

# TONBRIDGE & MALLING BOROUGH COUNCIL



## EXECUTIVE SERVICES

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### Chief Executive

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**NB - This agenda contains proposals, recommendations and options. These do not represent Council policy or decisions until they have received proper consideration through the full decision making process.**

Contact: Democratic Services  
[committee.services@tmbc.gov.uk](mailto:committee.services@tmbc.gov.uk)

30 December 2022

To: MEMBERS OF THE CABINET  
(Copies to all Members of the Council)

Dear Sir/Madam

Your attendance is requested at a meeting of the Cabinet to be held in the Council Chamber, Gibson Drive, Kings Hill on Tuesday, 10th January, 2023 commencing at 7.30 pm.

Members of the Cabinet are required to attend in person. Other Members may attend in person or participate online via MS Teams.

Information on how to observe the meeting will be published on the Council's website.

**(NB: Background papers to items referred from Scrutiny Select Committees and Committees have been omitted from printed agenda packs.)**

Yours faithfully

JULIE BEILBY

Chief Executive

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Members are reminded of their obligation under the Council's Code of Conduct to disclose any Disclosable Pecuniary Interests and Other Significant Interests in any matter(s) to be considered or being considered at the meeting. These are explained in the Code of Conduct on the Council's website at [Code of conduct – Tonbridge and Malling Borough Council \(tmbc.gov.uk\)](https://www.tonbridgeandmallingsborough.gov.uk/code-of-conduct).

Members in any doubt about such declarations are advised to contact Legal or Democratic Services in advance of the meeting

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Any other items which the Chairman decides are urgent due to special circumstances and of which notice has been given to the Chief Executive.

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## MEMBERSHIP

Councillor M D Boughton, (Leader)  
Councillor R P Betts, (Environment and Climate Change)  
Councillor V M C Branson, (Economic Regeneration)  
Councillor M A Coffin, (Finance, Innovation and Property)  
Councillor D A S Davis, (Strategic Planning and Infrastructure)  
Councillor D Keers, Community Services  
Councillor P J Montague, (Technical and Waste Services)  
Councillor K B Tanner, (Housing)

Members of the Council who are not members of the executive may attend meetings of the Cabinet. With the agreement of the Leader, any such Member may address the Cabinet on any item on the agenda but may not vote.

## **GUIDANCE ON HOW MEETINGS WILL BE CONDUCTED**

- (1) All meetings of the Borough Council will be livestreamed to YouTube here, unless there is exempt or confidential business be discussed:  
  
<https://www.youtube.com/channel/UCPp-IJISNgoF-ugSzxjAPfw/featured>
- (2) There are no fire drills planned during the time a meeting is being held. For the benefit of those in the meeting room, the fire alarm is a long continuous bell and the exits are via the doors used to enter the room. An officer on site will lead any evacuation.
- (3) Should you need this agenda or any of the reports in a different format, or have any other queries concerning the meeting, please contact Democratic Services on [committee.services@tmbc.gov.uk](mailto:committee.services@tmbc.gov.uk) in the first instance.

### **Attendance:**

- Members of the Committee/Advisory Board are required to attend in person and be present in the meeting room. Only these Members are able to move/ second or amend motions, and vote.
- Other Members of the Council can join via MS Teams and can take part in any discussion and ask questions, when invited to do so by the Chairman, but cannot move/ second or amend motions or vote on any matters. Members participating remotely are reminded that this does not count towards their formal committee attendance.
- Occasionally, Members of the Committee/Advisory Board are unable to attend in person and may join via MS Teams in the same way as other Members. However, they are unable to move/ second or amend motions or vote on any matters if they are not present in the meeting room. As with other Members joining via MS Teams, this does not count towards their formal committee attendance.
- Officers can participate in person or online.
- Members of the public addressing an Area Planning Committee can participate in person or online. Please contact [committee.services@tmbc.gov.uk](mailto:committee.services@tmbc.gov.uk) for further information.

Before formal proceedings start there will be a sound check of Members/Officers in the room. This is done as a roll call and confirms attendance of voting Members.

### **Ground Rules:**

The meeting will operate under the following ground rules:

- Members in the Chamber should indicate to speak in the usual way and use the fixed microphones in front of them. These need to be switched on when speaking or comments will not be heard by those participating online. Please switch off microphones when not speaking.
- If there any technical issues the meeting will be adjourned to try and rectify them. If this is not possible there are a number of options that can be taken to enable the meeting to continue. These will be explained if it becomes necessary.

For those Members participating online:

- please request to speak using the 'chat or hand raised function';
- please turn off cameras and microphones when not speaking;
- please do not use the 'chat function' for other matters as comments can be seen by all;
- Members may wish to blur the background on their camera using the facility on Microsoft teams.
- Please avoid distractions and general chat if not addressing the meeting
- Please remember to turn off or silence mobile phones

### **Voting:**

Voting may be undertaken by way of a roll call and each Member should verbally respond For, Against, Abstain. The vote will be noted and announced by the Democratic Services Officer.

Alternatively, votes may be taken by general affirmation if it seems that there is agreement amongst Members. The Chairman will announce the outcome of the vote for those participating and viewing online.

Apologies for absence

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Declarations of interest

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## TONBRIDGE AND MALLING BOROUGH COUNCIL

### CABINET

### MINUTES

Tuesday, 8th November, 2022

**Present:** Cllr M D Boughton (Chair), Cllr R P Betts, Cllr V M C Branson, Cllr M A Coffin, Cllr D A S Davis, Cllr D Keers, Cllr P J Montague and Cllr K B Tanner

**In attendance:** Councillor M A J Hood was also present pursuant to Access to Information Rule No 23.

**Virtual:** Councillors Mrs P A Bates, Mrs S Bell, Mrs A S Oakley, W E Palmer, M R Rhodes and J L Sergison participated via MS Teams and joined the discussion when invited to do so by the Chair in accordance with to Access to Information Rule No 23.

### PART 1 - PUBLIC

#### **CB 22/93 DECLARATIONS OF INTEREST**

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

#### **CB 22/94 MINUTES**

**RESOLVED:** That the Minutes of the meeting of the Cabinet held on 7 September 2022 be approved as a correct record and signed by the Chairman.

#### **CB 22/95 MATTERS REFERRED FROM PANELS, BOARDS AND OTHER GROUPS**

The Minutes of the meetings of the following Panels, Boards and other Groups were received any noted:

- Parish Partnership Panel of 1 September 2022
- Tonbridge Community Forum of 5 September 2022

### EXECUTIVE KEY DECISIONS - DECISIONS TAKEN IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION

#### **CB 22/96 SHOPFRONT AND VACANT UNIT IMPROVEMENT SCHEME**

Decision Notice D220095CAB

Following Cabinet approval of the submission of the Tonbridge and Malling UK Shared Prosperity Fund (UKSPF) Investment Plan in July 2022, consideration was given to the creation of a Shopfront and Vacant

Unit Improvement Scheme as detailed in the report of the Chief Executive.

Draft Guidance Notes and example application form for the Scheme were provided in Appendix 1. A summary of the Scheme finances and rationale for the proposed criteria was set out at 1.3.1 and 1.3.2 of the report. However, it was noted that a total budget of £102,000, made up of £70,000 of UKSPF and £32,000 of Business Rates Retention Pilot funding, would be available to fund the Scheme.

After careful consideration of the legal, financial and value for money implications and the assessment of risk, Cabinet

**RESOLVED:** That

- (1) the report be noted;
- (2) the Shopfront and Vacant Unit Improvement Scheme, as set out at Appendix 1, be endorsed;
- (3) that the Capital Plan and Revenue Budget be updated accordingly;
- (4) that delegated authority be granted to the Chief Executive, in liaison with the Leader of the Council, to approve any necessary minor changes to the Scheme required following feedback from Central Government regarding the UK Shared Prosperity Fund Investment Plan.

## **CB 22/97 RURAL ENGLAND PROSPERITY FUND**

Decision Notice D220096CAB

The report provided information on the Rural England Prosperity Fund and sought endorsement of the work undertaken to date to produce the required addendum of the Tonbridge and Malling UK Shared Prosperity Fund (UKSPF) Investment Plan.

A funding allocation of £447,450 had been ring-fenced for the Borough. In order to access this allocation, an addendum to the UKSPF Investment Plan had to be developed in liaison with rural representatives and agreed by the Lead Authority and the Department for the Environment, Food and Rural Affairs. The draft addendum (attached at Appendix 1) was presented for consideration.

The Cabinet reviewed the programme criteria and processes, noted the next steps proposed and considered the legal, financial and value for money implications.

**RESOLVED:** That

- (1) the Rural England Prosperity Fund addendum be endorsed; and
- (2) delegated authority be granted to the Chief Executive, in liaison with the Leader of the Council, to approve any necessary or minor changes to the addendum to improve presentation or clarity, prior to submission.

**CB 22/98 FEES AND CHARGES REVIEW**

## Decision Notice D220097CAB

In advance of budget setting for 2023/24, Cabinet considered proposals for increases to fees and charges set by the Borough Council. Details relating to the setting of fees and charges across the various Services of the authority were set out in Annexes 1 – 4. The proposals had regard to the level of inflation, market conditions and comparable charges.

Particular reference was made to the recommendation of the Finance, Planning and Regeneration Scrutiny Select Committee following its meeting on 11 October, which invited Cabinet to undertake an in-year review of fees and charges due to the escalating levels of inflation. The latest inflation statistics for September CPI was recorded as 10.1%, rising from 9.9% in August.

The Scrutiny Select Committee had also recommended that in-year car parking charges throughout the Borough be reviewed. However, as the length of the required formal public consultation exercise would fall into the 2023/24 financial year it would not be feasible to consider an in-year review of charges in this specific service area.

Finally, Cabinet was reminded that the Borough Council's financial rules, as set out in the Constitution, required that all fees and charges must be reviewed at least once a year and reported to Members. Under the new governance arrangements introduced earlier in 2022, the Cabinet were responsible for considering these proposals directly. Recommendations made would be incorporated into the draft Revenue Estimates which would be formally presented to the Overview and Scrutiny Committee early in 2023.

Careful consideration was given to the proposals set out in Annex 1 – 4 and Cabinet noted the budget setting timetable, the legal, financial and value for money implications and recognised the significant and challenging financial position. It was also noted that the proposals could generate a contribution of £50,000 to the savings target if approved.

**RESOLVED:** That

- (1) the fees and charges proposed by the Director of Planning, Housing and Environmental Health, as set out at Annex 1, be approved;
- (2) the fees and charges proposed by the Director of Street Scene, Leisure and Technical Services, as set out at Annex 2, be approved;
- (3) the fees and charges proposed by the Director of Central Services, as set out at Annex 3, be approved; and
- (4) the fees and charges proposed by the Director of Finance and Transformation, as set out at Annex 4, be approved.

**EXECUTIVE NON-KEY DECISIONS - DECISIONS TAKEN IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION****CB 22/99 MEDIUM TERM FINANCIAL STRATEGY AND SAVINGS UPDATE**

Decision Notice D220098CAB

An update was provided on the Medium Term Financial Strategy (MTFS) and the latest financial issues. The savings that had been identified and would assist in meeting 'tranche 1' of the latest saving targets were also set out. Cabinet was requested to consider and implement a programme for investigating and identifying the balance of the savings that were needed to ensure the financial sustainability of the Borough Council.

It was reported that an interim review of the funding gap, which represented new savings that needed to be identified and delivered, was now projected at between £2.6m and £3.8m, the savings target 'tranche 1' of £350k needed to be in place by April 2023; so far only £164k of 'tranche 1' had been achieved and uncertainty regarding local government financial settlement, Fair Funding Review, negative RSG, New Homes Bonus cessation and Business Rates baseline reset made it difficult to assess the true position.

Particular reference was made to undertaking a review of the level of reserves and balances held for other specified purposes and whether there was potential for these to be added back into the general reserve to reduce the funding gap.

Careful consideration was given to the impact on the MTFS arising from the current global economic factors and increasing inflation and Cabinet had regard to the legal, financial and value for money implications, the assessment of risk and

**RESOLVED:** That

- (1) the latest forecast of the Medium Term Financial Strategy and the funding gap, which was estimated to be between £2.6m and £3.8m (as set out in 1.4.7) be noted;
- (2) the savings/transformation contributions for Tranche 1 totalling £164,300 (as set out in 1.5.3) together with the additional £50,000 generated through increases in Fees and Charges (D220097CAB refers) be noted;
- (3) for the reasons set out in 1.4.27 and 1.4.26 of the report, Management Team be requested to review the level of reserves and balances held for specified purposes in order to release any 'surplus' sums to the General Revenue Reserve; and
- (4) options to achieve savings/transformation contributions for future tranches, and how these could be implemented and actioned as soon as possible, be considered by the Finance, Regeneration and Property Scrutiny Select Committee at its meeting on 15 November 2022.

**CB 22/100 REVIEW OF SPORTS DEVELOPMENT AND YOUTH PROVISION**

## Decision Notice D220099CAB

The report outlined the services provided by the Borough Council in relation to Sports Development and Youth Engagement and invited the Cabinet to review and advise on future levels of provision of these discretionary services.

Details of both service areas, including its purpose, how it was currently delivered and staffing and budget implications were outlined in Annexes 1 and 2.

Cabinet recognised the excellent work undertaken by the Borough Council but noted that the current level of service provision was relatively small and that the provision of youth service was the responsibility of the County Council.

