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TONBRIDGE AND MALLING BOROUGH COUNCIL

COUNCIL MEETING

MINUTES

Tuesday, 28th October, 2025

At the meeting of the Tonbridge and Malling Borough Council held in the Civic Suite, Gibson Building, Kings Hill, West Malling on Tuesday, 28th October, 2025

Present: His Worship the Mayor (Councillor C Brown), the Deputy Mayor (Councillor K B Tanner), Cllr L Athwal, Cllr B Banks, Cllr K Barton, 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 A Cope, Cllr R W Dalton, Cllr D A S Davis, 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 P Boxall and M A Coffin.

PART 1 - PUBLIC

C 25/83 DECLARATIONS OF INTEREST

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

C 25/84 MINUTES

RESOLVED: That the Minutes of the proceedings of the meeting of the Council held on 8 July 2025 be approved as a correct record and signed by the Mayor.

C 25/85 MAYOR'S ANNOUNCEMENTS

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:

- Ightham Mote's 40th Celebration Garden Party
- Hi Kent Equipment & Information Event

- Opening of newly refurbished Sue Ryder Charity Shop at Kings Hill
- Visit to Air Ambulance Charity KSS
- Tonbridge and Malling in Bloom Awards Event at Coolings Garden Centre
- Visit to Tonbridge Model Engineering Society (TMES)
- Royal British Legion Kent County Dinner
- The High Sheriff of Kent's Justice Service
- Private Launch Night at Page & Coe Arts in Mereworth
- Visit to DAVSS; and
- Charity Quiz Night at the Old Fire Station, Tonbridge

Arrangements were being finalised for future civic and charity events and the following were noted:

- Remembrance Sunday Services – 9 November 2025
- Armistice Day – 11 November 2025
- Charity Karting Event at Buckmore Park – 14 November 2025
- Charity Event at Tonbridge Castle – 30 November 2025 – Further details to follow
- Afternoon Tea at Tonbridge School – March/April 2026 – Further details to follow

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

C 25/86 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 Parry in respect of Fixed Penalty Notices for Littering (25/006/MEM), Cllr Barton in respect of access to council services for those with visual impairments (25/007/MEM) and Cllr Cope in respect of Borough Council support for grass root festivals and community events (25/008/MEM).

Detailed responses to these questions were provided by the Leader of the Borough Council (Cllr Boughton) and the Cabinet Member for Community Services (Cllr Keers). The questions and answers were noted and attached as an Annex to these Minutes.

In response to supplementary questions, the Cabinet Member for Community Services reassured Members that all opportunities for improving customer accessibility continued to be explored. With regard to cancelled events, it was acknowledged that there were a number of reasons why this could happen. Specific information would be collated and assessed to aid the Borough Council's understanding and to identify what additional support was required, if any.

**C 25/87 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 25/88 LEADER'S ANNOUNCEMENTS

The Leader referred to the absence of Cllr M Coffin, Deputy Leader and Cabinet Member for Finance, Waste and Transformation, who had unfortunately experienced an accident over the weekend and sustained serious injuries. Despite his condition he remained dedicated to his responsibilities as a councillor and keen to remain engaged with the work of the Borough Council. The Council extended best wishes to Cllr Coffin and looked forward to his return as soon as possible.

The Leader welcomed a guest from Austria who was observing how national and local government operated in the UK. It was hoped that his experience here would provide valuable opportunities for comparison with Austria's systems. Furthermore, it was an opportunity to observe a council meeting where Members engaged respectfully across party lines and collaborated actively, qualities which were highly valued in the Borough Council.

It was confirmed that there was significant collaboration among many councils regarding local government reorganisation. This month was critical as the submission deadline of 28 November 2025 approached. There were five main options under consideration, although some proposed models might not meet the Government's criteria. Nevertheless, productive partnerships continued throughout Kent and the Leader looked forward to updating Members further at an all-Member Briefing, once details were available, and the debate at the Overview and Scrutiny Committee in November.

In the meantime, work in the Borough continued. Recent meetings, such as the Housing and Planning Scrutiny Select Committee exemplified constructive, fact-based debate and demonstrated Member's commitment to addressing challenging government planning policy changes. The draft Local Plan was moving to public consultation, subject to Cabinet ratification. The Leader and Cabinet Member for Planning (Cllr Taylor) would attend numerous public meetings to inform residents about the process and encourage participation. These events organised in partnership with parish/town councils aimed to ensure accessibility and meaningful feedback from all communities. Online forums would also be hosted for greater inclusivity.

