

TONBRIDGE & MALLING BOROUGH COUNCIL



EXECUTIVE SERVICES

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

6 December 2022

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

Dear Sir/Madam

Your attendance is requested at an extraordinary meeting of the Cabinet to be held in the Council Chamber, Gibson Drive, Kings Hill on Wednesday, 14th December, 2022 **commencing at 6.00 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.

Yours faithfully

JULIE BEILBY

Chief Executive

A G E N D A

1. Guidance for the Conduct of Meetings

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PART 1 - PUBLIC

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| 3. | Declarations of interest | 9 - 10 |

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.tmbc.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.

Decisions to be taken in accordance with Part 3 of the Constitution

Executive Non-Key Decisions

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| 4. | Corporate Strategy - Consultation Draft | 11 - 32 |
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This report provides an update on the Corporate Strategy Consultation Draft, particularly feedback from the recent staff consultation and Overview and Scrutiny, and seeks approval to proceed towards a community engagement exercise during Winter 2023.

- | | | |
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| 5. | Lower Thames Crossing - Development Consent Order | 33 - 36 |
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The report requests formal engagement with the Lower Thames Crossing examination.

Matters submitted for Information

- | | | |
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| 6. | Decisions taken by Cabinet Members | 37 - 38 |
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A record of the decisions taken by portfolio holders during November 2022 are attached. A verbal update will be provided in respect of decisions taken in December.

- | | | |
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| 7. | Urgent Items | 39 - 40 |
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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.

Matters for consideration in Private

- | | | |
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| 8. | Exclusion of Press and Public | 41 - 42 |
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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.

PART 2 - PRIVATE

Decisions to be taken in accordance with Part 3 of the Constitution

Executive Key Decisions

9. Tonbridge Town Centre Asset Review - Phase 2 Proposal 43 - 74

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

Members are asked to consider the proposal in respect of Phase 2 of the Town Centre Asset Review.

10. Urgent Items 75 - 76

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

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 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 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 & MALLING BOROUGH COUNCIL

CABINET

14 December 2022

Report of the Chief Executive

Part 1- Public

Executive Non Key Decisions

1 CORPORATE STRATEGY – CONSULTATION DRAFT

This report provides an update on the Corporate Strategy Consultation Draft, particularly feedback from the recent staff consultation and Overview and Scrutiny, and seeks approval to proceed towards a community engagement exercise during Winter 2023.

1.1 Background:

1.1.1 In February 2022, the Borough Council underwent a Corporate Peer Challenge Review. The resultant report set out a number of observations and suggestions, with the Peer Team setting out a total of 10 recommendations. One of these recommendations related specifically to the Council's Corporate Strategy:

“Co-develop a refreshed corporate strategy, based on resident engagement, with clear outcomes, focussed on delivering for the community – not just finance”

1.1.2 This recommendation reflected the view that the Corporate Strategy was too internally focussed, and set a limited ambition for the borough. As such, the Borough Councils priority should be to create a clear, shared and outward looking corporate strategy with key priorities for the future that supports the delivery of its ambitions.

1.2 Corporate Strategy – Consultation Draft 2022-25

1.2.1 The borough council has pulled together a draft document (see Appendix 1).

1.2.2 This draft document went to Overview and Scrutiny Committee on 17 November 2022.

1.2.3 In addition, it was felt critical that members of staff had the opportunity to provide feedback and views on the consultation draft before it went out to public consultation. On 08 November 2022, the Leader of the Council and the Chief Executive presented an overview of the document to around 135 staff. This was then followed up with an email to all staff providing a copy of the consultation draft, a link to the presentation as well as a link to a short survey. Staff were given two weeks to respond to this internal consultation exercise.

1.3 Feedback Received to Date:

1.3.1 Overview and Scrutiny Committee recommended to Cabinet to approve the Corporate Strategy – Consultation Draft. There was also support for the creation of an annual action plan to support the strategy. However, there were a few changes that were suggested by the committee:

- Points of clarification – for example, explaining that the £689.90 median wage is a gross weekly figure.
- Removal of the CGI of Snodland on page 8 and replacement with an alternative image from that part of the borough.
- Inclusion of fly-tipping on the second bullet point on page 9.
- Change to the label of the photograph on page 10 to simply state ‘West Malling’.
- Putting the list of strategies in alphabetical order.

