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## TONBRIDGE AND MALLING BOROUGH COUNCIL

### COUNCIL MEETING

#### MINUTES

Tuesday, 12th May, 2026

At the Annual meeting of the Tonbridge and Malling Borough Council held in the Civic Suite, Gibson Building, Kings Hill, West Malling on Tuesday, 12th May, 2026

**Present:** His Worship the Mayor (Councillor C Brown), Her Worship the Mayor (Councillor K B Tanner) the Deputy Mayor (Councillor S A Hudson)\*, Cllr L Athwal, Cllr B Banks, Cllr K Barton, Cllr Mrs S Bell, Cllr A G Bennison, Cllr R P Betts, Cllr M D Boughton, Cllr P Boxall, Cllr G C Bridge, Cllr R I B Cannon, Cllr L Chapman, Cllr J Clokey, CllrM A Coffin, Cllr A Cope, Cllr S Crisp, 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 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

(\*from C 26/45)

Apologies for absence were received from Councillors T Bishop and B A Parry

### **PART 1 - PUBLIC**

#### **C 26/43 ELECTION OF MAYOR**

It was proposed by Councillor Harman and seconded by Councillor Boughton that Councillor Kim Tanner be elected Mayor for the municipal year 2026/27.

Following a formal vote there was majority support for the proposal.

**RESOLVED:** That Councillor Kim Tanner be elected Mayor for the municipal year 2026/27.

The Mayor having made the statutory declaration of acceptance of office assumed the Chair and thanked Members for their election.

#### **C 26/44 ELECTION OF DEPUTY MAYOR**

It was proposed by Councillor Boughton and seconded by Councillor Lark and following a formal vote

**RESOLVED:** That Councillor Hudson be appointed Deputy Mayor for the municipal year 2026/27

The Deputy Mayor made the statutory declaration of acceptance of office and thanked Members for the appointment.

**C 26/45 VOTE OF THANKS TO RETIRING MAYOR**

Members expressed appreciation to the retiring Mayor for dedicated and loyal service to the Borough and its residents and highlighted his positive engagement with community groups, voluntary organisations and local schools. The value of the mayoral presence at community events was also recognised.

In response to the thanks expressed, Cllr Brown recorded appreciation to the Mayoress, the Deputy Mayor and Past Mayors for their support and was pleased to report that over £3,000 had been raised in support of his mayoral charities the British Heart Foundation and Hospice in the Weald.

He also thanked the Scouts and Guides, Schools, all the charities and businesses in the Borough for the amazing work with their communities as well as the Tonbridge Lions, the Tonbridge Rotary Club and the Community Choirs.

Finally, the Mayor recorded appreciation for the support and assistance provided by the Mayoral and Democratic Services Officers.

It was proposed by Cllr Harman, seconded by Cllr Boughton and

**RESOLVED:** That the Borough Council's sincere appreciation be recorded for the excellent manner in which the retiring Mayor, Cllr Christopher Brown, had performed the mayoral duties both in the Council Chamber and throughout the Borough during the preceding year.

**C 26/46 DECLARATIONS OF INTEREST**

There were no declarations of interest made in accordance with the Code of Conduct.

**C 26/47 MINUTES**

**RESOLVED:** That the Minutes of the proceedings of the meeting of the Council held on 21 April 2026 be approved as a correct record and signed by the Mayor.

**C 26/48 MAYOR'S ANNOUNCEMENTS**

The Mayor thanked Members for the opportunity to represent the Borough Council and she looked forward to supporting the many organisations and individuals who made Tonbridge and Malling special.

Appreciation was expressed to Cllr Brown for his work as Mayor over the last year and for providing such an excellent training opportunity for her when serving as Deputy Mayor.

The Mayors charities for the year would be the Kent, Surrey and Sussex Air Ambulance and the Scott's Project Trust, which was a small charity in Tonbridge for adults with learning difficulties.

A number of charity events were planned for the upcoming year and details would be provided in due course:

- 19 June 2026 – Psychic Night at Wateringbury Village Hall
- 9 July 2026 – Quiz Night at the Old Fire Station, Tonbridge
- August 2026 – Clay Pigeon Shooting
- September 2026 – Party through the Decades
- October 2026 – Oktoberfest beer festival (with travel)
- November 2026 – Pizza, Pamper & Prosecco Night
- November/December 2026 – Event at Tonbridge Castle
- January 2027 – Beer, Burger & Bully Darts Night
- February 2027 – Valentine's Ball (James Bond Theme)
- March 2027 – Bingo Night at the Old Fire Station, Tonbridge
- April 2027 – Karting Event at Buckmore Park

Finally, the Mayor welcomed Cllr Coffin back to the Council Chamber after an unexpected period of absence.