In addition, the Bluebell Hill temporary accommodation project team would be available for a drop-in session on Thursday 6 November at Bridgewood Manor Hotel to discuss the modular homes development. All interested residents were welcome to attend.

The Leader extended thanks to all those involved in recent award-winning projects, such as the living roof bus shelter near Tonbridge Station and the refurbishment of the spa at Tonbridge Swimming Pool, both of which were recognised by the Tonbridge Civic Society for their innovation and quality.

Following the adoption of the Masterplan for the East of the High Street area in Tonbridge, survey responses indicated strong public support for the Borough Council's regeneration efforts. With local government reorganisation approaching there was now an unique opportunity to implement long-term ambitions, beginning with the construction of the new Angel Leisure Centre.

Residents would notice a new orange sticker on black general waste bins as part of the Borough Council's drive to improve food waste recycling. Educational materials and free food caddy liners would be distributed to households to encourage participation.

Lastly, the Leader highlighted the upcoming Tonbridge and Malling Community Awards which would take place next month. This inaugural event recognised outstanding contributions within the community. Nominations remained open until the end of the week.

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

MATTERS FOR INFORMATION

C 25/89 OVERVIEW AND SCRUTINY - ANNUAL REPORT

The annual report of the Chair of the Overview and Scrutiny Committee provided a summary of the work and activities undertaken during the past 12 months. The Committee had undertaken a wide range of reviews, examined key policy areas and provided constructive feedback that had influenced positive change.

Full details of all the reviews undertaken and any other matters considered by the Committee over this period were available on the Borough Council's website.

Members noted that it had been a busy and productive year for the Committee, marked by a strong commitment to improving transparency, accountability and service delivery across the organisation.

C 25/90 MINUTES OF CABINET AND COMMITTEES

The Minutes of meetings of the Cabinet and Committees for the period July to September 2025 set out in the Minute Book (Volume 4 attached as a supplement, were received and noted.

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

MATTERS FOR DECISION

C 25/91 TONBRIDGE COMMUNITY GOVERNANCE REVIEW

The report of the Chief Executive set out the results of the recent Community Governance Review consultation (attached at Annex 1) and sought approval for the next steps in the process.

Following public consultation, the majority of responders were in favour of a town council being established in Tonbridge. The full results of the consultation were provided in Annex 1. Members noted that the response rate compared favourably to other areas that had recently undertaken community governance review consultations.

It was proposed that a second consultation be undertaken, as per the consultation plan, to seek views on more detailed aspects of a future Tonbridge town council such as whether the town council should be warded, the potential number of town councillors and whether it should have a mayor. A draft consultation questionnaire was attached at Annex 2.

To minimise any conflict with the Local Plan Regulation 18 consultation it was proposed that the consultation take place for a 6-week period from 31 October to 12 December 2025.

Members recorded appreciation to the Election Services Manager, the Strategic Economic Regeneration Manager and the Communications Team for a well-managed and well promoted consultation.

RESOLVED: That

- (1) the Community Governance Review process be continued; and
- (2) the proposed next steps, detailed in 6.1 to 6.4 of the report, be approved.

C 25/92 LOCAL CODE OF CORPORATE GOVERNANCE

Consideration was given to the recommendations of the Audit Committee in respect of the annual review of the Local Code of Corporate Governance.

Due regard was given to the views of the Committee and Cllr Cannon proposed, Cllr Harman seconded and Council

RESOLVED: That the updates and amendments to the Local Code of Corporate Governance, as set out in Annex 1 to the report, be approved and adopted.

C 25/93 TREASURY MANAGEMENT PERFORMANCE UPDATE AND ANNUAL REPORT FOR 2024/25

Consideration was given to the recommendations of the Audit Committee in respect of treasury management performance and annual report for 2024/25.

Due regard was given to the views of the Committee and Cllr Cannon proposed, Cllr Harman seconded and Council

RESOLVED: That

- (1) the action taken by officers in respect of treasury Management activity for April to May 2025 be endorsed;
- (2) the 2024/25 outturn position be noted; and
- (3) the current position in respect of Lothbury and Hermes Property Investment Funds be noted.