Careful consideration was given to a range of factors including the availability of alternative service providers serving the needs of both youth provision and sports development; the future of the Leisure Pass scheme; the legal, financial, value for money and staffing implications and the potential impacts on healthy lifestyles and the health and wellbeing of residents. An Equality Impact Assessment was also annexed to the report.

Taking into account the Council's financial position, the discretionary nature of the services and that the service areas were primarily provided

by others such as Kent County Council and the Leisure Trust, Councillor Keers proposed, seconded by Councillor Boughton, that the provision of sports development and youth engagement services as currently provided be ceased. However, the Leisure Pass Scheme, as outlined in the report, was to be retained to enable those requiring financial assistance to continue to access services.

**RESOLVED:** That

- (1) the provision of sports development and youth engagement services as currently provided, with the exception of the Leisure Pass scheme as outlined in the report, be ceased.

## **CB 22/101 PUBLIC SPACE PROTECTION ORDER**

Decision Notice D220100CAB

The Borough Council's Public Space Protection Order (PSPO) was due for renewal in April 2023. Details of the current restrictions and proposed additional restrictions to be considered were set out in Annex 2 to the report.

In summary, the proposed new restrictions related to vehicles on public open spaces, nuisance associated with car/motorcycle meetings, anti-social behaviour associated with fishing at Town Lock/Tonbridge moorings and no unauthorised swimming, bathing, boating at Holborough Lakes. The cost of a Fixed Penalty Notice for not adhering to a PSPO was currently £80 and it was proposed to increase this to £100 with no reduction for early payment in line with other local authorities. Members supported the implementation of restrictions across the whole of the Borough in respect of vehicles on public open spaces and nuisance associated with car/motorcycle meetings.

After careful consideration of the proposals, the legal, financial and value for money implications and to support a reduction in crime and disorder it was

**RESOLVED:** That

- (1) the proposed Public Space Protection Order (as set out at Annex 2) be agreed; subject to the;
  - (i) restrictions in respect of vehicles on public open spaces and nuisance associated with car/motorcycle meetings being applied across the whole of the Borough;
  - (ii) inclusion of the restriction in respect of anti-social behaviour associated with fishing at Town Lock/Tonbridge Moorings; and
  - (iii) inclusion of the restriction in respect of no unauthorised swimming, bathing, boating at Holborough Lakes.



- (2) the Fixed Penalty Notice charge be amended to £100, with no reduction for early payment; and
- (3) a public consultation be undertaken and reported back to an appropriate meeting.

## **CB 22/102 PLANNING ENFORCEMENT REVIEW**

Decision Notice D220101CAB

Consideration was given to the recommendation of the Overview and Scrutiny Committee meeting held on 6 October 2022 (as set out at Minute Number OS 22/32).

**RESOLVED:** That

- (1) the proposed changes to the Planning Enforcement Plan (as attached at Annex 1 to the report to the Overview and Scrutiny Committee) and the associated activity and timescales (as set out in 1.2 and 1.3 of the report) be approved, subject to:
  - the amendment of paragraph 6.10 of the Planning Enforcement Plan by the addition of the words 'once served, the enforcement notice is entered onto the Local Land Charges Register and will remain on the register until the notice is withdrawn or any subsequent appeal is dismissed by the Planning Inspector'

## **CB 22/103 TONBRIDGE CASTLE - OUTCOME OF PUBLIC CONSULTATION AND OPTIONS FOR FUTURE COMMERCIAL ACTIVITIES.**

Decision Notice D220102CAB

Consideration was given to the recommendation of the Communities and Environment Scrutiny Select Committee meeting held on 19 October 2022 (as set out at Minute Number CE 22/10).

**RESOLVED:** That

- (1) the outcome of the public consultation exercise be noted and the positive response welcomed; and
- (2) Options A to E (Café/Bistro restaurant; events and activities; educational tours; shop and other concepts) be approved for further investigation and evaluation and costings identified.

**CB 22/104 USE OF THE COUNCIL'S PUBLIC OPEN SPACES**

Decision Notice D220103CAB

Consideration was given to the recommendation of the Communities and Environment Scrutiny Select Committee meeting held on 19 October 2022 (as set out at Minute Number CE 22/11).

Concern was expressed at the lack of provision within the Policy for dealing with late or non-payment of fees to use the Borough Council's public open spaces. It was proposed by Cllr Keers, seconded by Cllr Boughton, that Officers be invited to identify options in respect of penalty provisions and the Policy be amended as appropriate.

**RESOLVED:** That

- (1) the outcome of the review be noted;
- (2) the Policy (attached at Annex 1 to the report) be approved, subject to delegated authority being given to the Director of Central Services and Director of Street Scene, Leisure and Technical Services, in liaison with the Cabinet Member for Community Services, to identify options in respect of penalty provisions for late or non-payment of fees and amend the Policy as appropriate; and
- (3) an inflationary increase of 10% in charges for 2023/24 be approved

**MATTERS SUBMITTED FOR INFORMATION****CB 22/105 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.

Particular reference was made to the Household Support Fund Addition Grant – Coats for Kids (D220077MEM) which had benefited many children locally. The Welfare and Benefits Manager was commended for instigating this initiative.

**CB 22/106 EXCLUSION OF PRESS AND PUBLIC**

There were no items considered in private.

The meeting ended at 8.50 pm

# **TONBRIDGE AND MALLING BOROUGH COUNCIL**

## **EXTRAORDINARY CABINET**

### **MINUTES**

**Wednesday, 14th December, 2022**

**Present:** Cllr M D Boughton (Chair), Cllr R P Betts, Cllr P J Montague and Cllr K B Tanner

**Virtual:** Councillors Mrs J A Anderson, Mrs P A Bates, Mrs A S Oakley, M R Rhodes, T B Shaw, M Taylor and J L Sergison participated via MS Teams and joined the discussion when invited to do so by the Chair in accordance with Access to Information Rule No 23.

Apologies for absence were received from Councillors V M C Branson, M A Coffin, D A S Davis and D Keers

### **PART 1 - PUBLIC**

#### **CB 22/107 DECLARATIONS OF INTEREST**

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

### **DECISIONS TO BE TAKEN IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION**

#### **EXECUTIVE NON-KEY DECISIONS**

#### **CB 22/108 CORPORATE STRATEGY - CONSULTATION DRAFT**

Decision Notice D220115CAB

The report provided an update on the Corporate Strategy Consultation Draft with particular focus on feedback received from staff and the Overview and Scrutiny Committee. In addition, approval to proceed towards a community engagement exercise during winter 2023 was sought.

Details of the feedback received to date was set out in 1.3 of the report and the comments and points raised were noted. As a result, a number of minor changes were proposed and these were summarised in 1.3.4 (Table 2). A five-week period of public and community consultation would start in January 2023 as detailed in 1.4 of the report.

**RESOLVED:** That

- (1) the Corporate Strategy Consultation Draft, as set out in Appendix 1 and including the amendments set out in 1.3.4 (Table 2) be endorsed;
- (2) delegated authority be granted to the Chief Executive, in liaison with the Leader of the Council, to approve any necessary further minor changes to the Corporate Strategy Consultation Draft that might be required for reasons of clarity or presentation; and
- (3) the programme for community consultation, as set out in 1.4, be approved.

### **CB 22/109 LOWER THAMES CROSSING - DEVELOPMENT CONSENT ORDER**

Decision Notice D220116CAB

The report set out details in respect of an application for a Development Consent Order for the nationally significant infrastructure project at the Lower Thames Crossing. Details of the examination process to be undertaken by the Planning Inspectorate were also set out. It was reported that the Borough Council would be required to prepare a Local Impact Report as part of this process.

Whilst the Borough Council were supportive of the project it was felt that there should be investment in local highways infrastructure to mitigate the impact on the A228 and A229 between the M2 and M20. This was due to the expected displacement of traffic away from the Dartford Crossing, together with additional demand to cross the River Thames, increasing traffic on the local road network.

**RESOLVED:** That delegated authority be granted to the Director of Planning, Housing and Environmental Health to formally engage with the Lower Thames Crossing Examination and related negotiations with LTC staff and consultants, to support the Borough Councils efficient engagement in the process.

### **MATTERS SUBMITTED FOR INFORMATION**

#### **CB 22/110 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 22/111 URGENT ITEMS**

The requisite notice having been given to the Chief Executive and in accordance with s100B (4) of LGA 1972, the Chair was of the opinion that the Household Support Fund (Round 3) should be considered as a

matter of urgency by reason of special circumstance regarding the funding timescales and distribution to relevant parties before year end.

### **CB 22/112 HOUSEHOLD SUPPORT FUND (ROUND 3)**

Decision Notice D220117CAB

Approval was sought for the Borough Council's approach in the use of the current grant of Household Support Fund. Tonbridge and Malling had been allocated £139,263.24 to provide support to vulnerable households struggling with the cost of living. This grant allocation had to be used by 31 March 2023 and any unspent monies could not be rolled over into April, beyond honouring any expenditure committed to before the end of the financial year.

A number of options had been considered, in consultation with the Cabinet Member for Finance, Innovation and Property, and proposals were set out in the draft Household Support Fund Scheme October – March 2022/23 (attached at Annex 2).

In summary, it was proposed that funding should be used to support:

- food banks (funding allocation of £45,000);
- fuel voucher schemes (funding allocation of £20,000); and
- households facing a disproportionate impact of cost of living increase or exceptional needs (contingency balance of £25,000);

In addition, it was proposed that the balance of funding be targeted at those identified as most in need when the Scheme was evaluated in late January 2023.

Careful consideration was given to the proposals set out in the Household Support Fund Scheme October – March 2022/23 (as set out in Annex 2), together with the Kent County Council plan to assist vulnerable households (as set out in Annex 1) and the legal, financial and value for money implications. Cabinet recognised the role and importance of foodbanks in the Borough, considered alternative solutions for the use of the Household Support Fund and supported the need to help those struggling to afford food, energy and water bills and other related essentials in the current cost of living crisis. In particular, Cabinet supported the distribution of funding as soon as possible as the recent extreme cold weather increased the pressure on family's use of heating.

**RESOLVED:** That

- (1) the Household Support Fund Scheme October – March 2022/23 (attached at Annex 2) be approved; and

- (2) delegated authority be granted to the Director of Finance and Transformation to establish an effective operational scheme to disburse funds in accordance with the detail in the approved Policy.

[In accordance with Overview and Scrutiny Procedure Rule 15 (i) this decision was not subject to call-in since in the opinion of the Cabinet it was urgent and any delay would seriously prejudice the Council's or the public's interest.]

### **CB 22/113 EXCLUSION OF PRESS AND PUBLIC**

The Chairman moved, it was seconded and

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

### **DECISIONS TO BE TAKEN IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION**

#### **EXECUTIVE KEY DECISIONS**

### **CB 22/114 TONBRIDGE TOWN CENTRE ASSET REVIEW - PHASE 2 PROPOSAL**

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

Decision Notice D220118CAB

Consideration was given to the proposal for Phase 2 of the Tonbridge Town Centre Asset Review. Details of the work programme, funding arrangements and implications, management of Phase 2 and a parking study were also outlined in the report. It was also noted that expenditure related to the Phase 2 works would be regularly monitored.

Cabinet were reminded that the procurement of the work in respect of the Tonbridge Town Centre asset review had been secured under Scape's Place Shaping framework.

**RESOLVED:** That

- (1) the Phase 2 proposal (attached at Annex 1) be approved; and
- (2) the various work streams and timescales set out in the report be noted.

The meeting ended at 7.00 pm  
having commenced at 6.00 pm

## TONBRIDGE & MALLING BOROUGH COUNCIL

### CABINET

10 January 2023

#### Report of the Director of Finance and Transformation

#### Part 1- Public

#### Matters for Recommendation to Council

#### 1 COUNCIL TAX PREMIUM CHANGES FOR EMPTY HOMES AND SECOND HOMES

**This report seeks Cabinet's recommendations on proposed changes to Council Tax premium charges.**

#### 1.1 Background

- 1.1.1 On 19 February 2019, Council resolved to adopt a 100% Council Tax premium from the 2019/20 financial year onwards for properties that have been empty for 2 years or longer.
- 1.1.2 On 18 February 2020, Council resolved to adopt, from the 2020/21 financial year onwards, a 200% Council Tax premium for properties that have been empty for at least 5 years; and from the 2021/22 financial year onwards, a 300% Council Tax premium for properties that have been empty for at least 10 years.
- 1.1.3 Latest figures show that there are currently 66 properties attracting a 100% premium, 72 properties attracting a 200% premium and 16 properties attracting a 300% premium.
- 1.1.4 In the Levelling-up and Regeneration Bill dated May 2022 Government announced an amendment to the Long Term empty dwellings (England) legislation providing Councils discretion to apply a premium of up to 100% of the Council Tax charge on those properties that have been empty for more than two years to be amended to apply to properties that have been empty for one year plus rather than two. This provision was introduced by Central Government as a tool to assist local authorities in the drive to bring empty properties back into use.
- 1.1.5 **This bill is still awaiting Royal Assent.** All recommendations are subject to the bill being enacted and guidance being published by Central Government.
- 1.1.6 The Levelling-up and Regeneration Bill also introduced new legislation relating to 'dwellings occupied periodically (England)'. This relates to properties that are classed as 'second homes'. This provides councils with the discretion to apply a premium of no more than 100% to qualifying properties.

The conditions of this criteria are:

- a) There is no resident of the dwelling, and
- b) The dwelling is substantially furnished.

