

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION

Decision Taken By: Cabinet

Decision No: D240034CAB

Decision Type: Key

Date: 02 April 2024

Decision(s) and Reason(s)

Parking Proposals and Changes to On-street and Off-street Parking Fees and Charges

This decision was subject to call in and superseded by D240034(1)CAB

(Joint report of Director of Street Scene, Leisure and Technical Services, Director of Finance and Transformation and Interim Deputy Chief Executive)

Careful consideration was given to proposals in respect of on-street and off-street parking arrangements, fees and charges and the consultation responses received as part of the recent public consultation.

Due regard was also given to the views and recommendations of the Joint Transportation Board who had considered proposals related to on-street parking on 4 March 2024 and to the financial and value for money considerations. Cabinet recognised that some of the proposals required the procurement of equipment, services and capital works, that funding for the implementation of the proposals would come from existing revenue budget and capital funding and that some of the proposals currently in List C of the Capital Plan would need to be brought forward for fast-track evaluation in due course.

RESOLVED: That

- (1) the recommendations of the Joint Transportation Board of 4 March 2024, be approved as set out below;
 - (i) the proposals for Avebury Avenue, Tonbridge to remove the current on-street Pay and Display be approved, and that the on-street Traffic Regulation Order be amended to reflect the changes;
 - (ii) the proposals for the introduction of on-street charges in West Malling High Street and Swan Street be introduced as drawn, with the inclusion of no charge for up to 1 hour of parking and that the on-street Traffic Regulation Order be amended to reflect the changes;
 - (iii) the proposal for the loading bay in West Malling High Street be introduced as drawn, the future level of enforcement and size of signs be reviewed and the on-street Traffic Regulation Order be altered to reflect the

changes;

- (iv) the changes to the on-street fees and charges be implemented as advertised and that the on-street Traffic Regulation Order be altered to reflect the changes.
- (2) the parking charges to Martin Square car park be introduced as stated in the report, with the inclusion of no charge for up to 30 minutes of parking;
- (3) the parking charges to Aylesford Bailey Bridge (East) and Bailey Bridge (West) car parks be introduced as stated in the report, subject to the reduction in the charge for a season ticket to £200 per annum and the introduction of a scheme for parking associated with the local primary school;
- (4) the Bailey Bridge (East) car park be extended*;
- (5) the Upper Castle Field car park be extended*;
- (6) the existing nine Gateway parking spaces located in the Tonbridge Castle Grounds car park become available for general use and that they are subject to the same parking conditions and requirements for payment as the rest of the Castle Grounds car park;
- (7) the off-street parking tariffs be revised as stated in the report; and
- (8) with the exception of West Malling High Street, the Council's off-street parking charges be extended until 8pm and that the parking charges also be applied on Sundays and Bank Holidays, excluding Christmas Day, Boxing Day and New Years Day.

**subject to Capital Plan/fast-track evaluations*

Reasons: As set out in the report submitted to Cabinet on 2 April 2024.

Signed Leader: M Boughton

Signed Interim Chief Executive: A Stanfield

Date of publication: 5 April 2024

This decision will come into force and may then be implemented on the expiry of 5 working days after publication unless it is called in.

In accordance with the Overview and Scrutiny Procedure Rules, this decision was subject of a valid call-in and scrutinised by the Overview and Scrutiny Committee:

Decision called-in:	8 April 2024
Reviewed by Overview and Scrutiny:	22 April 2024
Reviewed by Cabinet:	30 April 2024
Decision superseded by:	D240034(1)CAB

Decision Taken By: Cabinet
Decision No: D240035CAB
Decision Type: Key
Date: 02 April 2024

Decision(s) and Reason(s)

Tonbridge Town Centre Programme Manager

(Report of Interim Chief Executive)

Consideration was given to the appointment of a Programme Manager on a full-time 3 year fixed-term basis to co-ordinate the various town centre related projects, developing and managing a town centre wide programme and monitoring progress.

Due regard was given to the views of the Finance, Regeneration and Property Scrutiny Select Committee who supported the creation of a Tonbridge Town Centre Programme Board to oversee the wider work programme. The financial and value for money considerations detailed in 1.4 of the report were noted.