1.3.2 In total 44 members of staff responded to the internal consultation exercise, with an overview of the feedback provided in Table 1 below:

Question	Response
Do you agree with the vision?	In total, 91% of responders agreed with the vision, 4.5% did not agree with the vision and 4.5% were unsure.
Is there anything else you would like to add about the vision?	<p>A number of positive comments, but others highlighted:</p> <ul style="list-style-type: none"> - Little to explain how vision will be achieved. - More emphasis on enhancing natural and heritage assets. - Having more face-to-face options for residents. - Does need a culture change and additional resources and skills to implement it. - Need to make it more explicit that we are here to serve the people of the borough.
Do you think the values of Innovation, Transformation and Delivery are the right ones for the borough?	75% of responders thought they were the right ones, 2% did not agree with the values, and 23% were unsure.
Is there anything you would like to	<ul style="list-style-type: none"> - Inclusion of values such as respect, professionalism, openness and integrity.

<p>add about the values?</p>	<ul style="list-style-type: none"> - Sustainability as a value. - Customer service and more engagement with our residents. - There is a real need to make sure these values are embedded in to day-to-day processes. - Innovation and transformation overlap, so do not need both.
<p>In what order would you rank the priorities in this strategy?</p>	<p>Delivering Efficient Services for all our residents (top priority)</p> <p>Sustaining a Borough which cares for the Environment</p> <p>Improving Housing Options</p> <p>Investing in our Local Economy</p>
<p>Are there any priorities that you think are currently missing?</p>	<ul style="list-style-type: none"> - Becoming a leader of place - Biodiversity emergency - Helping vulnerable residents - Personal well-being and fitness. - Crime and anti-social behaviour could be added into one of the priorities. - Working in partnership.
<p>Are there any measures missing from this strategy that you think could help the borough council meet its priorities? If so, please explain.</p>	<ul style="list-style-type: none"> - Disabled access to services. - Adoption of new technologies. - Staff development/training and empowering and incentivising staff. - Encouraging innovation - Youth and leisure activities. - More needed on resident engagement - Clearer commitment to sustainable travel. - Improving housing standards should include more than private rented accommodation.
<p>Are there any other comments you would like to make about this strategy?</p>	<ul style="list-style-type: none"> - Need for an action plan to become meaningful. - Need to apply for awards to demonstrate achievements. - Difficult to be innovative when limited staff and resources.

	<ul style="list-style-type: none"> - Need for engaging staff earlier in the process of developing the strategy. - Need for KPIs to align with the priorities in the Corporate Strategy. - Should focus more on people and less on processes. - Some minor presentational matters flagged up.
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Table 1: Staff Consultation Feedback

1.3.3 Overall, the feedback received from staff was positive, however there were a number of points or proposed improvements raised by staff. These can be broadly grouped into the following:

- The strategy doesn't provide concrete measures that will deliver the priorities.
- The importance of staff and resources in embedding the values.
- The need to make residents more central to the strategy.
- Need to effectively measure delivery.
- Proposed minor amendments and additions.

1.3.4 Regarding the above categories the following is proposed:

Category	Response
The strategy doesn't provide concrete measures that will deliver the priorities.	This is a high-level document, but once it has gone through consultation and the vision and priorities have been finalised, a short action plan will be developed to set out priority actions for delivering the strategy.
The importance of staff and resources in embedding the values.	Agreed. There is a need to continue the process of engagement with staff during the consultation exercise, and further briefings for staff to keep them informed and give an opportunity to share thoughts.
Need to make residents more central to the strategy.	Proposed amendments: Amend the vision slightly to "To be an innovative and forward-thinking council, that leads <i>the people and businesses of</i> the borough towards a vibrant, prosperous and sustainable future"