1.1.7 Latest figures show that there are currently 215 properties classified as second homes.

## 1.2 Empty Homes Amendment

1.2.1 Amendments will allow councils to introduce the premium for empty homes a year earlier than existing agreements.

<b>Introduction date</b>	<b>Existing premiums</b>	<b>Premiums that can be applied</b>
1 April 2023	100% premium for properties empty 2 years +	100% premium for properties empty 1 years +

1.2.2 Regulations allow a billing authority to vary or revoke a determination in respect of an empty home premium for a financial year, but only before the beginning of the year.

1.2.3 The amendment can therefore have an impact for the financial year beginning on or after 1 April 2023 and it does not matter if the start date of the property being empty is before this comes into force.

1.2.4 It is expected that by reducing the time a property is empty, the premium will allow local authorities to strengthen the incentive for owners of empty homes to bring them back into use.

1.2.5 No public consultation is required to introduce this change.

1.2.6 Liable parties will be able to appeal via standard Council Tax appeal routes if they disagree with the applying of a premium on an account based upon facts of an individual case, for example, they state that the property is not empty. The principle of a premium will not be open to appeal.

1.2.7 Taxpayers affected by the reduced empty period will be notified prior to the new charge coming into force so they can decide to sell or let the property before they are impacted by the change.

## 1.3 Second Homes Amendment

1.3.1 Under existing legislation, properties classed as second homes have a full charge (100%) and there are no discounts or premiums in place.



- 1.3.2 By introducing a premium on these properties, it is expected that properties that are not in constant use may be encouraged to be brought back into use for local residents. It would also remove potential loopholes regarding empty homes where an owner could furnish a property to remove it from the list as being classed as an empty home to avoid the premiums that this can attract.
- 1.3.3 There is no minimum timeframe on this premium, and if the premium is agreed, any property classed as a second home would attract the premium with effect from 1 April 2024.
- 1.3.4 Taxpayers affected by the additional premium will be notified prior to the 1 April 2024 so they can decide what to do with their property before they are impacted by the change.
- 1.3.5 It is recognised that some taxpayers may request their properties to be treated as Non-Domestic due to letting legislation to avoid a premium (e.g. holiday lets). This will be monitored by the Council and cases investigated as appropriate.
- 1.3.6 All recommendations are subject to the bill being enacted and guidance being published by Central Government.

## **1.4 Summary**

- 1.4.1 The Council has long held the objective of doing all it can to bring homes into use for the benefit of local residents. If the legislation is passed in due course, it would enable further premiums of council tax to be levied which might encourage the sale or even private rental of properties.
- 1.4.2 Unfortunately, if the Council wishes to introduce these premiums (should the legislation be passed), a decision would need to be made before the end of March 2023. As it is a Council decision, this effectively means by the Council meeting in February 2023.
- 1.4.3 Having discussed the matter with the Cabinet Member for Finance, Innovation and Property, it was agreed that the matter should be presented to Cabinet for discussion in January. Nationally, some councils have made the decision to implement the new premiums subject to the legislation being passed.
- 1.4.4 Whilst not a matter for this report, I should also flag up that we have an outstanding commitment to review our local Council Tax reduction Scheme in the early part of 2023/24 (with any changes coming into force in April 2024, if applicable). Dependent upon how this review goes and what decisions Members ultimately make, if there are costs associated with any changes it is possible that they could be negated by the implementation of the premiums.

## 1.5 Legal Implications

- 1.5.1 A full Council resolution is required to introduce the amendments detailing exemptions and agreements of introduction dates and premium amounts.
- 1.5.2 In respect of the Empty Home amendment, this just needs a decision before the financial year to which the decision relates as set out in S11B(5) of the Local Government Finance Act 1992.
- 1.5.3 As mentioned in the report, the amended premium charge can therefore be implemented from 1 April 2023.
- 1.5.4 In respect of the Second Homes amendment, the premium charge for second homes can only be implemented with at least one year's notice. This means a final decision must be passed by 31 March 2023 to be able to introduce any changes from 1 April 2024.
- 1.5.5 As mentioned in the report, the Levelling Up and Regeneration Bill (which is still awaiting Royal Assent) will allow councils to introduce a new discretionary council tax premium on second homes of up to 100% and amend existing long term empty council tax premiums. The Council will only be able to implement the changes once the Bill has been enacted and been published by Central Government.

## 1.6 Financial and Value for Money Considerations

- 1.6.1 The table below illustrates the estimated financial impact the additional properties that would be impacted if both amendments were introduced in April 2023; it is too early to provide details on second homes for April 2024 at this current time and these figures are for illustration purposes. Please note these figures are based on the TMBC element of the 2022/23 Council Tax rate.
- 1.6.2 It should also be noted that the additional premiums might have the effect of encouraging owners to bring them back into use. As Members are aware one of the Council's priorities is to "*promote a continuing supply of homes in the borough, including affordable homes across all tenures, and work to prevent homelessness*". Bringing empty homes back into use is an important element of this and therefore Members should note that if this is successful, the full extent of the additional income might not be realised.

### Projection of premium changes based on latest figures

	Properties	CTax Base value	100% premium charge value	Additional charge value
Empty Homes	227	£50,000	£50,000	£50,000
Second Homes	215	£51,000	£51,000	£51,000

1.6.3 Indicative rates above are based on 100% collection. The Council is aware that not all cases will yield 100% collection in year. In year collection at the end of November 2022 is currently 74.7%, approximately 0.5% higher than in 2021/22. The end of year target for overall collection of Council Tax in 2022/23 is 98%.

## 1.7 Risk Assessment

1.7.1 A summary of the perceived risks follows:

Perceived risk	Seriousness	Likelihood	Preventative action
1) Additional income to TMBC is not fully realised due to the impact of the current economic climate on collection rates.	High	Medium	Collection to be closely monitored.
2) Adverse reaction from owners of empty properties having their council tax doubled during a cost of living crisis	Medium	High	Consider implementing the change from April 2024 to give owners more notice of the amendment

## 1.8 Equality Impact Assessment

1.8.1 The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

## 1.9 Policy Considerations

1.9.1 Communications. Publication of the decision must be made with 21 days of the decision as stated in the report.

1.9.2 Community

## 1.10 Recommendations

1.10.1 Cabinet is asked to **CONSIDER** whether they would wish to:

- 1) recommend to Full Council to adopt the amendments to Council Tax empty home premiums from the 2023/24 financial year onwards as demonstrated in para 1.2.1 (or from the 2024/25 financial year onwards as demonstrated in para 1.7.1) subject to the bill being enacted and guidance being published by Central Government;
- 2) recommend to Full Council to introduce a Council Tax premium to second homes from the 2024/25 financial year onwards subject to the bill being enacted and guidance being published by Central Government.

Background papers:

Levelling-up and Regeneration bill (Points 72-73)

<https://bills.parliament.uk/bills/3155>

contact: Glen Pritchard  
Sharon Shelton

Sharon Shelton  
Director of Finance and Transformation

## REGULATION 18 LOCAL PLAN CONSULTATION – INITIAL OUTPUTS

### Item HP 22/19 referred from Housing and Planning Scrutiny Select Committee of 6 December 2022

Members were reminded that the Regulation 18 consultation in respect to the Local Plan and the associated Interim Sustainability Appraisal had finished on 3 November 2022. The report of the Director of Planning, Housing and Environmental Health provided high-level summaries and statistics of the responses received and the key themes identified. Further detailed analysis would be presented to a future meeting of the Housing and Planning Scrutiny Select Committee.

A majority of the comments were in response to the Local Plan rather than the Interim Sustainability Appraisal and the key matters raised by statutory bodies were set out at Annex 1. A list of landowners, developers and other key bodies who had responded were set out at Annex 2, whilst a statistical analysis of the responses was provided at Annex 3. Members were reminded that the call for sites process had been reopened alongside the Regulation 18 Consultation and a further 52 potential new sites had been identified (once duplicates had been removed).

Particular reference was made to recent announcements made by the Secretary of State for Levelling Up, Housing and Communities indicating new measures in the Levelling Up and Regeneration Bill, which could have implications for housebuilding targets, the Green Belt and the duty to co-operate as there was an emphasis on local decision making.

Members expressed concern at the lack of detail from Government and whether the Local Plan process and timetable needed to be revisited to reflect changing circumstances. It was unclear how any changes would be implemented arising from the Government proposals at the current time. However, it was likely that more detail would be available in time for these to be considered in more depth at the next meeting of the Scrutiny Select Committee.

There was in-depth discussion on a number of issues and the following points were raised, discussed and noted:

- The need for wider communication and engagement with residents;
- The need to identify and understand the process for the Borough Council to consider sites as a landowner, and not a Local Planning Authority, identified in the Urban Capacity Study;

- The potential for consultation on the 52 additional sites identified in the revisited Call for Sites exercise;
- The commissioning of a stage 2 Green Belt appraisal, which would be a key tool in assessing sites.

**RECOMMENDED:** That

- (1) the initial outputs of the Regulation 18 consultation on the draft Local Plan and Interim Sustainability Appraisal be noted;
- (2) the approach to promoting the Local Plan through other council communications, as set out in 1.3.10 and subject to GDPR restrictions, be noted; and
- (3) the programme for bringing more detailed outputs to Members at the meeting of the Housing and Planning Scrutiny Select Committee in March 2023 be approved.

**\*Referred to Cabinet**

**TONBRIDGE & MALLING BOROUGH COUNCIL**  
**HOUSING AND PLANNING SCRUTINY SELECT COMMITTEE**

**06 December 2022**

**Report of the Director of Planning, Housing and Environmental Health**

**Part 1- Public**

**Matters for Recommendation to Cabinet - Key Decision**

**1 REGULATION 18 LOCAL PLAN: INITIAL OUTPUTS**

**1.1 Background**

- 1.1.1 The Council has recently concluded the consultation on its Regulation 18 Local Plan and the Interim Sustainability Appraisal of the Local Plan. The consultation took place between 22 September and 3 November 2022.
- 1.1.2 The consultation took place in accordance with Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). It was the first of two prescribed consultation processes and sought a wide range of views from communities and stakeholders on what the new local plan should contain.
- 1.1.3 Consultation on the Interim Sustainability Appraisal is not required to take place at the same time as the Regulation 18 consultation, but it is best practice to do so. The consultation on this document took place under the Environmental Assessment of Plans and Programmes Regulations, 2004 on the Interim draft Sustainability Appraisal (SA).
- 1.1.4 Due to tight timescales this report includes high-level summaries and statistics of responses received, and key themes identified. It does not include full summaries or council responses. The full response is proposed to be brought to the HPSSC meeting in March 2023, alongside other initial recommendations.
- 1.1.5 This report seeks a HPSSC recommendation to Cabinet to note the initial outcomes of the consultation and to agree the proposed timetable for bringing further conclusions and key decisions before members.

**1.2 Consultation approach**

- 1.2.1 The consultation was publicised in accordance with the above regulations which included making the consultation documents publicly available in hard copy at the council's main office, the website and on the INOVEM [consultation portal](#). All contacts on the local plan consultation database were directly informed of the consultation by email, including a link to the relevant part of the council website. A social media strategy was also adopted to promote the consultation, the results

being that the local plan consultation page was the sixth most visited page in the period.

1.2.2 Below is a breakdown of the responses received.

INOVEM consultation portal <sup>1</sup>	1158 separate questionnaire responses 1643 other comments relating to paragraph or sections of the plan
Email	Approximately 2000 individual responses
Post	Approximately 500 individual responses

1.2.3 By way of comparison Maidstone Borough Council received 550 responses at the first Regulation 18 consultation but over 3000 at the second, and Tunbridge Wells received 551 responses at Regulation 18.

1.2.4 This included 11 responses from statutory consultees, including Natural England, Historic England, the Environment Agency, 4 neighbouring authorities and Kent County Council. Responses were also received from 26 of the 27 parish councils. A majority of the comments were in response to the local plan rather than the interim sustainability appraisal, and key matters raised by the statutory bodies are set out in **Annex 1**. A list landowners, developers and other key bodies who responded to the consultation is also included in **Annex 2**.

1.2.5 The breakdown of the responses could influence the detail of the results. For example, those who submitted comments via the portal were directed to apportion their comment to a particular section or paragraph of the plan and/or answer the specific question. Whereas responses received by email were less structured. However, officers are currently entering email and postal responses into the portal and attributing them to a section or paragraph, or assigning to a 'general' section of the portal. This is to allow the consultation software to be used for further in-depth analysis and to effectively collate responses.

### 1.3 Early conclusions

1.3.1 Due to the high number of consultation responses received it is only possible at this stage to provide some high-level outputs for the results submitted within the consultation portal. This includes those submitting answers to the specific questions posed and any additional comments, which totals 2801 responses.

1.3.2 As above there were 1158 questionnaire responses through the consultation portal, which is approximately 22% of total responses. These are subject to the

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<sup>1</sup> Subject to verification



detailed statistical analysis included in **Annex 3**. The bullets below are percentages of those that answered those particular questions, highlighting:

- A clear preference for Spatial Strategy Option 1 -68% of questionnaire responses) – A focus on settlements outside the Greenbelt and the AONB boundaries
- Disagreement with the strategic case for exceptional circumstances in relation to Greenbelt release (82%)
- A clear preference for meeting Objectively Assessed Needs only (as opposed to OAN+10%)- 92%
- Agreement with the windfall allowance methodology (60%)
- Clear support for the strategy option 1 for Tonbridge (optimising capacity within development sites in the town) (93%)
- 91% disagreed with the conclusions of the Sustainability Appraisal site assessments
- Agreement that the local plan should allocate of mix of site types (small, medium, large) (72%) and provide for a specific mix of housing types (80%)
- Support for requiring more than 10% biodiversity net gain (if viable)- (93%)

1.3.3 It is possible to provide some high-level breakdown of some of these messages by location of respondent, as included in **Annex 3**. This shows that a large proportion of those responding came from Tonbridge. Those from the west of the borough were also more likely to prefer Option 1 to those in the east (although Option 1 was still the preferred strategy). The consultation also included voluntary questions on equalities. This information is also included in **Annex 3**.

