

## **TONBRIDGE & MALLING BOROUGH COUNCIL**

### **RECORD OF DECISION**

**Decision Taken By: Cabinet**

**Decision No: D260002CAB**

**Decision Type: Key**

**Date: 06 January 2026**

#### **Decision(s) and Reason(s)**

##### **Fees and Charges 2026/27 - Legal Fees, Photocopying, Land Charges, Street Name and Numbering, Tonbridge Castle, Events, Billboards and Banners and Court Fees for Council Tax and Business Rates**

The joint report of the Director of Central Services and the Head of Finance set out proposed fees and charges for 2026/27 for the provision of services in respect of legal costs, photocopying charges, street name and numbering, land charges, Tonbridge Castle, events on open spaces, billboards and banners and Council Tax and Business Rate court costs with effect from 1 April 2026.

In bringing forward the charging proposals consideration had been given to a range of factors, including the Borough Council's overall financial and market positions, trading patterns, the current rate of inflation and customer feedback. A set of guiding principles for the setting of fees and charges had also been taken into account and were summarised in 4.3 of the report.

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

**RESOLVED:** That

- (1) the proposed charges for legal costs, as set out in 5.1 of the report, be approved with effect from 1 April 2026;
- (2) the current photocopying charges of £0.10 (inclusive of VAT) for each page of the same document or additional copies of the same page plus postage as appropriate, as set out in 5.2 of the report, be retained;
- (3) the Fee Schedule for Street Naming and Numbering, as set out in 5.3 of the report, be adopted with effect from 1 April 2026;
- (4) the proposed scale of fees for local land charges searches and enquiries, as set out in 5.4 of the report, be adopted with effect from 1 April 2026;
- (5) the proposed fees and charges for 2026/27 related to Tonbridge Castle, as set out in 5.5 of the report, be approved with effect from 1 April 2026;

(6)	the proposed fees and charges for 2026/27 related to Open Spaces and for charity and community events, as set out in 5.6.2 of the report, be approved;
(7)	authority be delegated to the Director of Central Services and Deputy Chief Executive to negotiate fees for individual commercial events on Council-owned land;
(8)	the proposed fees and charges for 2026/27 related to Billboards and Banners, as set out in 5.7.1 of the report, be approved; and
(9)	the amount of costs charged in 2026/27 to recover unpaid council tax and business rates debts remain at the 2024/25 levels, as set out in 5.8 of the report.

Reasons: As set out in the report submitted to Cabinet of 6 January 2026.

Signed Leader:

*M Boughton*

Signed Chief Executive:

*D Roberts*

Date of publication:

8 January 2026

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: D260003CAB**

**Decision Type: Key**

**Date: 06 January 2026**

**Decision(s) and Reason(s)**

**Review of Fees and Charges for Discretionary Planning Services 2026/27**

Consideration was given to the recommendations of the Housing and Planning Scrutiny Select Committee in respect of the proposed fees and charges for discretionary planning services 2026/27. 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.

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

**RESOLVED:** That

- (1) the updated Pre-application Charging Fee Schedule 2026/27 for Development Management (Annex 1) be adopted;
- (2) the updated Building Control Fee Schedule 2026/27 (Annex 2) be adopted;
- (3) the updated charging fees for enforcement, as set out in 5.4 of the report, be adopted;
- (4) the updated High Hedge fee, as set out in 5.13 of the report, be adopted;
- (5) the updated charging fees for s106 monitoring and compliance, as set out in 5.18 and 5.20 of the report, be adopted;
- (6) the new fee for registration of a s106 agreement, as set out in 5.21 of the report, be adopted;
- (7) the updated Planning Performance Agreement charging schedule (Annex 3) be adopted; and
- (8) the proposed fees be implemented from 1 April 2026.

Reasons: As set out in the report submitted to the Housing and Planning Scrutiny Select Committee of 2 December 2025.