C 25/94 REPLACEMENT OF SHALLOWS BRIDGE, HAYSDEN COUNTRY PARK

Consideration was given to the recommendations of the Cabinet in respect of the replacement of Shallows Bridge at Haysden Country Park.

Due regard was given to the views of the Cabinet and the financial and value for money considerations. Whilst the replacement of the bridge was supported, some concern was expressed at the potential financial implications if the existing abutments were not fit for purpose.

On the grounds that the replacement bridge would maintain access for users of the Country Park and for health and safety reasons, Cllr Keers proposed, Cllr Boughton seconded and Council

RESOLVED: That

- (1) the scheme to replace the Shallows Bridge, Haysden Country Park be transferred to List A of the Capital Plan; and
- (2) subject to an assessment of the abutments, the replacement bridge be constructed in the current financial year.

**C 25/95 PROPOSAL FOR MONTHLY MEMBER BRIEFING SESSIONS ON
PRE-APPLICATION DEVELOPMENT PROPOSALS**

Consideration was given to the recommendations of the Cabinet in respect of establishing regular, officer-chaired briefing sessions for Members on pre-application development proposals. It was also recommended that a new charge be introduced as part of the pre-application charging scheduled as detailed in Annex 1 reviewed by Cabinet.

Due regard had been given to the views of the Housing and Planning Scrutiny Select Committee, the financial and value for money considerations and on the grounds of improving communication and engagement between Members and developers, Cllr Taylor proposed and Cllr Boughton seconded that the recommendations of the Housing and Planning Scrutiny Select Committee be approved.

Some reservations were expressed in respect of the approach proposed, especially in the context of changing planning policies and relationships with developers. However, other Members found the early discussion with developers useful and welcomed the proposal.

In accordance with Council Procedure Rule 8.4, two members present at the meeting required that the names for and against the motion or abstaining from voting be taken down in writing and entered in the Minutes.

Members voting for the motion:

Cllrs Athwal, Banks, Barton, Bell, Bennison, Betts, Bishop, Boughton, Bridge, Brown, Cannon, Chapman, Clokey, Cope, Dalton, Davis, Hammond, Harman, Hickmott, Hood, Hoskins, Hudson, Keers, Lark, McDermott, Mehmet, Mrs Oakley, Oliver, Palmer, Parry, Pilgrim, Roud, Tanner, Tatton, Taylor, Thornewell, Tunstall and Williams.

Total = 38

Members voting against the motion:

Cllrs King and Rhodes

Total = 2

(Total Members available to vote = 40)

Following the recorded vote, Council

RESOLVED: That

(1) the proposed approach be endorsed;

- (2) the establishment of monthly member briefing sessions be approved; and
- (3) the introduction of the proposed fees, which would supplement the existing pre-application services be endorsed.

C 25/96 TREASURY MANAGEMENT PERFORMANCE UPDATE AND MID-YEAR REVIEW FOR 2025/26

Consideration was given to the recommendations of the Audit Committee in respect of the treasury management performance mid-year review for 2025/26.

Due regard was given to the views of the Committee and Members noted that the Borough Council had operated within the treasury limits and prudential indicators set out in the Annual Investment Strategy and in compliance with Treasury Management Practices and Prudential and Treasury Indicators. Cllr Cannon proposed, Cllr Lark seconded and Council

RESOLVED: That

- (1) the action taken in respect of Treasury Management activity for April to July 2025 be endorsed;
- (2) the inclusion of Ethical Investments to the existing parameters intended to limit the Borough Council's exposure to investment risks be endorsed; and
- (3) the current position in respect of the Lothbury and Hermes Property Investment Funds be noted.

C 25/97 ANNUAL AUDIT REPORT 2024/25

Consideration was given to the recommendations of the Cabinet in respect of the Borough Council's overall arrangements for securing economy, efficiency and effectiveness in the use of resources as set out in the Annual Auditors report prepared by Grant Thornton UK LLP and reviewed by the Audit Committee.