1.3.4 As highlighted above an additional 1643 comments were received through the consultation portal relating to particular sections or paragraph numbers of the Regulation 18 Plan. Around 40% of these comments received were made in reference to a particular site identified within Appendix B to the Local Plan. This was the list of sites identified in the previous Call for Sites process, the Urban Capacity Study and the former proposed allocations within the withdrawn local plan. This totalled 664 responses, and a breakdown is provided in **Annex 3** by ward.

1.3.5 It is not yet possible to analyse the results of the emailed or paper responses which relate to over 50% of returns due to the significant resource requirement in reviewing and uploading these to the consultation software. However a significant proportion of these are also in relation to the sites identified within Appendix B, including through adding names and addresses to standard proformas developed

within the community. There were three proformas which were submitted by a significant number of individuals as below:

- Objections to particular sites within King's Hill (8), Downs and Mereworth (1), East Malling (3), West Malling (1) and Watlington (3)- it is estimated this accounted for over 1,500 responses
- 'Stop Borough Green City'- including standard answers to a select number of the consultation questions in the context of Borough Green- it is estimated this accounted for around 100 responses
- Comments in relation to King's Hill and extracts of each site proposed within Appendix B with comments inserted- it is estimated this accounted for around 20 responses

1.3.6 As explained at the HPSSC meeting of September 2022, the Call for Sites process was also reopened alongside the Regulation 18 consultation a result of which 65 new sites were submitted. These additional sites are now being considered against the suitability criteria set out within the Placemaker software as well as the sustainability objectives within the Sustainability Appraisal. Legal advice will be sought to be able to ensure that these are considered in a proper and timely manner and to ensure there is opportunity for these sites to be consulted upon.

1.3.7 In addition to the above members of the team attended a TMBC Youth Forum to promote the local plan consultation. Further feedback was sought from attendee's peers through their schools, and the main comments were:

- The majority supported development, conditional on protecting greenfield land
- The countryside and woodlands around the borough are well liked but very few like Tonbridge town centre.
- Many identified a need for a cinema, cafes and restaurants, and parks and gardens,
- Traffic and air pollution are the greatest concerns about the future of the borough, followed by the loss of natural habitats and wildlife.

1.3.8 The above information is high-level analysis of the online questionnaire responses and key comments on sites. It is likely that the email responses reflect similar sentiments, but this cannot be confirmed, or full outcomes known until all emailed and postal responses have been fully logged. The full analysis will be brought to members, including an officer-level response for March 2023, which will effectively form the full Regulation 18 summary.

## **GDPR implications**

- 1.3.9 Some comments have also been received regarding the appropriateness of the consultation and engagement methods, including the reasoning why all households were not directly informed of the consultation process. As at section 1.2.1, emails were sent to those individuals who had directly registered on the local plan consultation portal. Advice was taken prior to the start of the consultation period on whether other council contacts could also be utilised and added to the consultation database, however this was restricted by the privacy notice.
- 1.3.10 Legal advice was also provided on the broader issue of data handling and GDPR in July 2019 following issues which arose at the local plan examination. This highlights that the 'processing of personal data' should only be progressed if it cannot be fulfilled by other means. On this basis utilising personal data collected for council tax purposes cannot be used for local plan purposes. However, other options are being explored, including how information on the Local Plan and encouraging registration can be disseminated with other council communications such as within the council tax information provided in early 2023.

## **Progress towards Regulation 19**

- 1.3.11 The planning policy team are currently processing the representations received. This includes entering emailed or postal responses into the consultation portal. Due to the high level of response, it will not be possible to assign ID numbers to respondents until this process has been concluded.
- 1.3.12 The team are also conducting more in-depth analysis of results of the Regulation 18 consultation. These full outputs of the consultation will be brought back to the HPSSC meeting of March 2023. This information will also be included within the consultation statement to be published alongside the Regulation 19 local plan in due course. The outcomes of the sustainability appraisal consultation are being passed onto the consultants to be separately analysed for reflection within the sustainability appraisal report.
- 1.3.13 The team are also currently assessing each identified site for suitability and availability. This is being undertaken through a range of methods including meeting with parties who submitted sites or are promoting formerly proposed allocations, and further consideration of site constraints. This process will also include engagement with owners of all of the sites identified in the Urban Capacity Study. This will be fed into a Housing and Employment Land Availability Assessment (HELAA) to identify land availability over the plan period. This will be used alongside the consultation results and other evidence to identify an appropriate spatial strategy, which will be tested within other pieces of evidence. Members will be engaged regarding the spatial strategy as it begins to emerge, via informal and confidential sessions in early 2023. These sessions require confidentiality so that the production of a spatial strategy or early thinking around

site suitability outcomes are not made public until an appropriate time. If made public before key decisions have been made this could require a significant injection of officer resource to manage.

- 1.3.14 Other new and emerging pieces of work which have or are currently being considered include transport modelling, a whole plan Viability Assessment, Landscape Study, Open Space, Playspace and Recreation Study and Greenbelt Study- part 2.
- 1.3.15 The current [Local Development Scheme](#) has Regulation 19 programmed for between August and October 2023.
- 1.3.16 However, this is an ambitious timetable. As highlighted above, ongoing legal advice will be sought on risk management, next steps and timetabling once the full outcomes of the consultation responses, site submissions and resources are known.
- 1.3.17 The next consultation stage will be on the Regulation 19 version of the Local Plan, currently anticipated for Autumn 2023. This will be the plan which the council considers to be 'sound', which will then be submitted to the Secretary of State, via the Planning Inspectorate. To be able to swiftly move between Regulation 19 and Regulation 22 (submission of a local plan) a revised approach to the current consultation portal is likely to be required, including how responses are analysed in an effective and timely manner.

## 1.4 Duty to Cooperate

- 1.4.1 The planning policy team liaises with neighbouring boroughs on an ongoing basis, updating the Duty to Cooperate grid on a regular basis. Officers conducted bespoke officer and member-level duty to cooperate meetings on the Regulation 18 local plan whilst it was out to consultation. The latest version of this grid is available on member request. **Annex 1** contains a summary of the representations received from neighbouring authorities which will form the subject of the next conversations with each borough.

## 1.5 Legal Implications

- 1.5.1 Local Planning Authorities are required to prepare and keep up to date development plan for their area. The Planning and Compulsory Purchase 2004 (as amended) and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) set out the requirements and the statutory process for the preparation of a Local Plan.
- 1.5.2 General Data Protection Regulations set out particular requirements in relation to the processing of data. All individual responses will be redacted when outputs are published and no personal data will be shared with outside bodies.

## 1.6 Financial and Value for Money Considerations

- 1.6.1 There will be direct financial and value for money considerations associated with the commissioning of work and responding to issues raised through the consultation. These costs will be met from existing budgets, which are kept under regular review due to considerations including Member requirements on evidence base and inflationary cost increases for consultancy advice.

## 1.7 Risk Assessment

- 1.7.1 The preparation of the new local plan will provide the council with an up-to-date Local Plan on adoption (anticipated 2025). This will alleviate the current risks associated with not having an up-to-date development plan in place. There are reputational risks should the local plan programme not be delivered on time.

## 1.8 Equality Impact Assessment

- 1.8.1 The decisions recommended through this report have relevance to the substance of the Equality Act 2010. The equalities data collected within the Regulation 18 consultation has been processed in accordance with the GDPR and the local plan privacy notice. An Equalities Impact Assessment will be undertaken alongside the preparation of the Regulation 19 Local Plan.

## 1.9 Recommendations

HPSSC is asked to recommend to Cabinet:

- 1.9.1 **NOTE** the initial outputs of the Regulation 18 consultation on the draft Local Plan and Interim Sustainability Appraisal.
- 1.9.2 **APPROVAL** of the programme for bringing more detailed outputs to members at the March 2023 meeting.
- 1.9.3 **NOTE** the approach to promoting the Local Plan through other council communications, subject to GDPR restrictions.

Background papers:

Annex 1 - Summary of responses from statutory consultees

Annex 2 - Responses from landowners, developers and other bodies

Annex 3 - Initial outcomes of the Regulation 18 consultation

contact: Gudrun Andrews  
Planning Policy Manager

Eleanor Hoyle  
Director of Planning, Housing and Environmental Health

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## Annex 1 Responses from specific consultation bodies

Natural England	<ul style="list-style-type: none"> <li>Highlighted the impacts of the five Spatial Options and the need for landscape protection</li> <li>a need to protect AONBs and their settings</li> </ul>
The Environment Agency	<ul style="list-style-type: none"> <li>Flood risk and the role of the Medway Estuary and Swale Strategy (MEAS)</li> <li>Specific comments on sites in Appendix B of the Local Plan</li> <li>a need to refer to restoring degraded habitats, the DEFRA biodiversity metric, green/blue infrastructure and the role of SSSI impact zones</li> </ul>
Historic England	<ul style="list-style-type: none"> <li>Provides a steer on policies and guidance to be considered in plan preparation, including the scope of development management policies.</li> <li>Highlights the benefits of a heritage strategy or heritage SPD</li> </ul>
Kent County Council	<ul style="list-style-type: none"> <li>Comments focussed around their statutory functions in relation to public rights of way, highways, education, minerals and waste and waste management.</li> <li>Other key areas of comment were around the built and natural environment and infrastructure priorities.</li> <li>Support for seeking more than 10% biodiversity net gain, if viable. Additional comments were also provided on the Sustainability Appraisal.</li> </ul>
Gravesham	<ul style="list-style-type: none"> <li>No comments received.</li> </ul>
Maidstone Borough Council	<ul style="list-style-type: none"> <li>Highlights potential spatial strategy implications on MBC borough including on air quality and settlement coalescence</li> <li>Acknowledgment of the influence of the Maidstone Housing Market Area</li> <li>Support to the commitment to meet the local housing need in full, including that of gypsies and travellers.</li> </ul>

Medway	<ul style="list-style-type: none"> <li>• Welcomes the commitment to meeting OAN</li> <li>• Requests early sight of information in relation to preferred sites and strategy options.</li> <li>• Comments in relation to scenarios within the Economic Development Needs Study and the need for further supply-side data to be able to fully comment on these.</li> </ul>
Sevenoaks District Council	<ul style="list-style-type: none"> <li>• Identification of cross boundary issues in relation to housing and infrastructure delivery and the role of regular duty to cooperate conversations, including around potential for shared evidence.</li> <li>• Draws attention to the SDC Regulation 18 plan consultation, summarising the development strategy as making the most efficient use of land in existing settlements, only releasing Green Belt land where there are exceptional circumstances for doing so.</li> <li>• Identifies a SDC unmet need of approximately 6,000 homes and states that there is a case which can be made for TMBC to assist with some of these unmet needs, should there be capacity to do so.</li> <li>• Welcome the TMBC ‘OAN plus 10%’ option</li> <li>• Highlights opportunities for joint working over infrastructure planning and need to provide for this alongside development for areas close to the SDC boundary, and this should have a bearing on the spatial strategy adopted within the plan.</li> </ul>
Tunbridge Wells Borough Council	<ul style="list-style-type: none"> <li>• the potential impacts of high-density development on the settlement character, the character of the natural environment and landscape setting of settlements, and on the historic environment.</li> <li>• highlights the good working practices taking place around the duty to cooperate between west Kent authorities and the acknowledgement that needs are to be met in full within the borough boundary.</li> </ul>



## Annex 2 Responses from landowners, developers and other key bodies

Table 1- Landowners and developers

Barratt David Wilson Homes	Gladman Developments
Bellway Strategic Land	Hadlow College
Berkeley Homes Eastern Counties	Kitewood Estates
Berkeley Homes Southern Counties	Leander Homes
Berkeley Homes Strategic	Millwood Designer Homes
Borough Green Gardens Consortium of landowners	Panattoni UK Development Ltd
Canham Homes	Persimmon Homes
CEMEX UK Properties Ltd	Redrow Homes
Coblands Nursery (north-west Tonbridge)	Rydon Homes Ltd
Cooper Estates	Savills
Croudace	Tarmac
Dandara South East Ltd	Taylor Wimpey Strategic
Fairlawne Estate	Terance Butler Holdings Ltd (Aylesford Quarry)
Fernham Homes	Tregothnan Estate
Gallagher Developments	Trenport Investments Limited
Gallagher Properties	Vistry Group (formerly Bovis Homes)

Table 2- Other bodies

Age UK	Kent Police
British Horse Society	Kent Wildlife Trust
Civil Aviation Authority	Lower Medway Internal Drainage Board

CPRE	Malling Society
Diocese of Rochester	Romany Guild
Federation of Small Businesses	Showmans Guild
Friends of the Earth	South East Local Enterprise Partnership (SELEP)
Heart of Kent Hospice	Sport England
High Weald AONB Management Unit	Theatres Trust
Home Builders Federation	Tonbridge Civic Society
Kent Chamber of Commerce	West Kent Chamber of Commerce
Kent Downs AONB Management Unit	Woodland Trust
Kent Fire	