	Make specific reference to supporting our most vulnerable residents under the priority 'Efficient services for all our residents, maintaining an effective Council'. For example 'Promote well-being and help people, <i>especially our most vulnerable residents</i> , to live healthy and active lifestyles'
Need to effectively measure delivery	Agreed. Whilst corporate KPIs have been developed and are being captured, there is a recognition that these will need to evolve as the Corporate Strategy develops through this consultation process, in order to ensure that they reflect the priorities set out in the document.
Proposed amendments and additions.	<p>Proposed amendments:</p> <p>Change strategy to 2023-2025 to better reflect timescales.</p> <p>Inclusion of reference to built heritage and sustainable travel under the priority of 'sustaining a borough which cares for the environment' on page 9 (especially as mentioned in the foreword).</p> <p>Change last bullet point on Page 10 to "Improving standards in rented accommodation, including offering help to make flats and houses more energy efficient" in order to recognise that this isn't just an issue in the privately rented sector.</p> <p>Direct inclusion of the Medium-Term Financial Strategy on the list of strategies on page 12 (rather than included in reference to the Savings and Transformation Strategy).</p> <p>Change description of the Community Safety Partnership Strategy to 'creating a safer and more resilient Tonbridge and Malling' on page 12.</p> <p>Some minor word changing for the purposes of clarity.</p>

Table 2: Incorporating staff feedback into the consultation document and process.

1.4 Next Steps:

- 1.4.1 Subject to the recommendations in this report being approved, Appendix 1 will be amended accordingly and a five-week consultation will commence in January 2023,

thus avoiding the Christmas holiday period. A consultation survey will essentially use very similar questioning to that of the staff survey (as set out in Overview and Scrutiny Committee Report from 17 November 2022), with additional demographic questioning in order to ascertain the level of representation across our local communities. The survey will be the main way for residents to comment on the strategy. It is therefore important that this is widely promoted in order to get responses from a broad section of the public.

1.4.2 The Corporate Strategy consultation will be promoted via the following:

- TMBC website and Social Media Channels
- T&M Business Bulletin
- Direct emails to the following contacts:
 - Borough Councillors
 - Town and Parish Councils Contacts
 - Contacts at neighbouring authorities and KCC
 - Local Schools and Community Groups
 - Business Representative Organisations
 - Housing Associations
 - Environmental Groups

1.4.3 Once consultation responses have been gathered, these will be used to inform any amendments to the Corporate Strategy and to pull together a draft action plan. In line with our Budget and Policy Framework Procedure Rules the following is a proposed timetable for the adoption of the strategy:

Meeting	Date
Cabinet	07 March 2023
Overview and Scrutiny Committee	06 April 2023
Cabinet	June 2023 (TBC)
Council	June 2023 (TBC)

1.5 Legal Implications

1.6 The matters raised in this report are considered to be routine, uncontroversial or not legally complex and a legal opinion has not been sought on these proposals.

1.7 Financial and Value for Money Considerations

1.7.1 None arising directly from this report.

1.8 Risk Assessment

- 1.8.1 Reputational risk if the Council fails to meet targets set out in the Corporate Peer Review Action Plan and undertake the recommendations suggested by the Peer Team.

1.9 Policy Considerations

- 1.9.1 Business Continuity/Resilience
- 1.9.2 Communications
- 1.9.3 Communities
- 1.9.4 Planning and Housing
- 1.9.5 Environment
- 1.9.6 Economy

1.7 Recommendations

- 1.7.1 That the report **BE NOTED**
- 1.7.2 That the Corporate Strategy Consultation Draft as set out in Appendix 1, but including the suggested amendments set out in Table 2, **BE ENDORSED**.
- 1.7.3 That 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 may be required for reasons of clarity or presentation.
- 1.7.4 That the programme for community consultation as set out in section 1.4 **BE APPROVED**

Background papers:

Nil

contacts:

Jeremy Whittaker, Strategic
Economic Regeneration
Manager

Julie Beilby
Chief Executive

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Innovation, Transformation and Delivery

Corporate Strategy - Consultation Draft
2022 - 2025





Innovation, Transformation and Delivery

Corporate Strategy - Consultation Draft 2022 - 2025



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 - 5 Our Vision, Values and Priorities for 2022-2025
 - 6 About Tonbridge and Malling
 - 7 What We Do
 - 8 Meeting Our Priorities
 - 12 Annex 1: Our Key Strategies

DRAFT

Foreword from the Leader and Chief Executive

Tonbridge and Malling is a great and safe place to live, work and socialise. Our historic environment, heritage and countryside has attracted investment for many years.

