

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION

Decision Taken By: Cabinet

Decision No: D250121CAB

Decision Type: Key

Date: 18 November 2025

Decision(s) and Reason(s)

Local Government Reorganisation - Business Case Submission

Consideration was given to the recommendations of the Overview and Scrutiny Committee in respect of the Borough Council's preferred option for Local Government Reorganisation.

Due regard was given to the views of the Committee, the financial and value for money considerations, the assessment of risk and the legal implications detailed in the business case attached at Annex 3.

Cabinet welcomed the views of the Overview and Scrutiny Committee, recognised the detailed and robust debate of Members and shared the concerns expressed regarding the financial impact of local government reorganisation and the overall devolution timetable.

The business case (attached at Annex 3) proposed a 3-unitary model (option 3A) with a West Kent authority comprising Tonbridge and Malling, Sevenoaks, Tunbridge Wells and Maidstone areas. Following positive engagement and collaborative working with other Kent authorities, this option was potentially supported by five councils across the County.

It was observed that this was an important decision which would have significant consequences for the future of the Borough for decades and generations to come. Particular reference was made to the views of parish/town councils and Cllr Boughton proposed that relevant supporting documentation could be included in the Borough Council's final submission if provided in sufficient time. It was also proposed by Cllr Boughton that any final drafting changes to the Borough Council's submission before the Government deadline be delegated to the Chief Executive in consultation with the Leader. Both of these proposals were seconded by Cllr Taylor and supported unanimously.

In recognition that the Borough Council had to submit a response to Government by 28 November 2025 and that option 3A offered the most efficient and least disruptive multi-unitary option for Kent, enabled long-term financial sustainability and reflected the position previously confirmed by Tonbridge and Malling at the interim submission to Government in March 2025, Cllr Boughton proposed, seconded by Cllr Taylor and Cabinet

RESOLVED: That

- (1) the comments of the Overview and Scrutiny Committee on the draft proposals for Local Government Reorganisation, be noted;
- (2) based on the evidence set out in the business case (Annex 3), the 3 unitary model, Option 3a be submitted to the Government by the deadline of 28 November 2025 as the Borough Council's preferred option for Local Government Reorganisation;
- (3) any final drafting changes ahead of the submission deadline be delegated to the Chief Executive in consultation with the Leader of the Borough Council; and
- (4) any relevant supporting documentation be included in the Borough Council's final submission to Government if received in advance of the 28 November 2025 deadline.

Reasons: As set out in the report submitted to the Overview and Scrutiny Committee of 13 November 2025.

Signed Leader:

M Boughton

Signed Chief Executive:

D Roberts

Date of publication:

19 November 2025

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: D250122CAB

Decision Type: Key

Date: 18 November 2025

Decision(s) and Reason(s)

Review of Fees and Charges 2025/26 - Waste, Leisure and Environmental Health

Consideration was given to the recommendations of the Communities and Environment Scrutiny Select Committee in respect of fees and charges 2026/27 for waste, leisure and environmental health. The charging proposals reflected a range of factors including the Borough Councils overall financial position, market position, trading patterns, the current rate of inflation and customer feedback.

Due regard was given to the views of the Committee, the financial and value for money considerations, the assessment of risk and the legal implications. Cabinet welcomed the proposal for introducing a charge to new property developers to include capital costs, delivery costs and a reasonable administration element for the provision of all bins and waste containers. In addition, to recovering the cost for providing bins and containers at new residential properties, the feasibility of seeking the cost for the provision of public litter bins related to new developments was supported.