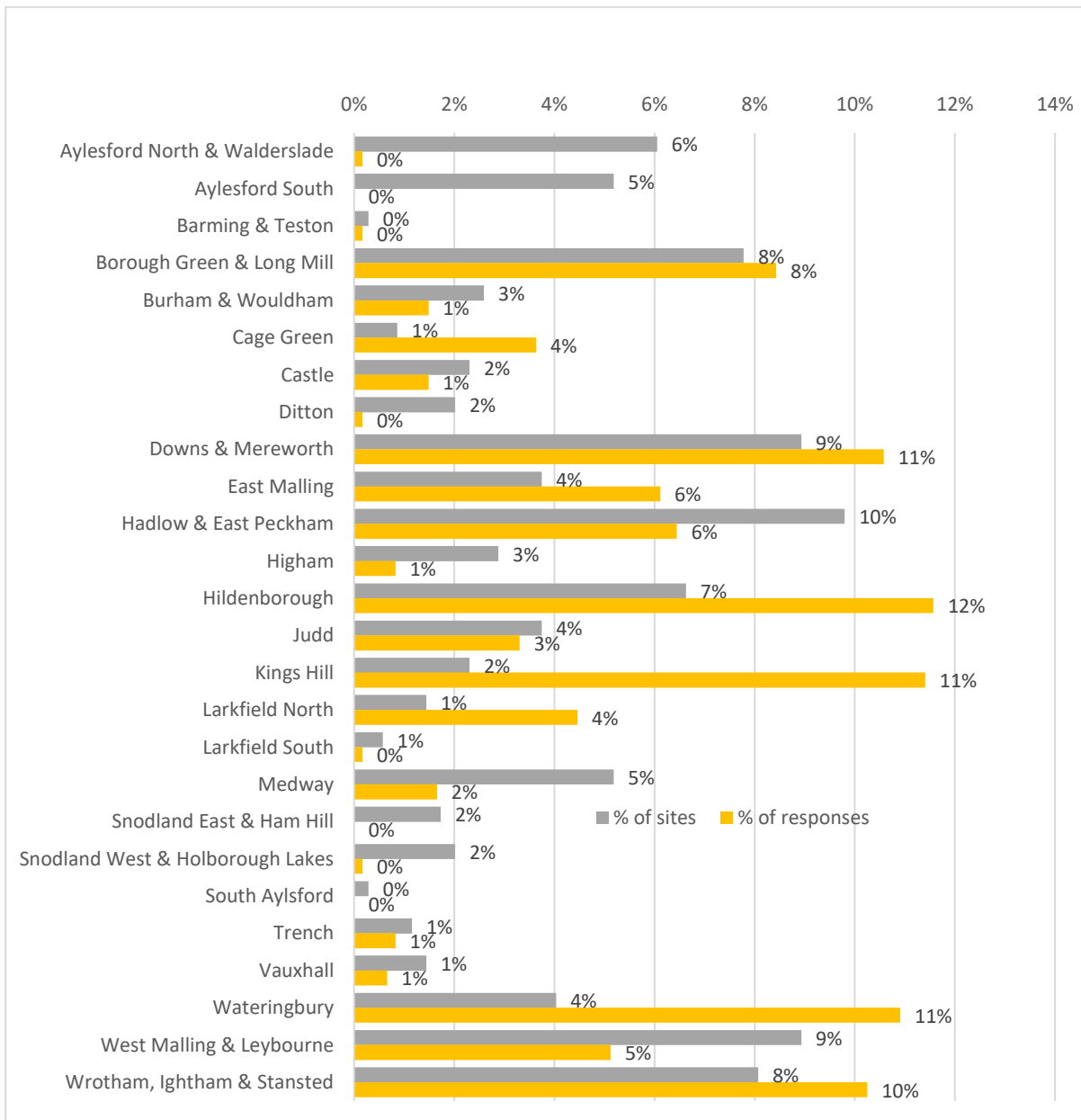
### Annex 3- Summary of initial outcomes

These figures only include submissions within the consultation portal, at around 22% of responses. A different picture could emerge once all responses can be analysed.

#### Appendix B comments

The chart below shows that some wards contain only a small proportion of sites but received a much greater proportion of responses (e.g. King’s Hill, Hildenborough, Wateringbury) whereas some wards had a greater proportion of sites but received proportionally lower responses (e.g. Aylesford wards and Medway)

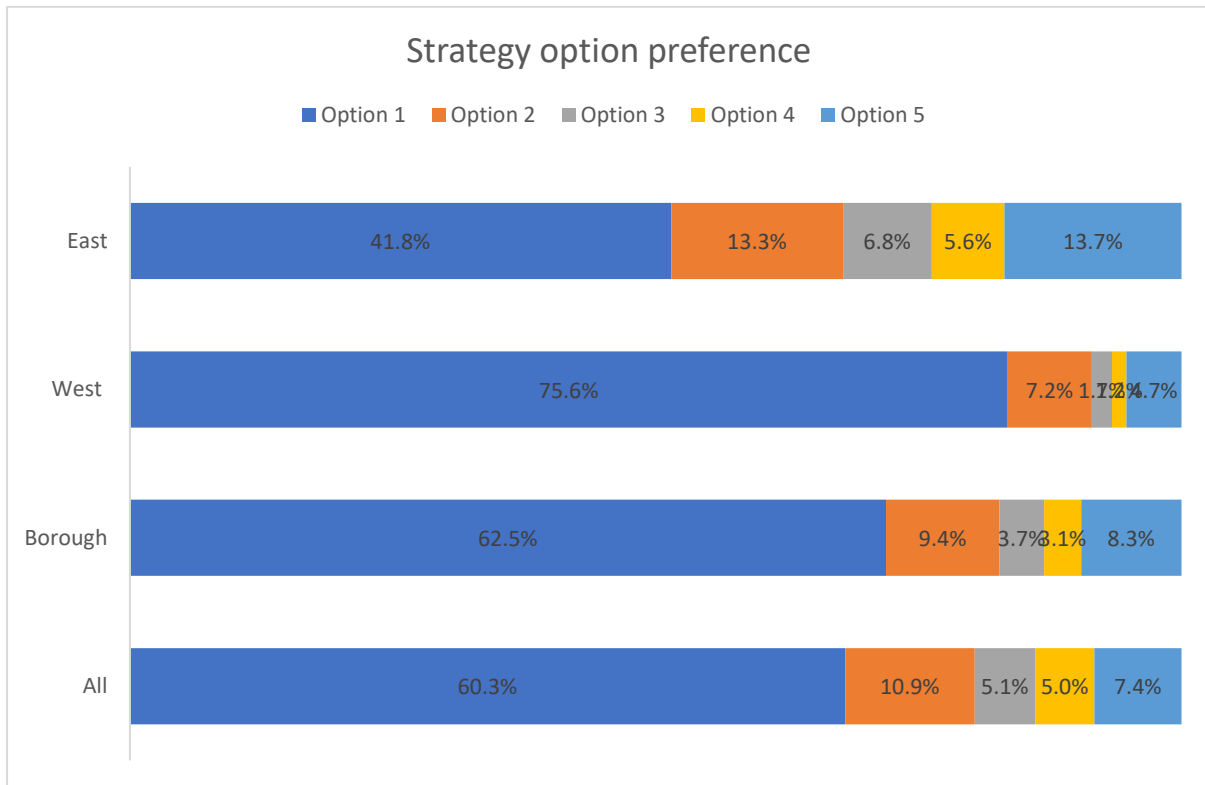
Figure 1- Proportion of site responses and locations



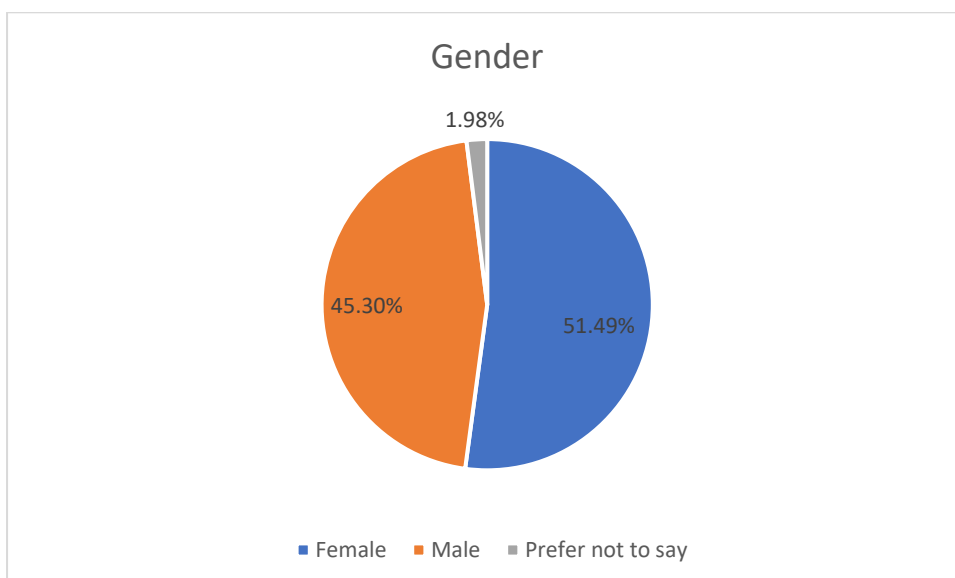
## Spatial Strategy analysis

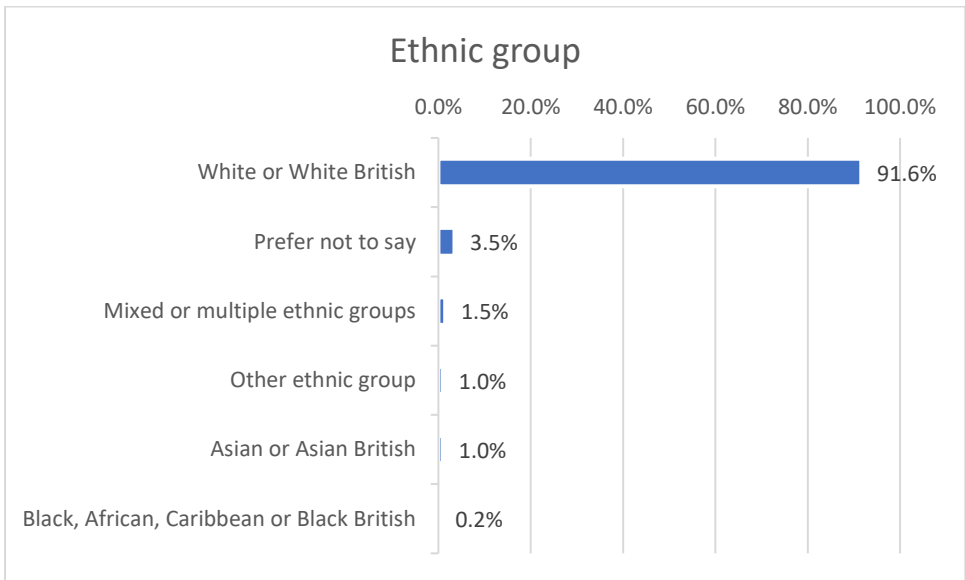
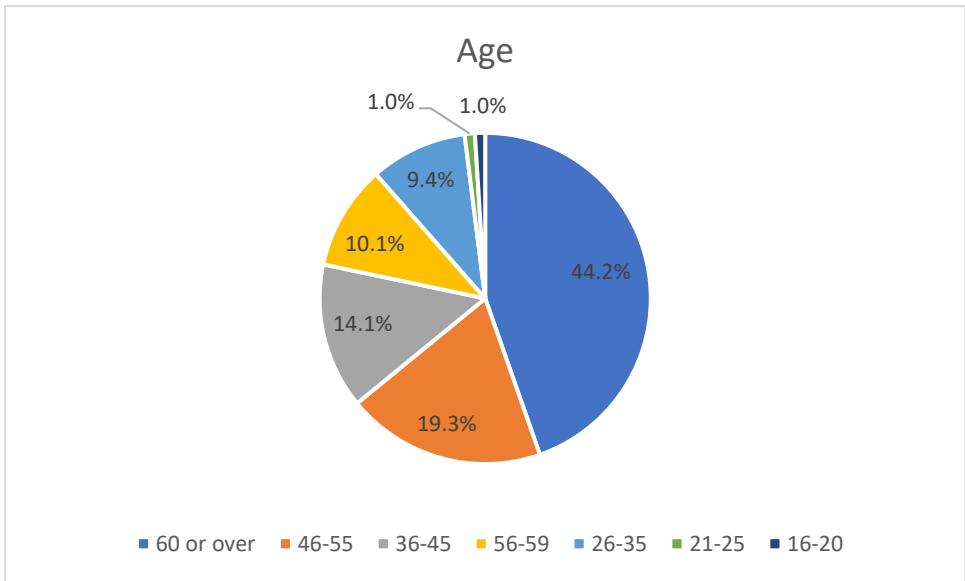
The chart below shows analysis of the spatial strategy options by location of response (excluding non-responses to these fields). The below shows that those in the west of the borough are more likely to opt for option 1 whereas those to the east, although still prefer option 1 overall, are less likely to express this as a preference.

Figure 2- Strategy option preference by location



## Equalities information





## Local Plan Regulation 18 summary statistics—as at 7/11/22

NB—Doesn't include entries from LP inbox or received by post.