Due regard had been given to the views of the Audit Committee, the financial and value for money considerations and on the grounds that the external auditor was satisfied that the Borough Council had made proper arrangements for securing economy, efficiency and effectiveness in its use of resources Cllr Boughton proposed, Cllr Lark seconded and Council

RESOLVED: That

- (1) the Auditors Annual report (Annex 1) be approved;
- (2) the key recommendations made in respect of the comments made be noted; and
- (3) the management comments to the 2024/25 value for money recommendations be noted and endorsed.

Members recorded appreciation to the Financial Services team as Tonbridge and Malling Borough Council were the first local authority in Kent to get its accounts signed off for 2024/25.

C 25/98 RISK MANAGEMENT

Consideration was given to the recommendations of the Cabinet in respect of the risk management process and the Strategic Risk Register.

Due regard had been given to the views of the Audit Committee, the financial and value for money considerations and on the grounds that the identification, evaluation and cost-effective control of risks was essential in safeguarding the Borough Council's assets, employees, customers and the delivery of services to the Council community, Cllr Boughton proposed, Cllr Keers seconded and Council

RESOLVED: That the Risk Management Strategy and accompanying Risk Management Guidance be adopted.

C 25/99 URGENT ITEM

In accordance with s100b(4) of the Local Government Act 1972, the Mayor agreed to take an urgent item of business by reason of special circumstance.

The Leader of the Conservative Group proposed a number of changes to appointments to Committees, Boards, Panels and Other Member Groups to temporarily replace Cllr M Coffin who was currently indisposed as detailed below:

Committee	Cllr	Position
Joint Transportation Board	A Mehmet	Chair
General Purposes Committee	K Tunstall	Committee Member
Licensing and Appeals Committee	J Lark	Committee Member
Joint Employee Consultative Committee	D Keers M Boughton	Committee Member Chair

This was seconded by Cllr Keers and Council

RESOLVED: That the appointments be agreed.

C 25/100 MOTION WITHOUT NOTICE

In order to facilitate the proper consideration of the following planning application and in accordance with the Council Procedure Rules, the Mayor proposed that the Council should suspend its own procedure rules and resolve itself into a committee to which rules relating to a planning committee were applied. This was seconded by Cllr Boughton and Council

RESOLVED: That Council Procedure Rules should be suspended and the Council resolve itself into a committee to which rules relating to a planning committee were applied.

C 25/101 PLANNING APPLICATION TM/24/01270/PA - GIBSON BUILDING, GIBSON DRIVE, KINGS HILL

Consideration was given to the report of the Director of Planning, Housing and Environmental Health in relation to the proposed refurbishment of Gibson East office buildings as set out in planning application TM/24/01270/PA.

Planning permission had been approved by the Council on 22 October 2024, subject to securing off-site Biodiversity Net Gain (BNG) provision. Unfortunately, attempts to secure this provision had been unsuccessful and the Borough Council (as applicant) needed to seek an alternative means of securing the required off-site BNG.

Instead of entering into a Conservation Covenant, as previously agreed, the Borough Council proposed to purchase off-site BNG credits from a Habitat Site Owner in an adjacent authority. This site was already subject to an agreed Conservation Covenant and is a registered site on the Governments Biodiversity Gain Site Register.

Following legal advice regarding the change of provision, this approach was considered acceptable under the national Biodiversity Hierarchy. Once BNG credits were purchased, the Borough Council would be required by condition to submit these details for approval and Planning Officers proposed a further condition be added to the planning approval to require submission of these details.

Whilst Members expressed disappointment that a suitable BNG provision could not be identified within the Borough, it was agreed that the proposal remained an appropriate rationalisation of the site that accorded with all relevant planning policies and guidance. The development would not have a detrimental impact on the surroundings of the listed buildings and provided for appropriate off-site BNG

provision. The development also accorded with all relevant local and national planning policies and guidance.

Cllr Brown proposed, Cllr Betts seconded and Council

RESOLVED: That planning permission be granted in accordance with the submitted details, conditions, reasons and informatives set out in the report of the Director of Planning, Housing and Environment Health; subject to

(1) Amended Condition 15:

The construction of the external storage building may not be begun unless:

- (a) a biodiversity gain plan has been submitted to the planning authority; and
- (b) the planning authority has approved the plan.

Reason: To ensure the development complies with Schedule 7A of Section 90 of the Town and Country Planning Act 1990.

