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## TONBRIDGE AND MALLING BOROUGH COUNCIL

### COUNCIL MEETING

### MINUTES

**Tuesday, 8th July, 2025**

At the meeting of the Tonbridge and Malling Borough Council held in the Civic Suite, Gibson Building, Kings Hill, West Malling on Tuesday, 8th July, 2025

**Present:** His Worship the Mayor (Councillor C Brown), the Deputy Mayor (Councillor K B Tanner), Cllr L Athwal, Cllr B Banks, Cllr Mrs S Bell, Cllr A G Bennison, Cllr R P Betts, Cllr T Bishop, Cllr M D Boughton, Cllr G C Bridge, Cllr R I B Cannon, Cllr L Chapman, Cllr J Clokey, Cllr M A Coffin, Cllr A Cope, Cllr R W Dalton, Cllr D A S Davis, Cllr Mrs T Dean, Cllr S M Hammond, Cllr D Harman, Cllr P M Hickmott, Cllr M A J Hood, Cllr F A Hoskins, Cllr S A Hudson, Cllr D Keers, Cllr J R S Lark, Cllr A McDermott, Cllr A Mehmet, Cllr D W King, Cllr Mrs A S Oakley, Cllr R W G Oliver, Cllr W E Palmer, Cllr S Pilgrim, Cllr B A Parry, Cllr M R Rhodes, Cllr R V Roud, Cllr Mrs M Tatton, Cllr M Taylor, Cllr D Thornewell, Cllr K S Tunstall and Cllr C J Williams

Apologies for absence were received from Councillors K Barton, P Boxall and S Crisp

### **PART 1 - PUBLIC**

#### **C 25/61      DECLARATIONS OF INTEREST**

Cllr A Mehmet declared an Other Significant Interest in agenda items 21 and 22 (Budget Approval – Borough Council costs – Planning Appeals and Planning Appeal – Case Management Review) respectively as he had given advice to landowners in the area. He withdrew from the meeting and did not participate or vote on these matters.

#### **C 25/62      MINUTES**

**RESOLVED:** That the Minutes of the proceedings of the statutory annual meeting of the Council held on 13 May 2025 be approved as a correct record and signed by the Mayor.

#### **C 25/63      MAYOR'S ANNOUNCEMENTS**

The Mayor was pleased to welcome back former Mayor Cllr S Hammond after a period of ill health and took the opportunity to present him with a civic insignia. Cllr Hammond thanked the Council for their good wishes and for the support during the preceding year.

The Mayor advised of a number of engagements attended since the last meeting of Council and made particular reference to the following civic and charity events:

- Tonbridge Lions Club's Community Fete and Parade
- Blossom Care home Launch in Tonbridge
- Tonbridge Lions It's A knockout
- Chairman of KCC's Armed Forces Flag Raising Ceremony
- The Mayor of Medway's Armed Forces Day Celebration Event
- Plaxtol Nursery School's 50th Anniversary Event

Arrangements were being finalised for future civic and charity events and these would be announced as soon as possible. However, it was hoped that the Mayor's Go-Karting race could be reintroduced.

Finally, the Mayor thanked the Deputy Mayor, Past Mayors Cllrs Lark and Bell for attending a number of events on their behalf.

**C 25/64 QUESTIONS FROM MEMBERS PURSUANT TO COUNCIL PROCEDURE RULE NO 5.5**

In accordance with Council Procedure Rule No. 5.5 questions had been submitted by Cllr Hood in respect of social housing rents (25/004/MEM) and Cllr Athwal in respect of a local housing company (25/005/MEM).

A detailed response to these questions was provided by the Cabinet Member for Housing, Environment and Economy (Cllr R Betts) and the questions and answers, attached as an annex to these Minutes were noted.

In response to supplementary questions, the Cabinet Member for Housing, Environment and Economy recognised that the housing market was challenging and that there was room for improvement in respect of social housing rents. In addition, whilst he supported early discussions around the potential for a local housing company, careful consideration had to be given to the implications of local government reorganisation on significant projects.

**C 25/65 QUESTIONS FROM THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO 5.6**

No questions were received from members of the public pursuant to Council Procedure Rule No 5.6.