### Comments (overview):

Name	Comments	Accepted
 <b>TMBC's Regulation 18 Local Plan</b>		<b>1643</b>
 Foreward, infographic, ToC	No	
 Introduction	No	<b>331</b>
 Local Context	No	<b>54</b>
 Vision	No	<b>66</b>
 Spatial Distribution of Development	No	<b>210</b>
 Strategic Matters	No	<b>287</b>
 Other Matters	No	<b>8</b>
 Further Information	No	
 Next Steps	No	
 Appendix A: Key Diagram	No	<b>23</b>
 Appendix B: List of Sites	No	<b>664</b>

## Questionnaire:

### Question 1

Which elements should feature in the vision for the borough in 2040? (Select as many as applicable)



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### Question 2

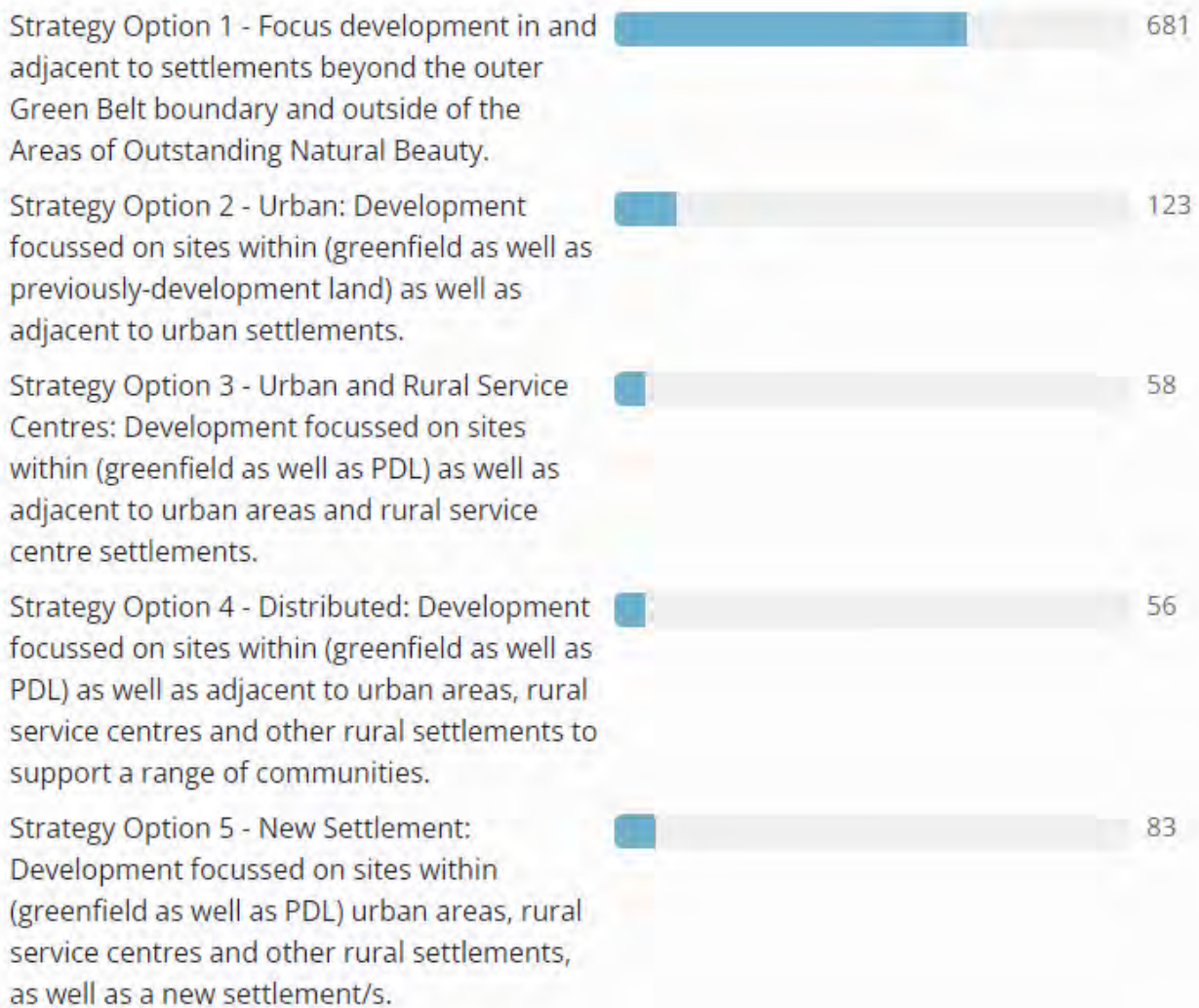
Do you agree that this settlement hierarchy should be retained and inform the spatial strategy for the Local Plan?





### Question 3

Which spatial strategy option do you prefer?



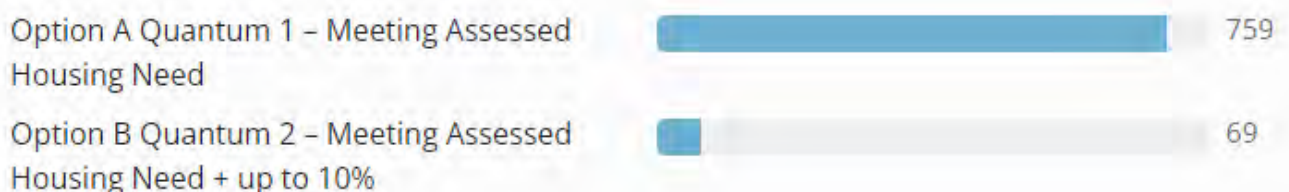
### Question 4

What are your reasons for selecting this particular spatial strategy option for the Local Plan (outline briefly (max. 6000 characters))?

This question has been answered 893 times.

### Question 5

Which quantum options for the spatial strategy do you prefer?





## Question 6

What are your reasons for selecting this particular quantum option for the Local Plan (outline briefly (max. 6000 characters))?

This question has been answered 704 times.

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## Question 7

Do you agree with the findings of the strategic policy options assessments in Chapter 4 of the Interim Sustainability Appraisal Report?

Yes  274


No  330

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## Question 8

Do you agree with the findings of the individual site assessments in Annex 1 of the Interim Sustainability Appraisal Report?

Yes  61

No  653

## Question 9

Do you agree with this set of strategic matters?

Yes  296

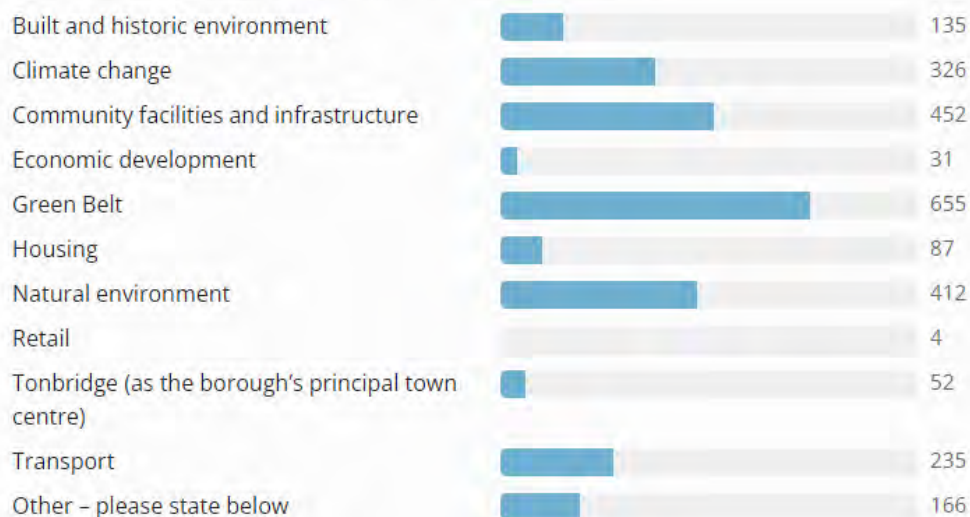
No  336

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## Question 10

Which strategic matters should be priorities in the Local Plan?



### Question 11

What are your reasons for selecting these particular strategic matters as priorities for the Local Plan (outline briefly (max. 6000 characters))?

This question has been answered 625 times.

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### Question 12

With reference to your answers to questions 5 and 6 do you agree that the housing requirement for the Local Plan should involve meeting the identified housing needs in full, as a minimum?

Yes 160

No 539

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### Question 13

Do you agree that the Local Plan should allocate a mix of sites (small, medium, and large) to help maintain supply throughout the plan period?

Yes 490

No 192

### Question 14

Do you agree that the Local Plan should require a specified mix of dwelling types (e.g. flatted, terraced, semi-detached, detached) on large development sites to meet the range of households' needs?

Yes 557

No 135

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### Question 15

Do you agree that the Local Plan should require a proportion of plots on large developments to be made available for self-build and custom house building?

Yes 403

No 245

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### Question 16

Do you agree that the Local Plan should require a proportion of homes on large development sites to be Build-to-Rent products?

Yes 428

No 206

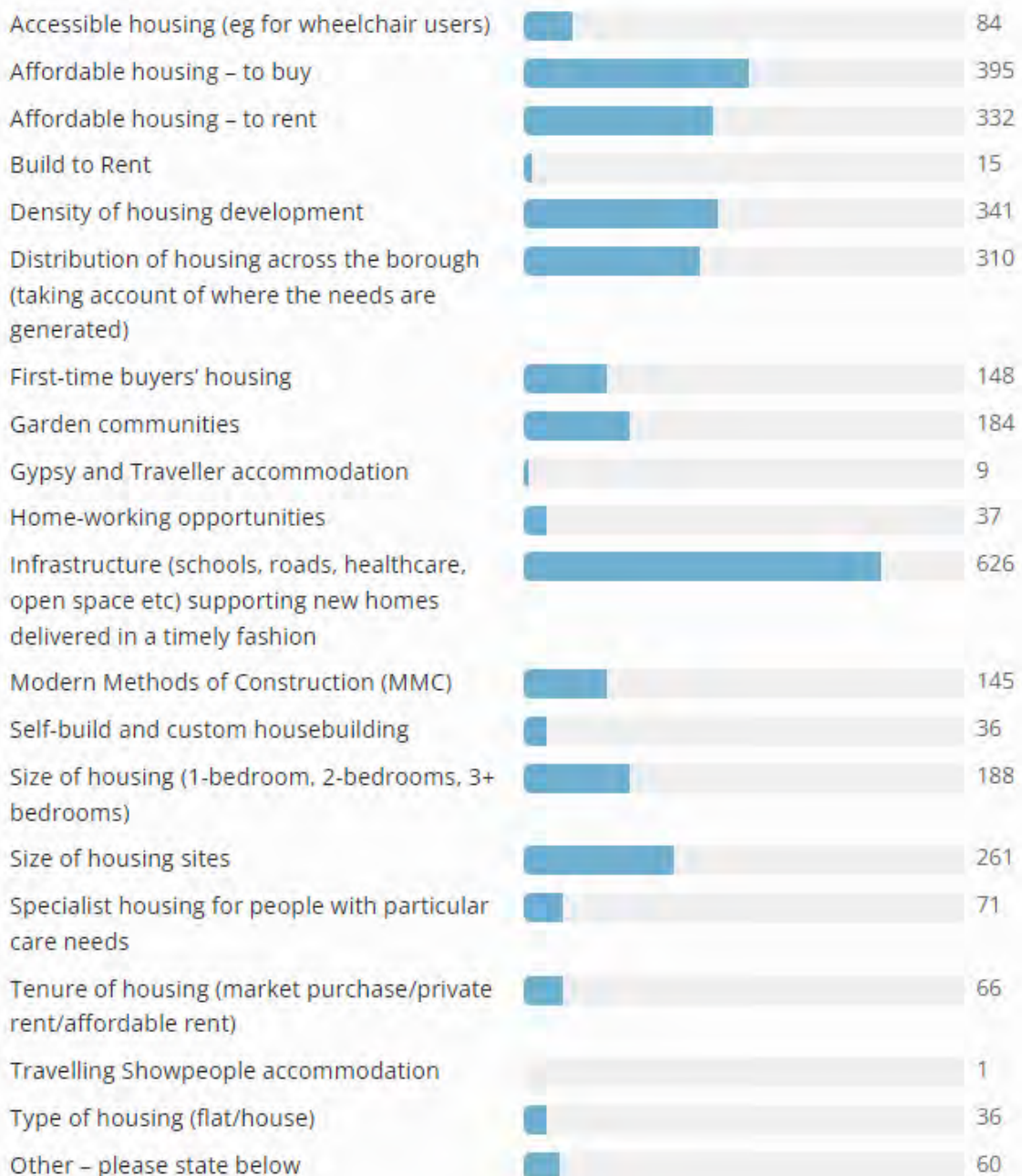
## Question 17

Do you agree with the windfall allowance methodology?



## Question 18

Which housing matters are most important to you?





## Question 19

What are your reasons for selecting these particular housing matters as priorities for the Local Plan (outline briefly (max. 6000 characters))?

This question has been answered 477 times.

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## Question 20

Do you agree with the key economic development issues identified above?

Yes 371

No 158

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## Question 21

Do you agree with the key transport issues identified above?

Yes 424

No 187

## Question 22

Which transport issues matter the most to you?

Bus services – linking developments to services and places 486

Cycle routes – safe links between homes and schools, other service, places and public transport 314

Pedestrian infrastructure – safe links between homes and schools, other services, places and public transport 502

Rail – improving station access and links with cycling and walking routes 249

Roads including junction improvements 418

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## Question 23

What are your reasons for selecting these particular transport matters as priorities for the Local Plan (outline briefly) (max. 6000 characters)?

This question has been answered 488 times.

