

**TONBRIDGE AND MALLING BOROUGH COUNCIL**

**HOUSING AND PLANNING SCRUTINY SELECT COMMITTEE**

**MINUTES**

**Tuesday, 19th July, 2022**

**Present:** Cllr J L Botten (Chair), Cllr D J Cooper (Vice-Chair), Cllr Mrs S Bell, Cllr G C Bridge, Cllr M O Davis, Cllr D Harman, Cllr M A J Hood, Cllr D W King, Cllr R V Roud, Cllr Miss G E Thomas and Cllr D Thornewell

Councillors H S Rogers and K Tanner were also present pursuant to Council Procedure Rule No 15.21.

Councillors Mrs P A Bates, V Branson, D Davis, S A Hudson, D Keers, A Oakley, W E Palmer and J Sergison 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 R W Dalton, Mrs F A Kemp and M R Rhodes.

**HP 22/1 NOTIFICATION OF SUBSTITUTE MEMBERS**

There were no substitute Members nominated for this meeting.

**HP 22/2 DECLARATIONS OF INTEREST**

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

**HP 22/3 MINUTES**

As this was the first meeting of the Housing and Planning Scrutiny Select Committee there were no minutes to be considered.

**HP 22/4 WORK PROGRAMME 2022/23**

In advance of the meeting, Members had been asked to submit suggestions to be considered for inclusion in the Work Programme for 2022/23. The following suggestions would be included on the Work Programme

- Local Plan – Regulation 18
- Carports, Garages and IGN3
- S106 contributions from developers for Parish Council projects

**MATTERS FOR RECOMMENDATION TO THE CABINET**

**HP 22/5 STATEMENT OF COMMUNITY INVOLVEMENT**

The report of the Director for Planning, Housing and Environmental Health explained how residents and other stakeholders would be engaged as the Council prepared planning policies and determined planning applications. The Statement of Community Involvement was attached at Annex 1 to the report. During discussion, members sought clarification on advertising means, the weight given to responses received from statutory consultative groups, and reassurance that there was consistency between the Statement of Community Involvement and the Development Management Protocol.

**RECOMMENDED:** That the Statement of Community Involvement be adopted for development management and planning policy purposes.

**\* Referred to Cabinet**

**HP 22/6 HIGHWAY OFFICER ATTENDANCE AT TMBC AREA PLANNING COMMITTEES**

The report of the Director of Planning, Housing and Environmental Health provided an update for members on the negotiations with Kent County Council to agree a protocol for highway officer attendance at the Area Planning Committees.

The Borough Council wished to work collaboratively with Kent County Council to find a workable solution and agree a protocol that would result in attendance of County Council officers at the Area Planning Committee meetings and it was considered that the proposed protocol set out at paragraph 1.1.2 of the report did not address the key concerns of Members and Officers. The Borough Council's alternative proposal on a draft protocol was set out in Annex 1 and the response of the Corporate Director of Growth, Environment and Transport confirming that highways officers would only attend planning meetings in accordance with the terms set out in paragraph 1.1.2 of the report was attached as Annex 2 of the report and the approach had been reaffirmed by the Cabinet member for Highways and Transport and agreed with other Kent districts.

Members gave detailed consideration to the report which and expressed concern of not having an agreed protocol in place. During discussion, Members recognised the capacity restraints of the Highways team, however agreed that a Highways Officer should be in attendance where proposals were of a strategic nature or where it was agreed that there were significant or complex highways issues which could not be adequately presented by the district officer so Members could ask

questions and seek clarification on their response as a statutory consultee.

**RECOMMENDED:** That

- (1) the contents of the report be noted;
- (2) the concerns of Members with not having an agreed protocol in place be set out and relayed to the Cabinet Member for Highways and Transport; and
- (3) a Member/Senior Officer group be established to liaise with Kent County Council with the aim to seek a compromise on an agreed protocol, articulating the counter proposal from Tonbridge and Malling Borough Council.

**\* Referred to Cabinet**

**MATTERS SUBMITTED FOR INFORMATION**

**HP 22/7 UPDATE ON THE LATEST BUILDING REGULATION CHANGES**

Members received a presentation which provided an update on the latest building regulation changes including those that had come into effect on 15 June 2022.

**MATTERS FOR CONSIDERATION IN PRIVATE**

**HP 22/8 EXCLUSION OF PRESS AND PUBLIC**

There were no matters considered in private.

The meeting ended at 9.36 pm