Signed Leader: *M Boughton*

Signed Chief Executive: *D Roberts*

Date of publication: 8 January 2026

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**Decision Taken By: Cabinet**  
**Decision No: D260004CAB**  
**Decision Type: Key**  
**Date: 06 January 2026**

**Decision(s) and Reason(s)**

**HMO and Caravan Site Licensing Fee Charges 2026/27**

Consideration was given to the recommendations of the Housing and Planning Scrutiny Select Committee in respect of proposed fees for licensing houses in multiple occupation (HMOs) and caravan sites for permanent residential use with effect from 1 April 2026. 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.

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

**RESOLVED:** That

- (1) the proposed fee for licensing HMOs (representing an increase of 4%) as detailed in 5.1 of the report, be approved;
- (2) the proposed fee for caravan sites for permanent residential use (representing an increase of 4%), as detailed in the 5.2 of the report, be approved; and
- (3) the proposed fees be implemented from 1 April 2026.

Reasons: As set out in the report submitted to the Housing and Planning Scrutiny Select Committee of 2 December 2025.

Signed Leader:

*M Boughton*

Signed Chief Executive:

*D Roberts*

Date of publication:

8 January 2026

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**Decision Taken By: Cabinet**  
**Decision No: D260005CAB**  
**Decision Type: Key**  
**Date: 06 January 2026**

**Decision(s) and Reason(s)**

**Adoption of a Calculator for Indoor Sports, Outdoor Sports and Playing Pitch Developer Contributions**

Consideration of recommendations of the Housing and Planning Scrutiny Select Committee in respect of proposals to adopt the Sports England model calculator approach to securing developer contributions towards indoor and outdoor sports facilities in the Borough. An updated Guidance Note (attached at Annex 2) on operational use of the calculator was also presented for consideration.

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 introduction of a formal methodology to calculate the needs for on and off-site provision and in recognition of ensuring that where development was approved it provided appropriate funding for sports facilities and that these facilities were delivered against a strategic plan and mitigated the impact of development on local communities, Cllr Boughton proposed, Cllr Mehmet seconded and Cabinet

**RESOLVED:** That

- (1) to secure appropriate contributions towards indoor and outdoor sports facilities in the Borough, the Sports England calculator and associated metrics for Development Management purposes be adopted;
- (2) the updated Guidance Note (attached at Annex 2) on operational use of the calculator be noted and finalised by the Director of Planning, Housing and Environmental Health, in consultation with the Cabinet Members for Planning and Infrastructure and Tonbridge Regeneration, and
- (3) the Guidance Note when finalised be adopted.

Reasons: As set out in the report submitted to the Housing and Planning Scrutiny Select Committee of 2 December 2025.

Signed Leader:

*M Boughton*

Signed Chief Executive:

*D Roberts*

Date of publication:

8 January 2026

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**Decision Taken By: Cabinet**  
**Decision No: D260006CAB**  
**Decision Type: Non-Key**  
**Date: 06 January 2026**

**Decision(s) and Reason(s)**

**Reserves Review**

Following a review of the earmarked reserves, as identified as an action in the Annual Service Delivery Plan 2025/26, the report of the Head of Finance and Section 151 Officer recommended a number of transfers to assist with the delivery of priority capital projects.

Careful consideration was given to the proposal to transfer £2.1m to the General Revenue Reserve (GRR) and a further £100,000 between already established reserves. The recommended changes to the reserves had been assessed in consultation with Services and the main changes were detailed in 5.4 of the report. Following these transfers the GRR would hold a balance of £11.25m.

Whilst the transfer to the General Revenue Reserve was welcomed, the pressures related to building repairs, the Local Plan, planning appeals and the transition for Local Government Reorganisation were recognised. It was, therefore, recommended that transfers be made to the Angel Centre Build Costs, Building Repairs, Local Plan, Transformation – Local Government Reorganisation reserves from the General Revenue Reserve.

If these recommendations were supported there would be an estimated balance of £9.25m in the General Revenue Reserve on 31 March 2028 based on the current Medium Term Financial Strategy projects. Cabinet noted that an estimated £3.5m was expected to be withdrawn from the General Revenue Reserve in 2028/29 to cover various revenue expenditure.