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## Question 24

Would you support the implementation of cycling and walking schemes where a reduction in road space including on-street parking may be required in some instances, to provide a network of high-quality urban cycle routes?

Yes 362

No 316

## Question 25

What is your preferred strategy option for Tonbridge?

### Strategy Description

**Option 1** Optimise densities on development sites within Tonbridge, particularly on those sites within the town centre, maximising their potential for residential and mixed-use development.

**Option 2** Conservative densities on development sites within Tonbridge, minimising the intensification of existing built-up areas for residential and mixed-use development.

### Consequence for the need for additional development land

Minimise the need for the release of green field sites beyond the outer edge of Tonbridge, in the Green Belt, primarily for residential development.

Increase the need for the release of green field sites at and beyond the outer edge of Tonbridge, in the Green Belt, primarily for residential development.

Option 1 - Optimise densities on development sites within Tonbridge, particularly on those sites within the town centre, maximising their potential for residential and mixed-use development.

 634

Option 2 - Conservative densities on development sites within Tonbridge, minimising the intensification of existing built-up areas for residential and mixed-use development.

 50

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## Question 26

What are your reasons for selecting this particular strategy option for Tonbridge (outline briefly (max. 6000 characters))?

This question has been answered 510 times.

## Question 27

What should be the main role of Tonbridge Town Centre moving forward? Should the priority be for shopping or for leisure, social and cultural uses or a balance of these? (max. 6000 characters)

This question has been answered 519 times.

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## Question 28

Should the Local Plan include a more flexible policy framework for Tonbridge to allow the Town to respond to future market investment opportunities for a range of land uses and developments?

Yes  430

No  105

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## Question 29

Do you have other thoughts about how planning policy should guide development in and around the town centre? (max. 6000 characters)

This question has been answered 343 times.


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## Question 30

Do you agree with the key retail issues identified above?

Yes  388

No  89

### Question 31

Is there anything more that the Council could do to make the borough's retail centres more attractive and successful?



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### Question 32

Do you agree with this set of community facilities and infrastructure priorities?



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### Question 33

Should Local Green Space be designated in the Local Plan?



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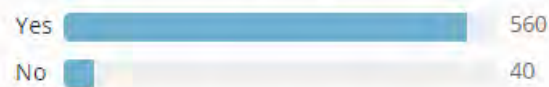
### Question 34

If yes, do any potential sites meet all of the criteria set out in NPPF? (max. 6000 characters)

This question has been answered 230 times.

### Question 35

Should the Council be seeking more than 10% Biodiversity Net Gain, if viable?

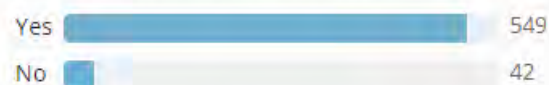


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### Question 36

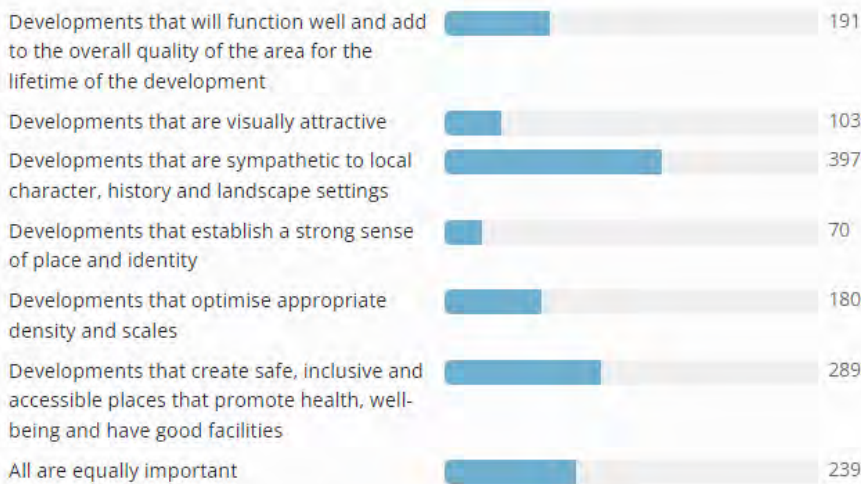
Should the Council allocate sites specifically for Biodiversity Net Gain within the Local Plan?





### Question 37

Which design matters are most important to you? (Select 3)



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### Question 38

What are your reasons for selecting these particular design matters as priorities for the Local Plan (outline briefly (max. 6000 characters))?

This question has been answered 289 times.

### Question 39

Are there any other locally significant built, historic issues or sites which you consider are important to the borough and should be addressed in the Local Plan?



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### Question 40

Do you agree that there are exceptional circumstances, at the strategic level, for altering Green Belt boundaries (in principle) to help address assessed development needs?



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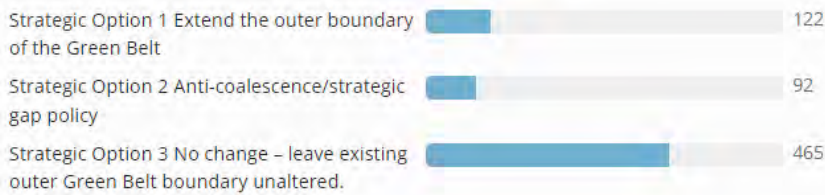
### Question 41

Do you agree that the set of factors listed in para. 5.11.7 should be used to determine if exceptional circumstances exist to justify alterations to Green Belt boundaries?



### Question 42

Please indicate your preferred strategic policy option for the area beyond the outer Green Belt boundary



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### Question 43

What are your reasons for selecting this policy option for the area beyond the outer Green Belt boundary (outline briefly (max. 6000 characters))?

This question has been answered 473 times.

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### Question 44

Do you agree that the Local Plan should set requirements for a certain proportion of development on major sites to be built using MMC?



### Question 45

Do you agree that the Local Plan should set a minimum requirement for tree canopy coverage on new developments?



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### Question 46

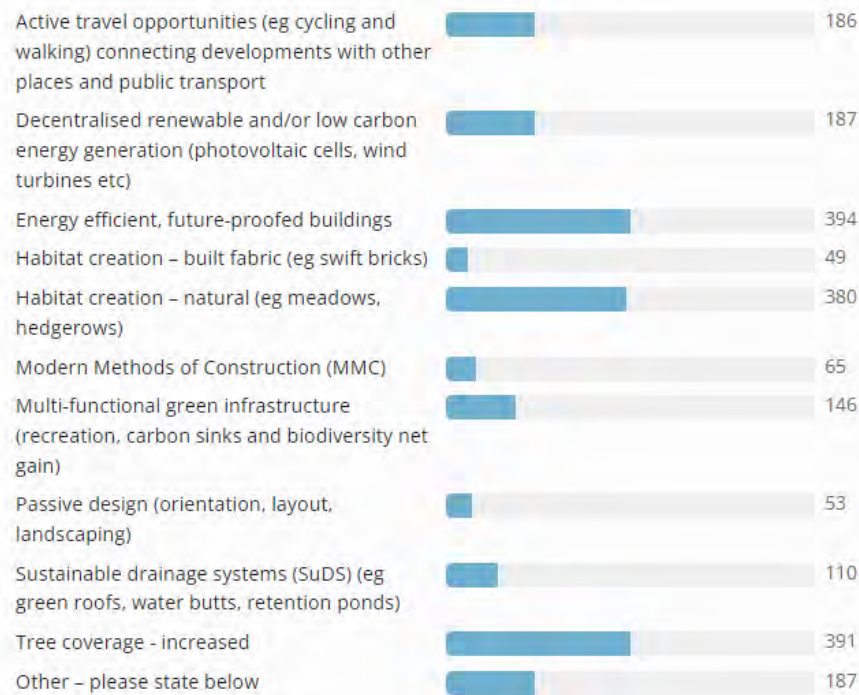
Do you agree that new developments should integrate into the fabric of buildings habitat space for wildlife, such as migratory birds?





## Question 47

Which climate change measures are most important to you?



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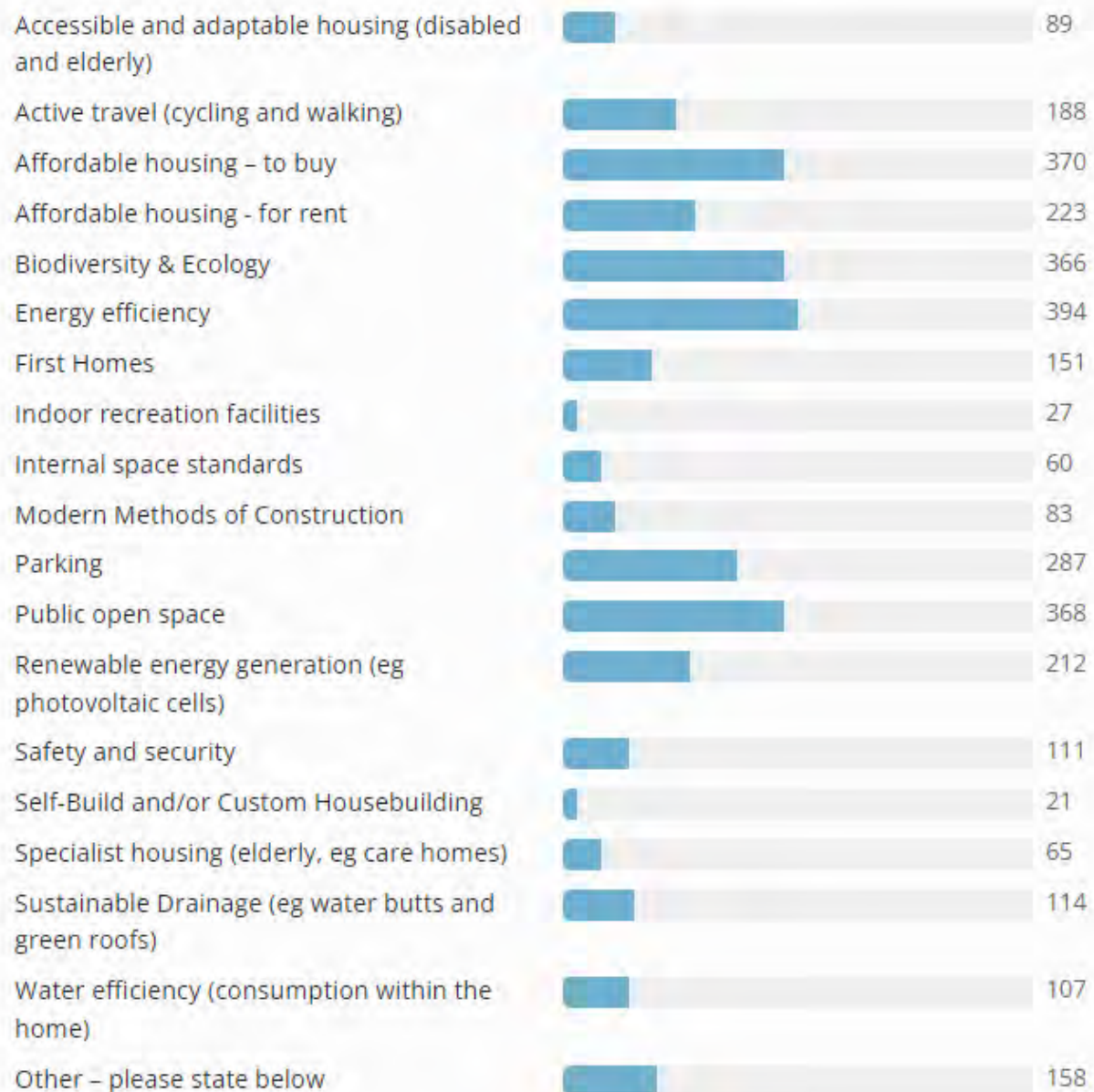
## Question 48

What are your reasons for selecting these particular climate change measures as priorities for the Local Plan (outline briefly (max. 6000 characters))?

This question has been answered 427 times.

## Question 49

Which local policy requirements are most important to you?



## Question 50

What are your reasons for selecting these particular local requirements as priorities for the Local Plan (outline briefly (max. 6000 characters))?

This question has been answered 433 times.

Executive Decisions Record - December 2022

Decision Number	Title	Cabinet Member	Date of Decision	Date Published	Call-in period ends	Called in	Scrutiny Committee Consideration
D220110MEM	Infrastructure Funding Statement 2021-22	Strategic Planning and Infrastructure	1.12.22	2.12.22	9.12.22		
D220111MEM	Affordable Housing Protocols	Housing and Strategic Planning and Infrastructure	2.12.22	6.12.22	13.12.22		
D220112MEM	Private Sector Housing Enforcement Policy - Minor Amendments	Housing	5.12.22	6.12.22	13.12.22		
D220113MEM	Temporary Accommodation Action Plan	Housing	6.12.22	9.12.22	16.12.22		
D220114MEM	IGN3 and SPG4 Update	Strategic Planning and Infrastructure	6.12.22	9.12.22	16.12.22		
D220115CAB	Corporate Strategy Consultation Draft	Cabinet	14.12.22	16.12.22	23.12.22	23.12.22	
D220116CAB	Lower Thames Crossing - Development Consent Order						
D220117CAB	Household Support Fund (Round 3)				N/A		
D220118CAB	TTC Asset Review - Phase 2 Proposal						

Decision pending	Call in period	Key Decision	Private
	Subject to call in	Call in doesn't apply due to Urgency provisions	

Referred back to Cabinet	Referred back to Council	Council referred to Cabinet	Date Decision Effective
			10.12.22
			14.12.22
			14.12.22
			17.12.22
			17.12.22
			24.12.22

# Agenda Item 8

The minutes of meetings of Advisory Panels and Other Groups are attached, any recommendations being identified by an arrow.