**MATTERS FOR DECISION****C 26/49 CHANGES TO THE CONSTITUTION - IMPLEMENTATION OF PLANNING COMMITTEE REFORMS UNDER THE PLANNING AND INFRASTRUCTURE ACT 2025**

The report of the Monitoring Officer recommended changes to the Constitution to enable implementation of planning committee reforms under the Planning and Infrastructure Act 2025.

It was proposed that a single Planning Committee be created in place of the existing 3 Area Planning Committees. This Committee to be politically balanced and comprising 13 Members. A number of consequential changes were required to ensure that the planning committee would be able to immediately discharge all of the functions previously undertaken by the Area Planning Committees. These were detailed in 4.10 of the report.

Any Member who was not appointed to serve on the Planning Committee would retain their usual right to attend as set out in the Committee Procedure Rules.

Amendments to Committee Procedure Rule 15.25 and paragraph E8.7 of Protocol E – Members' Planning Code of Good Practice were also recommended to streamline the deferral process where the Planning Committee were minded to reach a decision contrary to the recommendation of the Director of Planning, Housing and Regulatory Services; and that planning applications submitted by the Council were to be determined by the Planning Committee rather than full Council respectively.

Concern was expressed that the introduction of a politically balanced planning committee rather than a geographic ward-based model could affect local decision-making. On the grounds that Government legislation was not yet finalised Cllr Thornewell proposed and Cllr Athwal seconded that

- (1) these proposals be deferred until the regulations were confirmed and to provide more time to consider viable options.

In accordance with Council Procedure Rule 8.4, Cllr Thornewell requested that the names for and against the motion or abstaining from voting be taken down in writing and entered in the Minutes. This was seconded by Cllr Clokey.

Members voting in favour:

Cllrs Athwal, Banks, Barton, Boxall, Bridge, Clokey, Cope, Crisp, Dean, Hoskins, Hood, Oakley, Oliver, Pilgrim, Roud, Tatton and Thornwell.

Total = 17

Members voting against:

Cllrs Betts, Bell, Bennison, Boughton, Brown, Cannon, Chapman, Coffin, Davis, Hammond, Harman, Hickmott, Hudson, Keers, King, Lark, Mehmet, McDermott, Palmer, Rhodes, Tanner, Taylor, Tunstall and Williams.

Total = 24

Members abstaining:

Cllr Dalton

Total = 1

Total members available to vote = 42

Motion (1) defeated.

Concern was expressed about the proposed role of full Council in planning decisions and whether applications for planning permission submitted by the Council should continue to be determined by full Council. Reference was made to previous commitments in respect of the planning application for the replacement Angel Leisure Centre, which it was felt should be honoured. A motion to refer the Angel Leisure Centre planning application to full Council was withdrawn by the proposer (Cllr Hoskins) with the consent of the seconder (Cllr Bridge) and the full Council.

On the grounds of transparency and public interest, Cllr Hoskins proposed and Cllr Bridge seconded that:

- (2) all applications for planning permission submitted by the Council should be determined by the Full Council.

In accordance with Council Procedure Rule 8.4, Cllr Hoskins requested that the names for and against the motion or abstaining from voting be taken down in writing and entered in the Minutes. This was seconded by Cllr Banks.

Members voting in favour:

Cllrs Athwal, Banks, Barton, Bennison, Boxall, Bridge, Clokey, Crisp, Cope, Dean, Hickmott, Hood, Hoskins, King, Oakley, Oliver, Palmer, Pilgrim, Roud, Tatton, Taylor and Thornewell.

Total = 22

Members voting against:

Total = 0

Members abstaining:

Cllrs Bell, Betts, Boughton, Brown, Cannon, Chapman, Coffin, Davis, Dalton, Hammond, Harman, Hudson, Keers, Lark, McDermott, Mehmet, Rhodes, Tanner, Tunstall and Williams.

