by Cabinet Member for Housing, Environment and Economy**

HP 25/34 SPORTS FACILITIES EVIDENCE

The report of the Director of Planning, Housing and Environmental Health outlined the Council's emerging approach to maintaining and enhancing sports facilities in the borough through the adoption of the Indoor Sports Facilities Strategy [Annex 1] and the Playing Pitches and Outdoor Sports Facilities Strategy [Annex 2], which were evidence base progressed as part of the Local Plan process to ensure delivery of sustainable development to support existing and new communities.

It was noted that Sport England Guidance for progressing indoor sports strategies and playing pitch strategies provided a five-stage approach to assessments, of which Stage E provided an opportunity for monitoring and review of the assessments undertaken. In addition to accounting for increased housing need in support of the Local Plan process, Stage E also provided an opportunity to understand supply and demand changes in sports provision. There are a number of sports related developments under consideration in the borough at present, as outlined under paragraph 4.4 of the report.

Due regard was given to the proposal to adopt both Strategies as the Council's current policy position on Sports Facilities, in order to maximise the Council's ability to support and develop key facilities across the borough as well as to inform the negotiation of s106 agreement where development would impact on facility use and might therefore drive a requirement for a contribution towards enhancement or replacement.

Both the Indoor Sports Facilities Strategy and the Playing Pitches and Outdoor Sports Facilities Strategy were well received by Members, although concerns were raised in respect of the challenges faced by local sports clubs and teams in securing suitable facilities and the lack of support that the Borough Council was able to provide due to not having provision to deliver sports activities. It was hoped that adoption of the

strategies as the Council's policy position on sports facilities would facilitate the sports clubs and teams in seeking to meet their facility needs, and their views and comments received as part of the evidence base exercise through consultants during the Stage E review would be welcomed, however, the Borough Council would not be resourced to undertake a separate engagement exercise for an individual piece of evidence, which was acknowledged by Members.

It was proposed by Councillor King (Chair), seconded by Councillor Bell and the Housing and Planning Scrutiny Select Committee

RECOMMENDED*: That

(1) the Indoor Sports Facilities Strategy, set out in Annex 1, and the Playing Pitches and Outdoor Sports Facilities Strategy, set out in Annex 2, be endorsed and adopted as the Council's current policy position on sports facilities, subject to careful consideration of comments received from local sports teams; and

(2) the authority to publish Stage E reviews of these strategy reports to update the position to help inform the Local Plan and other Council workstreams, be delegated to the Director of Planning, Housing & Environmental Health, in consultation with the Cabinet Members for Planning and Community Services.

***Recommended to Cabinet**

HP 25/35 PLANNING TECHNICAL CONSULTATION RESPONSES

(Decision Notice D250084MEM)

The report of the Director of Planning, Housing and Environmental Health provided an update on the technical consultations that had been published by the Ministry of Housing, Communities and Local Government, relating to improving transparency and monitoring of building out of schemes and to proposed reforms to Planning Committees, including their size and which types of application could be considered by those committees.

It was noted that the response to the "Implementing measures to improve Build Out transparency: Technical consultation", attached at Annex 1, was submitted under delegated powers of the Director of Planning, Housing and Environmental Health, in consultation with the Cabinet Member for Planning, due to the timescales involved. The fact that the Government was considering measures to ensure schemes were commenced and built out in a timely manner was welcomed by Members, although it was recognised that details around potential enforcement powers, in particular the power to decline to determine applications if a developer had failed to build out development

authorised by an earlier planning permission at a reasonable rate, were yet to be laid out by the Government.

The proposed draft response to the "Reform of Planning Committees: Technical Consultation" was set out at Annex 2. Members noted that this consultation proposed reforms to the size of Planning Committees, as well as suggesting that Members on a Planning Committee would be required to have a certified programme of training. It also considered a potential tiering scheme to determine which types of application would be able to be considered by a Planning Committee, if meeting certain locally set criteria, and which would be delegated to officers.

While appreciating the careful thought that had been given and efforts made by the Director of Planning, Housing and Environmental Health in drafting the response, Members had a lengthy discussion around the proposed response to a number of the questions in the consultation, and suggested strengthening the answers in respect of Question 2 (highlighting the exception of reserved matter approvals for both major and medium development categories from Tier A category), Question 3 (clarifying that Tonbridge and Malling should be in the 'smaller Local Planning Authority' category and therefore medium residential development should fall in Tier B), Question 5 (strengthening the application of exceptional circumstances in line with a mandate to be set by the Government to ensure consistency), Question 9 (highlighting confirmation of Tree Preservation Order should be included in Tier B as per the Council's existing policy), Question 11 (accepting the application of exceptional circumstances with enforcement decisions being delegated in the main under Tier A), Question 12 (emphasising the objection of Members to the restrictions being considered by the Government in respect of setting a maximum number for planning committee members for national consistency and removing the reference of the size of planning committee being an acknowledged issue from the response) and Question 15 (expanding the response to capture the different views of Members on mandatory training).

In order to meet the deadline for submitting a response to the "Reform of Planning Committees: Technical consultation" by 23 July 2025, it was proposed by Councillor Williams and seconded by Councillor King (Chair) that the draft response be amended to reflect the comments made above and a final version agreed in consultation with the Cabinet Member for Planning and the Chair of the Housing and Planning Scrutiny Select Committee before submission to the Government. This motion was supported unanimously by the Committee.

RECOMMENDED*: That

(1) the response to the "Implementing measures to improve Build Out transparency: Technical consultation", which was submitted ahead of the 7 July 2025 deadline by the Director of Planning,

Housing & Environmental Health in consultation with the Cabinet Member for Planning, be noted; and

(2) the draft response to the "Reform of Planning Committees: Technical consultation", as set out in Annex 2, be amended to take into account comments made by Members at the Housing and Planning Scrutiny Select Committee on 15 July 2025, in consultation with the Cabinet Member for Planning and the Chair of the Housing and Planning Scrutiny Select Committee, and the submission of a revised final response by the 23 July 2025 deadline, be approved.

***Decision taken by Cabinet Member for Planning**

MATTERS SUBMITTED FOR INFORMATION

HP 25/36 PROCEDURE ON AMENDMENTS TO PLANNING INCLUDING RESERVED MATTERS APPLICATIONS - UPDATE

The report of the Director of Planning, Housing and Environmental Health provided an update on implementation of the Procedure on making amendments to Planning including Reserved Matters applications, following approval for adoption by Cabinet on 7 January 2025.

Main scenarios where amendments could be accepted without a Planning Performance Agreement were set out in paragraph 4.5 of the report.

In general, Members welcomed the introduction of the revised procedure on amendments and recognised that, although having been applied at only one Area Planning Committee meeting so far, it had provided flexibility in securing improvements to a development scheme. Equally, officers were also, overall, supportive of the amended procedure given the greater discretion it presented, enabling constructive working with applicants to enhance the quality of proposals without requiring full resubmissions.

Given the discretionary nature of the amendment procedure, Members were reminded that officers were not obliged to accept all proposed changes, and significant or major amendments would be excluded from the process, ensuring that such proposals were appropriately channelled through formal pre-application discussions.

Finally, Members noted that implementation of the procedure would continue to be monitored in accordance with national guidance, taking into account any potential future changes to the planning policy or legislation, although a further report would only be brought back to the

Committee if the Procedure failed to meet its intended objectives or caused unintended negative consequences.

HP 25/37 OFFENCES UNDER THE TREE PRESERVATION LEGISLATION

The report of the Director of Planning, Housing and Environmental Health provided an overview of the offences under the tree preservation legislation, including the classification of such offences, distinguishing between summary offences and those triable either way and the potential penalties arising from non-compliance. Additionally, the report included information on the Felling Licence regime administered by the Forestry Commission, as well as the role of Kent Police's Wildlife Crime Unit in enforcing relevant legislation.

The detailed information provided in the report, including the enforcement work carried out by Planning officers in addressing tree related breaches, was greatly appreciated by Members.

In response to a query regarding replacement planting of removed, uprooted or destroyed trees protected under a Tree Preservation Order, it was clarified that in accordance with the legislation if the tree(s) were removed either in contravention of the Order or under specified exemptions, the Order would automatically apply to the replacement tree as it did to the original tree.

With regard to Members' desire for a complete review of all the areas protected under Tree Preservation Orders in order to establish which trees were protected when an Order was originally implemented, so as to provide updated evidence to support the emerging Local Plan, it was explained and acknowledged that the Council's Planning Services were not able to commit to such a request given their current resource allocation, however, consideration would be given to a Tree Preservation Order review if such opportunity arise in the future, for example, when the legislation would be introduced to allow local planning authorities to set their own planning application fees, within a framework of cost recovery.

HP 25/38 WORK PROGRAMME 2025/26

The Work Programme setting out matters to be scrutinised during 2025/26 was attached for information.

It was noted that the date of the next Committee meeting had been moved from 7 October to 21 October 2025 to accommodate preparation of the evidence base for the Local Plan. In addition, it was noted that an item on the agenda for the next meeting in respect of the work associated with the Private Sector offer had been deferred to the following meeting scheduled for 2 December 2025, in order that the Committee meeting in October 2025 could focus on the Local Plan.

Finally, Members were invited to suggest future matters by liaising with the Chair of the Committee.

MATTERS FOR CONSIDERATION IN PRIVATE

HP 25/39 EXCLUSION OF PRESS AND PUBLIC

There were no matters considered in private.

The meeting ended at 10.30 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

COMMUNITIES AND ENVIRONMENT SCRUTINY SELECT COMMITTEE

MINUTES

Wednesday, 16th July, 2025

Present: Cllr S A Hudson (Chair), Cllr A G Bennison, Cllr G C Bridge (substitute), Cllr S Crisp, Cllr R W Dalton, Cllr F A Hoskins, Cllr D W King (substitute), Cllr J R S Lark, Cllr A McDermott, Cllr W E Palmer, Cllr S Pilgrim and Cllr M R Rhodes

Cllrs R P Betts, J Clokey, P M Hickmott, M A J Hood, D Keers and Mrs A S Oakley* were also present pursuant to Council Procedure Rule No 15.21.

(*participated via MS Teams)

Apologies for absence were received from Councillors Mrs M Tatton and K S Tunstall.

CE 25/17 NOTIFICATION OF SUBSTITUTE MEMBERS

Notification of substitute members were recorded as set out below:

- Cllr G Bridge substituted for Cllr M Tatton
- Cllr D King substituted for Cllr K Tunstall

In accordance with Council Procedure Rules 17.5 to 17.9 these councillors had the same rights as the ordinary member of the committee for whom they were substituting.

CE 25/18 DECLARATIONS OF INTEREST

For openness, Councillor James Lark declared that he was the Chair of the Heusenstamn Friendship Circle which was a stakeholder of Haysden Country Park, Item 11 on the agenda.

CE 25/19 MINUTES

RESOLVED: That the notes of the meeting of the Communities and Environment Scrutiny Select Committee held on 5 March 2025 be approved as a correct record and signed by the Chair.

CE 25/20 OUTSIDE BODIES UPDATE - MAIDSTONE MEDIATION SCHEME

Members received a presentation on the recent activities of the Maidstone Mediation Scheme.

The charity offered a free, confidential and impartial mediation service, which had been working in the Tonbridge and Malling community for over 20 years, helping to resolve conflict and the breakdown of relationships between individuals, organisations, families and groups.

MATTERS FOR RECOMMENDATION TO THE CABINET

CE 25/21 TONBRIDGE AND MALLING COMMUNITY AWARDS SCHEME

(Decision Notice D250086MEM)

Member approval was sought on a Community Awards Scheme which would recognise and celebrate individuals, groups and organisations who had made outstanding contributions through volunteering or initiatives that improved the lives of others.

In terms of the categories of award, Members suggested that the 'Individual volunteer of the year' and 'Young community champion' categories be broken down further into age categories.

It was proposed by Councillor Hudson (Chair), seconded by Councillor Rhodes and the Communities and Environment Scrutiny Select Committee

RECOMMENDED*: That

(1) the Community Awards Scheme for Tonbridge and Malling, be approved; and

(2) the categories of awards and the nomination process, as set out in the report, be agreed.

***Decision taken by Cabinet Member for Community Services**

CE 25/22 CLIMATE CHANGE MONITORING AND REPORTING

(Decision Notice: D250087MEM)

The Council had committed to producing annual climate change action plans and publishing its greenhouse gas emissions (Carbon Audits) to track progress towards the Council's carbon neutral by 2030 aspiration. The report summarised progress achieved to date, the new action plan and trends in emissions from the Council's estate and operations. A progress report for the Climate Change Action Plan Year 5 (2024/25), a Climate Change Action Plan Year 6 (2025/26) and the Carbon Audit for emissions in 2024/25 were attached respectively at Annexes 1, 2 and 3 to the report.

In terms of progress, most actions from the current year's Climate Change Action Plan were either complete or ongoing and the draft Action Plan for 2025-26 continued existing work and introduced new projects, subject to available funding. Members were made aware that the withdrawal of the Public Sector Decarbonisation Fund posed a challenge, however the Council would monitor and pursue alternative funding opportunities.

Whilst recognising that some increases in emissions were attributed to changes in building use and more accurate reporting rather than significant increases in activity, it was noted that the most significant sources of emissions across the TMBC estate and operations remained leisure facilities and refuse collection vehicles and addressing these would make the largest impact towards the 2030 carbon neutral aspiration. In the next year, the Council would continue to invest in renewable and low carbon technologies, part funded by grants awarded to the Council, to tackle emissions from leisure facilities. Furthermore, the new waste contract would offer an opportunity to take steps to reduce emissions from refuse collection.

During discussion, concern was raised regarding recycling at events, in particular contamination and the need to put the onus on the event organisers to ensure cross contamination did not occur.

Annual monitoring and reporting were essential for tracking progress towards the Council's environmental goals and ensuring accountability on the journey to carbon neutrality by 2030 and Members indicated that they would welcome an annual report on climate change monitoring.

Finally, due regard was given to the finance and value for money considerations and the risk assessment outlined in the report.

It was proposed by Councillor Hudson (Chair), seconded by Councillor Lark and the Communities and Environment Scrutiny Select Committee

RECOMMENDED*: That the publication of the Climate Change Action Plan Year 5 Progress Report, the Climate Change Action Plan Year 6 2025/2 and the Carbon Audit 2024/25, be approved.

***Decision taken by Cabinet Member for Housing, Environment and Economy**

CE 25/23 RENEWAL OF PUBLIC SPACE PROTECTION NOTICE

(Decision Notice D250088MEM)

The report gave details about the proposed Public Space Protection Order (PSPO) for 2026 and details of the consultation that must take place as part of the PSPO renewal process.

The PSPO had been in place in the borough since April 2017 and was reviewed in 2020 and 2023. The current PSPO was due to end in April 2026 and could be extended for a further three years. The report proposed to proceed with a PSPO containing multiple restrictions. Some of these restrictions were the same as included previously, as evidence had been provided to show that the issues were continuing. In addition, the report proposed one new restriction to prevent camping in the Memorial Gardens, Tonbridge. Furthermore, it was proposed that the restriction relating to the use of drones be amended to 'No person may launch or land a drone from any open space owned by the Borough Council without first obtaining authorisation from the Borough Council'. It was believed that each of the proposed restrictions would help prevent Anti-Social Behaviour in the borough.

Once approved, the Public Space Protection Order would go out for consultation for a six week period and a report would be brought back to a future meeting to give details of the consultation response and allow for a final Order to be confirmed.

On the grounds of public safety and the protection of wildlife, Members supported the inclusion of a new restriction prohibiting unauthorised catapult use, whilst noting that enforcement was only applicable to those persons over the age of 16 years.

It was proposed by Councillor Hudson (Chair), seconded by Councillor Pilgrim and the Communities and Environment Scrutiny Select Committee

RECOMMENDED*: That

(1) the proposed amendments to the Public Space Protection Order, be agreed, subject to the inclusion of an additional restriction prohibiting the unauthorised use of catapults; and

(2) the amended Public Space Protection Order, go out for public consultation for a six-week period.

***Decision taken by the Cabinet Member for Community Services**

CE 25/24 PREVENT STRATEGY ACTION PLAN 2025-2028

(Decision Notice D250089MEM)

Members considered the proposed Prevent Action Plan 2025-28, which had been developed in response to the duty under the Counter Terrorism and Security Act 2015. The Plan set out the Borough Council's actions to prevent individuals from being drawn into terrorism and to support the Government's Prevent Strategy.

The Prevent Action Plan, attached at Annex 1 of the report, detailed steps the Council would take over the next three years, both internally and in partnership with the Community Safety Partnership and built on previous work as well as identifying any outstanding actions. The Plan aimed to challenge all forms of terrorism and address the current substantial terrorism threat level in the UK.

During discussion, Members noted the requirement for a Prevent Action Plan, the importance of delivery for community safety, that Prevent training for Members had been completed and the Community Safety Partnership prioritised safeguarding at-risk individuals, with Prevent as a standing agenda item at meetings.

The Communities and Environment Scrutiny Select Committee

RECOMMENDED*: That the Prevent Action Plan 2025-2028, be supported and endorsed.

***Decision taken by the Cabinet Member for Community Services**

CE 25/25 HAYSDEN COUNTRY PARK MANAGEMENT PLAN 2025-2029 - CONSULTATION

(Decision Notice D250090MEM)

The report outlined the consultation process and recommendations for adopting the Haysden Country Park Management Plan 2025-29. After an extensive public consultation, responses were supportive, with suggestions largely focused on accessibility, content and specific projects. All comments had been carefully considered and a summary of the comments received and Officer responses was attached at Annex 2 to the report. There were no proposed amendments to the Plan following the consultation.

During discussion, on grounds of public safety, the raising of the priority of the footpath along Lower Haysden Lane from 3 to 1 was supported.

RECOMMENDED*: That the Haysden Country Park Management Plan 2025-29 be adopted, subject to a minor amendment to the Access Audit (12.3.3) and the comments of the Communities and Environment Scrutiny Select Committee.

***Decision taken by the Cabinet Member for Community Services**

MATTERS SUBMITTED FOR INFORMATION

CE 25/26 GRENFELL INQUIRY - IMPLICATIONS FOR COUNCIL OPERATIONS

The report of the Director of Planning, Housing and Environmental Health laid out the implications for the Council from the recommendations in the final report of the Grenfell Inquiry.

The inquiry looked at the circumstances leading up to and surrounding the Grenfell Tower disaster. Phase 1 looked at the events that led up to the fire on 14 June 2017, and Phase 2 focused on an analysis of the events that culminated in the tragedy and the Inquiry's recommendations on what should be done to prevent future similar disasters occurring. The Phase 2 report emphasised the importance of the role that local government had to play in major disaster prevention and management, and the need for authorities to have robust levels of preparedness in relation to such matters and the Inquiry put forward a number of specific recommendations that local authorities should take to ensure that effective plans were in place for the future. Government had already taken some steps and a summary of these were provided at Annex 1 of the report. A summary of the implications for the Council to consider were provided at Annex 2, and fell under building safety, social housing management and regulation and emergency planning and response.

CE 25/27 WORK PROGRAMME 2025-26

The Work Programme setting out matters to be scrutinised during 2025/26 was attached for information. Members were invited to suggest future matters by liaising with the Chair of the Committee.

MATTERS FOR CONSIDERATION IN PRIVATE

CE 25/28 EXCLUSION OF PRESS AND PUBLIC

There were no matters considered in private.

The meeting ended at 8.57 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

AUDIT COMMITTEE

MINUTES

Monday, 21st July, 2025

Present: Cllr R I B Cannon (Chair), Cllr J R S Lark (Vice-Chair), Cllr T Bishop, Cllr J Clokey, Cllr M A J Hood, Cllr B A Parry and Cllr M R Rhodes

Virtual: Councillors M A Coffin and W E Palmer participated via MS Teams in accordance with Council Procedure Rule No 15.21.

PART 1 - PUBLIC

AU 25/26 NOTIFICATION OF SUBSTITUTE MEMBERS

There were no substitute members.

AU 25/27 DECLARATIONS OF INTEREST

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

However, for reasons of transparency, Councillor Clokey reminded Members that in relation to agenda item 7 (Treasury Management Performance Update and Annual Report for 2024/25) he was employed by one of the companies who managed a multi asset fund which the Borough Council had invested in and was referenced in the report. As this did not represent either a Disclosable Pecuniary or Other Significant Interest there was no reason for Councillor Clokey to withdraw from the meeting.

AU 25/28 MINUTES

RESOLVED: That the Minutes of the meeting of the Audit Committee held on 14 April 2025 be approved as a correct record and signed by the Chairman.

MATTERS FOR RECOMMENDATION TO THE COUNCIL

AU 25/29 LOCAL CODE OF CORPORATE GOVERNANCE

The joint report of the Chief Executive and the Director of Central Services informed Members of the outcome of the annual review of the Local Code of Corporate Governance.

The Local Code was last reviewed in July 2024. The proposed changes to the Local Code were to reflect a small number of minor updates within the past year and a revised Code was attached at Annex 1 to the report.