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**TONBRIDGE AND MALLING BOROUGH COUNCIL**

**PARISH PARTNERSHIP PANEL**

**MINUTES**

**Thursday, 3rd November, 2022**

**Present:** Cllr R W Dalton (Chair), Cllr Mrs M Tatton (Vice-Chair), Cllr Mrs J A Anderson, Cllr Mrs S Bell, Cllr R P Betts, Cllr P M Hickmott, Cllr Mrs F A Kemp, Cllr B J Luker, Cllr M R Rhodes and Cllr M Taylor.

Together with representatives of Addington, Aylesford (Dr T Shelley - Vice-Chair), Birling, Borough Green, Burham, East Peckham, Hadlow, Kings Hill, Platt, Ryarsh, Trottiscliffe, Wateringbury, West Malling, Wouldham and Wrotham Parish Councils and County Cllr S Hudson and County Cllr H Rayner.

Councillors M C Base and D Keers were also present in the Chamber pursuant to Council Procedure Rule No 15.21.

Councillor D Davis, representatives of Hildenborough, Offham, Plaxtol, Stansted Parish Councils and County Councillor Mrs T Dean participated via MS Teams and joined the discussion when invited to do so by the Chair in accordance with Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors M A Coffin, A P J Keeley, D Lettington, East Malling and Larkfield Parish Council and County Cllr Mrs S Hohler

**PART 1 - PUBLIC**

**PPP 22/20 MINUTES**

**RESOLVED:** That the Minutes of the meeting held on 1 September 2022 be approved as a correct record and signed by the Chairman.

**PPP 22/21 UPDATE ON ACTION IDENTIFIED IN THE LAST MINUTES**

The Chair advised that no updates had been identified in advance of the meeting.

**PPP 22/22 DISCUSSION WITH MATTHEW SCOTT, KENT POLICE AND CRIME COMMISSIONER**

Further to the discussion on General Policing and Anti-Social Behaviour at the meeting of the Panel held 26 May 2022, the Chair was pleased to welcome the Police and Crime Commissioner, Matthew Scott, and

Inspector Mark Stubberfield of Kent Police to the meeting. The Chair advised that Mr Scott would respond to questions relating to strategic issues and victim services while Inspector Stubberfield and Alison Finch, Safer and Stronger Communities Manager (who was available on-line), would deal with any other matters. The Panel noted that the questions submitted to Democratic Services by 21 October 2022 by Wouldham and Burham parish councils were attached to the agenda with additional questions raised by Kings Hill Parish Council circulated as a supplemental report. All the questions raised had been sent to Mr Scott and Inspector Stubberfield in advance of the meeting.

Inspector Stubberfield gave a detailed response to the questions raised regarding clear-up rates, action taken to protect vulnerable people who are the target of violent and sexual offences, the time taken to respond to calls reporting anti-social behaviour, including drivers under the influence of alcohol and drugs, and action taken to reduce speeding in rural areas. He outlined the background to and work undertaken by the Community Policing Teams across the County. In response to concerns expressed by a number of members of the Panel about the level of interaction between PCSOs and parish councils, Inspector Stubberfield invited those parish councils which wished to have a PCSO attend their meetings to contact him direct. It was acknowledged that, while the KCC Highways Service held responsibility for the application of speed limits, Kent Police was working in partnership with the County Council to resolve issues regarding high speed driving. In response to a question regarding Fly-Tipping Inspector Stubberfield confirmed that Kent Police undertook proactive and reactive work in partnership with the County Council and the Environment Agency to 'crack down' on this issue.

Mr Scott provided an overview of the role and responsibilities of the Police and Crime Commissioner and outlined his key priorities and the significant challenges faced within Kent. He referred to the progress achieved in strategic and neighbourhood issues through collaboration with other emergency services and neighbouring police authorities and partnerships with local authorities and communities, to the recent recruitment and training of police officers, to the focus given to the prevention of violence against women and girls and to the reduction in incidence of burglary. Particular reference was made to the model of policing arising from the Neighbourhood Policing Review which Mr Scott believed would lead to opportunities for both police officers and PCSOs. In response to a question raised regarding the outcome of the review of the bombing of Manchester Arena, Mr Scott confirmed that responses to extreme emergencies were regularly tested on a multi-agency basis to ensure that the correct policies and procedures were followed.

### **PPP 22/23 LOCAL PLAN**

The Cabinet Member for Strategic Planning and Infrastructure provided an update on the Regulation 18 Consultation which was due to close that evening. He advised that over 2,000 responses to the consultation



had been received and that the outcome would be reported to the meetings of the Housing and Planning Scrutiny Select Committee scheduled to be held on 6 December 2022 and 21 March 2023.

A number of members expressed concerns that the general public had been unaware of the consultation and that the documents were difficult to understand as they were too complex and technical. It was suggested that consideration should be given to a 'plain english' version of the questions within future consultations and to the use of mailshots to all households to raise awareness.

## **PPP 22/24 ANY OTHER BUSINESS**

### **(1) Next Meeting**

The Democratic Services Officer provided an update on the items included in the Panel's Forward Plan and reminded members that the next meeting of the Parish Partnership Panel would be held online via Microsoft Teams on Thursday 9 February 2023. She advised that the following items had previously been identified for consideration at this meeting:

- Improved enforcement of building regulations (Aylesford PC)
- Update on Climate Change Strategy (KALC Tonbridge and Malling)

The Chair advised that any questions relating to these items or requests for other items should be submitted to [committee.services@tmbc.gov.uk](mailto:committee.services@tmbc.gov.uk) by no later than Friday 6 January 2023 so that any responses could be provided at the meeting by the appropriate Cabinet Member and Officers.

The meeting ended at 9.47 pm

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**TONBRIDGE AND MALLING BOROUGH COUNCIL**

**JOINT TRANSPORTATION BOARD**

**MINUTES**

**Monday, 21st November, 2022**

**Present:** County Cllr H Rayner (Chair), Cllr P J Montague (Vice-Chair), Cllr R P Betts, County Cllr Mrs S Hohler, County Cllr M Hood, County Cllr S Hudson and County Cllr P Stepto.

Councillor R Roud was present in the Council Chamber pursuant to Council Procedure Rule No 15.21.

Councillors Mrs J A Anderson, D Harman and M R Rhodes participated via MS Teams and joined the discussion when invited to do so by the Chairman in accordance to Council Procedure Rule No 15.21.

Apologies for absence were received from Borough Councillors R I B Cannon, D A S Davis and M Taylor and from County Councillor Mrs T Dean.

**PART 1 - PUBLIC**

**JTB 22/21 NOTIFICATION OF SUBSTITUTE MEMBERS**

Notification of substitute members were recorded as set out below:

Cllr V Branson substituting for Cllr R Cannon  
Cllr M Boughton substituting for Cllr D Davis  
Cllr T Shaw substituting for Cllr M Taylor

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.

**JTB 22/22 DECLARATIONS OF INTEREST**

County Councillor Stepto declared an interest in item 8 in that if two of the applications were not approved, he would be advantaged.

**JTB 22/23 MINUTES**

**RESOLVED:** That the Minutes of the meeting of the Joint Transportation Board held on 6 June 2022 be approved as a correct record and signed by the Chairman.

**MATTERS FOR THE BOROUGH COUNCIL****JTB 22/24 PARKING UPDATE**

(Decision Notice D220105MEM)

The report of the Director of Street Scene, Leisure and Technical Services covered the content of Phase 14 of the Action Plan and provided an update on the Borough's parking reviews.

A list of location requests recommended for consideration in Phase 14 of the Parking Action was attached at Annex 1 to the report. A further list was attached at Annex 2 and would be held on a 'holding list' for consideration in future phases of the Plan. It was recommended that the locations and proposals in Annex 1 be taken forward for investigation and then to informal consultation; and that the response to the information consultation be reported back to a future meeting of the Board.

**RECOMMENDED:** That

- (1) the proposals for each location listed in Phase 14 of the Parking Action Plan, as set out at Annex 1 to the report, be taken forward for investigation and informal consultation; and
- (2) the list of requests, as set out at Annex 2 to the report, be held for future consideration in future phases of the Parking Action Plan.

**JTB 22/25 PARKING ACTION PLAN - PHASE 13**

(Decision Notice D220106MEM)

The report of the Director of Street Scene, Leisure and Technical Services covered the formal consultation stage of the parking restriction proposals contained in Phase 13 of the Parking Action Plan and sought approval to implement the changes. A list of all the locations, the issues raised and a recommendation for each was set out in Annex 1.

The report also considered the introduction of a permit parking zone and associated parking restrictions to the Shakespeare Road area of Tonbridge that was held over from Phase 12 of the Parking Action Plan in September 2021.

The views of local members were sought on a number of recommendations and where appropriate and/or practical these would be reflected in the final proposals.

**RECOMMENDED:** That

- (1) the recommendations for each location for Phase 13 of the Parking Action Plan, as set out at Annex 1 to the report, be adopted and the proposals be implemented subject to:
  - (i) the amendment of scheme numbered Ph13-19 (Tonbridge, Chiltern Way/Cheviot Close) to reduce the proposal to just double yellow lines on the inside of the Chiltern Way bend and to implement on that basis;
  - (ii) the progression of schemes numbered Ph13-06 (Ditton, Woodlands Road), Ph13-12 (East Malling, Upper Mill/Mill Street), Ph13-24 (Tonbridge, Vale Rise & Woodgate Way) and Ph13-31 (Tonbridge, The Haydens); and
  - (iii) the deferral of consideration of scheme numbered Ph13-27 (Walderslade, 44-46 Woodbury Road) to the same stage of the next Phase of the Parking Action Plan; and
- (2) the previously agreed restrictions for the Shakespeare Road, Tonbridge area (that formed part of the Phase 12 Action Plan), be implemented.

**JTB 22/26 PARKING ACTION PLAN - ACCESS GROUP 7**

(Decision Number D220107MEM)

The report of the Director of Street Scene, Leisure and Technical Services presented the outcome of the formal consultation on proposals contained in Access Group 7, a subset of the Parking Action Plan, where a streamlined process had been applied to the consideration and promotion of minor changes to the Traffic Regulation Order,

**RECOMMENDED:** That the recommendations for each location in Access Group 7, as set out at Annex 1 to the report, be adopted and, where appropriate, the proposals be implemented.

**MATTERS FOR THE COUNTY COUNCIL****JTB 22/27 PROPOSED SINGLE YELLOW LINE WAITING RESTRICTIONS - OLDBURY LANE**

The report of the Head of Transportation, Kent County Council provided details of proposed double yellow line waiting restrictions on Oldbury Lane and Old Lane Ightham. The Highways Improvements Team were assisting with the writing and consultation of the Traffic Regulation order (TRO) for the scheme which was being funded and supported by the County Member, Harry Rayner. The report sought approval to proceed

to make the Traffic Regulation Order following public consultation already completed.

**RECOMMENDED:** That the Traffic Regulation Order for double yellow lines be implemented on Old Lane Only, as shown in the plan at Appendix D to the report.

### **MATTERS SUBMITTED FOR INFORMATION**

#### **JTB 22/28 HIGHWAYS FORWARD WORKS PROGRAMME 2022/23**

The report of the Kent County Highways, Transportation and Waste summarised schemes programmed for delivery in 2022/23 and provided an update on Road, Footway and Cycleway Renewal and Preservation Schemes (Appendix A), Drainage Repairs and Improvements (Appendix B), Street Lighting (Appendix C), Transportation and Safety Schemes (Appendix D), Developer Funding Works (Appendix E), Bridge Works (Appendix F), Traffic Systems (Appendix G) and the Combined Members Grant (Appendix H). Representatives from Kent County Council Highways responded to questions relating to the footpath improvements in Borough Green, the maintenance works on Quarry Hill Road, and the signage when exiting Hadlow and Hall Road/Mills Road roundabout.

Members sought an update on the flooding issue between River Way and Marsh Way, Larkfield; the installation of speed cushions in Upper Haysden, the defects relating to the Watlington scheme and the land ownership issues associated with the junction improvements at London Road/New Road, East Malling. A request was made that consideration be given to raising the footway between West Bank Lodge and number 104 Sevenoaks Road and Borough Green Road on safety grounds.

#### **JTB 22/29 URGENT ITEMS**

In accordance with Rule 2.3 of the Joint Transportation Board agreement, the Chairman agreed to accept a matter in advance of the meeting.

County Councillor Hood highlighted the sustained campaign of vandalism to a pedestrian crossing at Shipbourne Road. In response, Officers explained that consideration had been given to preventative measures and the downgrading of the crossing to one which did not involve push buttons.

**MATTERS FOR CONSIDERATION IN PRIVATE**

**JTB 22/30 EXCLUSION OF PRESS AND PUBLIC**

There were no items considered in private.

The meeting ended at 9.18 pm

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# Agenda Item 9

Any other items which the Chairman decides are urgent due to special circumstances and of which notice has been given to the Chief Executive.

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# Agenda Item 10

The Chairman to move that the press and public be excluded from the remainder of the meeting during consideration of any items the publication of which would disclose exempt information.

**ANY REPORTS APPEARING AFTER THIS PAGE CONTAIN EXEMPT  
INFORMATION**

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of the Local Government Act 1972.

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of the Local Government Act 1972.

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# Agenda Item 12

Any other items which the Chairman decides are urgent due to special circumstances and of which notice has been given to the Chief Executive.

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