Since 1974, Tonbridge and Malling Borough Council has been there to support residents, businesses and anyone visiting the area. It delivers its core service well. The borough council has helped so many people and organisations through the challenges of recent years. But there is more that can, and needs, to be done.

As the council approaches its 50th birthday, this Corporate Strategy catapults the borough council into a new era - leading in investing and delivering for the towns and villages that make up this beautiful area.

There are three key values that define our approach:

Innovation, Transformation and Delivery

By pro-actively encouraging these values, we can transform our council and the towns and villages that make up our borough. This allows us to deliver modern and successful public services that help to meet our four key priorities for the borough:

- 1 **Efficient** services for all our residents, maintaining an effective council
- 2 **Sustaining** a borough which cares for the environment
- 3 **Improving** housing options for local people whilst protecting our outdoor areas of importance
- 4 **Investing** in our local economy

To be an effective community leader, we must continue to provide these services to the standards that residents expect. We know expectations have, rightly, risen. Our challenge is to use new approaches to meet this.

We've got to be flexible in dealing with the challenges we face, both locally and across the country, even the world. Using our ambitious sustainability plans as a base, we can help to transform our community to one which puts greater emphasis on the health of the environment. This will mean acknowledging the importance of our green spaces when taking a balanced approach between the need to tackle the housing crisis and protecting our countryside.

And by leading as an ambassador for business in West Kent, we can demonstrate why Tonbridge and Malling has such a great track record of investment, regardless of economic conditions.

This Corporate Strategy marks a change in the approach of Tonbridge and Malling Borough Council. It is a clear indication of where we wish to take this council, to clearly communicate and lead in the delivery of public services and investment in the community.

As a bold, forward looking Corporate Strategy this sets the benchmark for delivery over the next few years. We are ambitious for Tonbridge and Malling to meet its potential, and look forward to sharing this journey with you all.