**C 25/66 MOTION WITHOUT NOTICE**

In accordance with Council Procedure Rule 5.30 (c), Cllr Boughton proposed that the order of business on the agenda be changed and that item 16, Changes to the Constitution, be discussed immediately after Leaders Announcements on the grounds that the matter was substantive

and likely to have significant debate. This was seconded by Cllr Harman and

**RESOLVED:** That the order of business on the agenda be changed and that agenda item 16 – Changes to the Constitution - follow Leaders Announcements.

## **C 25/67 LEADER'S ANNOUNCEMENTS**

The Leader referenced the Borough Council's recent achievements which included a silver award from the Defence Employer Recognition Scheme for supporting the armed forces, the Community Enforcement Teams success in tackling anti-social behaviour and the success of the 50<sup>th</sup> Anniversary Community Grant Scheme.

Other areas highlighted included the Banking Hub based temporarily in Tonbridge Castle pending identification of a permanent location, the ongoing consultation for a Tonbridge Town Council and the upcoming public engagement on proposals for the east of the High Street Master Plan. The importance of engaging with residents and delivering new, viable facilities for the town was outlined.

Finally, on behalf of Tonbridge and Malling Borough Council, the Leader paid tribute to Sharon Shelton, Director of Finance and Transformation as a dedicated, efficient and diligent officer. The Council recorded appreciation for 42 years of service and rigorous financial planning and expressed good wishes for a well-deserved retirement.

Full Leaders announcements were available on the Borough Council's [YouTube channel](#).

## **MATTERS FOR DECISION**

### **C 25/68 CHANGES TO THE CONSTITUTION**

Careful consideration was given to the proposed changes to the Constitution as detailed in the report of the Monitoring Officer. An amended version of the Constitution with tracked changes was attached at Annex 1.

Changes to the operational arrangements, the Overview and Scrutiny Procedure Rules, the Rules for Decision Making during a Period of Serious and Unexpected Disruption, the Rules for Public Speaking at planning committees and the committee procedure rules were outlined in 4.1 to 4.22 of the report.

Members discussed the qualifications for First and Second vice-chairs of the Overview and Scrutiny Committee, the proposed changes aimed to clarify the roles and ensure a balance between the executive and opposition parties. On the grounds of maintaining effective scrutiny and

holding the executive to account, Cllr Oakley proposed that the First Vice-Chair should be a member of a political party which is neither the political party of the Chair nor a political party forming the executive. This was seconded by Cllr Hood.

Following a formal vote this amendment was defeated.

There was detailed and robust discussion on changes to the Rules for Public Speaking at Planning Committees which proposed a limit on the number of public speakers to ensure efficient meetings. In order to bring the Borough Council's approach more in line with established practice elsewhere it was proposed that within parished areas a maximum of 5 speakers be permitted for each application, plus the applicant (or their agent) and a representative of the relevant Parish/Town Council. In non-parished areas it was proposed that 6 speakers be permitted on each application, plus the application (or their agent).

Concern was expressed that these proposals would limit public participation, curtail debate and be seen as a failure in civic duty. However, some councillors supported the changes to improve the quality of decision-making and to reduce inefficiency. There was also recognition that planning decisions were required to reflect an objective assessment of material planning considerations and not be shaped by other factors, such as strength of feeling that may be expressed. It was confirmed that there were a number of ways in which residents were able to express their views on a planning application, such as submitting written representations and communicating directly with their local ward Councillor.

On the grounds of increasing public participation, Cllr Oakley proposed that the maximum number of public speakers should be increased to 10. This was seconded by Cllr Clokey.

Following a formal vote this amendment was defeated.

Particular reference was made to the occasions when the red line of the planning application straddled more than 2 Town/Parish Council areas and it was proposed by Cllr Clokey that in these instances a representative of each of the Town/Parish Council areas within the relevant area be permitted to speak. This was seconded by Cllr Boughton and agreed unanimously.

In accordance with Council Procedure Rule 6.15, the Council

**RESOLVED:** That the original motion be divided to facilitate individual votes.

Following formal votes on the individual motions it was

**RESOLVED:** That

- (1) the changes to the Constitution to address the deletion of the post of Director of Finance and Transformation and creation of the new post Head of Finance and Section 151 Officer with effect from 28 July 2025 be noted;
- (2) the changes to the Overview and Scrutiny Procedure Rules at Part 4 of the Constitution be agreed;
- (3) the changes to the Rules for Decision Making during a Period of Serious and Unexpected Disruption at Part 7 of the Constitution be agreed;
- (4) the changes to the Rules for Public Speaking in respect of planning applications at Part 4 Annex 1 of the Constitution be agreed; subject to allowing a representative from each of the Town/Parish Councils to speak where the red line of the application straddled 2 or more of those Town/Parish areas.
- (5) the deletion of CPR 15.24 at Part 4 of the Constitution be agreed.