C 25/102 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 9.05 pm

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COUNCIL

28 October 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 Parry:

‘Why will Kingdom not release the filmed footage of offences such as spitting when their fixed penalty notices are challenged? With it surely containing proof of the offence, would it not make sense to make this available when residents wish to challenge a FPN?’

Response of the Cabinet Member for Finance, Waste and Technical Services (Cllr M Coffin):

An authorised officer, including a member of staff from Kingdom, usually witnesses an alleged offence and would then issue a witness statement to be used as admissible evidence, should a prosecution case be taken to the magistrate’s courts. A Fixed Penalty Notice (FPN) is issued to offer the offender the opportunity of discharging any liability to conviction for the offence, by payment of the fixed penalty.

Until the payment is made and the liability is discharged, it is still an active criminal investigation and further enforcement action may be taken, i.e. prosecution. There is no formal appeal procedure at this stage and the alleged offender may decide not to pay the FPN and defend themselves in court.

Whilst a littering or fly tipping case is ongoing which may lead to further enforcement action, including potential prosecution, any footage captured is considered potential evidence in the case and would only be released to the alleged offender’s defence team should the prosecution case go to Magistrates Court, in accordance with the Investigatory Powers Act 2016.

Regarding the use of the Kingdom Officers’ body-worn cameras, these can only be activated once an offence has been witnessed, to capture the communication between the officer and the alleged offender, as they are not allowed to have their cameras filming constantly throughout their patrols due to the general data protection regulation.

COUNCIL

28 October 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 Barton:

- Access to council services for those with visual impairments

'With the understandable drive to push residents to use online services, what steps are TMBC taking to ensure that services are accessible to those with visual impairments? The 2010 Equalities Act requires services to make sure people with disabilities can access their services as easily as people without disabilities. I am concerned that when trying to help a resident with visual impairment, I was told in an email response that "We do encourage applicants to try and work with support workers, family, and friends to submit applications if they struggle to access the system, but we can support with this when required."

However, when advocating for a resident, I found over two weeks passed before anyone would call them because they were unable to use our online services and to be told that the solution is for someone else to do this for them infantilises members of the public by requiring someone else to act for them, rather than making our services accessible.'

Response of the Cabinet Member for Community Services (Cllr Keers):

We want all of our residents to be able to access our services and we offer a variety of ways for residents to get the help they need. For example, any visually impaired resident using our website may navigate the website using speech recognition software, listen using a screen reader or zoom in by up to 300% per cent. Any resident who needs information on the website in a different format e.g. accessible PDF, large print, easy read, audio recording or braille may contact the customer services team and we will be happy to assist.

Residents may also telephone, visit us in person or contact us via webchat. Where additional help is required to complete certain forms e.g. applications for housing benefit/ council tax support or appeals against Council decisions we will refer those residents to Citizens Advice North and West Kent as they are able to offer free, independent specialist advisors to provide help in completing the required paperwork. The Borough Council continues to grant fund Citizens Advice North and West Kent to provide this valuable support to residents.

COUNCIL

28 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 Cope:

'In light of the challenges many grassroots festivals and community events are currently facing, does the Council believe it is doing everything it can to support these vital initiatives that help make Tonbridge unique? Specifically, is the current approach to requirements and cost structures at the Castle acting as a barrier to not-for-profit groups, and what more can be done to ensure these important local events are supported rather than stifled?'

Response of the Cabinet Member for Community Services (Cllr Keers):

The Council is delighted to promote and support a vibrant and diverse events programme in Tonbridge, making full use of the opportunities provided at historic locations such as Tonbridge Castle. Our programme of events during 2025 has seen a wide-ranging programme including music festivals, open air theatre, car shows, artisan markets and we look forward to the Christmas festival during December.

Event organisers are asked to provide the appropriate documentation to ensure the safety and well-being of attendees, performers and staff. The requirements will be tailored to the size and scale of the event and are in line with best practice elsewhere in the events industry. It is in everyone's interests that we have a successful event programme and our Events team based at the Castle work closely with all organisers, whether they are commercially led or community focussed, to offer any support they need in preparing for their event.

Our fee structure offers significantly reduced fees for charity and community events, to reflect our continued support to the groups delivering these events. Further financial support has been provided to event organisers through the Community Development Grant Scheme, with awards totalling £3175 recently approved to support the delivery of this year's Rotary Christmas Festival.

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