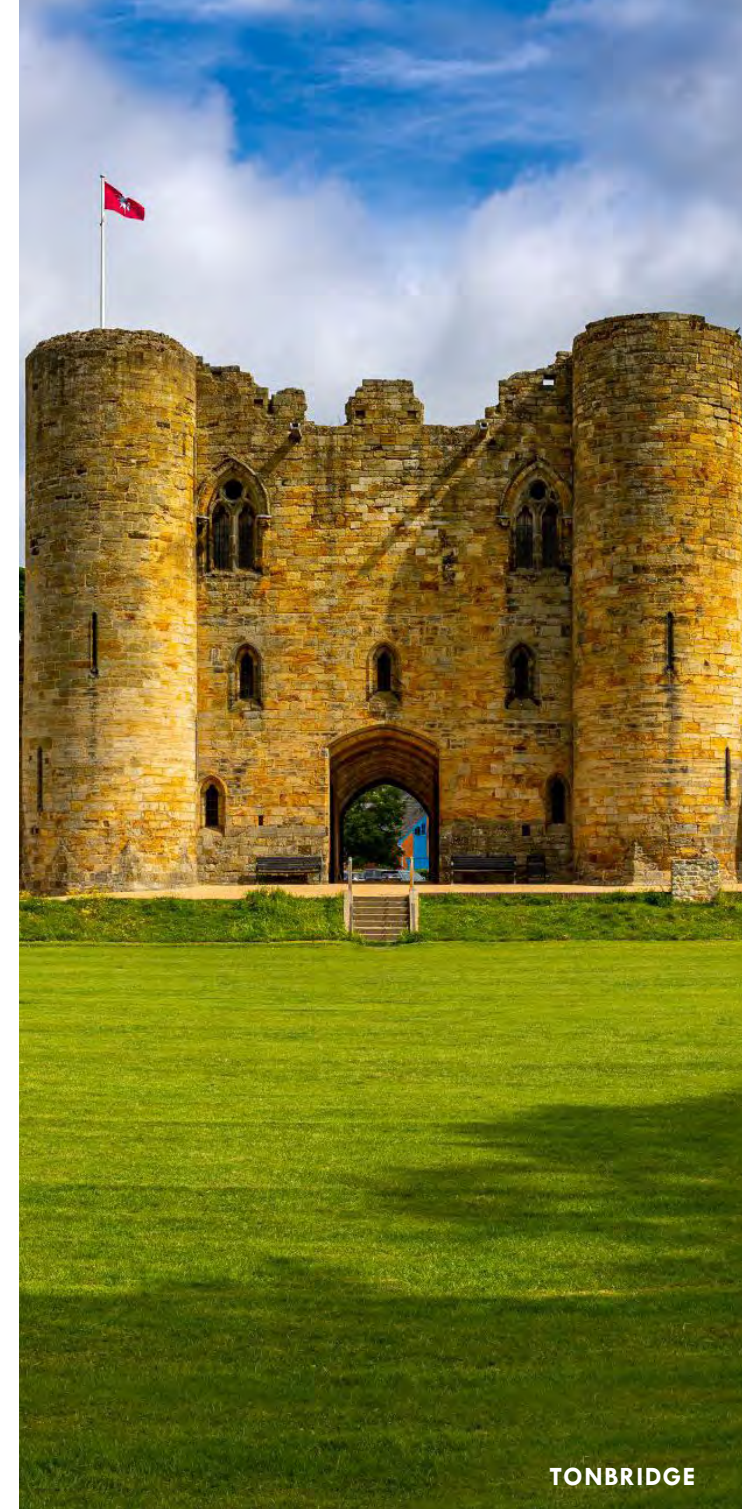
Cllr Matt Boughton

Leader of Tonbridge & Malling
Borough Council



Julie Beilby

Chief Executive of Tonbridge & Malling
Borough Council



Our Vision

To be an innovative and forward-thinking council, that leads the borough towards a vibrant, prosperous and sustainable future.

Our Values

Innovation

Being willing to look at new ideas, and proactive in identifying solutions that look to the future to enable our services to develop.

Transformation

Adapting so we can meet the standards residents, businesses and all those involved with the borough council rightly expect.

Delivery

Ensuring that we are set up to make sure our public services are the envy of other areas, providing services that set ambitious targets that we strive to meet.

Our Priorities

1

Efficient services for all our residents, maintaining an effective council

2

Sustaining a borough which cares for the environment

3

Improving housing options for local people whilst protecting our outdoor areas of importance

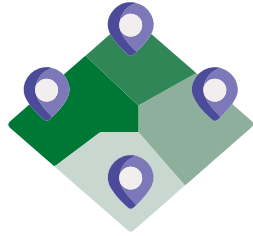
4

Investing in our local economy

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132,600
Population (2020)



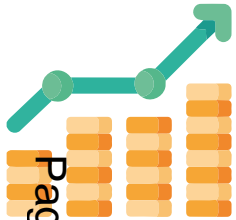
92.71
Square Miles



62,000
Employee Jobs in
the Borough (2020)



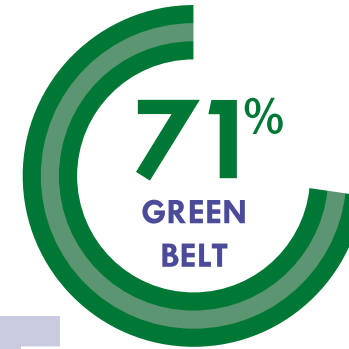
Enterprises (2020)



Page 24
84.1%
Economically active
16-64 year olds (2020)



£392,914
Average House
Price (2021)



56,096
HOUSEHOLDS



£689.90
Average Resident
Salary (Full-Time)
(2020)



We receive
10.9p
of every £1
of Council Tax



2 AREAS OF OUTSTANDING
NATURAL BEAUTY IN THE BOROUGH
(**KENT DOWNS & HIGH WEALD**)

About Tonbridge and Malling



Over
75,000
phone calls
answered
by our Contact Centre



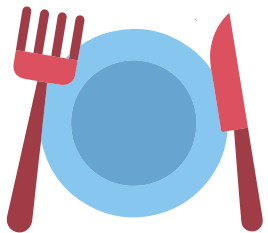
31
independent
businesses
supported
through shopfront improvement grants