Reference was made to a previous request that literation be included in future to demonstrate that checks were undertaken to ensure that procedures were being followed and were reviewed to ensure their effectiveness in determining the outcome, which implementation was impacted due to conflicting priorities within Legal Services but would be progressed in due course.

Furthermore, it was suggested that links to published documents referenced in the Local Code of Corporate Governance be included when the Code was reviewed and published in the future.

It was proposed by Councillor Cannon (Chair), seconded by Councillor Clokey and the Audit Committee

RECOMMENDED*: That the updates and amendments to the Local Code of Corporate Governance, as set out at Annex 1 to the report, be approved and commended to Council for adoption.

***Recommended to Council**

AU 25/30 TREASURY MANAGEMENT PERFORMANCE UPDATE AND ANNUAL REPORT FOR 2024/25

The report of the Director of Finance and Transformation provided an update on investments undertaken during April to May of the current financial year and set out the Treasury Management outturn position for 2024/25.

A full list of investments held on 30 May 2025 was attached at Annex 1 to the report and a copy of the lending list at Annex 2. In terms of cash flow and core cash investments, £422,170 was earned in interest to the end of May 2025, which had exceeded expectation when compared to the original estimate for the same period. The positive variance was primarily driven by the slower-than-anticipated reduction in the Bank Rate, which had resulted in sustained higher interest yields on deposits. An extract from MUFG's (Mitsubishi UFJ Financial Group, formerly Link Asset Services) latest benchmarking data was provided in the form of a scatter graph at Annex 3, which showed that as at 31 March 2025 the Borough Council's return was 4.67%, in line with the local benchmarking group average of 4.56%.

With regard to long term investment, during the period 1 April 2025 to 31 May 2025, the £3m investment in property funds were estimated to have generated dividends of £28,730 which represented an annualised return of 4.61%, compared to 3.92% in 2024/25. Between April and May 2025, all property fund investments recorded capital depreciation. Despite

this, property funds had continued to distribute dividends, with an estimated £30,045 to be received for the first two months of the financial year.

Following the termination of the Lothbury Property Trust, five payments had been received to-date totalling £1,276,520 of the initial investment. Taking into account the dividends received in the sum of £380,755 since the fund's inception up to May 2025, the breakeven point would be achieved with the recovery of £342,725 from the sale of outstanding assets, which were expected to be concluded by the end of August 2025.

In addition, being a small-value investment stakeholder in the Hermes Property Trust, the Council would have the shares realised and paid out upon successful completion of the merger of the Trust.

Furthermore, reference was made to the recent acquisition of CCLA Investment Management Limited by Jupiter Investment Management Group Limited, subject to regulatory approval, and the potential benefit to arise from the acquisition was acknowledged.

Under medium term investment, during the period April to May 2025, the £4.25m investment in multi asset funds generated dividends of £36,460, which represented an annualised return of 5.13%.

Finally, Member's attention was drawn to the Treasury Management Annual Report for 2024/25 as set out at Annex 4, which provided a summary of the investment performance. The combined performance of the Council's investments exceeded the revised estimate by £375,604, and £846,854 when compared to the 2024/25 original estimates, mainly due to the Bank initiating its easing cycle and reducing the rates at a slower pace than anticipated in 2024/25.

It was proposed by Councillor Cannon (Chair), seconded by Councillor Rhodes and the Audit Committee

RECOMMENDED*: That the following be commended to Council:

(1) the action taken by officers in respect of Treasury Management activity for April to May 2025, be endorsed;

(2) the 2024/25 outturn position, be noted; and

(3) the current position in respect of Lothbury and Hermes Property Investment Funds, be noted.

***Recommended to Council**

MATTERS FOR RECOMMENDATION TO THE CABINET

AU 25/31 RISK MANAGEMENT

The report of the Management Team provided an update on the risk management process and the Strategic Risk Register. An update was also provided in respect of the work being undertaken within the Council to champion risk management.

An executive summary of the RED risks was provided at Annex 1 to the report and a full update on the current strategic risks and how they were being managed as at the time of writing were set out at Annex 1a to the report. The risks that were categorised RED at the time of the April 2025 meeting were:

- Achievement of Savings and Transformation Strategy
- Failure to agree a Local Plan
- Managed exit from the Agile System

Following a review of the risks on the Strategic Risk Register, updates had been made with notes in red to reflect the current strategic risks and mitigations, although it was noted that risks categorised RED remained as above.

Reference was made to the risk in respect of 'Devolution and Reorganisation in Kent Local Government', which remained as 'Amber' at this stage, although it was recognised that the ongoing risk assessment would be informed by the work underway regarding the submissions from the Kent authorities with the assistance of an appointed strategic partner.

During discussion, particular concern was raised by Members on the level of risk associated with cyber-attack given the significant impact it could have on the operation of an organisation. Although 'Cyber Security' risk was currently categorised as 'Amber' on the Strategic Risk Register, the importance of ensuring appropriate and robust mitigation measures in place was reinforced.

A schedule of ongoing risks and risks identified by Service Management Teams and Management Team since the last report to the Committee were set out at Annex 2 to the report.

In addition, Members were updated on the progress in respect of the review of the Risk Management Strategy led by the officer Risk Champions Group, with particular reference made to the proposal regarding the matrix model used in the Council's Strategic Risk Register. An updated Strategy was anticipated to be presented to the Committee to review in September 2025.

It was proposed by Councillor Cannon (Chair), seconded by Councillor Lark and the Audit Committee

RECOMMENDED*: That

(1) the updates to the Strategic Risk Register since the last iteration, with particular emphasis on those risks categorised as RED as shown in Annexes 1 and 1a of the report, be noted; and

(2) the service risks identified in Annex 2 of the report, be noted.

***Recommended to Cabinet**

MATTERS FOR DECISION UNDER DELEGATED POWERS

AU 25/32 ANNUAL GOVERNANCE STATEMENT 2024/25

The report of the Management Team presented the Annual Governance Statement for the year ended 31 March 2025, which was certified by both the Leader of the Council and the Chief Executive on 31 May 2025 and would accompany the Council's Statement of Accounts 2024/25.

The Annual Governance Statement, attached at Annex 1 to the report, had been prepared by reference to the self-assessment questionnaire and supporting evidence accompanying the Local Code of Corporate Governance, to demonstrate that there was a sound system of corporate governance throughout the organisation.

It was proposed by Councillor Cannon (Chair), seconded by Councillor Rhodes and the Audit Committee

RESOLVED: That the Annual Governance Statement for the year ended 31 March 2025, as set out at Annex 1 to the report, be endorsed.

AU 25/33 DRAFT STATEMENT OF ACCOUNTS 2024/25

The report of the Director of Finance and Transformation presented an unaudited set of Accounts for 2024/25 in the format specified by the Code of Practice on Local Authority Accounting in the United Kingdom. Attention was drawn to the Statement of Accounts attached at Annex 1 to the report.

The final contribution to the General Revenue Reserve was in the region of £1.1m, which represented a positive variation of £43k. This was predominantly due to the levels of investment income that were able to be achieved over the last year alongside higher levels of income from other Council sources.

The Council's net worth increased by £15.2m in 2024/25 due to a number of factors, significantly the £3.2m reduction in pension liability

due to asset returns having been higher than expected and the increase of heritage asset values by £4m based on the Council's insurance valuations for the year.

Overall there had been an increase in the value of the Borough Council's Assets, however, it was noted that the Council's investment properties had decreased slightly since last year.

During discussion, it was noted that despite the wider backlogs in Local Authority Accounting and Audits, the Borough Council's Accounts were finalised by 31 May 2025, allowing the Council to benefit from an earlier External Audit, which had already commenced and was making good progress, with an aim for the Accounts to be signed off by the External Audit ahead of the next meeting of the Audit Committee in September 2025.

It was proposed by Councillor Cannon (Chair), seconded by Councillor Hood and the Audit Committee

RESOLVED: That

(1) the enclosed unaudited set of Accounts for 2024/25 [Annex 1], be noted and endorsed; and

(2) the Statement provided by the Director of Finance and Transformation [Annex 3] in support of assertions made in the Statement of Responsibilities for the Statement of Accounts, be noted.

AU 25/34 REVIEW OF THE EFFECTIVENESS OF INTERNAL AUDIT 2024/25

The report of the Director of Finance and Transformation informed the Committee of the findings of the Annual Review of the Effectiveness of the Internal Audit Function for the year 2024/25, conducted by the Chief Audit Executive. A summary of the findings of this review was attached at Annex 1 to the report.

An update was provided in respect of the Audit Plan completion performance as set out under 'Key performance indicator outturns' in the review report. It was noted that since publication of the agenda, progress had been made on one of the two outstanding audits, resulting in an increase of the completion rate from 85.71% to 92.85%, achieving the target of 90%.

Members were advised that the Management Team had considered the outcome of the review and concluded that the opinion on the effectiveness of the Internal Audit function in place for the year 2024/25 was Good.

It was proposed by Councillor Cannon (Chair), seconded by Councillor Bishop and the Audit Committee

RESOLVED: That on the basis of the findings of the review, the opinion that the effectiveness of the Internal Audit function for the year 2024/25 was Good, be endorsed.

AU 25/35 INTERNAL AUDIT AND COUNTER FRAUD QUARTER 4 PROGRESS REPORT AND ANNUAL OPINION

The report informed the Committee of the opinion of the Chief Audit Executive on the Council's framework for governance, risk management and control, together with the Internal Audit work completed during 2024/25 to support that opinion.

Attention was drawn to an Internal Audit Annual Report, attached at Annex 1, which provided a summary of the work completed by the Internal Audit service during 2024/25, highlighting key messages and outcomes, issues, patterns, strengths and areas for development in respect of internal control, risk management and governance arising from work undertaken by Internal Audit.

During discussion, particular reference was made to the Audit Opinion in respect of Temporary Accommodation, which was 'Limited' on the assurance level, and Members were provided with an explanation of the key area identified for development and an update on progress being made in Housing Services.

Furthermore, the report also informed the Committee of the work carried out by the Counter Fraud function in 2024/25 and Members raised queries in respect of the process rate and potential savings as outlined in the National Fraud Initiative, attached at Appendix 2 to the Internal Audit Annual Report [Annex 1].

It was proposed by Councillor Cannon (Chair), seconded by Councillor Parry and the Audit Committee

RESOLVED: That

(1) this Internal Audit and Counter Fraud Progress Report, as a source of independent assurance regarding the risk, control and governance environment across the Council, noting the outcomes from previously reported 2024/25 Internal Audit and Counter Fraud work and activity and the updates for quarter 4 2024/25, be noted; and

(2) the resultant Annual Opinion of 'Substantial' for the year 2024/25, be noted.

MATTERS SUBMITTED FOR INFORMATION

AU 25/36 GRANT THORNTON AUDIT PROGRESS REPORT AND SECTOR UPDATE

The report of the Director of Finance and Transformation introduced a progress report on the Audit being undertaken on the Financial Statements for 2024/25 and updates on emerging national issues and developments identified by the external auditor, Grant Thornton, as set out at Annex 1 to the report.

During discussion, Members were pleased to note that the External Audit currently undertaken by Grant Thornton was progressing well with no significant areas identified in the planning stage and all was on track for reporting audit findings to the Committee at the next meeting in September 2025.

AU 25/37 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 8.50 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

FINANCE, REGENERATION AND PROPERTY SCRUTINY SELECT COMMITTEE

MINUTES

Tuesday, 22nd July, 2025

Present: Cllr D Harman (Chair), Cllr M R Rhodes (Vice-Chair), Cllr L Athwal (substitute), Cllr A G Bennison, Cllr T Bishop, Cllr P Boxall, Cllr L Chapman, Cllr J Clokey, Cllr D A S Davis (substitute), Cllr W E Palmer, Cllr S Pilgrim, Cllr S A Hudson (substitute) and Cllr C J Williams

Councillors Mrs S Bell, M D Boughton, M A Coffin and Mrs A S Oakley* were also present pursuant to Council Procedure Rule No 15.21.

(*participated via MS Teams)

Apologies for absence were received from Councillors R I B Cannon, B A Parry and K B Tanner

PART 1 - PUBLIC

FRP 25/15 NOTIFICATION OF SUBSTITUTE MEMBERS

Notification of substitute members were recorded as set out below:

- Cllr L Athwal substituted for Cllr B Parry
- Cllr D Davis substituted for Cllr R Cannon
- Cllr S Hudson substituted for Cllr K Tanner

In accordance with Council Procedure Rules 17.5 to 17.9 these Councillors had the same rights as the ordinary member of the committee for whom they were substituting.

FRP 25/16 DECLARATIONS OF INTEREST

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

However, for reasons of transparency, Cllr Coffin advised that in relation to agenda item 6 (Outside Bodies Update – West Kent Partnership), he was the Director of Phoenix Fireworks, which had been a beneficiary of the West Kent Rural Grant Scheme.

FRP 25/17 MINUTES

RESOLVED: That the notes of the meeting of the Finance, Regeneration and Property Scrutiny Select Committee held on 27 May 2025 be approved as a correct record and signed by the Chair.

FRP 25/18 OUTSIDE BODIES UPDATE - WEST KENT PARTNERSHIP

The report provided an overview of the West Kent Partnership, an economic partnership funded by Tonbridge and Malling Borough Council, Sevenoaks District Council and Tunbridge Wells Borough Council. A large amount of the work of the Partnership over the past 2-3 years had been on the delivery of UK Shared Prosperity Fund and Rural England Prosperity Fund initiatives, which included the West Kent Business Support Programme and the West Kent Rural Grants Scheme.

Following announcements by Government that both the UK Shared Prosperity Fund and Rural England Prosperity Fund would be extended for a one year period, the West Kent Rural Grants Scheme and the West Kent Business Support Programme would continue in 2025/26.

MATTERS FOR RECOMMENDATION TO THE CABINET

FRP 25/19 DIGITAL & IT STRATEGY PROGRESS UPDATE

(Decision Notice D250091MEM)

The report provided an update on progress to date with regard to the Council's Digital and IT Strategy for the period 2023-2027.

Over the past two years, the Council had made significant progress in delivering its Digital and IT Strategy 2023-27. The focus had been on improving service delivery, strengthening cyber security, and enhancing the digital experience for residents and staff. The roadmap for the strategy was attached at Annex 1 to the report and a detailed list of projects was attached at Annex 2.

***RECOMMENDED**: That the progress made to date on the Council's Digital and IT Strategy since its adoption in May 2023, and the direction of travel, be noted.

***Decision taken by Cabinet Member**

MATTERS SUBMITTED FOR INFORMATION

FRP 25/20 LOWER MEDWAY INTERNAL DRAINAGE BOARD PROPOSED MERGER

The report of the Director of Finance and Transformation advised that notice was formally given on 10 June 2025 of a formal merger between the Lower Medway Board and the North Kent Marshes Water Level Management Board. The consultation period closed on 10 July 2025. It was noted that the amalgamation would bring greater efficiency, enhanced resilience, improved service delivery and increased transparency and accountability.

FRP 25/21 2024/25 FINANCIAL OUTTURN AND MAY 2025 BUDGETARY REPORT

The report of the Director of Finance and Transformation informed Members of the 2024/25 Financial Outturn and the current financial position to the end of May 2025 for the 2025/26 Financial Year.

A detailed revenue and capital outturn position for the year 2024/25 was provided in the Revenue and Capital Outturn Booklet attached at Annex 1. Members were pleased with the positive revenue position for 2024/25, reported as a contribution to the Borough Council's General Revenue Reserve of £109,493 after taking into account the additional reserve movements as set out in paragraph 3.13 of the report.

Details of the movements in reserve balances as at 31 March 2025 were set out in Annex 2 and a summary of decisions taken by Cabinet and Committees with budget implications since the revenue budget was approved by Council in February 2025 was attached at Annex 3.

Budgetary Control Monitoring Statements for Salaries and Incomes to end of May 2025 were attached for information at Annex 4 and Annex 5 respectively. The 2024/25 revenue budget position was summarised in paragraph 4.8 of the report, which reflected a favourable net variance of £291,052 as at the end of May 2025.

With regard to Business Rates monitoring, particular reference was made to the variation of £198,640 below the original estimate of an overall net income of £4,011,309, due to an increased level of empty properties and the awaited valuations of business properties adjacent to Junction 5 of the M20.

In terms of the Annual Service Delivery Plan and the MTFS Funding Gap, the Plan contained an objective to identify at least £300k of the current year's £600k savings target by the end of the summer 2026. Work with services was approaching completion to identify this target

and would be reported to the Finance, Regeneration and Property Scrutiny Select Committee in September 2025; and options for consideration to balance this year's target and the £2.2m ongoing targets in years beyond 2025/26 would be presented to Cabinet over the remainder of the financial year.

FRP 25/22 CONSULTATION - 'THE FAIR FUNDING REVIEW 2.0'

The report advised of the release of the Fair Funding Review consultation which was launched on 20 June 2025 and would close on 15 August 2025. It was noted that the consultation did not include provisional allocations at local authority level and it was envisaged that this indicative information would be available in the early Autumn through a policy statement and it was the Government's intention to implement funding changes in the 2026/27 local government finance settlement.

Officers would formulate a response to the consultation, in liaison with the Cabinet Member for Finance, Waste and Technical Services, and the submission would be completed before the deadline of 15 August 2025. Given the significance of the potential impact of the proposed changes, the response would be reported to the September meeting of the Scrutiny Select Committee.

FRP 25/23 CONSULTATION - MODERNISING AND IMPROVING THE ADMINISTRATION OF COUNCIL TAX

The report advised of the release of a consultation 'Modernising and improving the administration of council tax' which was launched on 20 June 2025 and which would close on 12 September 2025. Details of the proposals included in the consultation were set out in section 3.4 of the report.

Members discussed in particular the Government's proposal to change council tax billing from 10-months to 12-months by default to assist households in managing their finances. Although it was proposed that the ability for households to pay over 10 months would be maintained. Concern was raised regarding the potential impact on the Council's cashflow and the impact that the change would have on those who experience difficulties in managing their financial affairs.

Officers would formulate a response to the consultation, in liaison with the Cabinet Member for Finance, Waste and Technical Services and the final response would be submitted to the Scrutiny Select Committee in September 2025.

FRP 25/24 WORK PROGRAMME 2025/26

The Work Programme setting out matters to be scrutinised during the next year was attached for information. Members were invited to suggest future matters for 2025/26 by liaising with the Chair of the Committee and the Scrutiny Officer.

MATTERS FOR CONSIDERATION IN PRIVATE

FRP 25/25 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

MATTERS FOR RECOMMENDATION TO THE CABINET

FRP 25/26 ANNUAL SENIOR INFORMATION RISK OWNER REPORT 2025-26

(Reasons: Part 2 Private – LGA 1972 Sch 12A Paragraph 3 – Finance or business affairs of any particular person)

The new Annual Senior Information Risk Owner (SIRO) report for 2024/25 provided a comprehensive overview of the key activities, achievements, and challenges faced by the council over the past year. Through the report, the SIRO aimed to keep Members informed and engaged, ensuring transparency and accountability in all the Council's information security endeavours.

The Annual SIRO Report for 2024/25, attached at Annex 1 to the report, highlighted the Council's dedication to delivering efficient services for all residents whilst maintaining an effective council. By analysing the Council's strategic initiatives, operational performance and financial health, the report supported informed decision-making and continuous improvement.

***RECOMMENDED:** That

(1) the annual report providing strategic oversight and assurance on organisational information risk and digital resilience be acknowledged;

(2) the proposed investment in enhanced cybersecurity services be supported, and a procurement process be initiated accordingly;

(3) the associated costs for incident response be covered using available grant funding; and

(4) the ongoing operational costs for security monitoring be funded from existing reserves initially and incorporated into the core budget in future financial years.

***Recommendation to Cabinet**

The meeting ended at 8.52 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

CABINET

MINUTES

Tuesday, 29th July, 2025

Present: Cllr M D Boughton (Chair), Cllr D Keers, Cllr A Mehmet and Cllr M Taylor

Councillors L Athwal, Mrs S Bell, L Chapman, M A J Hood, S A Hudson, W E Palmer, R I B Cannon* and S Crisp* were also present pursuant to Access to Information Rule No 23.

(*participated via MS Teams)

Apologies for absence were received from Councillors R P Betts and M A Coffin.

PART 1 - PUBLIC

CB 25/88 DECLARATIONS OF INTEREST

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

MATTERS IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION

EXECUTIVE KEY DECISIONS

CB 25/89 HERITAGE INFORMATION AND ADVICE TO SUPPORT THE LOCAL PLAN INCLUDING INFORMATION IN RELATION TO CONSERVATION AREAS

(Decision Notice D250093CAB)

Consideration was given to the recommendations of the Housing and Planning Scrutiny Select Committee of 15 July 2025 in respect of the approach the Council should take in relation to obtaining heritage information and evidence to support the emerging Local Plan including progressing work on Conservation Area statements and Appraisals. Consideration was also given to advice from the Heritage Strategy that was produced in 2024 to support the emerging Local Plan.