On the grounds of mitigating risks associated with having sufficient resource to progress the wide range of work, it was proposed by Cllr Boughton and seconded by Cllr Coffin that a Programme Manager be appointed.

RESOLVED: That

- (1) a Tonbridge Town Centre Programme Manager be appointed on a full-time 3 year fixed-term contract; and
- (2) the allocation of funds from the Regeneration of Tonbridge Reserve to meet the costs of the above appointment, be approved (as detailed in 1.4).

Reasons: As set out in the report submitted to Cabinet on 2 April 2024.

Signed Leader: M Boughton

Signed Interim Chief Executive: A Stanfield

Date of publication: 5 April 2024

This decision will come into force and may then be implemented on the expiry of 5 working days after publication unless it is called in.

Decision Taken By: Cabinet
Decision No: D240036CAB
Decision Type: Key
Date: 02 April 2024

Decision(s) and Reason(s)

Empty Homes

Consideration was given to recommendation HP 24/9 of the Housing and Planning Scrutiny Select Committee of 19 March 2024 in respect of empty homes in the borough, a new Local Government Association (LGA) report on dealing with empty homes and proposals for the introduction of a new Empty Homes Officer post.

Cabinet had due regard to the views of the Scrutiny Select Committee, the financial and value for money considerations and legal implications and recognised the importance of adopting measures to get empty properties back into use.

On the grounds of focusing attention, monitoring progress and exploring options for a longer-term approach, Cllr Boughton proposed, seconded by Cllr Coffin, the establishment of a fixed term Empty Homes Officer post. The creation of a budget of £30,000 to fund work that enabled the facilitation of empty homes being brought back into use was also supported.

RESOLVED: That

- (1) a two-year fixed-term Empty Homes Officer post be established;
- (2) the cost of the post (£91,000) and empty homes budget (£30,000) be taken from the Housing Assistance Reserve; and
- (3) the Local Government Association report on empty homes be noted and that this approach be utilised as the basis for the fixed-term Empty Homes Officer post.

Reasons: As set out in the report submitted to Housing and Planning Scrutiny Select Committee on 19 March 2024.

Signed Leader: M Boughton

Signed Interim Chief Executive: A Stanfield

Date of publication: 5 April 2024

This decision will come into force and may then be implemented on the expiry of 5 working days after publication unless it is called in.

Decision Taken By: Cabinet
Decision No: D230037CAB
Decision Type: Key
Date: 02 April 2024

Decision(s) and Reason(s)

Voluntary Sector Grants - Future Funding Options

(Report of Interim Chief Executive)

Cabinet considered a number of options in respect of future funding arrangements for key Voluntary and Community Sector Groups.

It was noted that in relation to offering lower amounts set over a longer period (detailed in Option 4), that organisations had been contacted to establish what service impacts could arise if this option was progressed.

Due regard was given to the responses received from the organisations (summarised in paragraph 1.2.3), the opportunity for voluntary and community sector groups to apply for UKSPF Community Development Grant funding from 1 March 2024 and the valuable work provided by these groups to support residents throughout the Borough.

Particular reference was made to the larger grant of £95,000 offered to CANWK which had remained static for several years. Despite the ongoing cost of living crisis meaning that their services were in high demand, it was prudent for the Borough Council to consider all value for money options. On the grounds that CANWK could apply for the UKSPF Community Development Grant, Cabinet supported a £5,000 reduction in funding with the security of a four-year Service Level Agreement.

RESOLVED: That

- (1) grant funding for Imago, Involve, Mediation Schemes and Age UK Sevenoaks and Tonbridge be reduced as detailed in Option 4 and set for a period of 4 years to provide additional stability;
- (2) a £5,000 reduction in grant funding be applied for CANWK with the security of a four-year Service Level Agreement; and
- (3) prior to the next review of the Service Level Agreements for Voluntary Sector grant funding in April 2028, that consideration be given to which organisations, if any, would be eligible.

Reasons: As set out in the report submitted to Cabinet on 2 April 2024.