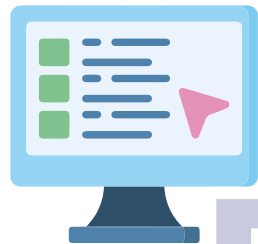
Over
£40m
distributed to local
businesses in grants
during COVID-19



1751
roads
cleansed



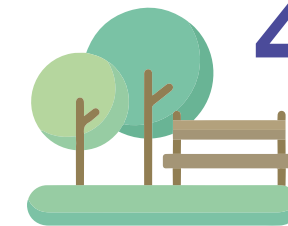
Over
500
food
businesses inspected annually



25,725
myaccount
users



68
CCTV cameras
covering facilities and town centres

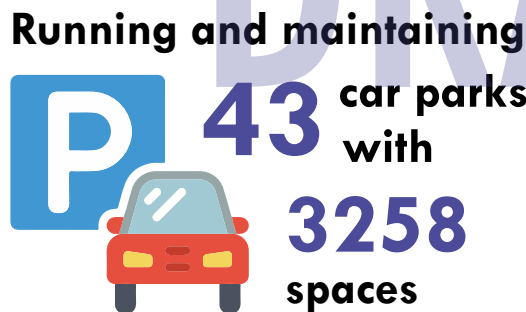


Responsible for maintaining
400
areas of
public open
spaces

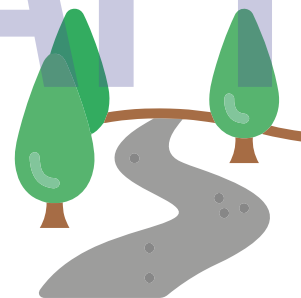
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Over
3000
planning
applications
processed per year



Running and maintaining
43 car parks
with
3258
spaces

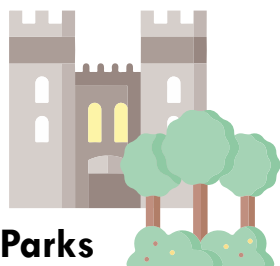


355
miles of
footways
cleansed



Over
1200
business
license
applications processed per year

Providing
2 x Country Parks
3 x Leisure Centres
a Castle & a Golf Course



Achieving the best
recycling rates in Kent



Over
£1.25m
to grants in the
community &
voluntary
organisations
inc. Community Development Grants,
Disabled Facilities Grants, Housing Assistance Grant,
CSU Mediation Service Grant

What
We Do



Meeting our Priorities

Efficient services for all our residents, maintaining an effective Council.

We want the people of Tonbridge and Malling to enjoy good quality public services, to feel safe and enjoy the benefits that digital technologies offer. Between now and 2025 we will:

- Promote well-being and help people to live healthy and active lifestyles. This includes facilitating good quality leisure facilities and services across Tonbridge and Malling.
- Through key partnership working with Kent Police and other partners, support residents and ensure safeguarding is an integral part of Council activity.
- Make our services and advice available to residents 24 hours a day through digital innovation, and ensure the borough council is able to respond efficiently to the needs of local residents.
- Identify new and innovative ways to deliver our services in the most cost-effective and efficient way.
- Further move the borough council forward so its services are delivered effectively, bringing value for money and being keen to adopt new ideas and innovations for Tonbridge and Malling.

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Sustaining a borough which cares for the environment.

We're committed to creating a borough which protects the environment and provides beautiful spaces for our residents and visitors to enjoy. Between now and 2025 we will:

- Deliver climate change plans which focus on cutting emissions, biodiversity and facilitating healthy and active lifestyles.
- Build on our track record of recycling more than anywhere else in Kent with measures to further improve rates while also reducing overall levels of waste.
- Improve air quality in the borough by tackling sources of pollution such as car idling and taxi emissions, backed up by design-led approaches in new developments to ensure environmental sustainability.
- Continue our successful management of parks, open spaces and leisure centres so the best recreational facilities are available to everyone.

DRAFT



Improving housing options for local people, whilst protecting our outdoor areas of importance.

We will bring forward plans to help people onto the housing ladder, improve standards in the rented sector and support those at risk of homelessness through ensuring a strong focus on affordable housing in the borough. Between now and 2025 we will:

- Develop a Local Plan which will ensure the provision of new homes in appropriate locations, focusing on tackling the need to deliver a range of housing for the whole community.
- Ensure a supply of affordable housing for people who would struggle to buy on the open market
- Use every power we can to support those who are most in need of housing support and at risk of becoming homeless.
- Improving standards in privately rented accommodation, including offering help to make flats and houses more energy efficient.