It was acknowledged that information and evidence on heritage matters, including Conservation Area Statements / Appraisals, would provide information to help inform future change, development and design with regard to the sensitivities of the borough's historic environment and its unique character, ensuring that development could make a positive

contribution to local character and distinctiveness as set out in paragraph 203 of the National Planning Policy Framework.

Careful consideration was given to a Conservation Area Appraisal / Statement Priority List, attached at Annex 1, which set out each Conservation Area within the borough, the size of the Conservation Area and whether a Conservation Area Appraisal already existed and the date of the Appraisal, where one had been undertaken previously.

Cabinet had due regard to the views of the Scrutiny Select Committee, the finance and value for money consideration, the risk assessment and the legal implications outlined in the report.

Cllr Taylor proposed, seconded by Cllr Boughton and Cabinet

RESOLVED: That

(1) the approach set out within this paper to progressing heritage information and evidence to support the Local Plan, be agreed;

(2) the approach to progressing Conservation Area Statements for those areas considered to be a priority to support the Local Plan, as set out in Table 3 under paragraph 7.5.3 of the report, be agreed;

(3) it be noted that, as part of the evidence gathering approach for the Local Plan, work would be progressed in relation to identifying any heritage issues as relevant to potential site allocations within the Local Plan process to ensure that sufficient information was provided at each key stage of the Local Plan process;

(4) the priority in progressing the additional work between the various Conservation Areas as set out in Annex 1, be agreed;

(5) short Conservation Area Statements be produced for all Conservation Areas that did not currently have a Conservation Area Appraisal as a starting point to ensure that information was available for all Conservation Areas in the borough; it be noted that this would be at extra cost and would take both financial and staffing resource away from progressing full Conservation Area Appraisals for those that did not currently have one or where Appraisals required a review and update; and

(6) it be noted that the Heritage Strategy, attached at Annex 2, had been made publicly available following the Housing and Planning Scrutiny Select Committee meeting on 15 July 2025.

CB 25/90 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 7.04 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

AREA 1 PLANNING COMMITTEE

MINUTES

Thursday, 31st July, 2025

Present: Cllr D W King (Vice-Chair), Cllr L Athwal, Cllr K Barton, Cllr G C Bridge, Cllr J Clokey, Cllr A Cope, Cllr F A Hoskins, Cllr R W G Oliver, Cllr B A Parry, Cllr S Pilgrim, Cllr M R Rhodes and Cllr K S Tunstall

An apology for absence was received from Councillor A Mehmet.

PART 1 - PUBLIC

AP1 25/19 DECLARATIONS OF INTEREST

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

However, for reasons of transparency Cllr Tunstall advised that one of the public speakers was known to him. As he retained an open mind on the applications to be considered this did not represent an Other Significant Interest and he remained in the meeting.

AP1 25/20 MINUTES

RESOLVED: That the Minutes of the meeting of the Area 1 Planning Committee held on 22 May 2025 be approved as a correct record and signed by the Chairman.

AP1 25/21 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 tabled at the meeting.

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

MATTERS FOR DECISION UNDER DELEGATED POWERS (IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION)

AP1 25/22 TM/25/00195/PA - 6 HALF MOON LANE, HILDENBOROUGH, TONBRIDGE

Demolition of existing dwelling and construction of two replacement detached properties. Associated landscaping alterations.

Due regard was given to the determining issues, conditions, reasons and informatives as detailed in the report of the Director of Planning, Housing and Environmental Health. Whilst some concern was expressed that the proposed development would be incongruous in the street scene, over-intensive and impact on neighbours because of poor orientation, after careful deliberation it was considered that no unacceptable impacts arising from the proposal had been identified that would significantly and demonstrably outweigh the potential benefits of the scheme. However, to address drainage concerns Officers recommended that a drainage strategy setting out the method in which foul and surface water run off would be managed be provided by the applicant.

Cllr Hood proposed, Cllr Athwal seconded and following a formal vote it was

RESOLVED: That planning permission be APPROVED in accordance with the submitted details, conditions, reasons and informatives set out in the report of the Director of Planning, Housing and Environment Health; subject to

(1) the signing of a legal agreement to secure off-site BNG credits;

(2) the addition of condition 9 in respect of drainage:

No development, other than the demolition of any buildings, removal of hardstanding, ground investigations or site survey works, shall take place until a drainage strategy setting out the method in which foul and surface water run off resulting from this development proposals are to be managed in accordance with the hierarchy of drainage options as set out in the National Planning Practice Guidance: Flood risk and coastal change has been submitted to and approved in writing by the Local Planning Authority. The dwellings shall not be occupied unless and until the drainage method detailed in the drainage strategy has been implemented in accordance with the approved details and thereafter be retained and maintained.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal and to ensure ongoing efficiency of the drainage provisions.

[Speakers: Mr N Mitchell (member of the public) and Mr C Bergdahl (applicant)]

MATTERS FOR INFORMATION

AP1 25/23 PLANNING APPEALS, PUBLIC INQUIRIES AND HEARINGS

The report setting out updates in respect of planning appeals, public inquiries and hearings held since the last meeting of the Planning Committee was received and noted.

AP1 25/24 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 8.20 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

AREA 2 PLANNING COMMITTEE

MINUTES

Wednesday, 6th August, 2025

Present: Cllr W E Palmer (Chair), Cllr B Banks, Cllr M D Boughton, Cllr P Boxall, Cllr M A Coffin, Cllr S A Hudson, Cllr R V Roud, Cllr K B Tanner, Cllr Mrs M Tatton and Cllr M Taylor.

Apologies for absence were received from Councillors C Brown (Vice-Chair), R P Betts, S Crisp*, Mrs T Dean*, D Harman and J R S Lark.

(*apologies for in person attendance and participated via MS Teams when invited by the Chair to do so).

PART 1 - PUBLIC

AP2 25/37 DECLARATIONS OF INTEREST

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

AP2 25/38 MINUTES

RESOLVED: That the Minutes of the meeting of the Area 2 Planning Committee held on 25 June 2025 be approved as a correct record and signed by the Chairman.

AP2 25/39 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 tabled at the meeting.

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

MATTERS FOR DECISION UNDER DELEGATED POWERS (IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION)

AP2 25/40 TM/25/00501/PA - FORMER RYARSH PLACE FARM, BIRLING ROAD, RYARSH, WEST MALLING

As a result of the planning appeal decision in respect of the previously refused application (TM/23/03202/0AMIN) being received, this item was WITHDRAWN from the agenda.

AP2 25/41 TM/24/01923/PA - LAND EAST OF LAND KNOWN AS MUMBLES FARM, CROUCH LANE, BOROUGH GREEN, SEVENOAKS

Lawful Development Certificate Existing: Section 191, Town and Country Planning Act 1991, for the change of use of land from Agricultural Land to use as a Caravan site for the siting of a static caravan for human habitation and land used in conjunction with that human habitation, as defined in Section 1(4) of the Caravan Sites and Control of Development Act 1960.

The application sought to establish the lawful stationing and occupation of a mobile home for human habitation. The applicant asserted that the above had been in place in excess of 10 years and therefore would now be lawful. Due regard was given to the determining issues as detailed in the report of the Director of Planning, Housing and Environmental Health and the views of the public speakers. Although concern was expressed that the proposal would have a detrimental impact upon the Green Belt it was accepted that whether the application would be inappropriate development was not for consideration in this case and evidence of continuous use needed to be determined. However, concern was also expressed that there was insufficient evidence of habitation as there were no Council Tax or Business Rate records for the site.

After careful deliberation it was accepted that the caravan had been used for residential purposes from December 2013 to date as the Local Planning Authority had no evidence to contradict the applicant's version of events and Statutory Declarations supporting this position had been received. Whilst it was acknowledged that the current owner had not registered for Council Tax, this was a separate function outside of planning matters and would be referred to the appropriate team within the Borough Council to consider further. Members were reassured that the certificate would only apply to a single static caravan.

In these circumstances, there was no good reason to refuse to grant a certificate and Cllr Palmer proposed, Cllr Boughton seconded and following a formal vote the Committee

RESOLVED: That

(1) the certificate of lawfulness be APPROVED in accordance with the submitted details set out in the report of the Director of Planning, Housing and Environment Health; and

(2) the submitted evidence was sufficiently clear and unambiguous to support, on a balance of probabilities, the conclusion that the mobile home at land east of land known as Mumbles Farm had been occupied for residential purposes for a period in excess of 10 years prior to the submission of the application.

(Speakers: Mr C Baseley, Platt Parish Council; Mr T White, agent)

AP2 25/42 TM/24/01969/PA - 2 BAYWELL, LEYBOURNE, WEST MALLING

Outline Application: all matters reserved for: Demolition of existing garage and erection of new detached self build dwelling

Due regard was given to the determining issues, conditions, reasons and informatives as detailed in the report of the Director of Planning, Housing and Environmental Health and the views of the public speakers.

Whilst some concern was expressed that the proposed development constituted over development of a constrained residential plot resulting in demonstrable harm to the character, safety, amenity and environmental quality of the area, after careful deliberation it was considered that no unacceptable impacts arising from the proposal had been identified that would significantly and demonstrably outweigh the potential benefits of the scheme.

However, Members sought reassurance that the materials used would be in keeping with the area and that concerns in respect of overlooking at the rear of the property and turning of vehicles would be addressed at the reserved matters stage of the application.

Cllr Hudson proposed, Cllr Boughton seconded and following a formal vote, the Committee

RESOLVED: That the outline application be APPROVED in accordance with the submitted details, conditions, reasons and informatives set out in the report of the Director of Planning, Housing and Environmental Health, subject to

(1) the signing and completion of an Unilateral Undertaking confirming that the development would be self-built and thus exempt from Bio-diversity Net Gain (BNG) requirements;

(2) the amendment of Condition 2 to remove reference to the proposed site plan, proposed elevations and site layout; and

(3) the reserved matters application being presented to Members for approval.

(Speakers: Mr H Joseph, Mrs E Joseph, Mr M Ellis – Members of the public; and Mr J Chapman - applicant)

AP2 25/43 PLANNING APPEALS, PUBLIC INQUIRIES AND HEARINGS

The report setting out updates in respect of planning appeals, public inquiries and hearings since the last meeting of the Planning Committee was received and noted.

AP2 25/44 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 8.51 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

CABINET

MINUTES

Tuesday, 2nd September, 2025

Present: Cllr M D Boughton (Chair), Cllr R P Betts, Cllr M A Coffin, Cllr D Keers, Cllr A Mehmet and Cllr M Taylor

***Virtual:** Cllrs L Athwal, Mrs S Bell, S Crisp, D Harman, Mrs A S Oakley, M R Rhodes and K B Tanner were also present pursuant to Access to Information Rule No 23.

(*participated via MS Teams)

PART 1 - PUBLIC

CB 25/91 DECLARATIONS OF INTEREST

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

CB 25/92 MINUTES

RESOLVED: That the Minutes of the ordinary and extraordinary meetings of the Cabinet held on 30 June and 29 July 2025 respectively be approved as a correct record and signed by the Chairman.

MATTERS FOR RECOMMENDATION TO THE COUNCIL

CB 25/93 REPLACEMENT OF SHALLOWS BRIDGE, HAYSDEN COUNTRY PARK

Consideration was given to a List C Capital Plan Evaluation (attached at Annex 1) for the replacement of the Shallows Bridge in Haysden Country Park.

The proposal was to remove the existing Shallows Bridge, which had been condemned by a structural engineer, and to replace it with a new bridge that met the needs of park users and would be compliant with the Disability Discrimination Act.

Due regard was given to the financial and value for money considerations and it was estimated that the replacement of the bridge would be circa £265,000. The potential to utilise developer contributions to meet just over half of the costs was welcomed. As the works were

required for health and safety reasons the balance of £112,000 would need to be provided from the Revenue Reserve for Capital Schemes.

Attention was drawn to the potential risk of increased costs arising from an inspection and assessment of the existing abutments by a structural engineer once the existing bridge was removed. It was hoped that the existing abutments would be fit for purpose but if not a full reconstruction could cost in the region of £45,000. In this scenario, Cabinet would be asked to determine if the project was cost prohibitive.

Finally, it was confirmed that the replacement bridge would be stainless steel to increase longevity. It was also reported that the only other option would be not to replace the bridge as a repair was not possible and remove the existing structure.

On the grounds that the replacement bridge would maintain access for users of the Country Park, Cllr Keers proposed, Cllr Taylor seconded and Cabinet

***RECOMMENDED**: That

(1) the scheme to replace the Shallows Bridge, Haysden Country Park be transferred to List A of the Capital Plan; and

(2) subject to an assessment of the abutments, the replacement bridge be constructed in the current financial year.

***Recommended to Council**

CB 25/94 PROPOSAL FOR MONTHLY MEMBER BRIEFING SESSIONS ON PRE-APPLICATION DEVELOPMENT PROPOSALS

Consideration was given to the recommendations of the Housing and Planning Scrutiny Committee in respect of establishing regular, officer-chaired briefing sessions for Members on pre-application development proposals.

The aim was to enhance Member engagement whilst maintaining confidentiality and integrity of the planning process.

Due regard was given to the views of the Scrutiny Select Committee, the financial and value for money considerations, the assessment of risk and the legal implications. A new charge would be introduced as part of the pre-application charging schedule as detailed in Annex 1. This was reviewed annually to ensure that costs were recovered effectively.

Cabinet welcomed the introduction of early engagement giving Members an opportunity to raise key planning issues and highlight local sensitivities. It was also recognised that the effectiveness of these

sessions relied on Members participating and that low attendance could undermine the value of the service.

On the grounds of improving communication and engagement between Members and developers, Cllr Taylor proposed, Cllr Mehmet seconded and Cabinet

*__RECOMMENDED__: That

(1) the proposed approach be endorsed;

(2) the establishment of monthly member briefing sessions be commended to Council; and

(3) the introduction of the proposed fees, which would supplement the existing pre-application services (as set out in Annex 1) be endorsed.

***Recommended to Council**

MATTERS IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION

EXECUTIVE NON-KEY DECISIONS

CB 25/95 RIVERSIDE ROUTE LIGHTING PROJECT, TONBRIDGE

(Decision Notice D250098CAB)

Consideration was given to the proposal outlined in the external consultant's design report (attached at Annex 1) which was to progress the tendering and construction of a high-quality lighting scheme between Town Lock and Vale Road/Cannon Lane in Tonbridge.

Due regard was given to the financial and value for money considerations, the assessment of risk and the legal implications detailed in the report. Members noted a revised budget for the project due to improved accuracy following stage 4 design. It was also felt prudent to allow a contingency sum for any issues arising from an ecological appraisal and any further comments from external bodies including the Environment Agency and Kent Wildlife Trust.

It was recognised that the scheme addressed concerns raised by ward councillors over a number of years and on the grounds of improving safety along the footpath and that the project could be delivered in full via developer contributions with no funding needed from the Borough Council, Cllr Keers proposed, Cllr Mehmet seconded and Cabinet

RESOLVED: That

(1) the project for riverside lighting between Vale Road and the northwest boundary of the former gasholder site be progressed through the tender and construction stages;

(2) delegated authority be granted to the Director of Street Scene, Leisure and Technical Services, in consultation with the Cabinet Member for Communities and local Ward Members, to amend the design to take into account any findings from the ecological appraisal and any further comments from external bodies including the Environment Agency and Kent Wildlife Trust; and

(3) a project budget as set out in the report and funded in full via developer contributions, be approved.

CB 25/96 LOCAL NATURE RECOVERY STRATEGY - PRE PUBLICATION REVIEW PERIOD

(Decision Notice D250099CAB)

The report of the Director of Planning, Housing and Environmental Health presented a Local Nature Recovery Strategy (LNRS) on behalf of the Responsible Authority (Kent County Council), which was now in its final stages at the pre-publication review period.

As a Supporting Authority, Tonbridge and Malling Borough Council had 28 days to consider the LNRS and to either lodge any publication advisory notice to Kent County Council (KCC) if it was considered that the final Strategy could not be justified and/or was materially deficient or confirm support for proceeding to publication.

Due regard was given to the details outlined in the report, together with the LNRS and on the grounds that the Strategy set priorities for biodiversity enhancements, mapped where nature recovery actions could be located for both habitats and species and delivered improvements for wildlife and other environmental benefits, Cllr Taylor proposed, Cllr Betts seconded and Cabinet

RESOLVED: That

(1) the purpose and content of the Pre-Publication Kent and Medway Local Nature Recovery Strategy be noted;

(2) the Borough Council's support to proceed to publication be confirmed; and

(3) the Borough Council's response be delegated to the Director of Planning, Housing and Environmental Health, in consultation with the Cabinet Member for Planning.

CB 25/97 BUDGETARY CONTROL AND SAVINGS UPDATE - JULY 2025

(Decision Notice D250100CAB)

In accordance with the Borough Council's Financial Procedure Rules, the Head of Finance and s151 Officer's report provided an update on the financial position as of the end of July 2025. Members were also informed about the progress towards achieving the savings target for the 2026/27 budget

A number of areas had been identified as variations to the original estimate and included a reduced inflationary increase on the Refuse, Recycling and Street Cleansing Contract, an adjustment in respect of utility support payments to the Tonbridge and Malling Leisure Trust arising from falling energy prices and the implementation of energy saving measures at leisure facilities and an increased award in respect of 'Polluter Pays' grants. These had resulted in a net variable variance as at the end of July 2025.

Attention was also drawn to areas of overspend including temporary accommodation for homelessness clients, essential grounds work maintenance surrounding the rebutment at Tonbridge Castle and unexpected works to resolve a water leak at the Racecourse Ground.

Particular reference was made to base budget reviews undertaken by all Services to identify contributions towards the savings target. Whilst the areas of saving and/or income generation were short of the minimum £300,000 target, when the overprovision of inflation for the Refuse, Recycling and Street Cleansing Contract was reflected, the revised total met the savings target.

Finally, Members recognised the risks related to Business Rates and the lack of valuation on some properties and the ongoing Fair Funding Review, both of which could fundamentally impact the Borough Council's income streams.

Cllr Coffin proposed, Cllr Boughton seconded and Cabinet

RESOLVED: That

(1) the net favourable variance of circa £730,000 as at the end of July 2025 when compared to the proportion of the 2025/26 budget (as set out in paragraph 4.9) be noted;

(2) the current business rate pool position as at the end of July 2025 (as set out in paragraph 5.2) be noted; and

(3) the progress towards the Savings Target to be achieved for the budget setting for 2026/27 (as set out in section 7) be noted.

CB 25/98 SPORTS FACILITIES EVIDENCE

(Decision Notice D250101CAB)

Consideration was given to the recommendations of the Housing and Planning Scrutiny Select Committee of 15 July 2025 in respect of the approach to maintaining and enhancing sports facilities in the Borough through the adoption of the Indoor Sports Facilities and the Playing Pitches and Outdoor Sports Facilities Strategies (Annexes 1 and 2 respectively).

These Strategies had been progressed as part of the evidence base for the Local Plan process to ensure delivery of sustainable development to support existing and new communities.

Due regard was given to the views of the Scrutiny Select Committee, the financial and value for money considerations, the assessment of risk and the legal implications. Particular reference was made to the Joint Parish Skate Park (a tri-parish agreement between Borough Green, Platt and Wrotham) and it was felt that this should be included in 14.5.3 (BMX and Skate Parks) of the Playing Pitches and Outdoors Sports Facilities Strategies (Annex 2). This was supported unanimously.

Concern was expressed regarding the accuracy of some of the detail provided in the Strategies. However, it was felt that a thorough review had been undertaken and there was no evidence to indicate that the assessment of need was not robust.

On the grounds of maximising the Borough Council's ability to support and deliver key facilities across the Borough and to inform the negotiation of s106 agreements where development would impact on facility use, Cllr Boughton proposed, Cllr Taylor seconded and Cabinet

RESOLVED: That

(1) the Indoor Sports Facilities Strategy (attached at Annex 1) be endorsed and adopted as the Borough Council's current policy position on sports facilities, subject to careful consideration of comments received from local sports teams;

(2) the Playing Pitches and Outdoor Sports Facilities Strategy (attached at Annex 2) be endorsed and adopted as the Borough Council's current policy position on sports facilities, subject to careful consideration of comments received from local sports teams and the inclusion of the Joint Parish (Borough Green, Platt and Wrotham) Skate Park in 14.5.3 (BMX and Skate Parks); and

(3) delegated authority be given to the Director of Planning, Housing and Environmental Health, in consultation with the Cabinet Members for Community Services and Planning, to publish Stage

E reviews of these Strategies to update the position to help inform the Local Plan and other Borough Council workstreams.

CB 25/99 RISK MANAGEMENT

(Decision Notice D250102CAB)

Consideration was given to the recommendations of the Audit Committee of 21 July 2025 in respect of the risk management process and the Strategic Risk Register (SRR).

Due regard was given to the views of the Committee, the financial and value for money considerations and the legal implications and a number of changes made to the current Register, including the deletion of some risks that were no longer felt to be strategic risks, were noted. The number of 'red' risks on the SRR were 3 as set out below:

- Achievement of Savings and Transformation Strategy
- Failure to agree a Local Plan
- Managed exit from the Agile System.

