



# TONBRIDGE & MALLING BOROUGH COUNCIL

## EXECUTIVE SERVICES

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**Interim Chief Executive**  
Adrian Stanfield LL.B (Hons)

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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)

11 March 2024

To: MEMBERS OF THE HOUSING AND PLANNING SCRUTINY SELECT COMMITTEE  
(Copies to all Members of the Council)

Dear Sir/Madam

Your attendance is requested at a meeting of the Housing and Planning Scrutiny Select Committee to be held in the Council Chamber, Gibson Drive, Kings Hill on Tuesday, 19th March, 2024 commencing at 7.30 pm.

Members of the Committee 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

ADRIAN STANFIELD

Interim Chief Executive

## A G E N D A

1. Guidance for the Conduct of Meetings

7 - 10

## **PART 1 - PUBLIC**

2. Apologies for absence
3. Notification of Substitute Members 11 - 12
4. Declarations of interest 13 - 14

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 for members – Tonbridge and Malling Borough Council \(tmbc.gov.uk\)](https://www.tmbc.gov.uk/code-of-conduct-for-members).

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

5. Minutes 15 - 26

To confirm as a correct record the Minutes of the ordinary and extraordinary meetings of the Housing and Planning Scrutiny Select Committee held on 14 December 2023 and 31 January 2024 respectively.

### **Matters for Recommendation to the Cabinet**

6. Empty Homes 27 - 32

This report updates Members on the current position with empty homes within the borough, outlines a new Local Government Association report on dealing with empty homes and recommends the introduction of a new Empty Homes Officer post for the Borough Council.

7. National Planning Policy Legislation Update 33 - 120

This report sets out the key changes to planning policy legislation and policy resulting from the [Levelling Up and Regeneration Act, 2023](https://www.gov.uk/government/consultations/levelling-up-and-regeneration-act-2023) and the December 2023 [National Planning Policy Framework](https://www.gov.uk/government/consultations/national-planning-policy-framework).

8. Temporary Accommodation and Homelessness Consultancy Review 121 - 160

This report updates Members on a recent consultancy review of temporary accommodation and homelessness. A copy of the consultant's report is provided at Annex 1. The report also seeks Members' agreement to an action plan to implement the recommendations from the report.

## **Matters submitted for Information**

9. Biodiversity Duty 161 - 174

The Borough Council has a statutory duty to conserve and enhance biodiversity (habitats and species) as set by the Environment Act 2021 and the amended Natural Environment and Rural Communities Act 2006 (NERC Act). This is known as 'the biodiversity duty'. Members are requested to note the content of the Biodiversity Duty First Consideration Report (Annex 1).

10. National Planning Fee Increase 175 - 178

This report updates Members on the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) (Amendment) Regulations 2023 which came into force on 6 December 2023 and laid legislation to increase planning fees.

11. Planning Appeal Costs 179 - 184

This report is for information purposes about the amount spent on appeals, focusing on what awards of costs have been made against the Borough Council and how much has been paid out since 2021.

12. Housing Allocations Update 185 - 188

This report provides Members with an update on the position of Housing Allocations following the implementation of the Borough Council's new Housing Allocations Scheme in June 2023.

13. Corporate Key Performance Indicators 189 - 196

This report provides data on Key Performance Indicators (KPIs) that are aligned to the Corporate Strategy 2023-2027 and monitored on a quarterly or annual basis. The data provided in this report relates to the period up to the end of December 2023.

14. Work Programme 2024-25 197 - 198

The Work Programme setting out matters to be scrutinised during 2024-25 is attached for information. Members can suggest future items by liaising with the Chair of the Committee.

15. Urgent Items 199 - 200

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**

16. Exclusion of Press and Public 201 - 202

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**

17. Urgent Items 203 - 204

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**

Cllr D A S Davis (Chair)  
Cllr D W King (Vice-Chair)

Cllr L Athwal  
Cllr Mrs S Bell  
Cllr G C Bridge  
Cllr R W Dalton  
Cllr D Harman  
Cllr P M Hickmott

Cllr M A J Hood  
Cllr A Mehmet  
Cllr W E Palmer  
Cllr R V Roud  
Cllr D Thornewell