Investing in our local economy

Many local businesses have faced tough challenges over recent years, not least the profound changes brought about by the shift to online shopping. We want to support businesses which are the lifeblood of the local economy and help them adapt and grow in the future. Between now and 2025 we will:

- Deliver a range of measures to help our local economy bounce back from the covid-19 pandemic and current economic pressures.
- Identify ways we could use our land and other assets better, especially in Tonbridge town centre.
- Develop proposals to raise the profile of Tonbridge Castle and all council assets, boosting income generation opportunities and our reputation as a partner to work with.
- Strengthen our links with strategic partners and funding bodies in the public and private sectors to maximise the support available for our local economy.

Annex 1: Our Key Strategies

Our Corporate Strategy is not a stand-alone document – it combines the aims and objectives of a whole host of key strategies that the borough council is helping to deliver for the benefit of our residents, visitors and businesses and sets out the key aspirations that those strategies aim to address. Some of those key strategies are:

- Local Plan – will guide development across the borough through to 2040 and will include policies on great design, delivering the services communities need, affordable housing and regenerating Tonbridge Town Centre.
- Climate Change Strategy – sets out an aspiration for the borough council to be carbon neutral by 2030, with an action plan that illustrates key steps required to contribute towards this goal.
- Digital Strategy – aims to allow the communities and businesses we serve to be able to engage and transact with us responsively and seamlessly.
- Economic Recovery Strategy – aims to help create a dynamic and inclusive economy that fosters sustainable growth.
- Community Safety Partnership Strategy – creating a safer Tonbridge and Malling.
- Housing Strategy – improving housing supply and options for the community.
- Savings and Transformation Strategy – aims to bridge the funding gap identified in the Medium-Term Financial Strategy through savings and transformation.

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www.tmbc.gov.uk

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Corporate Strategy - Consultation Draft
2022 - 2025

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TONBRIDGE & MALLING BOROUGH COUNCIL

CABINET

14 December 2022

Report of the Director of Planning, Housing and Environmental Health

Part 1- Public

Executive Non Key Decisions

1 **LOWER THAMES CROSSING – DEVELOPMENT CONSENT ORDER APPLICATION**

1.1 **Background**

- 1.1.1 National Highways submitted an application to the Planning Inspectorate (PINS) on 31 October 2022 for an Order Granting Development Consent (DCO) for the Lower Thames Crossing (LTC) project, a nationally significant infrastructure project (NSIP). The application can now be viewed on the [PINS website](#). The Planning Inspectorate decided to accept this application for Examination on 28 November 2022, have sought the views of interested parties including Tonbridge & Malling Borough Council (TMBC), regarding the adequacy of the pre-application consultation undertaken, in accordance with the Planning Act 2008 (as amended).
- 1.1.2 Through previous public consultations the council has consistently responded expressing its support for the project, as we recognise that the existing Dartford Crossing is operating over capacity and there are limited alternative options to cross the River Thames. It is a much-needed national priority investment that will help to improve the resilience of the strategic road network, as well as offer the potential for local and regional economic benefits.
- 1.1.3 We however remain concerned about the impacts of the project on the local road network in particular. It remains our very strongly held view that investment in the Lower Thames Crossing should be complemented by investment in local highways infrastructure, to mitigate the impact of the project on the A228 and A229 in particular between the M2 and M20. This due to the expected displacement of traffic away from the Dartford crossing, as well as increased demand to cross the River Thames, resulting in an increase in traffic on these roads.
- 1.1.4 TMBC became an LTC host authority following the publication of the most recent local refinements consultation for the project in May 2022, due to the inclusion of land within the borough that is now required for the purposes of nitrogen deposition mitigation. Prior to this we were a neighbouring authority. We now have a statutory responsibility to engage with the Inquiry process

- 1.1.5 The period during which you can submit a Relevant Representation to the Inspectorate begins on 8 December 2022 and will end at 11.59pm on 31 January 2023. Please note that any submitted representations to the Inspectorate will be published on the National Infrastructure Planning website for the Application.