Cllr Betts proposed, Cllr Boughton seconded and Cabinet

RESOLVED: That

(1) the updates to the Strategic Risk Register since the last iteration, with particular emphasis on those risks categorised as RED as shown in Annexes 1 and 1a of the report be noted; and

(2) the service risks identified in Annex 2 of the report be noted.

CB 25/100 ANNUAL SENIOR INFORMATION RISK OWNER REPORT 2024-25

(Decision Notice D250103CAB)

Consideration was given to the recommendations of the Finance, Regeneration and Property Scrutiny Select Committee in respect of the new Annual Senior Information Risk Officer (SIRO) report for 2024/25, which provided a comprehensive overview of the key activities, achievements and challenges faced by the Borough Council over the past year.

Due regard was given to the views of the Scrutiny Select Committee, the financial and value for money considerations, the assessment of risk and the legal implications outlined in the report. The proposals to enhance cyber resilience were welcomed as the importance of ensuring the Borough Council was adequately equipped to address current threats was recognised. Members also welcomed the detailed report of the SIRO and the in-dept discussion at the Scrutiny Select Committee.

Cllr proposed Boughton, Cllr Coffin seconded and Cabinet

RESOLVED: That

(1) the annual report (attached at Annex 1) providing strategic oversight and assurance on organisational information risk and digital resilience be noted;

(2) the proposed investment in enhanced cybersecurity services be supported and a procurement process be initiated;

(3) the associated costs for incident response to be covered using available grant funding; and

(4) the ongoing operational costs for security monitoring be funded from existing reserves initially and incorporated into the core budget in future financial years.

MATTERS SUBMITTED FOR INFORMATION

CB 25/101 DECISIONS TAKEN BY CABINET MEMBERS

Details of the Decisions taken in accordance with the rules for the making of decisions by executive members, as set out in Part 4 of the Constitution, were presented for information.

CB 25/102 NOTICE OF FORTHCOMING KEY DECISIONS

The Notice setting out the Key Decisions anticipated to be taken during October 2025 was noted. A Notice for the period October to December 2025 was to be published in due course.

CB 25/103 EXCLUSION OF PRESS AND PUBLIC

Cllr Coffin proposed, Cllr Boughton seconded and it was

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

PART 2 - PRIVATE

MATTERS IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION

EXECUTIVE KEY DECISIONS

CB 25/104 BLUEBELL HILL TEMPORARY ACCOMMODATION PROJECT - TENDERS

(Decision Notice D250104CAB)

(Reasons: Part 2 – Private – 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 detailed the tenders received for the Bluebell Hill temporary accommodation project and sought approval to award the contract.

A supplementary report, published in advance of the meeting, provided more detail in respect of an assessment of an enhanced scheme and information on risks to the project.

Due regard was given to the financial and value for money considerations, the funding arrangements and the detailed proposals for a base or enhanced scheme as set out in the reports. Careful consideration was also given to the assessment of risks and a register for the project had been developed. This would continue to be reviewed throughout the scheme to ensure risks were identified and mitigated as far as reasonably possible.

Members observed that the units were good quality and built off site rather than the true definition of modular. These units also had a life span of circa 100 years and were not considered a temporary solution. The importance of retaining flexibility around opportunities to grow the site if further funding became available was also recognised.

On the grounds of demonstrating best value for money and accessing Local Authority Housing Fund grant, providing an alternative to nightly paid temporary accommodation, making best use of land assets and helping households to secure suitable accommodation, Cllr Betts proposed, Cllr Keers seconded and Cabinet

RESOLVED: That

(1) delegated authority be granted to the Director of Planning, Housing and Environmental Health and the Director of Central Services and Deputy Chief Executive to enter into a Design and Build contract for the enhanced scheme for the construction of modular housing at Bluebell Hill former commuter car park with the lead tenderer (as detailed in the report);

(2) it be noted that the amount tendered was within the original budget proposal;

(3) it be noted that the design phase only would be committed to initially;

(4) delegated authority be granted to the Cabinet Member for Finance, Waste and Technical Services and Deputy Leader, in consultation with the Director of Planning, Housing and Environmental Health and the Director of Central Services and Deputy Chief Executive, to agree the gateway approval to move to the build stage of the contract; and

(5) delegated authority be granted to the Cabinet Member for Finance, Waste and Technical Services and Deputy Leader, in consultation with the Director of Planning, Housing and Environmental Health and the Director of Central Services and Deputy Chief Executive, to use the Local Authority Housing Fund grant to purchase street properties for use as temporary accommodation should the enhanced scheme for Bluebell Hill project become undeliverable.

CB 25/105 LARKFIELD LEISURE CENTRE - WET CHANGE REFURBISHMENT

(Decision Notice D250105CAB)

(Reasons: Part 2 – Private – LGA 1972 Sch 12A Paragraph 3 – Financial or business affairs of any particular person)

The report of the Director of Street Scene, Leisure and Technical Services set out the tender process for the refurbishment of the Wet Change area at Larkfield Leisure Centre and sought approval for the award of the contract.

Due regard was given to the financial and value for money considerations, the assessment of risk and the legal implications detailed in the report. A risk register had been developed for the project and would be reviewed throughout the scheme to ensure risks were identified and mitigated as far as reasonably possible.

On the grounds that best value had been demonstrated and of ensuring that the Borough Council's leisure facilities were maintained in a safe, working state for the enjoyment of customers, Cllr Keers proposed, Cllr Betts seconded and Cabinet

RESOLVED: That delegated authority be granted to the Director of Street Scene, Leisure and Technical Services, in consultation with the Cabinet Member for Community Services, to award the contract to the

lead tenderer for the refurbishment of the Wet Change area at Larkfield Leisure Centre on the basis that the costs fall within the project budget of £270,000 (excluding locker replacement and internal redecoration).

EXECUTIVE NON-KEY DECISIONS

CB 25/106 TONBRIDGE TOWN CENTRE PROGRAMME BOARD - MINUTES AND RECOMMENDATIONS

(Decision Notice D250106CAB)

(Reasons: Part 2 – Private – LGA 1972 Sch 12A Paragraph 3 – Financial or business affairs of any particular person)

Members reviewed the Notes of the Tonbridge Town Centre Programme Board for the meetings of 16 May 2025 and 20 June 2025 (attached at Annexes 1 and 2 respectively). Recommendations in respect of a number of Tonbridge projects were also presented for consideration.

Cabinet had due regard to the recommendations of the Programme Board, the financial and value for money considerations and the legal implications and recognised that de-coupling the Tonbridge Farm Sportsground project from the Tonbridge Town Centre Programme Board enabled the project to be managed independently and provided greater scrutiny.

Members were assured that project spend would be carefully monitored and reviewed and on the grounds of supporting the regeneration of Tonbridge Town Centre, Cllr Mehmet proposed, Cllr Keers seconded and Cabinet

RESOLVED: That

(1) the notes of the Tonbridge Town Centre Programme Board of 16 May 2025 and 20 June 2025 (attached at Annexes 1 and 2) be noted;

(2) a Feasibility Study/Business case analysis for a full-size all-weather pitch and pavilion refurbishment, including future operational and management arrangements, at Tonbridge Farm Sportsground be undertaken;

(3) discussions with Tonbridge Angels Football Club to consider partnership opportunities for the Tonbridge Farm Sportsground site be continued;

(4) the Tonbridge Farm Sportsground project be de-coupled from the Tonbridge Town Centre Programme Board; and

(5) work with RIBA Stage 2 design process, as outlined in the Angel Centre Replacement Tonbridge Town Centre Programme Board report (attached at Annex 3) be continued.

The meeting ended at 8.21 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

AREA 1 PLANNING COMMITTEE

MINUTES

Thursday, 4th September, 2025

Present: Cllr D W King (Vice-Chair, in the Chair), Cllr L Athwal, Cllr K Barton, Cllr J Clokey, Cllr A Cope, Cllr M A J Hood, Cllr F A Hoskins, Cllr A Mehmet, Cllr R W G Oliver, Cllr B A Parry, Cllr S Pilgrim, Cllr M R Rhodes and Cllr K S Tunstall

An apology for absence was received from Councillor G C Bridge.

PART 1 - PUBLIC

AP1 25/25 DECLARATIONS OF INTEREST

For reasons of transparency, Councillor M Hood advised that he knew the applicant and the agent for application TM/25/00164/PA in a personal capacity. However, as this did not represent either a Disclosable Pecuniary or Other Significant Interest, there was no requirement for him to withdraw from the meeting or to not participate in the debate, but he considered it appropriate for him to stand down as the Chair for this meeting and decided not to be a voting Member of the Committee for this meeting.

For reasons of transparency, Councillor A Mehmet advised that he knew the agent for application TM/25/00164/PA in a professional capacity. However, as this did not represent either a Disclosable Pecuniary or Other Significant Interest, there was no requirement for him to withdraw from the meeting or to not participate in the debate.

AP1 25/26 MINUTES

RESOLVED: That the Minutes of the meeting of the Area 1 Planning Committee held on 31 July 2025 be approved as a correct record and signed by the Chairman.

AP1 25/27 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 tabled at the meeting.

Members of the public addressed the meeting where the required notice had been given and their comments were taken into account by the

Committee when determining the application. Speakers are listed under the relevant planning application shown below.

MATTERS FOR DECISION UNDER DELEGATED POWERS (IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION)

AP1 25/28 TM/25/00164/PA - 335 SHIPBOURNE ROAD, TONBRIDGE

Erection of 2 pairs of semi-detached 4 bed dwellings and three detached 4 bed dwellings to the rear. An amalgamation of four existing planning consents.

After careful consideration of the points raised by the speakers and the submitted details and conditions set out in the main and supplementary reports of the Director of Planning, Housing and Environmental Health, Members expressed significant concern in respect of overdevelopment and poor design of the proposed scheme, practicality and safety of bin storage and kerbside collection on bin collection days given proximity to a busy pedestrian crossing, harmful impact on neighbouring properties, and unresolved concerns about a TPO protected oak tree, while being reminded of the high bar for refusal under the national policy.

It was proposed by Councillor A Mehmet, seconded by Councillor K Tunstall, that the application be refused, which was supported by the Committee unanimously.

RESOLVED: that planning permission be REFUSED for the following reasons:

1. As a result of the additional unit at the back of the site, the proposal would be cramped and overdeveloped, including with insufficient space for the turning and manoeuvring of delivery vehicles and cars, and absence of on-site bin collection area leading to bins cluttering the pavement, to the extent that the development would not function well or add to the overall quality of the area, nor would it represent high quality design and would be detrimental to the built environment, and materially worse than the extant consent, in conflict with paragraphs 131 and 135 of the National Planning Policy Framework and policies CP24 of the Tonbridge and Malling Core Strategy and SQ1 of the Managing Development and the Environment Development Plan Document.

2. As a result of the height, scale and depth, and reduced separation to the boundary from the extra unit, the proposal would result in a harmful overbearing and overshadowing effects to adjacent properties on White Cottage Road, in conflict with policies CP24 of the Tonbridge and Malling Core Strategy and SQ1 of the Managing Development and the Environment Development Plan Document.

3. The proposed development would, by reason of the provision of an additional dwelling and resulting overdevelopment, involve greater encroachment within the Root Protection Area and branch spread of the Oak tree of special amenity value standing at the neighbouring property to the south of the application site and included within a Tree Preservation Order than for the previous scheme, and will generate increased future pressures for additional tree works as a result of the proximity and orientation of the tree to the nearest proposed dwelling. The conflicting information submitted with the application (including the tree protection plan and arboricultural method statement documents) is insufficient to address such concerns and demonstrate that significant harm would not be caused to the tree as a result of the proposed development. Contrary to policies NE4 of the Managing Development and the Environment Development Plan Document, and paragraph 136 of the NPPF 2024.

[Speakers: Ms D Hill, Ms Esther Wheller (members of the public) and Mr S McKay (Agent on behalf of the Applicant) addressed the Committee in person.]

MATTERS FOR INFORMATION

AP1 25/29 PLANNING APPEALS, PUBLIC INQUIRIES AND HEARINGS

The report setting out updates in respect of planning appeals, public inquiries and hearings held since the last meeting of the Planning Committee was received and noted.

Frustration was expressed over the Planning Inspectors disregarding the Kent new parking standards in respect of the appeal for a scheme at 111 Douglas Road, Tonbridge, and the general ongoing challenges faced by Committee Members in having local decisions upheld were reflected.

AP1 25/30 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 9.10 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

OVERVIEW AND SCRUTINY COMMITTEE

MINUTES

Thursday, 11th September, 2025

Present: Cllr Mrs A S Oakley (Chair), Cllr L Athwal (Vice-Chair), Cllr K B Tanner (Vice-Chair), Cllr Mrs S Bell, Cllr C Brown, Cllr R I B Cannon, Cllr L Chapman, Cllr A Cope, Cllr P M Hickmott, Cllr M A J Hood, Cllr F A Hoskins, Cllr S A Hudson, Cllr D W King, Cllr W E Palmer, Cllr D Thornewell, Cllr D A S Davis (substitute) and Cllr Mrs T Dean (substitute)

In attendance: Cllrs A G Bennison, D Keers, A Mehmet, R P Betts*, M D Boughton*, M A Coffin*, M R Rhodes*, R V Roud* and M Taylor* were also present pursuant to Council Procedure Rule No 15.21.

(*participated via MS Teams)

Apologies for absence were received from Councillors T Bishop and A McDermott

PART 1 - PUBLIC

OS 25/39 NOTIFICATION OF SUBSTITUTE MEMBERS

Notification of substitute members were recorded as set out below:

- Cllr D Davis substitute for Cllr A McDermott
- Cllr T Dean substitute for Cllr T Bishop

In accordance with Council Procedure Rules 17.5 to 17.9 these Councillors had the same rights as the ordinary member of the committee for whom they were substituting.

OS 25/40 DECLARATIONS OF INTEREST

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

OS 25/41 MINUTES

RESOLVED: That the Minutes of the meeting of the Overview and Scrutiny Committee held on 26 June 2025 be approved as a correct record and signed by the Chair.

OS 25/42 SOUTH EAST COUNCILS - OUTSIDE BODY UPDATE

The Borough Council's outside body representative on South East Councils, (Councillor M Boughton) explained that the organisation united local authorities across the region, advocated for regional priorities and sought to attract increased investment to benefit the area.

Additionally, it oversaw collaborations such as the Migration Partnership and administered the All-Party Parliamentary Group for the Southeast.

OS 25/43 MOTION WITHOUT NOTICE

In accordance with Council Procedure Rule 5.30 (c), the Chair proposed that the order of business on the agenda be changed and the Annual Service Delivery Plan 2025/26 – Quarter 1 (item 9) be considered before the Angel Leisure Centre Replacement Project. This was seconded by Cllr Cope and the Committee

RESOLVED: That the order of business on the agenda be changed as proposed by the Chair.

MATTERS FOR RECOMMENDATION TO THE CABINET

OS 25/44 ANNUAL SERVICE DELIVERY PLAN 2025/26 - QUARTER 1

The report of the Chief Executive provided data on the performance of the Borough Council during quarter 1 of 2025/26 in relation to the milestones and Key Performance Indicators (KPIs) set out in the Annual Service Delivery Plan 2025/26.

A strong level of performance had been achieved with 70% of activities making good progress. Overall, only 2 activities were red rated and these both related to delays caused by Government.

A satisfactory level of progress had been achieved for 52% of KPIs and included reduced number of complaints, reduced number of Anti-social Behaviour cases reported and 99.6% of invoices paid within the 30-day deadline. Due to some longstanding issues and recent dips in performance 26% of KPIs were red-rated.

Members appreciated the opportunity to assess performance and identified several matters for discussion:

- It was clarified that the managed return to IDOX was making positive progress and that project management was now handled by the Transformation Manager at the Borough Council;

- Questions were raised about the increase in fly tipping incidents and the implementation of higher fines. It was noted that the Borough Council received a share of paid fines. Plans would be

made to provide Members with updated data on enforcement and to ensure new signage about fines was displayed.

- Members discussed the need for improved communication with community groups and made particular reference to recent changes at Barden Lake and the use of new substrates on footpaths. Officers committed to providing more information and ensuring that future works were communicated effectively, especially in the absence of a user group.

- Work was ongoing to identify locations for the installation of Digital Information Boards and contractual provisions for the prompt restoration of out-of-action sites would be considered.

- Clarification was sought on targets for crime statistics and fly tipping and the cumulative nature of targets and the rationale behind amber ratings was explained.

- Members suggested that questions be submitted in advance of meetings to allow for more comprehensive responses.

The Chair proposed, seconded by Cllr Hudson and the Committee

*__RECOMMENDED__: That

(1) appreciation be recorded for the overall progress made during Quarter 1;

(2) appreciation be recorded for the achievements made during Quarter 1; and

(3) the areas needing focus be noted.

***Recommended to Cabinet**

OS 25/45 ANGEL LEISURE CENTRE - REPLACEMENT PROJECT

Members were advised that good progress had been made with the Angel Leisure Centre replacement project as part of the RIBA Stage 2.

The public engagement exercise had commenced and would run until 24 September 2025. Currently, over 1,000 responses had been received and reflected a strong public interest in the project. Members queried how many of these responses were outside of Tonbridge and it was indicated that this information could be collated once the consultation had finished. It was also suggested that the consultation could be promoted wider throughout the Borough via Larkfield Leisure Centre, other suitable locations and parish/town councils.

The selection of the main contractor was progressing alongside RIBA Stage 2 and Officers and the Cabinet Members for Infrastructure and Tonbridge Regeneration; and Finance, Waste and Technical Services would be involved in the procurement process.

Particular reference was made to the importance of meeting deadlines due to anticipated local government reorganisation and potential future borrowing controls. The potential for a new unitary authority to deprioritise local leisure facilities was identified as a risk by Members and it was reiterated that the project timeline was designed to address these risks and that timely decision-making was critical.

Whilst the final design was currently being developed it was expected to include a larger gym, group exercise studios, dedicated spin studio, soft play and café, multiple use community facilities and a sports hall, together with changing rooms and flexible multi-purpose rooms.

Members highlighted the need for the new centre to serve both leisure and broader community purposes and referred to feedback from the Tonbridge Civic Society and past uses of the centre. The Committee was assured that the proposed facility mix included three community rooms, flexible spaces and that community use was a key consideration in the design.

On the grounds that Members wished to discuss commercially sensitive financial information, the Chair proposed, Cllr Tanner seconded and the Committee

RESOLVED: That the press and public be excluded from the remainder of the consideration of this matter to avoid the disclosure of exempt information.

(The recommendations arising from this discussion are set out in OS 25/51)

OS 25/46 EXECUTIVE/SCRUTINY PROTOCOL

Members were invited to review the effectiveness of the Executive-Scrutiny Protocol (attached as Annex 1) to ensure that it remained fit for purpose.

The Chair of the Overview and Scrutiny Committee had been consulted and had requested that the section of the Protocol dealing with the Scrutiny Work Programme be amended to include reference to IT Strategies within the standing items for consideration. The Protocol attached at Annex 1 had been amended to include this reference.

It was clarified that the proposed amendment related to IT Policies and Strategies rather than individual projects. Members recognised the importance of regular scrutiny of IT matters, citing the anticipated impact

of technological changes such as AI over the next decade and the need for the Borough Council to proactively address these developments.

On the grounds of the increasing importance and reliance on IT, the Chair proposed, Cllr King seconded and the Committee

*__RECOMMENDED__: That the revised Protocol (at Annex 1) be approved.

***Recommended to Cabinet**

MATTERS FOR DECISION UNDER DELEGATED POWERS

OS 25/47 INFORMATION RIGHTS REQUEST - UPDATE

The report of the Director of Central Services provided an update on the discharge of the Borough Council's duties in managing requests for information made under the Freedom of Information Act 2000 (FOI), the Environmental Information Regulations 2004 (EIR), the UK General Data Protection Regulation (UK GDPR) and Data Protection Act 2018 (DPA).

Members were advised of the increasing volume and complexity of information rights requests, which had risen from approximately 720 three years ago to over 1,223 last year. This increase was attributed to greater public awareness, more requests from organisations and the frequent use in contentious matters e.g., planning applications.

Requests for information were currently managed by devolving responsibility to individual service co-ordinators, which had led to increased workloads and pressure on these services especially as requests were increasingly complex. In addition, the current system was manual, lacked efficiency and with no dedicated Information Governance Officer there was a potential risk of non-compliance with statutory response deadlines and data protection legislation.

It was clarified that while the Information Commissioner had the power to levy significant fines for non-compliance, there was generally a reluctance to fine local councils and other enforcement actions were preferred. However, the maximum fine could be up to £17.5 million or 4% of turnover.

A dedicated resource could help manage the increasing volume and complexity of requests more effectively, support transparency and mitigate risk. Due to the growing demand and burden of requests, the Committee supported reviewing options for managing information requests with any proposals to be considered by the General Purposes Committee in the first instance.

The Chair proposed, Cllr King seconded and the Committee

RESOLVED: That

(1) the contents of the report be noted; and

(2) a review of resources for the management of information requests be supported, subject to any proposals being considered by the General Purposes Committee and the Council.