Signed Leader: M Boughton

Signed Interim Chief Executive: A Stanfield

Date of publication: 5 April 2024

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Decision Taken By: Cabinet
Decision No: D240038CAB
Decision Type: Key
Date: 02 April 2024

Decision(s) and Reason(s)

Procurement Support

(Report of the Management Team)

Careful consideration was given to a proposal to enter into an agreement with the Mid Kent Procurement Partnership to provide procurement support to the Borough Council.

Due regard was given to the options detailed in the report, which included the appointment of a dedicated officer and a partnership approach. The advantages and disadvantages of each option were detailed in Annex 3 to the report. It was felt that the in-house option did not provide adequate resource and represented less value for money than the partnership approach. The Management Team proposed to allocate funding from the Transformation Reserve if Cabinet supported the option to progress the partnership approach on a 2-year trial.

On the grounds that there was a risk to the Borough Council if it did not address the need for additional support in regard to procurement, as previously identified by the External Auditor, Cllr Boughton proposed, seconded by Cllr Coffin that the partnership approach be adopted.

RESOLVED: That

- (1) the Borough Council enter into a 2-year trial agreement with the Mid Kent Procurement Partnership; and
- (2) the 2-year trial agreement be funded from the Transformation Reserve.

Reasons: As set out in the report submitted to Cabinet on 2 April 2024

Signed Leader: M Boughton

Signed Interim Chief Executive: A Stanfield

Date of publication: 5 April 2024

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Decision Taken By: Cabinet
Decision No: D240039CAB
Decision Type: Non Key
Date: 02 April 2024

Decision(s) and Reason(s)

Tonbridge Town Centre Asset Review - Phase 2

Consideration was given to recommendation FRP 24/4 of the Finance, Regeneration and Property Scrutiny Select Committee in respect of the Tonbridge Town Centre Asset Review.

Due regard was given to the detailed reports and assessments provided by the external consultant, Mace, together with the views expressed by the Scrutiny Select Committee.

It was suggested that the membership of the Town Centre Programme Board be the Cabinet Member for Climate Change, Regeneration and Property, Cabinet Member for Community Services, Councillors Athwal, Bridge, Hood and Mehmet.

RESOLVED: That

- (1) the Phase 2 reports from Mace be noted;
- (2) in order to facilitate efficient and consistent decision making, Officers be instructed to develop terms of reference for a Tonbridge Town Centre Programme Board (as set out in 1.3.6, 1.3.7 and Annex 6) for Cabinet approval and the membership of the Board as above, be noted;
- (3) the Borough Councils general approach to parking should be to provide unallocated parking spaces between the current 970 and anticipated future peak demand, on the grounds that the proposals from Sainsbury PLC and the potential provision of a hotel and medical practice were likely to attract greater numbers to the town;
- (4) options for a podium parking solution with development above, be explored for Angel West car park;
- (5) the Borough Councils general approach to housing should be to focus on low-rise high-density housing types and that any development should maximise affordable housing provision and place the needs of local residents first and should preferably be delivered by a Borough Council owned housing company, subject to further investigation by the Programme Board and more detailed viability work being undertaken;
- (6) options for retail and commercial use around public spaces that provide flexible, simple units to optimise value be explored, and that the Borough

Council acts as landlord for any new retail units and ensures that the viability of current commercial businesses are not put at risk by the creation of an alternative shopping centre;