Total = 20

Motion (2) won

There was further discussion on the proposed changes to Committee Procedure Rule 15.24 and whether planning applications deferred contrary to the recommendation of the Director of Planning, Housing and Regulatory Services should be referred to full Council. In the view of the

Monitoring Officer any proposal to this effect would negate the original motion and would not be allowed.

Therefore, it was proposed by Cllr Boughton and seconded by Cllr Taylor that individual votes on recommendations (a) to (e ) be taken to enable Members to vote against those they didn't support. This was supported unanimously.

In recognition that the proposal ensured that planning applications were determined in the most efficient and equitable way, that planning committee reforms were required under legislation; that the proposals resolved cross-border application issues; aligned with anticipated Government requirements and that action now would allow the Borough Council to adapt at its own pace, Cllr Taylor proposed, Cllr Boughton seconded and Council

**RESOLVED:** That

- (1) the creation of a politically balanced Planning Committee, comprised of 13 Members, be agreed;
- (2) the deletion of the existing 3 Area Planning Committees be agreed;
- (3) the consequential changes to the Constitution as set out at paragraph 4.10 of the report and attached at Annex 1 be agreed;
- (4) the amendments to Committee Procedure Rule 15.24 as set out at paragraphs 4.14 to 4.16 of the report and attached at Annex 1 be agreed; and
- (5) subject to retaining E8.7 and E8.8 (applications submitted by the Council) the amendments to the Members' Planning Code of Good Practice as set out at paragraphs 4.17 to 4.18 of the report and attached at Annex 1 be agreed.

[In accordance with Council Procedure Rule 8.6, Cllrs Hood and Thornewell requested that their vote against the proposals be recorded in the Minutes.]

## **C 26/50 POLITICAL BALANCE ARRANGEMENTS FOR COMMITTEES**

The report of the Director of Central Services and Deputy Chief Executive set out details of political balance arrangements required to be applied to the Borough Council's committees.

The outcome of the proposal to create a single Planning Committee and abolish the 3 Area Planning Committees was also reflected in the calculations at Annex A. An alternative political balance model prepared

in case Members declined the proposal to create a single Planning Committee was attached at Annex B.

Following consultation with the Leaders of the Liberal Democrat and Labour Groups, a revised political balance arrangement was set out in Annexes A(1) and B(1), which reflected minor changes to the Overview and Scrutiny and Licensing and Appeals Committees.

In recognition that the modelling set out in Annex A(1) provided the best political balance so far as reasonably practicable, it was proposed by the Mayor, seconded by Cllr Boughton and

**RESOLVED:** That

- (1) the composition of committees be approved in accordance with the table attached at Annex A (1) of the report; and
- (2) the Monitoring Officer make any consequential amendments to the Borough Council's Constitution in respect of political balance.

#### **C 26/51 APPOINTMENT OF CABINET**

The Leader presented details of the composition of the Cabinet.

Having given the requisite notice to the Chief Executive and in accordance with paragraph 6 of the Rules for the Making of Decisions by Executive Members (set out in Part 4 of the Constitution), the Leader indicated the intention to amend the Scheme of Delegation relating to executive functions.

Decision Notice D260048MEM (attached at Annex 1.1) reflected that the portfolio holder for Infrastructure and Tonbridge Regeneration would have responsibility for water related issues.

**RESOLVED:** That it be noted that the Cabinet would comprise 6 Members (including the Leader) with the portfolios set out at Annex 1 and duplicated below:

Councillor M Boughton	-	Leader;
Councillor R Betts	-	Housing, Environment and Economy;
Councillor M Coffin	-	Deputy Leader; and Finance, Waste and Technical
Councillor D Keers	-	Community Services;
Councillor A Mehmet	-	Infrastructure and Tonbridge Regeneration;
Councillor M Taylor	-	Planning

#### **C 26/52 APPOINTMENT OF COMMITTEES**

It was proposed by Cllr Boughton, seconded by Cllr Tanner and

**RESOLVED:** That, subject to Cllr Clokey being added to the Licensing and Appeals Committee, appointments to the Committees of the Borough Council for 2026/27 be approved as set out in Annex 2 – Option A.

**C 26/53 APPOINTMENT OF SCRUTINY SELECT COMMITTEES, PANELS AND OTHER MEMBER GROUPS**

It was proposed by Cllr Boughton, seconded by Cllr Coffin and

**RESOLVED:** That appointments to the Scrutiny Select Committees, Advisory Panels and other member groups of the Borough Council for 2026/27 be approved as set out in Annex 3 – Option A.