MATTERS FOR INFORMATION

OS 25/48 RECORD OF DECISIONS TAKEN BY THE EXECUTIVE

The decisions taken by the Cabinet and Cabinet Members during August 2025 were presented for information and noted by the Committee.

OS 25/49 WORK PROGRAMME

The Work Programme setting out potential matters to be scrutinised during 2025/26 was noted. Members were invited to suggest future items by liaising with the Chair of the Committee.

MATTERS FOR CONSIDERATION IN PRIVATE

OS 25/50 EXCLUSION OF PRESS AND PUBLIC

The Chair moved, it was seconded by Cllr Tanner and

RESOLVED: That as public discussion would disclose exempt information the remainder of the Angel Leisure Centre replacement project be considered in private.

(The public discussion is reflected in OS 25/45)

OS 25/51 ANGEL LEISURE CENTRE - REPLACEMENT PROJECT

(Reasons: Part 2 Private – LGA 1972 Sch 12A Paragraph 3 – Financial or business affairs of any particular person)

There was detailed and robust discussion on financial and value for money considerations, the potential risks in respect of local government reorganisation, asset disposal, borrowing of funds, potential loss of investment and repayment of loans.

A concern was also raised regarding the lack of a detailed and costed business case. Members were reassured that a business case had been developed as part of the feasibility study and was continually reviewed and refined as the project progressed. It was anticipated that a final costed business case could be presented to Members in 2026 when seeking approval for the final construction.

The Chair proposed, Cllr Athwal seconded and the Committee

***RECOMMENDED**: That

(1) the Tonbridge Town Centre Programme Board give consideration to potential options around how any proceeds arising from the redevelopment of the current Angel Centre site could be used to offset any debt incurred in relation to the provision of the new leisure centre; and

(2) the intention to present a fully costed business case to Members in advance of seeking approval for the final construction of the Angel Leisure Centre replacement be noted; and

(3) the progress being made on the replacement of the Angel Leisure Centre, Tonbridge be noted.

***Recommended to Cabinet**

The meeting ended at 9.46 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

FINANCE, REGENERATION AND PROPERTY SCRUTINY SELECT COMMITTEE

MINUTES

Tuesday, 16th September, 2025

Present: Cllr D Harman (Chair), Cllr M R Rhodes (Vice-Chair), Cllr A G Bennison, Cllr T Bishop, Cllr P Boxall, Cllr R I B Cannon, Cllr L Chapman, Cllr F A Hoskins (substitute), Cllr W E Palmer, Cllr B A Parry, Cllr S Pilgrim, Cllr K B Tanner and Cllr C J Williams

In attendance: Cllrs Mrs S Bell*, M D Boughton and D Keers* were also present pursuant to Council Procedure Rule No 15.21.

(*participated via MS Teams)

An apology for absence was received from Councillor J Clokey

PART 1 - PUBLIC

FRP 25/27 NOTIFICATION OF SUBSTITUTE MEMBERS

Notification of substitute members were recorded as set out below:

- Cllr F Hoskins substitute for Cllr J Clokey

In accordance with Council Procedure Rules 17.5 to 17.9 these Councillors had the same rights as the ordinary member of the committee for whom they were substituting.

FRP 25/28 DECLARATIONS OF INTEREST

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

FRP 25/29 MINUTES

RESOLVED: That the notes of the meeting of the Finance, Regeneration and Property Scrutiny Select Committee held on 22 July 2025 be approved as a correct record and signed by the Chair.

MATTERS SUBMITTED FOR INFORMATION

FRP 25/30 JULY 2025 BUDGETARY CONTROL, SAVINGS AND CABINET MEMBER UPDATE

In accordance with the Borough Council's Financial Procedure Rules, the Head of Finance and Section 151 Officer informed Members of the

current financial position to the end of July 2025 and provided an update on the current progress towards the achievement of the savings target for 2026/27.

Attention was drawn to an underspend of £92,050 in salaries due to vacancies above the budgeted position; an increase of £148,702 on the revenue budget due to additional reserve contributions and additional grants; a small under recovery of income for Development Control and Land Charges of £5,553 as a result of being offset by parking income; and the details in investment income as set out in paragraphs 3.6.1 to 3.6.2 of the report.

As at the end of July 2025 a number of areas had been identified as variations to the original budget estimates. These were detailed in paragraphs 3.7.1 to 3.7.6 of the report and resulted in a current net favourable variance of £729,645 as at the end of July.

Reference was made to the savings target of £600,000 to be achieved by the time the budget for 2026/27 was set. In addition, a milestone of saving a minimum of £300,000 by summer 2025, to feed into the budget setting process for 2026/27 had been set. An outturn review of expenditure and income against current budgets had been undertaken. The results were summarised in 5.4 of the report and illustrated that there was a shortfall. However, if an overprovision of inflation for the Waste Services Contract, which was considered an ongoing reduction in the Medium-Term Financial Strategy (MTFS), was factored in, the revised savings total came to £302,500.

Reference was made to the savings target for 2026/27 and Members were advised of positive progress on achieving the milestone of 'saving a minimum of £300,000 by summer 2025 to feed into the budget setting process for 2026/27'. An exercise reviewing previous and current budgets had identified £182,500 in savings, which when supplemented by lower-than-expected inflation on waste contracts, brought total identified savings to £302,500.

Finally, Members were provided with a broader overview of financial successes and pressures under the Cabinet Member for Finance portfolio and noted the achievement of savings targets and ongoing budgetary challenges. The Borough Councils strong financial performance including fully audited accounts, high rates of Council Tax and Business Rates collection (97.93% and 99.29% respectively, which was the highest in Kent) and successful leveraging of over £1.5 million in external grant funding for carbon reduction projects at leisure facilities was highlighted.

Members expressed concern in respect of the significant financial challenges represented by temporary accommodation and were pleased to note a reduction in clients. The efforts to move individuals into more

cost-effective housing, such as council owned property and away from expensive overnight accommodation, and the factors contributing to continued overspend despite these improvements were noted.

Clarification was also sought on the Leisure Trust utility support payments and car parking arrangements. It was confirmed that utility support was linked to energy price inflation and was expected to decrease. Further reductions were anticipated if energy prices stabilised. The Leisure Trust had also budgeted for the parking arrangements for its members and this was now reflected in their budget estimates.

FRP 25/31 CONSULTATION PAPERS - RESPONSES

Members reviewed and noted the responses submitted by the Borough Council in respect of the Fair Funding and Council Tax System Modernisation consultations (attached at Annexes 1 and 2).

The consultation in respect of Fair Funding had insufficient detail to predict the impact on the Borough Council, although significant changes to the Borough Council's funding was expected. Further detail was likely to be provided as part of the provisional local government settlement for 2026/27 in November. It did indicate that the overall level of Council funding, known as 'core spending, would increase by 2.6% over the next three years to 2028/29. However, this included increases in council tax which had been assumed to occur at the level proposed for capping and meant that Council Tax as a proportion of 'core spending' would increase over the spending period. A potential negative impact on district/borough funding as a consequence of resources being directed towards social care and children's services was noted.

With regard to the Council Tax consultation the Borough Councils response had supported the retention of the 10-month statutory instalment plan on the grounds of maintaining flexibility for residents, addressed the proposal to redefine the severely mentally impaired disregard and noted that the main barrier was GP certification. It was reported that the majority of neighbouring authorities in Kent and the professional body in revenue and benefits also supported the retention of the 10-month instalment for Council Tax.

Finally, it was noted that there was no time limit for retrospective Council Tax banding appeals and this could create significant operation and financial challenges if refunds were required for changes dating back to the introduction of Council Tax in 1993. The Borough Council supported introducing a six-year limit.

FRP 25/32 WORK PROGRAMME 2025/26

The Work Programme setting out matters to be scrutinised during the next year was attached for information. Members were invited to suggest future matters for 2026/2027 by liaising with the Chair of the Committee and the Scrutiny Officer.

MATTERS FOR CONSIDERATION IN PRIVATE

FRP 25/33 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 8.11 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

COMMUNITIES AND ENVIRONMENT SCRUTINY SELECT COMMITTEE

MINUTES

Thursday, 18th September, 2025

Present: Cllr S A Hudson (Chair), Cllr K S Tunstall (Vice-Chair), Cllr A G Bennison, Cllr S Crisp, Cllr R W Dalton, Cllr Mrs T Dean*, Cllr F A Hoskins, Cllr J R S Lark, Cllr A McDermott, Cllr W E Palmer, Cllr M R Rhodes, Cllr Mrs M Tatton and Cllr L Athwal (substitute)

(*late arrival)

In attendance: Councillors M D Boughton, Mrs S Bell* and D Keers* were also present pursuant to Council Procedure Rule No 15.21.

(*participated via MS Teams)

An apology for absence was received from Councillor S Pilgrim.

CE 25/29 NOTIFICATION OF SUBSTITUTE MEMBERS

Notification of substitute members were recorded as set out below:

- Councillor L Athwal substituted for Councillor S Pilgrim

In accordance with Council Procedure Rules 17.5 to 17.9 this councillor had the same rights as the ordinary member of the committee for whom they were substituting.

CE 25/30 DECLARATIONS OF INTEREST

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

CE 25/31 MINUTES

RESOLVED: That the notes of the meeting of the Communities and Environment Scrutiny Select Committee held on 16 July 2025 be approved as a correct record and signed by the Chair.

CE 25/32 OUTSIDE BODY UPDATE - PARKING AND TRAFFIC REGULATIONS OUTSIDE LONDON (PATROL)

On behalf of the Council's Member representative on the Parking and Traffic Regulations Outside London Joint Adjudication Committee, the Leader (Councillor M Boughton) provided an overview of the

organisation, explaining its role in civil enforcement and policy setting for parking across councils with parking powers, including recent activities and the frequency of meetings.

MATTERS SUBMITTED FOR INFORMATION

CE 25/33 CABINET MEMBER REPORT - ENVIRONMENTAL HEALTH AND HEALTH

On behalf of the Cabinet Member for Housing, Environment and Economy, the Leader (Councillor M Boughton) provided a comprehensive update in respect of the Council's Environmental Health and Health services, outlining the functions and staffing of the teams within the services, links to the Council's Corporate Strategy and the Annual Service Delivery Plan, service performances, key achievements, challenges and future plans.

As explained in the presentation, the Environmental Protection Team was responsible for handling nuisance complaints, contaminated land enquiries, air quality monitoring and commenting on planning and licensing applications; the Food and Safety Team was responsible for conducting inspections of food premises to ensure compliance with food hygiene legislations, including food sampling and health and safety investigation of complaints; and the One You Team focused on healthy lifestyle advice, including running health walks and Weight Management Programmes, delivered for and through funding from the Public Health function of the Kent County Council.

Whilst welcoming the significant achievements of the Council's Environmental Health and Health Services, Members also recognised the key challenges faced by them, such as managing public expectations, increasing numbers of new food businesses, complex casework, national difficulties in recruiting and retaining regulatory services officers and funding dependency for the One You Team which led to uncertainty in long-term planning. The Council continued to commit to embed environmental health and health priorities into the Council's Corporate Strategy going forward.

In response to questions raised by Members regarding the Council's role in promoting healthy living and influence on public health, it was clarified that, given the statutory public health duties resting with the County Council, the Borough Council sought to influence health through wider determinants such as housing, income, leisure and close partnership with public health authorities to support community initiatives. Particular reference was made to the healthy living programmes delivered by the One You Team, which were well received within the community despite challenges arising from the funding constraint.

CE 25/34 HEALTH IN TONBRIDGE & MALLING

The report of the Director of Planning, Housing and Environmental Health presented a health report for the Borough Council [Annex 1] and updated Members on the Council's One You Team and the work of the Health Action Team.

Members acknowledged that, although the Borough Council was not responsible for health services nor had the public health statutory duty, the health services provided by the Borough Council could still play an integral role in improving the health of residents within the borough.

The Council's One You Team, working in partnership with the Kent County Council through grant funding, continued to deliver healthy lifestyle services across the borough, including supporting other organisations and events. Tonbridge & Malling's Health Action Team provided a forum for the Council and local partners to come together to share knowledge and expertise and plan actions to help improve delivery of health and wellbeing services for all across the borough. Members also noted that a Health Action Plan for the Borough Council was underway.

Members welcomed the positive achievements of the One You Team and the Health Action Team, in particular their contribution to the Council's aim of promoting wellbeing and healthy lifestyles. It was suggested that the potential to include mental health, neurological support and welfare in future planning for the borough, identified as one of the three priorities of the Health Action Team, be explored.

Additionally, Members discussed the importance of engaging schools and families in health promotion, although resource constraints, reliance on volunteer and community goodwill and the need for coordinated and sustainable interventions were identified as key challenges.

CE 25/35 WORK PROGRAMME 2025/26

The Work Programme setting out matters to be scrutinised during 2025/26 was attached for information. Members were invited to suggest future matters by liaising with the Chair of the Committee.

MATTERS FOR CONSIDERATION IN PRIVATE

CE 25/36 EXCLUSION OF PRESS AND PUBLIC

There were no matters considered in private.

The meeting ended at 8.20 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

AREA 3 PLANNING COMMITTEE

MINUTES

Thursday, 25th September, 2025

Present: Cllr D Thornewell (Chair), Cllr R W Dalton (Vice-Chair), Cllr Mrs S Bell, Cllr A G Bennison, Cllr T Bishop, Cllr R I B Cannon, Cllr L Chapman, Cllr D A S Davis, Cllr S M Hammond, Cllr P M Hickmott, Cllr D Keers, Cllr Mrs A S Oakley and Cllr C J Williams

An apology for absence was received from Councillor A McDermott.

PART 1 - PUBLIC

AP3 25/19 DECLARATIONS OF INTEREST

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

AP3 25/20 MINUTES

RESOLVED: That the Minutes of the meeting of the Area 3 Planning Committee held on 5 June 2025 be approved as a correct record and signed by the Chairman.

AP3 25/21 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 tabled at the meeting.

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

MATTERS FOR DECISION UNDER DELEGATED POWERS (IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION)

AP3 25/22 TM/25/01319/PA - COBDOWN SPORTS GROUND, STATION ROAD, DITTON, AYLESFORD

Full planning permission for development at Cobdown Park to provide a football training centre (sui generis), comprising of the demolition and redevelopment of existing Clubhouse building, refurbishment of existing Academy building; demolition of ancillary buildings and structures across the Site; provision of new grounds maintenance building and service area; refurbishment of existing pavilion building to provide upgraded changing and kitchen facilities; provision of new upgraded grass football pitches and upgrade of existing synthetic surface; new areas for car and cycle parking; upgrade to existing sports lighting; boundary treatment and hard and soft landscaping and associated site infrastructure and site plant.

Due regard was given to the determining issues detailed in the report of the Director of Planning, Housing and Environmental Health with particular reference made to the community, social, employment and economic benefits to arise from the proposed scheme, and it was considered that the overall benefits outweighed any detriment caused by the loss, or prejudice to the use, of the area of playing field for any former use, including hockey and croquet. However, it was noted that the impacted clubs were encouraged to engage with the Council's Planning Policy Team and Leisure Services to seek to address their needs for sports provision as part of the Local Plan development process that was currently underway.

Furthermore, suggestions were made by Members in respect of implementing low level lighting along the new public right of way to balance safety and ecological concerns, exploring further improvements to mitigate flooding on the footpath to the north-east of the grounds, restricting site traffic during construction to avoid peak school time as part of the Construction Environmental Management Plan, considering future provision for solar panelling on the roof of the new buildings to enhance sustainability and enhancing landscaping plans to ensure the planting of native species for better biodiversity.

It was proposed by Councillor D Thornewell (Chair), seconded by Councillor R Dalton, and the Committee unanimously

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

(1) the completion of a legal agreement under section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:

- Employment and training obligations in relation to:
  - Local employment and training
  - Local supply chain commitments
- Travel Plan pursuant to the approved Framework Travel (monitoring fee of £1,422).
- Community Benefits Plan to include but not limited to:
  - Use of community 3G pitch
  - Use of Cobdown Park Pavillion
  - Use of recreational area
  - Use of car parking facilities
  - Use of wider facilities
  - Details of community outreach and programmes including school outreach, local football clubs' outreach, SEND days and links to education programmes etc
  - Details of clinics and coaching sessions for local coaches.
- Details of the proposed Community Liaison Officer.
- Setup and operate a Management Board in accordance with the details as part of the Community Benefit Plan for the lifetime of the Development (option for TMBC to be part of the management board).
- Statutory Biodiversity Net Gain obligation; and

(2) Amended Condition 35:

Prior to the commencement of landscaping works, a scheme of hard and soft landscaping, including details of existing trees to be retained and size, species/cultivar, native hedging, planting heights, densities and positions of any soft landscaping; the design of access to the public right of way and associated surfacing, widths, gradients, landscaping and structures and details of any signage, shall be submitted to and agreed in writing by the Local Planning Authority.

The approved scheme of landscaping shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use.

Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

Reason: In the interests of visual amenity and trees.

[Speakers: Ms C Thompson, Mr M Sharp, Mr D Crouch, Mr G Mancini and Ms R Cheesman (members of the public) and Ms N Curtis (on behalf of the Applicant) addressed the Committee in person.]

AP3 25/23 PLANNING APPEALS, PUBLIC INQUIRIES AND HEARINGS

The report setting out updates in respect of planning appeals, public inquiries and hearings held since the last meeting of the Planning Committee was received and noted.

AP3 25/24 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 8.50 pm
having commenced at 7.40 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

AUDIT COMMITTEE

MINUTES

Monday, 29th September, 2025

Present: Cllr R I B Cannon (Chair), Cllr J R S Lark (Vice-Chair), Cllr T Bishop, Cllr J Clokey and Cllr B A Parry

In attendance: Apologies for absence were received from Councillors M A J Hood and M R Rhodes, who participated via MS Teams in accordance with Council Procedure Rule No 15.21.

PART 1 - PUBLIC

AU 25/38 NOTIFICATION OF SUBSTITUTE MEMBERS

There were no substitute members.

AU 25/39 DECLARATIONS OF INTEREST

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

AU 25/40 MINUTES

RESOLVED: That the Minutes of the meeting of the Audit Committee held on 21 July 2025 be approved as a correct record and signed by the Chairman.

MATTERS FOR RECOMMENDATION TO THE COUNCIL

AU 25/41 ANNUAL AUDIT REPORT 2024/25

The report of the Management Team introduced the Auditor's Annual Report (attached at Annex 1) prepared by Grant Thornton UK LLP in respect of the Borough Council's overall arrangements for securing economy, efficiency and effectiveness in the use of resources. In introducing the report, a brief outline of the national context was provided.

Grant Thornton had not identified any significant weaknesses in the Council's arrangements to improve economy, efficiency and effectiveness. An improvement recommendation was made in respect of the response to the Internal Audit recommendation on the Agile Software implementation and the response of management was detailed in paragraph 5.5 of the report.

RECOMMENDED*: That

(1) the Auditor's Annual Report (attached at Annex 1) for 2024/25 be approved;

(2) the key recommendations made in respect of the comments made, be noted;

(3) the management comments to the 2024/25 value for money recommendations be noted and endorsed; and

(4) any specific recommendations be made to Cabinet and/or Full Council as the Committee feels appropriate considering the Annual Report.

***Recommended to Council**

AU 25/42 TREASURY MANAGEMENT PERFORMANCE UPDATE AND MID-YEAR REVIEW FOR 2025/26

The report of the Head of Finance provided an update on treasury management activity undertaken during April to July of the current financial year. A mid-year review of the Treasury Management and Annual Investment Strategy for 2025/26 was also included in the report.

A full list of investments held on 31 July 2025 was attached at Annex 1 to the report and a copy of the lending list at Annex 2. In terms of cash flow and core cash investments, £840,200 was earned in interest to the end of July which was £116,200 higher than the original estimate for the same period. The positive variance was primarily driven by the slower-than-anticipated reduction in the Bank Rate, which had resulted in sustained higher interest yields on deposits. During the period 1 April 2025 to 30 June 2025, the £3m investment in property funds generated dividends of £28,730 which represented an annualised return of 4.04%.

The Lothbury Property Fund officially terminated on 30 May 2024 and commenced the sale of assets. To date, the Council had received six payments totalling £1,324,240 of its initial investment. The four remaining assets, valued at £65.5m were currently under offer and sales were expected to conclude by August 2025, however the timetable for completion had been extended and Members would be provided an update on performance via a briefing note. Distributions would be made as asset sales were completed.

In respect of the Hermes property fund, the Council had disinvested at the time of the completed merger with Legal and General Assurance Pensions Management Limited and received a share settlement of £908,000 on 20 August 2025, compared to an initial investment of £1m.

Attention was made to CCLA, which had announced a partnership with Juniper Fund Management Plc, subject to approval by the Financial Conduct Authority (FCA), and until such time, business would be as usual. CCLA had pursued the partnership to better serve organisations such as Tonbridge and Malling Borough Council and whilst maintaining its own identify, CCLA would benefit from Juniper Fund Management's expanded resources and project opportunities, with the company committed to preserving CCLA's investment philosophy.