**C 25/69 HEAD OF FINANCE AND SECTION 151 OFFICER - RECRUITMENT**

Members were provided with an update on the recruitment process undertaken in respect of the newly established Head of Finance and Section 151 Officer.

At the meeting of Council on 13 May 2025, the formation of a Member Panel had been agreed to oversee and be involved in the recruitment process.

Due to the specialist skillset and seniority of the post, a rigorous selection and assessment process had been undertaken before Member Panel interviews had been undertaken on 4 July 2025.

Consideration was given to the recommendations of the Member Panel detailed in the supplementary report of the Chief Executive and the Leader of the Borough Council proposed that Mr Paul Worden be appointed as the Head of Finance and Section 151 Officer. This was seconded by Cllr Coffin and supported by the Council who welcomed the appointment and noted that the successful candidate had the requisite skills, knowledge and experience necessary to ensure the Borough Council's good financial position continued.

**RESOLVED:** That Paul Worden be appointed as permanent Head of Finance and Section 151 Officer with effect from 28 July 2025.

**C 25/70 BLUEBELL HILL TEMPORARY ACCOMMODATION PROJECT**

The report of the Director of Planning, Housing and Environmental Health provided a Capital Plan Evaluation for the Bluebell Hill temporary accommodation project and sought Member approval for the associated budget.

The proposed approach to procure a contractor to deliver a modular housing scheme at Bluebell Hill was supported by the Housing and Planning Scrutiny Select Committee and Cabinet and due regard had been given to a feasibility study prepared by an external consultant.

As a result of updating the Local Authority Housing Fund and revenue reserve for capital schemes funding to allow for commitment to the resettlement programme, Members noted that the partnership funding for the project had reduced to £4,670,663. In addition, the revenue impact section had been updated to allow for estimated staffing costs and to demonstrate the potential revenue saving of £157,500.

On the grounds that the principle of progressing this project had already been approved, Cllr Boughton proposed, Cllr Betts seconded and

**RESOLVED:** That the Capital Plan Evaluation (attached at Annex A) for the Bluebell Hill temporary accommodation project be approved.

**C 25/71 RIVERSIDE ROUTE LIGHTING PROJECT, TONBRIDGE**

Consideration was given to the recommendation of Cabinet in respect of a List C Capital Plan Evaluation for the Riverside Route Lighting Project, Tonbridge.

Due regard was given to the views of the Finance, Regeneration and Property Scrutiny Select Committee and Cabinet and on the grounds that the principle of this project had already been approved, Cllr Boughton proposed, Cllr Coffin seconded and Council

**RESOLVED:** That the Scheme be transferred to List A of the Capital Plan.

**C 25/72 GIBSON EAST REFURBISHMENT TENDER**

Consideration was given to the recommendation of Cabinet in respect of transferring some funding from the Decarbonising the Council's Estate Capital Plan Scheme to the Gibson East Refurbishment Scheme to help support the installation of renewable and decarbonising technologies.

Due regard was given to the financial and value for money considerations, the outcome of the tender evaluations and the progress being made on identifying further savings to close a shortfall in funding as considered by Cabinet.

On the grounds that the principle of the project had already been approved, Cllr Boughton proposed, Cllr Coffin seconded and Council

**RESOLVED:** That the transfer of £125,000 from the Decarbonising the Council's Estate Capital Plan Scheme to the Gibson East Refurbishment Scheme be approved.

**C 25/73 STATEMENT OF LICENSING POLICY 2025-2030 CONSULTATION**

Consideration was given to the recommendation of the Licensing and Appeals Committee to adopt the draft Statement of Licensing Policy 2025/30, which would include details of the 'Ask for Angela' initiative.

Cllr Williams proposed, Cllr Coffin seconded and Council

**RESOLVED:** That the draft Statement of Licensing Policy 2025/30, including reference to the Ask for Angela initiative be adopted.

**C 25/74 ESTABLISHMENT REPORT**

Consideration was given to the recommendations of the General Purposes Committee in respect of establishment changes recommended by the Management Team.