**C 26/54 APPOINTMENT OF CHAIR AND VICE-CHAIR**

It was proposed by Cllr Boughton, seconded by Cllr Coffin and

**RESOLVED:** That appointments of Chair and Vice-Chair of each Committee, Scrutiny Select Committee, Panel and Group for 2026/27 be approved as set out in Annex 4 – Option A.

**C 26/55 APPOINTMENTS TO OUTSIDE BODIES**

Consideration was given to the nominations for annual and non-annual appointments to Outside Bodies, as set out in Annex 5 to the report.

A number of changes to the Outside Bodies schedule were also recommended as detailed in 5.2.1 to 5.2.10 of the report.

It was proposed by Cllr Boughton, seconded by Cllr Harman and

**RESOLVED:** That

- (1) the annual appointments to serve on outside bodies for 2026/27 be approved as set out at Annex 5;
- (2) the non-annual appointments to serve on outside bodies for 2026/27 be approved as set out at Annex 5;
- (3) the KCC Youth and Community Centres/Project Management be removed from the Outside Bodies schedule due to the lack of engagement and communication;
- (4) the Maidstone Mediation Scheme be removed from the Outside Bodies schedule as the organisation had ceased to operate;
- (5) the change of name for the Lower Medway Drainage Board as it had amalgamated with the newly established North Kent Marshes Water Level Management Board as of 1 April 2026 be noted;

- (6) the term of office for Mr Eddie Prescott, Trustee at Tonbridge Town Lands and Richard Mylls Charity be extended until October 2030 or 'vesting day' of the new unitary authority whichever is sooner; and
- (7) the term of office for Mrs Diane Huntingford, Trustee at Tonbridge Town Lands and Richard Mylls Charity be extended until October 2030 or 'vesting day' of the new unitary authority whichever is sooner.

#### **C 26/56 APPOINTMENT OF SUBSTITUTE MEMBERS**

At the request of Members, the necessity of limiting substitute members per committee would be reviewed to see if a more flexible approach could be identified.

It was proposed by Cllr Boughton, seconded by Cllr Coffin and

**RESOLVED:** That

- (1) appointments to serve as substitute members for 2026/27 be approved as set out in Annex 6; and
- (2) the policy for substitute members be reviewed at a future meeting.

#### **C 26/57 SCHEME OF DELEGATIONS**

Members were invited to confirm the Scheme of Delegation in compliance with the Constitution. It was noted that the Leader had amended the scheme of delegation in respect of Executive Functions and Portfolios of Cabinet Members and that Infrastructure and Tonbridge Regeneration now had responsibility for water related issues.

It was proposed by the Mayor, seconded by Cllr Hudson and

**RESOLVED:** That

- (1) those parts of the scheme of delegation set out in Part 3 of the [Constitution](#) which are for the Council to approve (Responsibility for Council Functions) be agreed;
- (2) the Leader's recommendations concerning the arrangements for decision-making by individual executive Members set out in Part 3 of the Constitution (Responsibility for Executive Functions and Portfolios of Cabinet Members) be received and noted; and

- (3) the current scheme of delegation to officers in respect of executive functions set out in Part 3 of the Constitution (Functions and Powers Delegated to Officers) be re-adopted

#### **C 26/58 PROGRAMME OF MEETINGS 2026-28**

Following approval of Full Council on 21 April 2025, the programme of meetings for 2026/28 was presented for adoption by Annual Council in accordance with Council Procedure Rule 1.2 (m) as set out in the Constitution.

The programme approved by Council was attached at Annexes 1 and 2 – Option A. An alternative programme of meetings for 2026/28 reflecting the introduction of a single Planning Committee if that proposal was supported by Members was attached at Annexes 1 and 2 – Option B.

It was proposed by the Mayor, seconded by Cllr Boughton and

**RESOLVED:** That the programme of meetings for 2026/27 and the provisional programme of meetings for 2027/28 (as set out at Annexes 1 and 2 – Option B to the report) be adopted.

#### **MOTION SUBMITTED UNDER COUNCIL PROCEDURE RULE 5.27**

#### **C 26/59 26/001 - INTRODUCTION OF ARTICLE 4 DIRECTIONS**

Consideration was given to a Notice of Motion (26/001) pursuant to Council Procedure Rule No. 5.7 submitted by Cllr Cope in relation to the introduction of Article 4 Directions for Houses in Multiple Occupation (HMOs) (as set out on page 149).