Members were advised that the Council had operated within the treasury limits and prudential indicators set out in the Annual Investment Strategy and in compliance with the Council's Treasury Management Practices and the Prudential and Treasury Indictors which were attached at Annex 4 to the report.

The parameters to limit the Borough Council's exposure to investment risks were summarised in Annex 5. Following a review of the risk parameters and the Treasury Management and Annual Investment Strategy, a change to the current approved risk parameters to include Ethical Investments was proposed to broaden investment options whilst maintaining security and liquidity. Furthermore, future consideration would be given to the inclusion of borrowing and debt rescheduling in anticipation of the future needs of the Council.

RECOMMENDED*: That the following be commended to Council:

(1) the action taken in respect of Treasury Management activity for April to July 2025, be endorsed;

(2) the inclusion of Ethical Investments to the existing parameters intended to limit the Council's exposure to investment risks as per paragraph 9.2 of the report, be endorsed;

(3) the current position in respect of the Lothbury and Hermes Property Investment Funds, be noted.

***Recommended to Council**

MATTERS FOR RECOMMENDATION TO THE CABINET

AU 25/43 RISK MANAGEMENT

The report of Management Team provided an update on the risk management process and the Strategic Risk Register (SRR). An update in respect of the work being undertaken within the Council to champion risk management was also provided.

In July 2025, there were 3 risks categorised as RED as summarised below and these remained RED.

- Achievement of Savings and Transformation Strategy
- Failure to agree a Local Plan
- Managed exit from the Agile System

Reference was made to the risk in respect of 'Devolution and Local Government Reorganisation', which remained as AMBER at this stage, although it was recognised that the ongoing risk assessment would be informed by the work underway regarding the submissions from the Kent authorities with the assistance of an appointed strategic partner.

A schedule of ongoing risks and risks identified by Service Management Teams and Management Team since the last report to the Committee in July 2025 was attached at Annex 2 to the report.

As part of the arrangements in place to ensure risk management maintained a high profile within the Council, the Risk Management Strategy (attached at Annex 3) and accompanying guidance (attached at Annex 4) were subject to annual review. Following changes to the guidance and consideration by the Risk Champions Group, a new format of the risk matrix was proposed and attached at Annex 5, and if approved by Council would be used for reporting from January 2026.

During discussion, Members challenged the AMBER risk rating for 'Carbon Neutral 2030 Aspiration' despite various works having been carried out and the success of grant applications, however it was likely that the risk would remain AMBER due to a reduction in future grant funding.

RECOMMENDED*: That

(1) the updates to the Strategy Risk Register since the last iteration with particular emphasis on those risks categorised as RED as shown in Annexes 1 and 1a, be noted;

(2) the service risks identified in Annex 2, be noted; and

(3) the Risk Management Strategy and accompanying Risk Management Guidance, subject to any amendments required, be reviewed and adopted by Full Council.

***Recommended to Cabinet**

MATTERS FOR DECISION UNDER DELEGATED POWERS

AU 25/44 INTERNAL AUDIT AND COUNTER FRAUD QUARTER 1 PROGRESS REPORT

The report of the Head of Finance provided an accumulative summary view of the work undertaken by Internal Audit and Counter Fraud for the period July 2025 to September 2025, together with the resulting

conclusions where appropriate. The Internal Audit and Counter Fraud Progress Report, including eight recommended additional audit proposals for inclusion in the plan for 2025/26 was attached at Annex 1 to the report.

Particular attention was made to the five audits that had been finalised to draft/final report in the period, which included the remaining two audits from the 2024/25 plan and three audits from the 2025/26 plan. An update on the status of the 2025/26 Internal Audit Plan was received, and at the current time, two audits were in 'fieldwork' and four in the 'planning' stage. In addition, attention was brought to the Local Plan audit which would start once there had been Member agreement of a local plan; and the Castle project which had been removed as the use of the gateway space as a banking hub curtailed the immediate requirement for development for income generation purposes.

Members received details of the Council's activity in preventing and detecting fraud and corruption during the first quarter of the 2025/26 financial year. The annual exercise of Single Person Discount to Register of Electors, led to an increase of £17,500 in Council Tax liability and a future loss provision of £5,000. It was noted that the annual exercise required significant time for investigation and completion due to their complexity. Additionally, discrepancies on DWP payable benefits had affected the Council's ability to update accounts.

The Kent Intelligence Network continued to support local authorities in Kent in fraud prevention and detection and the focus remained on addressing fraud and errors related to single person discounts, small business rate relief, and unrated businesses and residential premises.

RESOLVED: That

(1) the Internal Audit and Counter Fraud Progress Report as a source of independent assurance regarding the risk, control and governance environment across the Council, noting the outcomes from audits completed since July 2025 and the Counter Fraud activity for the period, be noted; and

(2) the Internal Audit Plan additions and amendments for the year 2025/26, be approved.

AU 25/45 STATEMENT OF ACCOUNTS 2024/25 - AUDIT FINDINGS REPORT

The report presented the current set of Accounts for 2024/25 in the format specified by the Code of Practice on Local Authority Accounting in the United Kingdom. The Committee was invited to approve both the Statement of Accounts and the Audit Findings Report.

The audited set of Accounts for 2024/25 were attached at Annex 1 to the report. Members noted that the Council's responsible financial officer

had certified that the Statement of Accounts presented a 'true and fair' view of the financial position of the local authority at the end of the year and its income and expenditure for the year. Members were reminded that the Statement of Accounts was subject to external audit.

The Audit Findings Report gave two recommendations for the Borough Council as a result of issues identified during the audit. These related to bank reconciliation and related party disclosures. More detail was provided in paragraph 5.4 of the report together with the proposed management response.

Following publication of the Letter of Representation, Grant Thornton had inserted the following 'We have considered the impact of the equal pay claim on the financial statement. We have no knowledge of any material events or circumstances that would require additional disclosures or adjustments made to the financial statements related to equal pay'.

RESOLVED: That

(1) the enclosed audited set of Accounts for 2024/25 (attached at Annex 1) be approved and the Chair of the Audit Committee be asked to sign the Accounts in the appropriate place;

(2) the Audit Findings Report (attached at Annex 2) and the Management Responses, as detailed in paragraph 5.4 and 5.5 of the report on the outcome of the audit of the Statement of Accounts for 2024/25, be approved; and

(3) the Letter of Representation (attached at Annex 3) be approved for signature by the Chair of the Audit Committee and the Head of Finance (S.151) once Grant Thornton had issued their opinion, subject to the inclusion of additional text related to equal pay.

AU 25/46 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

AU 25/47 INSURANCE CLAIMS UPDATE

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

The report of the Head of Finance informed Members as to the nature and volume of liability and property damage insurance claims submitted between April 2025 to August 2025.

The meeting ended at 8.32 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

RECORD OF EXECUTIVE NON-KEY DECISION

Decision Taken By: **Cabinet Member for Finance, Waste and Technical Services**	**Decision Number:** **D250072MEM**

Date: 26 June 2025

Decision(s) and Reason(s)
Business Rates Discretionary Relief Awards
(Reason: LGA 1972 Sch 12A Paragraph 3 Information relating to the financial or business affairs of any particular person (including the authority holding that information)) Following consideration of an application for an award of business rates discretionary relief from a business on the basis of a reduction of the retail rate relief for 2025/26, the Cabinet Member for Finance, Waste and Technical Services RESOLVED that: (1) the application for the award of discretionary relief be refused.
Reasons for decision: It was central government policy to reduce the percentage of retail rate relief for 2025/26 and not the responsibility of local government to bridge this gap. This is consistent with other decisions of a similar nature and there is nothing exceptional about the circumstances of this particular business.

Signed Cabinet Member for Finance, Waste and Technical Services:	M Coffin
Signed Leader:	M Boughton
Signed Deputy Chief Executive:	A Stanfield
Date of publication:	3 July 2025

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: D250073CAB
Decision Type: Key
Date: 30 June 2025

Decision(s) and Reason(s)

Business Rates Pool (Shared Growth Fund) Programme

Careful consideration was given to a proposed programme of activity to support the borough's local economy using funding through the Business Rate Pool (Shared Growth Fund).

Under the national business rates retention scheme, local authorities were able to come together, on a voluntary basis, to pool their business rates, giving them scope to generate additional growth through collaborative effort and to smooth the impact of volatility in rates income across a wide economic area. Membership in the pool has enabled the Council to access the Shared Growth Fund, which is estimated to be at £1.125m by the end of 2025/26, to finance projects aligned with local and county strategic priorities. The proposed programme at Annex 1, was based on local and county wide strategies and had received approval from Kent County Council.

Cabinet had due regard to the financial and value for money considerations and noted that due to the impending business rate affects affecting local government finance, it was currently unknown as to what level of growth, if any, would be retained through the Pool after 2026/27. Furthermore, due regard was given to the potential risks across the programme. These risks would be reviewed on an ongoing basis and plans put in place to ensure that the impact and likelihood are minimises where feasible.

On the grounds that there would be investment in the local economy to help support residents and businesses and the programme would foster sustainable growth, Cllr Taylor proposed, Cllr Betts seconded and Cabinet

RESOLVED: That the proposed Business Rates Pool (Shared Growth Fund) Programme, as set out in Annex 1, be approved.

Reasons: As set out in the report submitted to Cabinet on 30 June 2025.

Signed Deputy Leader: M Coffin

Signed Deputy Chief Executive: A Stanfield

Date of publication: 4 July 2025

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: D250074CAB
Decision Type: Non Key
Date: 30 June 2025

Decision(s) and Reason(s)

2024/25 Financial Outturn and May 2025 Budgetary Control

The report of the Director of Finance and Transformation presented Members with the 2024/25 Financial Outturn and the current financial position to the end of May 2025 for the 2025/26 Financial Year, in accordance with the Borough Council's Financial Procedure Rules.

A detailed revenue and capital outturn position for the year 2024/25 was provided in the Revenue and Capital Outturn Booklet attached at Annex 1. Members were pleased with the positive revenue position for 2024/25, reported as a contribution to the Borough Council's General Revenue Reserve of £1,109,493 after taking into account the additional reserve movements as set out in paragraph 4.3 of the report. Given the outturn variation, additional reserve movements had been made to assist with the delivery of corporate priorities and future needs of the authority and these movements to reserve to account for the variation between the outturn and revised estimate were provided at paragraph 4.13 of the report.

Details of the movements in reserve balances as at 31 March 2025 were set out in Annex 2 and a summary of decisions taken by Cabinet and Committees with budget implications since the revenue budget was approved by Council in February 2025 to the end of May 2025 was attached at Annex 3.

Budgetary Control Monitoring Statements for Salaries and Incomes to the end of May 2025 were attached for information at Annex 4 and Annex 5 respectively. The 2024/25 revenue budget position was summarised in paragraph 5.8 of the report, which reflected a favourable net variance of £291,052 as at the end of May 2025.

With regard to Business Rates monitoring, particular reference was made to the variation of £198,640 below the original estimate of an overall net income of £4,011,309, due to an increased level of empty properties and the awaited valuations of business properties adjacent to Junction 5 of the M20.

Cllr Coffin proposed, seconded by Cllr Boughton and Cabinet

RESOLVED: That

(1) the year end position for 2024/25 be noted and the reserve movements as shown in paragraph 4.13 be endorsed;

(2) at the end of May 2025, a net favourable variance of circa £291k when compared to the proportion of the 2025/26 budget, as shown in paragraph 5.8 of the report, be noted; and

(3)	the current business rate pool position as at the end of May 2025, as set out in paragraph 6.2 of the report, be noted.
Reasons: As set out in the report submitted to Cabinet on 30 June 2025.	

Signed Deputy Leader: M Coffin

Signed Deputy Chief Executive: A Stanfield

Date of publication: 4 July 2025

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: D250075CAB
Decision Type: Non Key
Date: 30 June 2025

Decision(s) and Reason(s)

Warm Homes: Local Grant

The Warm Homes: Local Grant, a government funded scheme in England aimed to improve the energy efficiency of homes and reduce fuel poverty for low-income households was part of the broader Warm Homes Plan, which aimed to upgrade 5 million homes within the next 5 years and support the transition to net zero by 2050.

The Borough Council had provisionally been awarded £1.5m of the Warm Homes: Local Grant funding to improve the energy efficiency of fuel poor homes in its district and help to deliver a wider net zero programme.

Due regard was given to the financial and value for money considerations and the assessment of risk detailed in the report. Members were advised of the scheme constraint that Administration and Ancillary (A&A) cost of delivery must not exceed 15% of the capital spend. This presented a high financial and reputational risk to the Council which could not be fully mitigated.

Consideration had been given options for delivery of the project, however the financial modelling schemes at Annex 1 and 2 to the reports showed that the scheme was not financially viable.

On the grounds of significant financial and reputational risk in delivering the scheme, Cllr Coffin proposed, seconded by Cllr Boughton and Cabinet

RESOLVED: That

(1) the Warm Homes: Local Grant funding be declined on the basis that the reputational and financial risk to the Council was too high; and

(2) the Government be advised that although the Council wished to deliver these improvements in residents' homes across the borough, the scheme set up and constraints made it too high a risk to accept the funding.

Reasons: As set out in the report submitted to Cabinet on 30 June 2025.

Signed Deputy Leader: M Coffin

Signed Deputy Chief Executive: A Stanfield

Date of publication: 4 July 2025

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: D250076CAB
Decision Type: Non Key
Date: 30 June 2025

Decision(s) and Reason(s)

UK Shared Prosperity Fund (UKSPF) - Community Development Grant Scheme

The report of the Chief Executive set out the Community Development Grant Scheme in detail and sought approval to launch the scheme in July 2025. The grant would support local voluntary, community and charitable groups to deliver targeted services that met residents' needs and enhance the quality of life in the community.

This would be the third round of the UKSPF Community Development Grant Scheme in addition to a recent TMBC 50th Anniversary Community Grant Scheme which had just been completed. All three previous schemes had been well received by the local voluntary, community and charity sector and many projects across the borough had been delivered, providing vital support to residents. As the schemes had been over-subscribed, and to help manage the process, guidance and scoring criteria was set out at Annex 1 to the report, to ensure applicants were aware of funding priorities and to maintain a fair and consistent approach to grant allocation.

In terms of the implementation, the scheme would be launched on 14 July 2025 and closed on 15 September 2025. The final approval of grant allocations would be at Cabinet on 14 October 2025, with funds distributed from the end of October 2025.

Careful consideration was given to the guidance and scoring criteria at Annex 1. In order to support local veterans and the Borough's armed forces community, Cllr Keers proposed, seconded by Cllr Boughton that additional points be included in the scoring criteria for any group proposing projects in support of the armed forces.

RESOLVED: That

(1) the priorities of the scheme, as set out in the report, be endorsed;

(2) the Guidance and Scoring Criteria as set out in Annex 1, be endorsed subject to the inclusion of additional points for any group proposing projects in support of the armed forces; and

(3) the launch of the scheme on 14 July 2025, be agreed.

Reasons: As set out in the report submitted to Cabinet on 30 June 2025.

Signed Deputy Leader: M Coffin

Signed Deputy Chief Executive: A Stanfield

Date of publication: 4 July 2025

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: D250077CAB
Decision Type: Non Key
Date: 30 June 2025

Decision(s) and Reason(s)

Tonbridge Town Centre - East of High Street Masterplan Framework

Consideration was given to the Masterplan Framework and Viability reports that were the culmination of the East of High Street (EOHS) Masterplan exercise that had been carried out by consultants Mace, Architects Periscope and Commercial Property Specialist Vail Williams since December 2024. The consultants had presented a high-level illustrative masterplan and spatial development proposals including viability and delivery analysis, to address housing and employment growth needs.

It was proposed that a public engagement exercise be undertaken on the Masterplan Framework, informed by feedback from the Programme Board. The consultation would run digitally for six weeks from mid-July, supplemented by information at key town centre locations and via social media to ensure broad community access. Over the summer, further work would develop delivery routes and detail for Member consideration, including funding and procurement options. The viability report highlighted current market challenges but noted that conditions might change. Not undertaking public engagement or further delivery analysis over the summer were outlined as alternative options, but both were considered less effective for stakeholder involvement and strategic planning.

Due regard was given to the financial and value for money considerations, the assessment of risks detailed in the report.

To ensure that the work was shared with local stakeholders to allow them to understand the process and the potentially deliverable options, as well as being able to comment on these proposals and raise issues and questions, Cllr Keers proposed, seconded by Cllr Boughton and Cabinet

RESOLVED: That

(1) the site development and delivery options in the Tonbridge Town Centre East of High Street Masterplan Framework Report at Annex 1, be noted and Members be invited to comment on these ahead of a more detailed report in October 2025;

(2) the Tonbridge Town Centre East of High Street Masterplan Viability Report at Annex 2 (Part 2 – Private) and the Masterplan Viability Report Appendix 2 Market Insight & Benchmarking at Annex 3 (Part 2 – Private) be noted; and

(3) the recommendation of the Tonbridge Town Centre Programme Board in the meeting on 23 May 2025 at Annex 4 (Part 2 – Private) that a public

engagement exercise be undertaken on the Masterplan Framework document, based on the views expressed by the Programme Board, be supported.
Reasons: As set out in the report submitted to Cabinet on 30 June 2025 (contains exempt information).

Signed Deputy Leader: M Coffin

Signed Deputy Chief Executive: A Stanfield

Date of publication: 4 July 2025

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: D250078CAB
Decision Type: Key
Date: 30 June 2025

Decision(s) and Reason(s)

Lease Renewal at Derwent Road, Tonbridge

(Reasons: Part 2 – Private – LGA 1972 Sch 12A Paragraph 3 – Financial or business affairs of any particular person)

Consideration was given to the proposal to renew an existing lease for a shop unit the Council owned at Derwent Road in Tonbridge.

Due regard was given to the financial and value for money considerations, the assessed risk and legal implications.

Cllr Boughton proposed, seconded by Cllr Coffin and Cabinet

RESOLVED: That the terms of the lease renewal at 1A Derwent Road in Tonbridge as detailed in the report, be approved.

Reasons: As set out in the report to Cabinet on 30 June 2025 (contains exempt information).

Signed Deputy Leader: M Coffin

Signed Deputy Chief Executive: A Stanfield

Date of publication: 4 July 2025

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: D250079CAB
Decision Type: Key
Date: 30 June 2025

Decision(s) and Reason(s)

Lease Renewal - Martin Square, Larkfield

(Reasons: Part 2 – Private – LGA 1972 Sch 12A Paragraph 3 – Financial or business affairs of any particular person).

Consideration was given to a proposal to renew an existing lease of 48 and 50 Martin Square, Larkfield as detailed in the report.

Due regard was given to the financial and value for money considerations, the assessed risk and legal implications.

Cllr Boughton proposed, seconded by Cllr Betts and Cabinet

RESOLVED: That the terms of the lease renewal at 48 and 50 Martin Square in Larkfield as detailed in the report, be approved.

Reasons: As set out in the report to Cabinet on 30 June 2025 (contains exempt information).

Signed Deputy Leader: M Coffin

Signed Deputy Chief Executive: A Stanfield

Date of publication: 4 July 2025

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: D250080CAB
Decision Type: Non Key
Date: 30 June 2025

Decision(s) and Reason(s)

Progress and Update - Planning Advisory Service (PAS) Peer Challenge Review

(Reasons: Part 2 - Private: LGA 1972 - Sch 12A Paragraph 3 - Financial or business affairs of any particular person)

Cabinet received an update on the progress made to implement the requirements of the Annual Service Delivery Plan 2025/26 which sought an Independent Planning Advisory (PAS) Review to be completed by September 2025 and required an Action Plan for improvement to be considered by the Housing and Planning Scrutiny Select Committee by October 2025, with an Action Plan agreed by Cabinet by December 2025 and the Action Plan fully delivered by March 2026. The initial scoping letter, setting out a framework which would be used to guide the focus of the Peer Challenge was attached at Annex 1 to the report. The Housing and Planning Scrutiny Select Committee were supportive of the Peer Challenge and were in agreement with the proposed make up of Members which gave proportional representation.

Cabinet had due regard to the views of the Housing and Planning Scrutiny Select Committee, the financial considerations, in particular the main variable factors, the value for money considerations and legal implications.

Cllr Boughton proposed, seconded by Cllr Taylor and Cabinet

RESOLVED: That

(1) the funding for the Peer Challenge at a cost of between £18-22k (the main variable factors being the availability of consultants and expenses, especially hotel costs which were estimated as part of the guide cost) be approved, with the funding to be drawn from the Transformation Reserve;

(2) the update on the fee quote, be noted; and

(3) the on-going work to deliver the Peer Challenge within the target dates set out by the Annual Service Delivery Plan, be noted.

Reasons: As set out in the report submitted to Cabinet on 30 June 2025 (contains exempt information).

Signed Deputy Leader: M Coffin

Signed Deputy Chief Executive: A Stanfield

Date of publication: 4 July 2025

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: D250081CAB
Decision Type: Non Key
Date: 30 June 2025

Decision(s) and Reason(s)

Council Banking and Merchant Acquirer Services Contract

(Reasons: Part 2 – Private – LGA 1972 Sch 12A Paragraph 3 – Financial or business affairs of any particular person).