In recognition of the Borough Councils overall financial position, the increasing challenges in achieving further expenditure savings and the importance of maximising income where possible, Cllr Boughton proposed, Cllr Keers seconded and Cabinet

RESOLVED: That

- (1) the proposed schedule of charges for garden waste subscriptions, as set out in 5.1.4 of the report, be approved;
- (2) the proposed schedule of charges for household bulky refuse and fridge/freezer collection service, as set out in 5.2.4 of the report, be approved;
- (3) the proposed charge for “missed” refuse collection, as set out in 5.3.2 of the report, be approved;
- (4) the proposed schedule of charges in respect of Stray Dog redemption service, as set out in 5.5.4 of the report, be approved;
- (5) the proposed charge for Tonbridge Allotment, as set out in 5.6.2 of the report, be approved;
- (6) the proposed schedule of charges at Tonbridge Cemetery, as set out in Annex 1 and 5.7.2 of the report, be approved;

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| (7) | the proposed continuation of the pest control subsidy for residents in receipt of Council Tax Reduction Scheme alongside the existing charge, as set out in 5.8.1 of the report, be approved; |
| (8) | the proposed schedule of charges for Condemned Food Certificates, as set out in 5.9.2 of the report, be approved; |
| (9) | the proposed charge for Exported Food Certificates, as set out in 5.10.4 of the report, be approved; |
| (10) | the proposed charge for food hygiene requests for re-visits, as set out in 5.11.2 of the report, be approved; |
| (11) | the proposed charge for provision of services in respect of contaminated land, as set out in 5.12.5 of the report, be approved; |
| (12) | the proposed charge for provision of services in respect of private water supplies, as set out in 5.13.5 of the report, be approved; |
| (13) | the above proposed scale of charges (1) to (12) be implemented from 1 April 2026; and |
| (14) | the principle of charging property developers for the provision of all bins and waste containers at new developments, be approved, and the feasibility of seeking the cost for the provision of public litter bins related to new developments from developers, be explored. |

Reasons: As set out in the report submitted to Communities and Environment Scrutiny Select Committee of 5 November 2025.

Signed Leader:

M Boughton

Signed Chief Executive:

D Roberts

Date of publication:

19 November 2025

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Decision Taken By: Cabinet
Decision No: D250123CAB
Decision Type: Non-Key
Date: 18 November 2025

Decision(s) and Reason(s)

Temporary Accommodation Recharge Policy

The report of the Director of Planning, Housing and Environmental Health sought approval for a Policy which allowed the Borough Council to recharge applicants when its temporary accommodation needed repair due to wilful damage or neglect.

Due regard was given to the financial and value for money considerations, the risk assessment and legal implications detailed in the report. The introduction of a Recharge Policy was welcomed by Cabinet who were pleased to note that a firm but fair approach would be adopted. It was also noted that a resident's vulnerabilities or disabilities would be considered when reviewing whether to apply a recharge.

Whilst the Borough Council had a requirement to ensure value for money and would spend money on legitimate repairs, Cllr Boughton proposed that if a repair was needed because of damage or neglect caused by an applicant living in temporary accommodation the cost should be charged to that applicant. This was seconded by Cllr Betts and Cabinet

RESOLVED: That

- (1) the new Temporary Accommodation Recharge Policy (attached at Annex 1) be adopted.

Reasons: As set out in the report submitted to Cabinet of 18 November 2025.

Signed Leader:

M Boughton

Signed Chief Executive:

D Roberts

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Decision Taken By: Cabinet
Decision No:
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Date: 18 November 2025

Decision(s) and Reason(s)

Annual Service Delivery Plan Quarter 2 (2025/26) Reporting

Consideration was given to the recommendations of the Overview and Scrutiny Committee in respect of the Annual Service Delivery Plan 2025/26 – Quarter 2.

Due regard was given to the views of the Committee, the financial and value for money considerations, the legal implications and the assessment of risk. Cabinet welcomed the positive progress made on the activities and Key Performance Indicators and recognised further improvement works were required for those currently rated red. The challenges with Private Sector Rented Offers and CO2 emissions were also recognised.

RESOLVED: That

- (1) appreciation be recorded for the overall progress made during Quarter 2;
- (2) appreciation be recorded for the achievements made during Quarter 2; and
- (3) the areas needing focus be noted;

Reasons: As set out in the report submitted to Overview and Scrutiny Committee of 13 November 2025.