- (7) options for a hotel be included in the project, with the possibility of the Borough Council acting as developer and landlord;
- (8) the inclusion of a GP Practice be supported on the grounds of providing adequate infrastructure for residents and that the Borough Council looks to incorporate this into the redevelopment as landlord;
- (9) the Borough Council should aspire to undertake a master developer role to influence the shape, style and design of the development so that it remains sympathetic to the local area; and the extent and scope of this role be reviewed by the Tonbridge Town Centre Programme Board;
- (10) the Borough Council should explore a collaborative agreement with Network Rail in relation to their train station car park sites and that the Tonbridge Town Centre Programme Board consider whether other stakeholders and/or landowners should be approached;
- (11) the Borough Council should commit to a net zero baseline as a fundamental requirement of the development;
- (12) to guarantee continuity of service for leisure and community users, the Angel Centre should remain open and in operation until a replacement facility becomes available;
- (13) upon completion of the Alliance Leisure feasibility study on options for potential leisure and community uses, facilities and locations, and subject to agreement of the Tonbridge Town Centre Programme Board, full public consultation be undertaken as soon as possible on the master plan proposals;
- (14) the Tonbridge Town Centre Programme Board be requested to liaise with key stakeholders, partners and landowners to discuss options around services and operations;
- (15) Officers be instructed to develop a communication strategy for the Tonbridge Town Centre Project to be reported to a future meeting of the Programme Board for consideration; and
- (16) Officers be instructed to progress a masterplan exercise for the area east of the High Street.

Reasons: As set out in the report submitted to Finance, Regeneration and Property Scrutiny Select Committee of 12 March 2024.

Signed Leader:

M Boughton

Signed Interim Chief Executive: A Stanfield

Date of publication: 5 April 2024

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Decision Taken By: Cabinet
Decision No: D240040CAB
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Date: 02 April 2024

Decision(s) and Reason(s)

National Planning Policy Legislation Update

Consideration was given to recommendation HP 24/10 of the Housing and Planning Scrutiny Select Committee of 19 March 2024.

RESOLVED: That

- (1) the contents of the report be noted; and
- (2) the approach to the Local Plan preparation matters be approved as set out in the report.

Reasons: As set out in the report submitted to Housing and Planning Scrutiny Select Committee of 19 March 2024.

Signed Leader: M Boughton

Signed Interim Chief Executive: A Stanfield

Date of publication: 5 April 2024

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Decision Taken By: Cabinet
Decision No: D240041CAB
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Date: 02 April 2024

Decision(s) and Reason(s)

Temporary Accommodation and Homelessness Consultancy Review

Consideration was given to recommendation HP 24/11 of the Housing and Planning Scrutiny Select Committee of 19 March 2024 in respect of a recent consultancy review of temporary accommodation and homelessness.

Cabinet had due regard to the views of the Scrutiny Select Committee, the financial and value for money considerations and legal implications and recognised that given the continued demands on homelessness services and the need for temporary accommodation, the Borough Council would be unable to continue to manage the temporary accommodation numbers without the service working at maximum efficiency and effectiveness.

RESOLVED: That

- (1) the Temporary Accommodation and Homelessness Service Review (attached at Annex 1), be noted; and
- (2) the Action Plan (attached at Annex 2), be approved.

Reasons: As set out in the report submitted to Housing and Planning Scrutiny Select Committee of 19 March 2024.

Signed Leader: M Boughton

Signed Interim Chief Executive: A Stanfield

Date of publication: 5 April 2024

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Decision Taken By: Cabinet
Decision No: D240042CAB
Decision Type: Key
Date: 02 April 2024

Decision(s) and Reason(s)

Gibson Building update

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

(Report of the Interim Chief Executive)

Consideration was given to the proposals to release the restrictive covenants on the Council's Gibson site Title.

Cabinet had due regard to the financial and value for money considerations and legal implications and recognised that the proposals supported the Council's corporate priority to provide efficient services for all residents, whilst maintaining an effective Council.

RESOLVED: That

- (1) a payment of £400,000 be made to Kent County Council for their agreement to remove the covenants affecting the Gibson site, as far as they benefitted Kent County Council and the remaining land held by Kent County Council at Kings Hill;
- (2) the costs of any VAT payable on the £400,000 due to Kent County Council be met by the Borough Council;
- (3) the costs of SDLT and legal fees be met by the Borough Council as set out in the report;
- (4) the taking out of indemnity insurance and its cost, be approved; and
- (5) £400,000 + VAT be allocated from the Budget Stabilisation Reserve to meet the costs associated with completing the matter.

Reasons: As set out in the report submitted to Cabinet of 2 April 2024.

Signed Leader: M Boughton

Signed Interim Chief Executive: A Stanfield

Date of publication: 5 April 2024

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