The report of the Director of Finance and Transformation set out details of the proposed review of the Council's Banking and Merchant Acquirer Services which were due to expire at the end of March 2026.

Cabinet had due regard to the financial and value for money considerations, the assessed risks and legal implications.

On the grounds of ensuring continuity of service, Cllr Boughton proposed, seconded by Cllr Coffin and Cabinet

RESOLVED: That

(1) 'Focus on Banking' be engaged to conduct a review of the current arrangements and provide recommendations for the renewal of the services from April 2026;

(2) the cost of £4,000 for the review be funded from the Budget Stabilisation Reserve; and

(3) the Head of Finance (designate) and the Cabinet Member for Finance, Waste and Technical Services be given delegated authority to proceed with the recommendations for the renewal of services from April 2026.

Reasons: As set out in the report to Cabinet on 30 June 2025 (contains exempt information).

Signed Deputy Leader: M Coffin

Signed Deputy Chief Executive: A Stanfield

Date of publication: 4 July 2025

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: D250082CAB
Decision Type: Non Key
Date: 30 June 2025

Decision(s) and Reason(s)

Rough Sleeper Prevention and Recovery Services - Award of Contract

(Reasons: Part 2 – Private LGA 1972 Sch 12A Paragraph 3 – Financial or business affairs of any particular person)

Consideration was given to an award of contract for Rough Sleeper Prevention and Recovery Services following an award of £309,801 of Rough Sleeper Prevention and Resettlement Grant funding for rough sleeper services for the financial year. The proposed project would ensure that the Council have off the street accommodation for those rough sleeping across Tonbridge and Malling and Tunbridge Wells which aligned with the Council's aim to end rough sleeping and where it did happen, ensure that it was brief and non-recurring.

Due regard was given to the financial and value for money considerations and legal implications.

Cllr Betts proposed, seconded by Cllr Coffin and Cabinet

RESOLVED: That

(1) the award of contract to the successful tenderer to deliver the Rough Sleeper Prevention and Recovery Services for Tonbridge and Malling, be approved; and

(2) an initial appointment until March 2026 and a further 3 x 1 years be approved, subject to further funding being awarded.

Reasons: As set out in the report to Cabinet on 30 June 2025 (contains exempt information).

Signed Deputy Leader: M Coffin

Signed Deputy Chief Executive: A Stanfield

Date of publication: 4 July 2025

This decision is not subject to call-in since in the opinion of the Cabinet it is urgent and any delay would seriously prejudice the Council's or the public's interest (Overview and Scrutiny Procedure Rule 15(i)).

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION

Decision Taken By: Cabinet Member for Housing, Environment and Economy	**Decision No:** D250083MEM

Date: 15 July 2025

Decision(s) and Reason(s)

Development of a Homelessness and Rough Sleeping Strategy

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

The report outlined a proposal to develop a standalone Homelessness and Rough Sleeping Strategy, as required under the Homelessness Act 2021 and within the context of a UK wide housing crisis, setting out how the Council would continue to tackle this increase in demand, and to ensure homelessness was prevented at the earliest opportunity and a range of housing options were available for those who had lost their homes.

The proposed approach of undertaking a comprehensive evidence base review of the challenges faced at a national, regional and local levels by the district, involving key stakeholders including Members and key partners, which would then be used to inform the development of a draft strategy and an associated action plan, was supported by Members.

In addition, the proposed timetable leading to the adoption of the strategy by Cabinet on 3 March 2026, following consideration of a draft strategy by the Scrutiny Select Committee on 2 December 2025 before undertaking a public consultation in December 2025 / January 2026, was noted.

Finally, Members were pleased to note that a contract to deliver the Rough Sleeper Prevention and Recovery Services for the borough had been awarded to Porchlight until the end of the financial year pending further grant funding from the Government.

Following consideration by the Housing and Planning Scrutiny Select Committee, the Cabinet Member for Housing, Environment and Economy

RESOLVED: That

(1) the approach to the development of a draft Homelessness and Rough Sleeping Strategy for consultation, be endorsed;

(2) the engagement of key stakeholders, including Members and key partners, to assist and inform the development of the draft strategy, be agreed; and

(3) the proposed timetable which aimed to present a draft strategy to Housing and Planning Scrutiny Select Committee on 2 December 2025 with a final draft following consultation to be presented to Cabinet on 3 March 2026, be agreed.
Reasons: As set out in the report submitted to Housing and Planning Scrutiny Select Committee on 15 July 2025.

Signed Cabinet Member for Housing, Environment and Economy:	R Betts
Signed Leader:	M Boughton
Signed Chief Executive:	D Roberts
Date of publication:	17 July 2025

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 Planning	Decision No: D250084MEM

Date: 15 July 2025

Decision(s) and Reason(s)

Planning Technical Consultation Responses

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

The report provided an update on the technical consultations that had been published by the Ministry of Housing, Communities and Local Government, relating to improving transparency and monitoring of building out of schemes and to proposed reforms to Planning Committees, including their size and which types of application could be considered by those committees.

It was noted that the response to the "Implementing measures to improve Build Out transparency: Technical consultation", attached at Annex 1, was submitted under delegated powers of the Director of Planning, Housing and Environmental Health, in consultation with the Cabinet Member for Planning, due to the timescales involved. The fact that the Government was considering measures to ensure schemes were commenced and built out in a timely manner was welcomed by Members, although it was recognised that details around potential enforcement powers, in particular the power to decline to determine applications if a developer had failed to build out development authorised by an earlier planning permission at a reasonable rate, were yet to be laid out by the Government.

The proposed draft response to the "Reform of Planning Committees: Technical Consultation" was set out at Annex 2. Members noted that this consultation proposed reforms to the size of Planning Committees, as well as suggesting that Members on a Planning Committee would be required to have a certified programme of training. It also considered a potential tiering scheme to determine which types of application would be able to be considered by a Planning Committee, if meeting certain locally set criteria, and which would be delegated to officers.

While appreciating the careful thought that had been given and efforts made by the Director of Planning, Housing and Environmental Health in drafting the response, Members had a lengthy discussion around the proposed response to a number of the questions in the consultation, and suggested strengthening the answers in respect of Question 2 (highlighting the exception of reserved matter approvals for both major and medium development categories from Tier A category), Question 3 (clarifying that Tonbridge and Malling should be in the 'smaller Local Planning Authority' category and therefore medium residential development should fall in Tier B), Question 5 (strengthening the application of exceptional circumstances in line with a mandate to be set by the Government to ensure consistency), Question 9 (highlighting confirmation of Tree Preservation Order should be included in Tier B as per the Council's existing policy), Question 11 (accepting the application of

exceptional circumstances with enforcement decisions being delegated in the main under Tier A), Question 12 (emphasising the objection of Members to the restrictions being considered by the Government in respect of setting a maximum number for planning committee members for national consistency and removing the reference of the size of planning committee being an acknowledged issue from the response) and Question 15 (expanding the response to capture the different views of Members on mandatory training).

In order to meet the deadline for submitting a response to the "Reform of Planning Committees: Technical consultation" by 23 July 2025, it was proposed by Councillor Williams and seconded by Councillor King (Chair) that the draft response be amended to reflect the comments made above and a final version agreed in consultation with the Cabinet Member for Planning and the Chair of the Housing and Planning Scrutiny Select Committee before submission to the Government. This motion was supported unanimously by the Committee.

Following consideration by the Housing and Planning Scrutiny Select Committee, the Cabinet Member for Planning

RESOLVED: That

(1) the response to the "Implementing measures to improve Build Out transparency: Technical consultation", which was submitted ahead of the 7 July 2025 deadline by the Director of Planning, Housing & Environmental Health in consultation with the Cabinet Member for Planning, be noted; and

(2) the draft response to the "Reform of Planning Committees: Technical consultation", as set out in Annex 2, be amended to take into account comments made by Members at the Housing and Planning Scrutiny Select Committee on 15 July 2025, in consultation with the Cabinet Member for Planning and the Chair of the Housing and Planning Scrutiny Select Committee, and the submission of a revised final response by the 23 July 2025 deadline, be approved.

Reasons: As set out in the report submitted to Housing and Planning Scrutiny Select Committee on 15 July 2025.

Signed Cabinet Member for Planning:	M Taylor
Signed Leader:	M Boughton
Signed Chief Executive:	D Roberts
Date of publication:	17 July 2025

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

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION

Decision Taken By: **Cabinet Member for Community Services**	**Decision No:** D250086MEM

Date: 16 July 2025

Decision(s) and Reason(s)

Tonbridge and Malling Community Awards Scheme

(Report of Chief Executive)

Member approval was sought on a Community Awards Scheme which would recognise and celebrate individuals, groups and organisations who had made outstanding contributions through volunteering or initiatives that improved the lives of others.

In terms of the categories of award, it was suggested that the 'Individual volunteer of the year' and 'Young community champion' categories be broken down further into age groups.

Following consideration by the Communities and Environment Scrutiny Select Committee, the Cabinet Member for Community Services

RESOLVED: That:

(1) the Community Awards Scheme for Tonbridge and Malling, be approved; and

(2) the categories of awards and the nomination process, as set out in the report, be agreed.

Reasons: As set out in the report submitted to the Communities and Environment Scrutiny Select Committee of 16 July 2025.

Signed Cabinet Member for Community Services:	D Keers
Signed Leader:	M Boughton
Signed Chief Executive:	D Roberts
Date of publication:	18 July 2025

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, Environment and Economy	Decision No: D250087MEM

Date: 16 July 2025

Decision(s) and Reason(s)

Climate Change Monitoring and Reporting

(Report of Chief Executive)

Member approval was sought for the publication of the Climate Change Action Plan Year 5 Progress Report; the Climate Change Action Plan Year 6 2025/26; and the Carbon Audit 2024/25 (attached as Annexes 1, 2 and 3 respectively).

The report summarised progress to date, the new action plan and trends in emissions from the Borough Council's estate and operations. The progress made against the Climate Change Action Plan across all areas in 2024/25 was good, with most actions either fully complete or ongoing due to the continuous nature of the work. The most significant sources of emissions across the TMBC estate and operations remained leisure facilities and refuse collection vehicles. Addressing these would make the largest impact towards the 2030 carbon neutral aspiration.

In the next year, the Council would continue to invest in renewable and low carbon technologies, part funded by grants awarded to the Council, to tackle emissions from leisure facilities. Furthermore, the new waste contract would offer an opportunity to take steps to reduce emissions from refuse collection vehicles.

Following consideration by the Communities and Environment Scrutiny Select Committee, the Cabinet Member for Housing, Environment and Economy

RESOLVED: That

(1) the Climate Change Action Plan Year 5 Progress Report (attached at Annex 1), be endorsed;

(2) the Climate Change Action Plan Year 6 2025/26 (attached at Annex 2), be approved; and

(3) the Carbon Audit 2024/25 (attached at Annex 3), be approved.

Reasons: As set out in the report submitted to the Communities and Environment Scrutiny Select Committee of 16 July 2025.

Signed Cabinet Member for Housing, Environment and Economy:	R Betts
Signed Leader:	M Boughton
Signed Chief Executive:	D Roberts
Date of publication:	18 July 2025

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: D250088MEM

Date: 16 July 2025

Decision(s) and Reason(s)

Renewal of Public Space Protection Notice

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

The report gave details about the proposed Public Space Protection Order (PSPO) for 2026 and details of the consultation that must take place as part of the PSPO renewal process.

The PSPO had been in place in the borough since April 2017 and was reviewed in 2020 and 2023. The current PSPO was due to end in April 2026 and could be extended for a further three years. The report proposed to proceed with a PSPO containing multiple restrictions. Some of these restrictions were the same as included previously, as evidence had been provided to show that the issues were continuing. In addition, the report proposed one new restriction to prevent camping in the Memorial Gardens, Tonbridge. Furthermore, it was proposed that the restriction relating to the use of drones be amended to 'No person may launch or land a drone from any open space owned by the Borough Council without first obtaining authorisation from the Borough Council'. It was believed that each of the proposed restrictions would help prevent Anti-Social Behaviour in the borough.

On the grounds of public safety and the protection of wildlife, Members supported the inclusion of a new restriction prohibiting unauthorised catapult use, whilst noting that enforcement was only applicable to those persons over the age of 16 years.

Following consideration by the Communities and Environment Scrutiny Select Committee, the Cabinet Member for Community Services

RESOLVED: That

(1) the proposed amendments to the Public Space Protection Order, be agreed, subject to the inclusion of an additional restriction prohibiting the unauthorised use of catapults; and

(2) the amended Public Space Protection Order, go out for public consultation for a six-week period.

Reasons: As set out in the report submitted to the Communities and Environment Scrutiny Select Committee of 16 July 2025.

Signed Cabinet Member for Community Services:	D Keers
Signed Leader:	M Boughton
Signed Chief Executive:	D Roberts
Date of publication:	18 July 2025

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: D250089MEM

Date: 16 July 2025

Decision(s) and Reason(s)

Prevent Strategy Action Plan 2025-2028

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

Tonbridge and Malling Borough Council had a duty under the Counter Terrorism and Security Act 2015 to have due regard to the need to prevent people from being drawn into terrorism and were required to develop a Prevent Action Plan detailing actions that the Borough Council would take to help prevent individuals from becoming radicalised. The Prevent Action Plan was attached at Annex 1 of the report and showed the actions that the Borough Council intended to take over the next three years to help stop individuals from becoming drawn into extremism.

Following consideration by the Communities and Environment Scrutiny Select Committee, the Cabinet Member for Community Services

RESOLVED: That

(1) the Prevent Action Plan 2025-2028, be supported and endorsed.

Reasons: As set out in the report submitted to the Communities and Environment Scrutiny Select Committee of 16 July 2025.

Signed Cabinet Member for Community Services:	D Keers
Signed Leader:	M Boughton
Signed Chief Executive:	D Roberts
Date of publication:	18 July 2025

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: D250090MEM

Date: 16 July 2025

Decision(s) and Reason(s)

Haysden Country Park Management Plan 2025-2029 - Consultation

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

The report brought forward comments received as part of the public consultation exercise on the draft Management Plan for Haysden Country Park.

The draft Management Plan was made available for comment between 21 February and 11 April 2025, and six responses were received. Overall the comments were supportive of the Plan. All comments received had been carefully considered and a summary of the comments received and Officer responses was attached at Annex 2 to the report. There were no proposed amendments to the Plan following the consultation.

On grounds of public safety, the raising of the priority of the footpath along Lower Haysden Lane from 3 to 1 was supported.

Following consideration by the Communities and Environment Scrutiny Select Committee, the Cabinet Member for Community Services

RESOLVED: That

(1) the Haysden Country Park Management Plan 2025-29 be adopted, subject to a minor amendment to the Access Audit (12.3.3) and the comments of the Communities and Environment Scrutiny Select Committee.

Reasons: As set out in the report submitted to the Communities and Environment Scrutiny Select Committee of 16 July 2025.

Signed Cabinet Member for Community Services:	D Keers
Signed Leader:	M Boughton
Signed Chief Executive:	D Roberts
Date of publication:	18 July 2025

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, Waste and Technical Services	**Decision No:** D250091MEM

Date: 22 July 2025

Decision(s) and Reason(s)

Digital & IT Strategy Progress Update

(Report of Director of Finance and Transformation)

The report provided an update on progress to date with regard to the Council's Digital and IT Strategy for the period 2023-2027.

Over the past two years, the Council had made significant progress in delivering its Digital and IT Strategy 2023-27. The focus had been on improving service delivery, strengthening cyber security, and enhancing the digital experience for residents and staff. The roadmap for the strategy was attached at Annex 1 to the report and a detailed list of projects was attached at Annex 2.

Following consideration by the Finance, Regeneration and Property Scrutiny Select Committee, the Cabinet Member for Finance, Waste and Technical Services

RESOLVED: That

(1) the progress made to date on the Council's Digital and IT Strategy since its adoption in May 2023, and the direction of travel, be noted.

Reasons: As set out in the report submitted to the Finance, Regeneration and Property Scrutiny Select Committee of 22 July 2025.

Signed Cabinet Member for Finance, Waste and Technical Services:	M Coffin
Signed Leader:	M Boughton
Signed Chief Executive:	D Roberts
Date of publication:	24 July 2025

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.

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.

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 AND MALLING BOROUGH COUNCIL

RECORD OF EXECUTIVE NON-KEY DECISION

Decision Taken By: **Cabinet Member for Finance, Waste and Technical Services**	**Decision Number:** **D250092MEM**

Date: 24 July 2025

Decision(s) and Reason(s)
Write off of Unrecoverable Debts over £5,000.00
Reason: A list of debts over £5,000 where efforts to recover the debts have been exhausted was provided to the Cabinet Member to consider for write off. Following consideration of the policy, the Cabinet Member for Finance, Waste and Technical Services RESOLVED that: (1) 5 Council Tax debts totalling £32,822.22, be written off; (2) 3 Business Rates debts totalling £107,338.24, be written off; and (3) 1 Housing Benefit debt totalling £9,893.57, be written off.
Reasons for decision: All avenues available to recover the debts have been exhausted and, therefore, the only action left available is to write off the debts.

Signed Cabinet Member for Finance, Waste and Technical Services:	M Coffin
Signed Leader:	M Boughton
Signed Chief Executive:	D Roberts
Date of publication:	31 July 2025

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: D250093CAB
Decision Type: Key
Date: 29 July 2025

Decision(s) and Reason(s)

Heritage Information and Advice to Support the Local Plan including Information in relation to Conservation Areas

Consideration was given to the recommendations of the Housing and Planning Scrutiny Select Committee of 15 July 2025 in respect of the approach the Council should take in relation to obtaining heritage information and evidence to support the emerging Local Plan including progressing work on Conservation Area statements and Appraisals. Consideration was also given to advice from the Heritage Strategy that was produced in 2024 to support the emerging Local Plan.

It was acknowledged that information and evidence on heritage matters, including Conservation Area Statements / Appraisals, would provide information to help inform future change, development and design with regard to the sensitivities of the borough's historic environment and its unique character, ensuring that development could make a positive contribution to local character and distinctiveness as set out in paragraph 203 of the National Planning Policy Framework.

Careful consideration was given to a Conservation Area Appraisal / Statement Priority List, attached at Annex 1, which set out each Conservation Area within the borough, the size of the Conservation Area and whether a Conservation Area Appraisal already existed and the date of the Appraisal, where one had been undertaken previously.

Cabinet had due regard to the views of the Scrutiny Select Committee, the finance and value for money consideration, the risk assessment and the legal implications outlined in the report.

Cllr Taylor proposed, seconded by Cllr Boughton and Cabinet

RESOLVED: That

(1) the approach set out within this paper to progressing heritage information and evidence to support the Local Plan, be agreed;

(2) the approach to progressing Conservation Area Statements for those areas considered to be a priority to support the Local Plan, as set out in Table 3 under paragraph 7.5.3 of the report, be agreed;

(3) it be noted that, as part of the evidence gathering approach for the Local Plan, work would be progressed in relation to identifying any heritage issues as relevant to potential site allocations within the Local Plan process to ensure that sufficient information was provided at each key stage of the Local Plan process; (4) the priority in progressing the additional work between the various Conservation Areas as set out in Annex 1, be agreed; (5) short Conservation Area Statements be produced for all Conservation Areas that did not currently have a Conservation Area Appraisal as a starting point to ensure that information was available for all Conservation Areas in the borough; it be noted that this would be at extra cost and would take both financial and staffing resource away from progressing full Conservation Area Appraisals for those that did not currently have one or where Appraisals required a review and update; and (6) it be noted that the Heritage Strategy, attached at Annex 2, had been made publicly available following the Housing and Planning Scrutiny Select Committee meeting on 15 July 2025.
Reasons: As set out in the report submitted to Housing and Planning Scrutiny Select Commmittee of 15 July 2025.

Signed Leader: M Boughton

Signed Chief Executive: D Roberts

Date of publication: 30 July 2025

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 AND MALLING BOROUGH COUNCIL

RECORD OF EXECUTIVE NON-KEY DECISION

Decision Taken By: **Cabinet Member for Community Services**	**Decision Number:** **D250094MEM**

Date: 8 August 2025

Decision(s) and Reason(s)
Community Worker – Trench **Community Worker – East Malling / Larkfield**
Following consideration of the details in the Cabinet Member Reasons Report (attached at Annex 1), the Cabinet Member for Community Services, **RESOLVED** that: (1) the report be noted, and (2) a further 2-year Service Level Agreement to deliver community support in the Trench area of Tonbridge and in the East Malling/Larkfield area at £8,000 per year for two years for each area, be agreed.
Reasons for decision: Supporting the funding of the Community Worker posts attracts additional investment from partner organisations and helps to meet the Council's objective to support vulnerable people in more deprived communities.