Signed Leader:

M Boughton

Signed Chief Executive:

D Roberts

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Decision Taken By: Cabinet
Decision No: D250125CAB
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Date: 18 November 2025

Decision(s) and Reason(s)

Air Quality Monitoring Updates and Air Quality Management Areas - Recommendations

Consideration was given to the recommendations of the Communities and Environment Scrutiny Select Committee in respect of the revocation of four air quality management areas at Tonbridge High Street, Larkfield, Aylesford and Borough Green.

Due regard was given to the views of the Committee, the financial and value for money considerations, the assessment of risk and the legal implications. Cabinet welcomed the significant improvement in air quality and improved pollution levels and noted that this position was supported by DEFRA.

On the grounds that monitoring in some form within the areas of the Air Quality Management Area (AQMA) would continue, Cllr Betts proposed, Cllr Taylor seconded and Cabinet

RESOLVED: That

- (1) the improvement in air quality over the last four years, be noted;
- (2) the revocation of the Tonbridge High Street, Larkfield, Aylesford and Borough Green Air Quality Management Areas, be agreed; and
- (3) the continuation of air quality monitoring across the Borough, including to respond to any specific areas of concern, be agreed.

Reasons: As set out in the report submitted to Communities and Environment Scrutiny Select Committee of 5 November 2025.

Signed Leader:

M Boughton

Signed Chief Executive:

D Roberts

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Decision Taken By: Cabinet
Decision No: D250126CAB
Decision Type: Non-Key
Date: 18 November 2025

Decision(s) and Reason(s)

Anti-Social Behaviour Enforcement Team - Update of work and request for funding

Consideration was given to the recommendations of the Communities and Environment Scrutiny Select Committee in respect of the continuation of the Anti-Social Behaviour (ASB) Enforcement Team.

Due regard was given to the views of the Committee, the financial and value for money considerations, the assessment of risk and the legal implication. To allow for consistency and for a more streamlined procurement process it was proposed that the Scheme be continued for a further two-year period, subject to identifying suitable funding and seeking contributions from parish/town councils.

In recognition of the high-profile and visible presence throughout the Borough which was reassuring to residents, local businesses and visitors, Cllr Keers proposed, Cllr Boughton seconded and Cabinet

RESOLVED: That

- (1) the continuation of the Anti-Social Behaviour Enforcement Team for a further two-year period, be agreed, subject to Council approval of the funding in February 2026 as part of the annual budget setting process*;
- (2) the request for funding from Parish/Town Councils, be agreed; and
- (3) the initiation of the procurement process for the Anti-Social Behaviour Enforcement Team, be agreed.

(*approval of funding to be referred to Council)

Reasons: As set out in the report submitted to Communities and Environment Scrutiny Select Committee of 5 November 2025.

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Decision Taken By: Cabinet
Decision No: D250127CAB
Decision Type: Non-Key
Date: 18 November 2025

Decision(s) and Reason(s)

Waste Minimisation and Waste Management at Events on Council Owned Land

Consideration of the recommendations of the Communities and Environment Scrutiny Select Committee in respect of a proposed new guidance now (attached at Annex 1) to support event organisers in aligning their events with the Borough Council's objective to remove single use plastics from their operations.

The difficulties in collecting waste from recreation grounds and the issues around contamination were discussed. However, it was also recognised that behaviours had changed and recycling on public land could potentially be considered for the future.

On the grounds of encouraging greater use of refills and reducing waste from Council owned sites, Cllr Keers proposed, Cllr Betts seconded and Cabinet

RESOLVED: That

(1) the proposed guidance note (attached at Annex 1) be endorsed.

Reasons: As set out in the report submitted to Communities and Environment Scrutiny Select Committee of 5 November 2025.

Signed Leader:

M Boughton

Signed Chief Executive:

D Roberts

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