As set out in the Notice, Cllr Cope proposed and Cllr Pilgrim seconded that the Council:

- (1) Make arrangements to compile the relevant evidence for the removal of permitted development rights by submitting documentation in support of an Article 4 Direction with regard to creating HMOs.
- (2) Approve the making of an Article 4 Direction to be brought into effect at the earliest opportunity. This will remove permitted development rights for the change of use from Use Class C3 dwellinghouses to Use Class C4 small Houses in Multiple Occupation for the entire borough of Tonbridge and Malling as identified within the Direction.
- (3) Authorise the Director of Central Services and Deputy Chief Executive to submit the relevant documentation to support the Article 4 Direction.

In recognition that local residents should be considered a priority and to align with the Borough Council's Corporate Strategy to improve housing options for local people, Cllr Boughton proposed and Cllr Betts seconded, an amendment to the motion as set out below:

'Council be asked to note that:

- (1) Cabinet has already instructed the Planning Policy team to prepare an Article 4 direction covering Houses in Multiple Occupation, and a report has already been prepared for the Housing and Planning Scrutiny Select Committee to consider at its meeting on Tuesday 19 May 2026.

Council be asked to agree that:

- (2) In line with the Tonbridge and Malling Borough Council Corporate Strategy priority to improve housing options for local people, Article 4 directions are an effective deterrent to prevent illegal immigrants accessing homes ahead of residents with a local need.
- (3) Given national planning policy advice that Article 4 directions be applied in a measured and targeted way, any Article 4 direction be focused on wards where there are live issues with HMOs, and local members are supportive of recommendation (2).
- (4) Approve the making of an Article 4 Direction to be brought into effect at the earliest opportunity. This will remove permitted development rights for the change of use from Use Class C3 dwellinghouses to Use Class C4 small Houses in Multiple Occupation for the entire borough of Tonbridge and Malling as identified within the Direction.
- (5) Authorise the Director of Central Services and Deputy Chief Executive to submit the relevant documentation to support the Article 4 Direction.'

Following a formal vote on the amendment to the motion proposed by Cllr Boughton and seconded by Cllr Betts there was a majority in favour and this motion was carried and became the substantive motion.

A further amendment to the substantive motion, item (2), was proposed by Cllr Clokey to read '..... an effective mechanism to prioritise the residents with a local need'. This was seconded by Cllr Hood and following a formal vote this was motion was lost.

Following a formal vote on the substantive motion, Council

**RESOLVED:** That the actions requested by the Notice of Motion (26/001) as amended be agreed.

**C 26/60 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.

The meeting ended at 10.03 pm

**Notice of Motion submitted pursuant to Council Procedure Rule No. 5.27**

**Motion on Behalf of the Green Group**

Proposer: Councillor A Cope  
Seconder: Councillor S Pilgrim

**Amendment on Behalf of the Conservative Group (Approved)**

Proposer: Councillor M Boughton  
Seconder: Councillor R Betts

(Amendment to (1) – (4) and addition of (5))

Council be asked to note:

- (1) Cabinet has already instructed the Planning Policy team to prepare an Article 4 direction covering Houses in Multiple Occupation, and a report has already been prepared for the Housing and Planning Scrutiny Select Committee to consider at its meeting on Tuesday 19 May 2026.

Council be asked to agree:

- (2) In line with the Tonbridge and Malling Borough Council Corporate Strategy priority to improve housing options for local people, Article 4 directions are an effective deterrent to prevent illegal immigrants accessing homes ahead of residents with a local need.
- (3) Given national planning policy advises that Article 4 directions be applied in a measured and targeted way, any Article 4 direction be focused on wards where there are live issues with HMOs, and local members are supportive of recommendation (2).
- (4) Approve the making of an Article 4 Direction to be brought into effect at the earliest opportunity. This will remove permitted development rights for the change of use from Use Class C3 dwellinghouses to Use Class C4 small Houses in Multiple Occupation for the entire borough of Tonbridge and Malling as identified within the Direction.
- (5) Authorise the Director of Central Services and Deputy Chief Executive to submit the relevant documentation to support the Article 4 Direction.

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