TONBRIDGE AND MALLING BOROUGH COUNCIL

CABINET

MINUTES

Tuesday, 2nd June, 2026

Present: Cllr M D Boughton (Chair), Cllr R P Betts, Cllr M A Coffin, Cllr D Keers and Cllr M Taylor

In attendance: Cllrs S Crisp, Mrs A S Oakley and M R Rhodes were also present via MS Teams pursuant to Access to Information Rule No 23.

An apology for absence was received from Councillor A Mehmet

PART 1 - PUBLIC

CB 26/56 DECLARATIONS OF INTEREST

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

CB 26/57 MINUTES

RESOLVED: That the Minutes of the meeting of the Cabinet held on 7 April 2026 be approved as a correct record and signed by the Chairman.

MATTERS IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION

EXECUTIVE NON-KEY DECISIONS

CB 26/58 RISK MANAGEMENT

(Decision Notice D260058CAB)

Consideration was given to the recommendations of the Audit Committee in respect of the risk management process and the current status of the Strategic Risk Register (SRR).

Cabinet noted that despite mitigations being in place, the following areas remained at high or RED risk:

- Failure to adopt a Local Plan
- Local Government Reorganisation in Kent
- Development Management Decisions

Ongoing service risks and outcomes continued to be reviewed and monitored and these were detailed in Annex 2.

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 that assurance was received on the effectiveness of risk management, Cllr Boughton proposed, Cllr Coffin seconded and it was

RESOLVED: That

(1) the updates to the Strategic Risk Register since the last iteration be noted, with particular emphasis on those risks categorised as RED as shown in Annexes 1 and 1(a) and summarised above; and

(2) the service risks identified in Annex 2 be noted.

CB 26/59 SECTION 106 PROCESSES AND CONSIDERATIONS

(Decision Notice D260059CAB)

Consideration was given to the recommendations of the Overview and Scrutiny Committee in respect of the current approach to the management and monitoring of section 106 (s106) funding and proposed process improvements.

A proposed set of Terms of Reference for a s106 Strategic Monitoring Group, a set of Terms of Reference for an Officer Monitoring Group and details of the spend on projects relating to contributions held by the Borough Council and how these had been distributed and allocated (attached at Annexes 1, 2 and 3 respectively) had informed the recommendations of the Overview and Scrutiny Committee.

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 supporting an informed s106 monitoring process, Cllr Taylor proposed, Cllr Coffin seconded and Cabinet

RESOLVED: That

(1) the next steps proposed for developing the Borough Council's approach to section 106 obligations, as detailed in section 11 of the report, be noted; and

(2) the proposed Terms of Reference for the Member and Officer Monitoring Groups, attached at Annexes 1 and 2 respectively, be endorsed and adopted.

CB 26/60 ANNUAL SERVICE DELIVERY PLAN QUARTER 3 (2025/26) REPORTING

(Decision Notice D260060CAB)

Consideration was given to the recommendations of the Overview and Scrutiny Committee in respect of a Quarter 3 update on the Annual Service Delivery Plan 2026/27.

Cabinet welcomed the good progress being made with 71% of key activities and 66% of Key Performance Indicators (KPIs) rated green; and noted the positive progress being made in a number of areas.

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.

In recognition that the Annual Service Delivery Plan supported the priorities set out in the Corporate Strategy 2023-2027, Cllr Boughton proposed, Cllr Keers seconded and Cabinet

RESOLVED: That the overall progress, including achievements to date and areas needing focus, as detailed in the report and the attached Annual Service Delivery Plan 2025/26 Quarter 3 update be recorded.

CB 26/61 UPDATING THE COUNCIL'S AFFORDABLE HOUSING PROTOCOL

(Decision Notice D260061CAB)

Consideration of the recommendations of the Housing and Planning Scrutiny Select Committee in respect of the Affordable Housing Protocol.

Due regard was given to the views of the Scrutiny Select Committee, the financial and value for money considerations, the legal implications and the assessment of risk.