1.2 DCO Examination Process and Delegated Authority

- 1.2.1 PINS has approximately three months to prepare for the Examination which will take place in 2023 and could last 6 months. During this Pre-examination stage, the council will be able to register to become an Interested Party on the application by making a Relevant Representation. The council will also be required to prepare a Local Impact Report. A detailed Examination programme will be published in due course.
- 1.2.2 Once the Examination is in progress it is anticipated that timescales for the preparation, submission and revision of hearing statements will be relatively short. Given the anticipated pace of proceedings, it may not always be practical or expedient to co-ordinate the prior approval of written and other submissions (as required) with the Cabinet Member for Strategic Planning and Infrastructure.
- 1.2.3 In the circumstance delegated authority is sought for the Director of Planning, Housing and Environmental Health to formally engage with the LTC Examination and related negotiations with LTC staff and their consultants, on behalf of the council. If delegated authority is agreed, the Leader and Cabinet Member will be briefed on the progress of the Examination as often as possible.

1.3 Legal Implications

- 1.3.1 There are no known legal implications for the council.

1.4 Financial and Value for Money Considerations

- 1.4.1 Although there are no direct costs associated with the council's engagement with the DCO Examination, there is an implication for the policy team in terms of officer time and capacity. The council has been made aware that some neighbouring authorities have been able to recharge officer time and related Local Plan expenses to LTC Ltd, this is being explored further.

1.5 Risk Assessment

- 1.5.1 Not relevant.

1.6 Equality Impact Assessment

- 1.6.1 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.

1.7 Policy Considerations

- 1.7.1 If the Lower Thames Crossing DCO is approved the project will lead to an increase in traffic on some local roads, in particular the A228 and A229. This is likely to have implications for highways capacity that remains available to accommodate future growth and development in the borough. Modelling work has been commissioned by the policy team using the Jacobs/KCC Kent model, to test the highway impact of development options, including a sensitivity test for Lower Thames Crossing. The modelling work is expected to be complete within 6 months and will inform the regulation 19 draft Local Plan.

1.8 Recommendations

- 1.8.1 Members are requested to agree that delegated authority be given 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 their consultants, to support the council's efficient engagement in this process.

Background papers:

Nil

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Eleanor Hoyle
Director of Planning, Housing and Environmental Health

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Executive Decisions Record - November 2022

Decision Number	Title	Cabinet Member	Date of Decision	Date Published	Call-in period ends	Called in	Scrutiny Committee Consideration	Referred back to Cabinet	Referred back to Council	Council referred to Cabinet	Date Decision Effective			
D220095CAB	Shopfront and Vacant Unit Improvement Scheme	Cabinet	08.11.22	10.11.22	17.11.22						18.11.22			
D220096CAB	Rural England Prosperity Fund													
D220097CAB	Fees and Charges Review													
D220098CAB	MTFS and Savings Update													
D220099CAB	Review of Sports Development and Youth Provision								15.11.22	17.11.22	N/A	N/A	N/A	18.11.22
D220100CAB	Public Space Protection Orders													
D220101CAB	Planning Enforcement Review													
D220102CAB	Tonbridge Castle - Outcome of Public Consultation and Options for Further Commercial Activities													
D220103CAB	Use of the Council's Public Open Spaces													
D220104MEM	TTC - commission on Tonbridge Parking Study	Finance, Innovation and Property	9.11.22	10.11.22	17.11.22						18.11.22			
D220105MEM	Parking Update	Technical and Waste Services (via JTB)	21.11.22	28.11.22	5.12.22									
D220106MEM	Parking Action Plan - Phase 13													
D220107MEM	Parking Action Plan - Action Group 7													
D220108MEM	Allocation of Support to Vulnerable Households	Finance, Innovation and Property	25.11.22	25.11.22							3.12.22			
D220109MEM	Acquisition of AI (Bot) - Customer Services	Finance, Innovation and Property	25.11.22	25.11.22							3.12.22			

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Decision pending	Call in period	Key Decision	Private
	Subject to call in		

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Agenda Item 7

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 8

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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Agenda Item 10

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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