Due regard was given to the financial and value for money considerations, the assessment of risk and the legal implications. In recognition that the reallocation of resources would assist with the achievement of corporate priorities, Cllr Boughton proposed, Cllr Taylor seconded and Cabinet

**RESOLVED:** That

- (1) the transfer of reserves detailed in Annex 1 and in 5.3 of the be approved; and
- (2) the transfer of reserves detailed in 7.2 of the report be approved.

Reasons: As set out in the report submitted to Cabinet of 6 January 2026.

Signed Leader:

M Boughton

Signed Chief Executive:

D Roberts

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8 January 2026

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**Decision Taken By: Cabinet**  
**Decision No: D260007CAB**  
**Decision Type: Non-Key**  
**Date: 06 January 2026**

**Decision(s) and Reason(s)**

**Planning Advisory Service - Review of the Council's Planning Service**

Consideration was given to the recommendations of the Housing and Planning Scrutiny Select Committee in respect of the Borough Council's planning service following a review by the Planning Advisory Service.

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 views of the Planning Advisory Service and wider Members. In recognition of rebuilding member-officer relationships and improving engagement and communication Cabinet supported the Scrutiny Select Committee recommendation to amend R3 and R5 of the Action Plan (attached at Annex 3) to include:

- (i) Area Planning Chairs and Vice-Chairs; and
- (ii) The Cabinet Member for Planning and the Chair of the Housing and Planning Scrutiny Select Committee respectively.

Cabinet proposed some further amendments to the recommendations of the Scrutiny Select Committee that were unanimously supported:

- (iii) R3 and DM11 of the Action Plan to be amended to include a design workshop session;
- (iv) In order to monitor progress being made on delivering priorities, Recommendation (4) be amended to report progress on the Action Plan to all meetings of the Housing and Planning Scrutiny Select Committee; and
- (v) To improve efficiency in determining planning applications a review of the current process around adjournments at Area Planning Committees be undertaken.

Cllr Boughton proposed, Cllr Mehmet seconded and Cabinet

**RESOLVED:** That

- (1) the contents of the Planning Advisory Service Review report, including the recommendations for action, be noted;
- (2) subject to the amendments set out at (i) (ii) and (iii) above, the proposed Action Plan (Annex 3) for delivering on the Planning Advisory Service Review recommendations be endorsed and adopted;
- (3) the proposed timescales in the Action Plan be noted and approved;

(4)	an update on progress on the Action Plan be reported as a standing item on future Housing and Planning Scrutiny Select Committee agendas; and
(5)	a review into the adjournment of applications at Area Planning Committees, in accordance with Committee Procedure Rule 15.24, be undertaken to explore if the current process could be streamlined.

Reasons: As set out in the report submitted to the Housing and Planning Scrutiny Select Committee of 2 December 2025.
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*M Boughton*

Signed Chief Executive:

*D Roberts*

Date of publication:

8 January 2026

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**Decision Taken By: Cabinet**  
**Decision No: D260008CAB**  
**Decision Type: Key**  
**Date: 06 January 2026**

**Decision(s) and Reason(s)**

**Proposed Lease of Residential Apartments in Tonbridge for Use as Temporary Accommodation**

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

Careful consideration was given to a proposal to lease a total of 20 residential apartments in Tonbridge to serve as temporary accommodation.

As a result of the property requiring conversion work, it was recommended that the Borough Council entered into an agreement for lease, so that when the flats were ready the Borough Council could occupy them under a lease. A long leasehold option was not considered a viable option as the authority did not have sufficient funds or access to the level of capital required.

Due regard was given to the financial and value for money considerations, the assessment of risk and the legal implication. In recognition of the Borough Council's adopted Housing Strategy and to support improving housing options for local people, Cllr Boughton proposed, Cllr Keers seconded and Cabinet

**RESOLVED:** That

- (1) the terms of the lease, including entering into an agreement for lease of the properties (as detailed in the report), be approved;
- (2) the one-off set up costs and tax liability be noted.

Reasons: As set out in the report submitted to Cabinet of 6 January 2026 (contains exempt information).