In recognition of improving housing options for local people whilst protecting outdoor areas of importance, Cllr Betts proposed, Cllr Taylor seconded and Cabinet

RESOLVED: That

(1) the revised Affordable Housing Protocol (attached at Annex 1) be adopted; and

(2) delegated authority be granted to the Director for Planning, Housing and Regulatory Services, in consultation with the Cabinet Member for Housing, Environment and Economy, to finalise and agree the Protocol appendix related to housing needs data once it had been updated.

MATTERS SUBMITTED FOR INFORMATION

CB 26/62 MINUTES OF PANELS, BOARDS AND OTHER GROUPS

The Minutes of the meetings of the following Advisory Panels and other Groups were received, any recommendations contained therein being incorporated within the decisions of the Cabinet reproduced at the annex to these Minutes:

- Tonbridge Community Forum of 11 May 2026

CB 26/63 DECISIONS TAKEN BY CABINET MEMBERS

Details of the Decisions taken in accordance with the rules for the making of decisions by executive members, as set out in Part 4 of the Constitution, were presented for information and noted by Members.

Subsequent to the agenda publication, a further key decision (D260057CAB) was taken by the Cabinet Member for Finance, Waste and Transformation in respect of a temporary change of hours in Legal Services.

CB 26/64 NOTICE OF FORTHCOMING KEY DECISIONS

The Notice setting out the Key Decision anticipated to be taken during the period June/July to September 2026 was noted.

Subsequent to the agenda publication, a further key decision in respect of the financing of waste vehicles was added to the Notice. However, it was noted that in advance of a proper appraisal of the options it was difficult to predict whether this would meet the key decision threshold.

CB 26/65 EXCLUSION OF PRESS AND PUBLIC

The Chairman moved, it was seconded by Cllr Taylor and

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

PART 2 - PRIVATE

MATTERS IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION

EXECUTIVE KEY DECISIONS

CB 26/66 SOUTH-WEST KENT WASTE SERVICES CONTRACT - OPTIONS REPORT

(Decision Notice D260062CAB)

(Reason: Part 2 Private: LGA 1972 – Sch 12A Paragraph 3 – information relating to the financial or business affairs of any particular person (including the authority holding that information))

Consideration of the recommendations of the Communities and Environment Scrutiny Select Committee in respect of options for the future frequency of cleansing of specific sections of High-Speed roads, cleansing of specific areas of parks and open spaces and the future financing of new vehicles deployed on the contract.

Due regard was given to the views of the Scrutiny Select Committee, the financial and value for money considerations, the legal implications and the assessment of risk.

In recognition of maintaining a good level of regular cleansing that was comparable with neighbouring authorities and providing funding certainty, Cllr Coffin proposed, Cllr Boughton seconded and Cabinet

RESOLVED: That

(1) Option A, as outlined in the report to the Communities and Environment Scrutiny Select Committee, for the future cleansing of high-speed roads be agreed and implemented from commencement of the new contract from 1 April 2027;

(2) the Contract Option, as set out in 6.1-6.3 of the report to the Communities and Environment Scrutiny Select Committee, for the cleansing of identified Public Open Spaces be agreed and implemented from commencement of the new contract from 1 April 2027; and

(3) with regard to the financing of the new vehicles deployed on the new contract, details be reported direct to Cabinet for consideration and the decision to progress or not to be based on financial viability.

CB 26/67 LEASE ARRANGEMENTS FOR TONBRIDGE FARM SPORTSGROUND

(Reason: Part 2 Private: LGA 1972 – Sch 12A Paragraph 3 – information relating to the financial or business affairs of any particular person (including the authority holding that information))

Following in-depth discussion in respect of a proposal relating to a lease extension at the Tonbridge Farms Sportsground, the Finance, Regeneration and Property Scrutiny Select Committee had deferred consideration of the matter to enable further negotiations to take place.

Cabinet supported the matter being deferred to enable further details to be considered at the next meeting of the Finance, Regeneration and Property Scrutiny Select Committee.