Signed Cabinet Member for Community Services:	D Keers
Signed Leader:	M Boughton
Signed Chief Executive:	D Roberts
Date of publication:	12 August 2025

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 AND MALLING BOROUGH COUNCIL

RECORD OF EXECUTIVE NON-KEY DECISION

Decision Taken By: **Cabinet Member for Finance, Waste and Technical Services**	**Decision Number:** **D250095MEM**

Date: 22 August 2025

Decision(s) and Reason(s)
Business Rates Discretionary Relief Awards
Reason: Two applications have been received after the two-yearly review of business rates discretionary relief awards. One was in respect of a continuation of the relief previously awarded. The other was a reapplication after a period during which the business had not reapplied but circumstances from the previous award had not changed. These applications have been reviewed and a list passed to the Cabinet Member for approval. Following consideration of the policy, the Cabinet Member for Finance, Waste and Technical Services RESOLVED that: (1) the previous level of discretionary relief on the two cases presented for a period from 1 April 2025 to 31 March 2027, be awarded.
Reasons for decision: Business ratepayers receiving discretionary relief awards are required to reapply for their awards every two years. The latest tranche of applications received were reviewed by officers and a list of awards that should be continued were passed to the Cabinet Member for approval. These awards will run for two years from 1 April 2025 to 31 March 2027, at which time an application to continue the awards will be needed, if still applicable.

Signed Cabinet Member for Finance, Waste and Technical Services:	M Coffin
Signed Leader:	M Boughton
Signed Chief Executive:	D Roberts
Date of publication:	26 August 2025

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 AND MALLING BOROUGH COUNCIL

RECORD OF EXECUTIVE NON-KEY DECISION

Decision Taken By: **Cabinet Member for Finance, Waste and Technical Services**	**Decision Number:** **D250096MEM**

Date: 22 August 2025

Decision(s) and Reason(s)
Business Rates Discretionary Relief Awards
Reason: Application received from a business on the basis that retail rate relief had been reduced from 75% to 40% for the 2025/26 year, and increased costs of business rates and other expenses will be problematic. Business accounts over the recent years show a profit in the two most recent accounting years but the profit level has reduced. Following consideration of the policy, the Cabinet Member for Finance, Waste and Technical Services RESOLVED that: (1) the application for the award of discretionary relief, be refused.
Reasons for decision: It was central government policy to reduce the percentage of retail rate relief for 2025/26 and not the responsibility of local government to bridge this gap. This is consistent with other decisions of a similar nature and there is nothing exceptional about the circumstances of this particular business.

Signed Cabinet Member for Finance, Waste and Technical Services:	M Coffin
Signed Leader:	M Boughton
Signed Chief Executive:	D Roberts
Date of publication:	26 August 2025

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 AND MALLING BOROUGH COUNCIL

RECORD OF EXECUTIVE NON-KEY DECISION

Decision Taken By: **Cabinet Member for Finance, Waste and Technical Services**	**Decision Number:** **D250097MEM**

Date: 22 August 2025

Decision(s) and Reason(s)
Application for Section 13A 1(C) Council Tax Discount
Reason: A taxpayer has applied for a S13A 1(C) for a property which was inherited and needed renovations. The work was started and the taxpayer had an agreement in principle from a bank to borrow the money required to continue the renovations. The request was subsequently turned down. Because the property was then not in a suitable state for occupation the taxpayer had to rent alternative accommodation. In the meantime, a council tax premium to the value of £2250.46 was charged for 2024/25. This was an unforeseen expense as the taxpayer had expected to continue the works. In 2025/26 the new premium exception applied so there is no "extra" charge for the current year. The application is to have a discount to the value of the 2024/25 premium. Following consideration of the policy, the Cabinet Member for Finance, Waste and Technical Services RESOLVED that: (1) the discount under S13A 1(C) of the Local Government Finance Act 1992 to the value of £2250.46 (the value of the premium charged), be awarded.
Reasons for decision: The taxpayer had intended to continue the work required to bring the property into a habitable state. Due to being let down by their prospective lender, this was not possible and the taxpayer incurred extra expense in renting another property. These were unforeseen circumstances and beyond the taxpayer's control.

Signed Cabinet Member for Finance, Waste and Technical Services:	M Coffin
Signed Leader:	M Boughton
Signed Chief Executive:	D Roberts
Date of publication:	26 August 2025

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: D250098CAB
Decision Type: Non-Key
Date: 02 September 2025

Decision(s) and Reason(s)

Riverside Route Lighting Project, Tonbridge

Consideration was given to the proposal outlined in the external consultant's design report (attached at Annex 1) which was to progress the tendering and construction of a high-quality lighting scheme between Town Lock and Vale Road/Cannon Lane in Tonbridge.

Due regard was given to the financial and value for money considerations, the assessment of risk and the legal implications detailed in the report. Members noted a revised budget for the project due to improved accuracy following stage 4 design. It was also felt prudent to allow a contingency sum for any issues arising from an ecological appraisal and any further comments from external bodies including the Environment Agency and Kent Wildlife Trust.

On the grounds of improving safety along the footpath and that the project could be delivered in full via developer contributions with no funding needed from the Borough Council, Cllr Keers proposed, Cllr Mehmet seconded and Cabinet

RESOLVED: That

(1) the project for riverside lighting between Vale Road and the northwest boundary of the former gasholder site be progressed through the tender and construction stages;

(2) delegated authority be granted to the Director of Street Scene, Leisure and Technical Services, in consultation with the Cabinet Member for Communities and local Ward Members, to amend the design to take into account any findings from the ecological appraisal and any further comments from external bodies including the Environment Agency and Kent Wildlife Trust; and

(3) a project budget as set out in the report and funded in full via developer contributions, be approved

Reasons: As set out in the report to Cabinet on 2 September 2025

Signed Leader: M Boughton

Signed Chief Executive: D Roberts

Date of publication: 5 September 2025

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: D250099CAB
Decision Type: Non-Key
Date: 02 September 2025

Decision(s) and Reason(s)

Local Nature Recovery Strategy - Pre Publication Review Period

The report of the Director of Planning, Housing and Environmental Health presented a Local Nature Recovery Strategy (LNRS) on behalf of the Responsible Authority (Kent County Council), which was now in its final stages at the pre-publication review period.

As a Supporting Authority, Tonbridge and Malling Borough Council had 28 days to consider the LNRS and to either lodge any publication advisory notice to Kent County Council (KCC) if it was considered that the final Strategy could not be justified and/or was materially deficient or confirm support for proceeding to publication.

Due regard was given to the details outlined in the report, together with the LNRS and on the grounds that the Strategy set priorities for biodiversity enhancements, mapped where nature recovery actions could be located for both habitats and species and delivered improvements for wildlife and other environmental benefits, Cllr Taylor proposed, Cllr Betts seconded and Cabinet

RESOLVED: That

(1) the purpose and content of the Pre-Publication Kent and Medway Local Nature Recovery Strategy be noted;

(2) the Borough Council's support to proceed to publication be confirmed; and

(3) the Borough Council's response be delegated to the Director of Planning, Housing and Environmental Health, in consultation with the Cabinet Member for Planning.

Reasons: As set out in the report submitted to Cabinet of 2 September 2025.

Signed Leader: M Boughton

Signed Chief Executive: D Roberts

Date of publication: 5 September 2025

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: D250100CAB
Decision Type: Non-Key
Date: 02 September 2025

Decision(s) and Reason(s)

Budgetary Control and Savings Update - July 2025

In accordance with the Borough Council's Financial Procedure Rules, the Head of Finance and s151 Officer's report provided an update on the financial position as of the end of July 2025. Members were also informed about the progress towards achieving the savings target for the 2026/27 budget

A number of areas had been identified as variations to the original estimate and included a reduced inflationary increase on the Refuse, Recycling and Street Cleansing Contract, an adjustment in respect of utility support payments to the Tonbridge and Malling Leisure Trust arising from falling energy prices and the implementation of energy saving measures at leisure facilities and an increased award in respect of 'Polluter Pays' grants. These had resulted in a net variable variance as at the end of July 2025.

Attention was also drawn to areas of overspend including temporary accommodation for homelessness clients, essential grounds work maintenance surrounding the rebutment at Tonbridge Castle and unexpected works to resolve a water leak at the Racecourse Ground.

Particular reference was made to base budget reviews undertaken by all Services to identify contributions towards the savings target. Whilst the areas of saving and/or income generation were short of the minimum £300,000 target, when the overprovision of inflation for the Refuse, Recycling and Street Cleansing Contract was reflected, the revised total met the savings target.

Finally, Members recognised the risks related to Business Rates and the lack of valuation on some properties and the ongoing Fair Funding Review, both of which could fundamentally impact the Borough Council's income streams.

Cllr Coffin proposed, Cllr Boughton seconded and Cabinet

RESOLVED: That

(1) the net favourable variance of circa £730,000 as at the end of July 2025 when compared to the proportion of the 2025/26 budget (as set out in paragraph 4.9) be noted;

(2) the current business rate pool position as at the end of July 2025 (as set out in paragraph 5.2) be noted; and

(3)	the progress towards the Savings Target to be achieved for the budget setting for 2026/27 (as set out in section 7) be noted.
Reasons: As set out in the report submitted to Cabinet of 2 September 2025.	

Signed Leader: M Boughton

Signed Chief Executive: D Roberts

Date of publication: 5 September 2025

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: D250101CAB
Decision Type: Non-Key
Date: 02 September 2025

Decision(s) and Reason(s)

Sports Facilities Evidence

Consideration was given to the recommendations of the Housing and Planning Scrutiny Select Committee of 15 July 2025 in respect of the approach to maintaining and enhancing sports facilities in the Borough through the adoption of the Indoor Sports Facilities and the Playing Pitches and Outdoor Sports Facilities Strategies (Annexes 1 and 2 respectively).

These Strategies had been progressed as part of the evidence base for the Local Plan process to ensure delivery of sustainable development to support existing and new communities.

Due regard was given to the views of the Scrutiny Select Committee, the financial and value for money considerations, the assessment of risk and the legal implications. Particular reference was made to the Joint Parish Skate Park (a tri-parish agreement between Borough Green, Platt and Wrotham) and it was felt that this should be included in 14.5.3 (BMX and Skate Parks) of the Playing Pitches and Outdoors Sports Facilities Strategies (Annex 2). This was supported unanimously.

On the grounds of maximising the Borough Council's ability to support and deliver key facilities across the Borough and to inform the negotiation of s106 agreements where development would impact on facility use, Cllr Boughton proposed, Cllr Taylor seconded and Cabinet

RESOLVED: That

(1) the Indoor Sports Facilities Strategy (attached at Annex 1) be endorsed and adopted as the Borough Council's current policy position on sports facilities, subject to careful consideration of comments received from local sports teams;

(2) the Playing Pitches and Outdoor Sports Facilities Strategy (attached at Annex 2) be endorsed and adopted as the Borough Council's current policy position on sports facilities, subject to careful consideration of comments received from local sports teams and the inclusion of the Joint Parish (Borough Green, Platt and Wrotham) Skate Park in 14.5.3 (BMX and Skate Parks); and

(3) delegated authority be given to the Director of Planning, Housing and Environmental Health, in consultation with the Cabinet Members for Community Services and Planning, to publish Stage E reviews of these Strategies to update the position to help inform the Local Plan and other Borough Council workstreams.

Reasons: As set out in the report submitted to Housing and Planning Scrutiny Select Committee of 15 July 2025.

Signed Leader: M Boughton

Signed Chief Executive: D Roberts

Date of publication: 5 September 2025

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: D250102CAB
Decision Type: Non-Key
Date: 02 September 2025

Decision(s) and Reason(s)

Risk Management

Consideration was given to the recommendations of the Audit Committee of 21 July 2025 in respect of the risk management process and the Strategic Risk Register (SRR).

Due regard was given to the views of the Committee, the financial and value for money considerations and the legal implications and a number of changes made to the current Register, including the deletion of some risks that were no longer felt to be strategic risks, were noted. The number of 'red' risks on the SRR were 3 as set out below:

- Achievement of Savings and Transformation Strategy
- Failure to agree a Local Plan
- Managed exit from the Agile System.

Cllr Betts proposed, Cllr Boughton seconded and Cabinet

RESOLVED: That

(1) the updates to the Strategic Risk Register since the last iteration, with particular emphasis on those risks categorised as RED as shown in Annexes 1 and 1a of the report be noted; and

(2) the service risks identified in Annex 2 of the report be noted.

Reasons: As set out in the report submitted to Audit Committee of 21 July 2025.

Signed Leader: M Boughton

Signed Chief Executive: D Roberts

Date of publication: 5 September 2025

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: D250103CAB
Decision Type: Non-Key
Date: 02 September 2025

Decision(s) and Reason(s)

Annual Senior Information Risk Owner Report 2024-25

Consideration was given to the recommendations of the Finance, Regeneration and Property Scrutiny Select Committee in respect of the new Annual Senior Information Risk Officer report for 2024/25, which provided a comprehensive overview of the key activities, achievements and challenges faced by the Borough Council over the past year.

Due regard was given to the views of the Scrutiny Select Committee, the financial and value for money considerations, the assessment of risk and the legal implications outlined in the report. The proposals to enhance cyber resilience were welcomed as the importance of ensuring the Borough Council was adequately equipped to address current threats was recognised.

Cllr proposed Boughton, Cllr Coffin seconded and Cabinet

RESOLVED: That

(1) the annual report (attached at Annex 1) providing strategic oversight and assurance on organisational information risk and digital resilience be noted;

(2) the proposed investment in enhanced cybersecurity services be supported and a procurement process be initiated;

(3) the associated costs for incident response to be covered using available grant funding; and

(4) the ongoing operational costs for security monitoring be funded from existing reserves initially and incorporated into the core budget in future financial years.

Reasons: As set out in the report submitted to Finance, Regeneration and Property Scrutiny Select Committee of 22 July 2025.

Signed Leader: M Boughton

Signed Chief Executive: D Roberts

Date of publication: 5 September 2025

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: D250104CAB
Decision Type: Key
Date: 02 September 2025

Decision(s) and Reason(s)

Bluebell Hill Temporary Accommodation Project - Tenders

(Reasons: Part 2 – Private – 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 detailed the tenders received for the Bluebell Hill temporary accommodation project and sought approval to award the contract.

A supplementary report, published in advance of the meeting, provided more detail in respect of an assessment of an enhanced scheme and information on risks to the project.

Due regard was given to the financial and value for money considerations, the funding arrangements and the detailed proposals for a base or enhanced scheme as set out in the reports. Careful consideration was also given to the assessment of risks and a register for the project had been developed. This would continue to be reviewed throughout the scheme to ensure risks were identified and mitigated as far as reasonably possible.

On the grounds of demonstrating best value for money and accessing Local Authority Housing Fund grant, providing an alternative to nightly paid temporary accommodation, making best use of land assets and helping households to secure suitable accommodation, Cllr Betts proposed, Cllr Keers seconded and Cabinet

RESOLVED: That

(1) delegated authority be granted to the Director of Planning, Housing and Environmental Health and the Director of Central Services and Deputy Chief Executive to enter into a Design and Build contract for the enhanced scheme for the construction of modular housing at Bluebell Hill former commuter car park with the lead tenderer (as detailed in the report);

(2) it be noted that the amount tendered was within the original budget proposal;

(3) it be noted that the design phase only would be committed to initially;

(4) delegated authority be granted to the Cabinet Member for Finance, Waste and Technical Services and Deputy Leader, in consultation with the Director of Planning, Housing and Environmental Health and the Director of Central Services and Deputy Chief Executive, to agree the gateway approval to move

	to the build stage of the contract; (5) delegated authority be granted to the Cabinet Member for Finance, Waste and Technical Services and Deputy Leader, in consultation with the Director of Planning, Housing and Environmental Health and the Director of Central Services and Deputy Chief Executive, to use the Local Authority Housing Fund grant to purchase street properties for use as temporary accommodation should the enhanced scheme for Bluebell Hill project become undeliverable.
Reasons: As set out in the report submitted to Cabinet of 2 September 2025 (contains exempt information).	

Signed Leader: M Boughton

Signed Chief Executive: D Roberts

Date of publication: 5 September 2025

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: D250105CAB
Decision Type: Key
Date: 02 September 2025

Decision(s) and Reason(s)

Larkfield Leisure Centre - Wet Change Refurbishment

(Reasons: Part 2 – Private – LGA 1972 Sch 12A Paragraph 3 – Financial or business affairs of any particular person)

The report of the Director of Street Scene, Leisure and Technical Services set out the tender process for the refurbishment of the Wet Change area at Larkfield Leisure Centre and sought approval for the award of the contract.

Due regard was given to the financial and value for money considerations, the assessment of risk and the legal implications detailed in the report. A risk register had been developed for the project and would be reviewed throughout the scheme to ensure risks were identified and mitigated as far as reasonably possible.

On the grounds that best value had been demonstrated and of ensuring that the Borough Council's leisure facilities were maintained in a safe, working state for the enjoyment of customers, Cllr Keers proposed, Cllr Betts seconded and Cabinet

RESOLVED: That

(1) delegated authority be granted to the Director of Street Scene, Leisure and Technical Services, in consultation with the Cabinet Member for Community Services, to award the contract to the lead tenderer for the refurbishment of the Wet Change area at Larkfield Leisure Centre on the basis that the costs fall within the project budget of £270,000 (excluding locker replacement and internal redecoration).

Reasons: As set out in the report submitted to Cabinet of 2 September 2025 (contains exempt information).

Signed Leader: M Boughton

Signed Chief Executive: D Roberts

Date of publication: 5 September 2025

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: D250106CAB
Decision Type: Non-Key
Date: 02 September 2025

Decision(s) and Reason(s)

Tonbridge Town Centre Programme Board - Minutes and Recommendations

(Reasons: Part 2 – Private – LGA 1972 Sch 12A Paragraph 3 – Financial or business affairs of any particular person)

Members reviewed the Notes of the Tonbridge Town Centre Programme Board for the meetings of 16 May 2025 and 20 June 2025 (attached at Annexes 1 and 2 respectively). Recommendations in respect of a number of Tonbridge projects were also presented for consideration.

Cabinet had due regard to the recommendations of the Programme Board, the financial and value for money considerations and the legal implications and recognised that de-coupling the Tonbridge Farm Sportsground project from the Tonbridge Town Centre Programme Board enabled the project to be managed independently and provided greater scrutiny.

Members were assured that project spend would be carefully monitored and reviewed and on the grounds of supporting the regeneration of Tonbridge Town Centre, Cllr Mehmet proposed, Cllr Keers seconded and Cabinet

RESOLVED: That

(1) the notes of the Tonbridge Town Centre Programme Board of 16 May 2025 and 20 June 2025 (attached at Annexes 1 and 2) be noted;

(2) a Feasibility Study/Business case analysis for a full-size all-weather pitch and pavilion refurbishment, including future operational and management arrangements, at Tonbridge Farm Sportsground be undertaken;

(3) discussions with Tonbridge Angels Football Club to consider partnership opportunities for the Tonbridge Farm Sportsground site be continued;

(4) the Tonbridge Farm Sportsground project be de-coupled from the Tonbridge Town Centre Programme Board; and

(5) work with RIBA Stage 2 design process, as outlined in the Angel Centre Replacement Tonbridge Town Centre Programme Board report (attached at Annex 3) be continued.

Reasons: As set out in the report submitted to Cabinet of 2 September 2025 (contains exempt information).

Signed Leader:	M Boughton
Signed Chief Executive:	D Roberts
Date of publication:	5 September 2025

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 AND MALLING BOROUGH COUNCIL

RECORD OF EXECUTIVE NON-KEY DECISION

Decision Taken By: **Cabinet Member for Housing, Environment and Economy**	**Decision Number:** **D250107MEM**

Date: 15 September 2025

Decision(s) and Reason(s)
Lease of Land to Tonbridge Model Engineering Society
Following consideration of the options, as set out in the Briefing Note attached at Annex 1, the Cabinet Member for Housing, Environment and Economy RESOLVED that: (1) Land at The Slade in Tonbridge be leased to the Tonbridge Model Engineering Society.
Reasons for decision: The Tonbridge Model Engineering Society have operated at the site for decades and both parties agreed a modern agreement should be entered into to reflect the current arrangements.

Signed Cabinet Member for Housing, Environment and Economy:	R Betts
Signed Leader:	M Boughton
Signed Chief Executive:	D Roberts
Date of publication:	15 September 2025

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 AND MALLING BOROUGH COUNCIL

RECORD OF EXECUTIVE NON-KEY DECISION

Decision Taken By: **Cabinet Member for Finance, Waste and Technical Services**	**Decision Number:** **D250108MEM**

Date: 26 September 2025

Decision(s) and Reason(s)
Write off of Unrecoverable Debts over £5,000.00
Reason: A list of debts over £5,000 where efforts to recover the debts have been exhausted was provided to the Cabinet Member to consider for write off. Following consideration of the policy, the Cabinet Member for Finance, Waste and Technical Services RESOLVED that: (1) 4 debts covering Council Tax, Business Rates, and General Debtors amounting to £36,880.20, be written off.
Reasons for decision: All avenues available to recover the debts have been exhausted and, therefore, the only action left available is to write off the debts.

Signed Cabinet Member for Finance, Waste and Technical Services:	M Coffin
Signed Leader:	M Boughton
Signed Chief Executive:	D Roberts
Date of publication:	26 September 2025

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.