Signed Leader:

*M Boughton*

Signed Chief Executive:

*D Roberts*

Date of publication:

8 January 2026

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**Decision Taken By: Cabinet**  
**Decision No: D260009CAB**  
**Decision Type: Key**  
**Date: 06 January 2026**

**Decision(s) and Reason(s)**

**Lease Arrangements - 8 - 10 Martin Square, Larkfield**

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

Careful consideration was given to a proposed lease arrangement for 8-10 Martin Square, Larkfield where a new lease would be granted for the ground floor retail unit and the above maisonette surrendered to the Borough Council for use by Housing Services. Cabinet noted that terms had been agreed with the existing tenant for a lease renewal of the retail unit.

Whilst there was a requirement for the tenant to return the maisonette in a repaired and decorated condition, it was recommended that additional works be undertaken to enable the Borough Council to use the property for its own housing purposes.

Due regard was given to the financial and value for money considerations, the assessment of risk and the legal implication. Cabinet recognised that the current arrangement was out of step with modern retail operations and in recognition of improving housing options for local people and offering greater flexibility in meeting resident's needs, Cllr Boughton proposed, Cllr Taylor seconded and Cabinet

**RESOLVED:** That

- (1) the terms for granting a lease of 8 Martin Square (retail unit) be approved; and
- (2) the maisonette at 10 Martin Square be surrendered to Tonbridge and Malling Borough Council and used for its own purposes, as detailed in the report.

Reasons: As set out in the report submitted to Cabinet of 6 January 2026 (contains exempt information).

Signed Leader:

*M Boughton*

Signed Chief Executive:

*D Roberts*

Date of publication:

8 January 2026

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**Decision Taken By: Cabinet**  
**Decision No: D260010CAB**  
**Decision Type: Non-Key**  
**Date: 06 January 2026**

**Decision(s) and Reason(s)**

**Bluebell Hill Temporary Accommodation Project - Update Report**

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

Members received an update on the progress being made to deliver modular housing units for use as temporary accommodation at the former commuter car park at Bluebell Hill. Approval was also sought to amend previous decision-making delegations to avoid the risk of not being able to make a decision to proceed with the build phase of the project and risk the LAHF funding.

Due regard was given to the financial and value for money considerations, the assessment of risk and the legal implications. Particular reference was made to the issues surrounding the restrictive covenant affecting the site. Cabinet was pleased to note that satisfactory heads of terms had been received from KCC on this matter (as set out in Decision Number [D260001MEM](#)).

In recognition that delivering a temporary accommodation scheme on previously utilised land allowed the Borough Council to mitigate the cost of providing temporary accommodation, have management control of temporary accommodation within the borough and didn't require the development of a greenfield site, Cllr Boughton proposed, Cllr Mehmet seconded and Cabinet

**RESOLVED:** That

- (1) delegated authority be granted to the Director of Planning, Housing and Environmental Health and the Director of Central Services and Deputy Chief Executive, in consultation with the Cabinet Member for Housing, Environment and Economy, to agree the gateway approval to move to the build stage of the contract.

Reasons: As set out in the report submitted to Cabinet of 6 January 2026 (contains exempt information).

Signed Leader:

*M Boughton*

Signed Chief Executive:

*D Roberts*

Date of publication:

8 January 2026

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**Decision Taken By: Cabinet**

**Decision No: D260011CAB**

**Decision Type: Non-Key**

**Date: 06 January 2026**

**Decision(s) and Reason(s)**

**Tonbridge Town Centre Programme Board - Meeting Notes**

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

Members reviewed the Notes of the Tonbridge Town Centre Programme Board for the meetings of 29 August and 28 November 2025, attached at Annexes 1 and 2 respectively.

Cabinet had due regard to the recommendations of the Programme Board, the financial and value for money considerations and the legal implications and recognised the good progress being made.

**RESOLVED:** That

- (1) the Notes of the Tonbridge Town Centre Programme Board of 29 August 2025 (attached at Annex 1) be noted; and
- (2) the Notes of the Tonbridge Town Centre Programme Board (attached at Annex 2) and the accompanying Angel Centre report (attached at Annex 3) of 28 November 2025 be noted.

Reasons: As set out in the report submitted to Cabinet of 6 January 2026 (contains exempt information).

Signed Leader:

*M Boughton*

Signed Chief Executive:

*D Roberts*

Date of publication:

8 January 2026

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