EXECUTIVE NON-KEY DECISIONS

CB 26/68 NEW ANGEL LEISURE CENTRE - FINANCIAL REVIEW

(Decision Notice D260063CAB)

(Reason: Part 2 Private: LGA 1972 – Sch 12A Paragraph 3 – information relating to the financial or business affairs of any particular person (including the authority holding that information))

Consideration was given to the recommendations of the Overview and Scrutiny Committee in respect of funding arrangements for the replacement Angel Leisure Centre.

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.

Given the strategic significance of the replacement of the Angel Leisure Centre, Cabinet recognised the importance of ensuring that wider Members were kept informed on the progress of the project at regular intervals and Cllr Keers proposed, Cllr Boughton seconded and it was

RESOLVED: That

(1) work to minimise the requirement for borrowing as part of preparations for the submission of the final project details to full Council and thereafter be continued;

(2) monthly updates be provided to all Members of the Borough Council on project progress ahead of submission of final project details to full Council; and

(3) the Overview and Scrutiny Committee maintain oversight of the future stages of the project and receive an update report on the progress at future meetings following submission of final project details to full Council.

CB 26/69 FLY TIPPING AND LITTERING ENFORCEMENT OPTIONS REPORT

(Decision Notice D260064CAB)

(Reason: Part 2 Private: LGA 1972 – Sch 12A Paragraph 3 – information relating to the financial or business affairs of any particular person (including the authority holding that information))

Consideration of the recommendations of the Communities and Environment Scrutiny Select Committee in respect of recent enforcement relating to littering and fly tipping offences and options for future activities.

Due regard was given to the views of the Scrutiny Select Committee, the financial and value for money considerations, the legal implications and the assessment of risk.

In recognition that efficient and appropriate investigation and enforcement of littering and fly tipping offences assisted in maintaining an effective Council and to retain flexibility in respect of service delivery options, Cllr Coffin proposed, Cllr Betts seconded and Cabinet

RESOLVED: That

(1) the options for the current contract, as detailed in the report to the Communities and Environment Scrutiny Select Committee, be progressed as soon as possible;

(2) the following options be explored further:

(i) an in-house approach be adopted for both littering and fly tipping enforcement;
(ii) a further tendering exercise be undertaken for a third-party to provide both littering and fly tipping enforcement;
(iii) a hybrid solution of external third-party provision for littering and an in-house providing for fly tipping and other waste-related offences

(3) a fully costed report on the options shown above to be progressed and reported to a future meeting of the Scrutiny Select Committee.

CB 26/70 MANAGEMENT OF HAYSDEN COUNTRY PARK

(Decision Notice D260065CAB)

(Reason: Part 2 Private: LGA 1972 – Sch 12A Paragraph 3 – information relating to the financial or business affairs of any particular person (including the authority holding that information))

Consideration of the recommendations of the Communities and Environment Scrutiny Select Committee in respect of the management of Haysden Country Park.

Due regard was given to the views of the Scrutiny Select Committee, the financial and value for money considerations, the legal implications and the assessment of risk.

In recognition that the proposals could secure current funding arrangements and standards of service delivery, including maintenance specifications, accreditations and support for community activities, Cllr Keers proposed, Cllr Taylor seconded and Cabinet

RESOLVED: That a cost benefit analysis of a potential transfer of the management of Haysden Country Park be progressed and findings reported to a future meeting of the Scrutiny Select Committee.

MATTERS SUBMITTED FOR INFORMATION

CB 26/71 TONBRIDGE TOWN CENTRE PROGRAMME BOARD - NOTES OF 24 APRIL 2026

(Reasons: Part 2 – Private – LGA 1972 Sch 12A Paragraph 3 – Financial of business affairs of any particular person (including the authority holding that information))

The notes of the Tonbridge Town Centre Programme Board of 24 April 2026 were received and noted. Cabinet was pleased to note the purchase of Kent County Council owned land at Sovereign Way, Tonbridge.

The meeting ended at 7.59 pm