Due regard was given to the views of the General Purposes Committee and Cllr Rhodes proposed, Cllr McDermott seconded and Council

**RESOLVED:** That

- (1) Post DV0723, Housing Solutions Manager, be regraded from Grade M7 to M6 with effect from 9 July 2025;
- (2) Post DV0731, Housing Allocations Team Leader, be regraded from Scale 5/6 to SO with effect from 9 July 2025;
- (3) Posts DV0726 and DV0745, Housing Allocations Officers, be regraded from Scale 3 and 3/4 respectively to Scale 5/6 with effect from 9 July 2025;
- (4) the hours of post DR0016, Contracts and Procurement Lawyer, be increased from 21 to 37 hours per week with effect from 9 July 2025; and
- (5) Post DE0107, Resilience Officer, be regraded from Scale SO to Grade M9 and the hours of the post be increased from 15 to 29.6 hours per week with effect from 9 July 2025.

**C 25/75 APPOINTMENTS TO OUTSIDE BODIES**

The report of the Director of Central Services recommended an addition to the Schedule of Outside Bodies and changes to annual appointments.

Particular reference was made to the Southern Water Local Authority Stakeholder Group whose main objective was to act as a platform for local authorities to come together to hold Southern Water to account for the poor quality of waterways and coastlines.

The Chair of Housing and Planning Scrutiny Select Committee had previously attended this Group on an informal basis. It was proposed that this arrangement be formalised by adding the Stakeholder Group to the Borough Council's Schedule of Outside Bodies for annual appointments and Cllr Boughton proposed, Cllr Harman seconded that Cllr D King, as the current Chair of Housing and Planning Scrutiny Select Committee, be appointed.

Following notification from the Parking and Traffic Regulations Outside London (PATROL) Adjudication Joint Committee that they were moving to in-person meetings in London, there was a requirement to appoint a new representative as the change in meeting arrangements was no longer convenient to the current appointee. Cllr Boughton proposed, Cllr Harman seconded that Cllr L Chapman be appointed as the Borough Council representative with immediate effect.

**RESOLVED:** That

- (1) the Southern Water Local Authorities Stakeholder Group be added to the Schedule of Outside Bodies for annual appointments;
- (2) Cllr D King be the Borough Council's appointment to the Southern Water Local Authorities Stakeholder Group with immediate effect; and
- (3) Cllr L Chapman be appointed as the Borough Council representative to the PATROL Joint Committee with immediate effect.

**MATTERS FOR INFORMATION****C 25/76 CHANGES TO THE CABINET PORTFOLIOS**

In accordance with paragraph 6 of the Rules for the Making of Decisions by Executive Members (as set out in Part 4 of the Constitution) the Leader may amend the Scheme of Delegation relating to executive functions at any time during the year.

As advised at the Annual meeting of Council, the Leader had reviewed portfolio responsibilities to ensure effective decision making continued. Notice of this change had been given to the Chief Executive and to members of the Executive.

Decision Notice D250045MEM confirming the changes had been published on 3 June 2025. Revised Cabinet Member Portfolios was attached at Annex 1.

**C 25/77 MINUTES OF CABINET AND COMMITTEES**

The Minutes of meetings of the Cabinet and Committees for the period 1 April to 30 June 2025 set out in the Minute Book (Volume 3 attached as a supplement, were received and noted.

Any recommendations to the Council from Cabinet or Committees were resolved elsewhere on the agenda.

**C 25/78 SEALING OF DOCUMENTS**

**RESOLVED:** That authority be given for the Common Seal of the Council to be affixed to any instrument to give effect to a decision of the Council incorporated into these Minutes and proceedings.

**C 25/79 EXCLUSION OF PRESS AND PUBLIC**

The Mayor moved, it was seconded by Cllr Boughton and

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

**PART 2 - PRIVATE**

**MATTERS FOR DECISION**

**C 25/80 BUDGET APPROVAL - BOROUGH COUNCIL COSTS - PLANNING APPEALS**

(Reasons: Part 2 – Private – LGA 1972, Sch 12A Paragraph 3- Financial or business affairs for any particular person)

The report of the Director of Planning, Housing and Environmental Health sought approval for a supplementary estimate/budget to pay for appeal costs arising as a result of the Borough Council defending the grounds for refusal in respect of an upcoming planning appeal. These costs related only to Tonbridge and Malling's own costs and did not relate to the appellants costs.

Cllr Brown proposed, Cllr Boughton seconded and Council

**RESOLVED:** That a supplementary estimate/budget to pay for the Borough Council's costs in defending the upcoming planning appeal be agreed, as set detailed in the report.

**C 25/81 PLANNING APPEAL - CASE MANAGEMENT REVIEW**

(Reasons: Part 2 – Private – LGA 1972 Sch 12A Paragraph 5 – Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings).

The report of the Director of Central Services and Monitoring Officer presented the legal advice prepared by Counsel for consideration.

**RESOLVED:** That

- (1) reason for refusal 4 be withdrawn;
- (2) subject to securing an appropriate Grampian condition, reason for refusal 5 be withdrawn; and
- (3) reason for refusal 6 be withdrawn.

**C 25/82 DISPENSATION FOR COUNCILLOR NON-ATTENDANCE**

(Reasons: Part 2 – Private – LGA 1972 Sch 12A Paragraph 1 – Information relating to an individual)

On the grounds that the Member had attended this meeting, the Mayor proposed that this item be withdrawn. This was seconded by Cllr Boughton and supported by the Council.

**RESOLVED:** That the matter be withdrawn.

The meeting ended at 11.05 pm

**COUNCIL****8 JULY 2025****QUESTION ASKED PURSUANT TO COUNCIL PROCEDURE RULE NO 5.5**

The following question has been asked pursuant to Council Procedure Rule No 5.5 by Councillor M Hood:

Can the Cabinet Member responsible for housing tell me how many homes for social housing for rent have been constructed in this borough in each of the last ten years?

**Response of the Cabinet Member for Housing, Environment and Economy (Cllr R Betts):**

In line with current policy CP17, affordable housing on a new development would aim to have a tenure split of 70/30 in line with, with 70% affordable rented tenures and 30% Intermediate i.e. Affordable Home Ownership. Affordable rented can include both social rent and affordable rent, the definitions of which are as follows:

**Affordable or Intermediate Rent**

Homes let at least 20% below local market rents (affordable rental properties) or let at rates set between market rents and social rents (intermediate rental properties). The market rent or market value refers to the cost of housing either for rent or for sale in the private sector. Calculating market costs takes into account the property size, type and location.

**Social Rent**

Set through the National Rent Regime in England at around 50% of market rents, Social Rent homes are for people on low incomes.

Delivery over the last 10 years – financial years 2014/15 to 2024/25:

	Affordable rent	Social rent	Intermediate (e.g. shared ownership, discount sale)	Total AH
2014 15	69	0	36	105
2015 16	43	0	67	110
2016 17	60	5	79	144
2017 18	76	1	109*	186

	Affordable rent	Social rent	Intermediate (e.g. shared ownership, discount sale)	Total AH
2018 19	159	2	69**	230
2019 20	44	0	42	86
2020 21	41	2	14	57
2021 22	49	35	36	120
2022 23	2	18	10	30
2023 24	88	0	45	133
2024 25	147	0	111	258

\*includes 18 Discounted Open Market Sale units

\*\*includes 8 Discounted Open Market Sale units

**COUNCIL****8 July 2025****QUESTION ASKED PURSUANT TO COUNCIL PROCEDURE RULE NO 5.5**

The following question has been asked pursuant to Council Procedure Rule No 5.5 by Councillor L Athwal:

Given our housing targets, which include a 10% punitive uplift as we have not been able to deliver to our targets to date, and that we have not been able to deliver any new social housing across the Borough, is this the right time for us to stop relying on private housing companies and instead, set up our own arms-length building company who could build for social and economic benefit, without the need to make profit for shareholders?

**Response of the Cabinet Member for Housing, Environment and Economy (Cllr R Betts:**

Affordable rented tenures, which is what the Council is required to deliver, includes both social rent and affordable rent and units have been delivered under this definition, albeit not directly by the Council but through Registered Providers. Establishing a Local Housing Company (LHC) is included in the Housing Strategy's Years 4 and 5 Action Plan supporting the strategic objective to 'consider options for the Council to influence and take a pro-active role in housing delivery, including through a Local Housing Company'. The initial primary purpose of the LHC could be to facilitate the delivery of resettlement homes through the Local Authority Housing Fund. In the longer term, officers will explore options and present to Members the opportunities for the LHC to support wider corporate objectives and functions, ensuring that a robust business case exists that considers the need to have some minimum levels of operation to make a company viable.

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