TONBRIDGE & MALLING BOROUGH COUNCIL

MINUTES OF COUNCIL,

CABINET

AND

COMMITTEE MEETINGS

2020

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TONBRIDGE AND MALLING BOROUGH COUNCIL

MINUTES OF COUNCIL, CABINET AND COMMITTEE MEETINGS

INDEX

Item		Page (s)
1.	18 February: Council - Minute Numbers: C 20/1 – 19 - Annex – Council Tax Resolution	3 - 16
2.	10 March: Licensing and Appeals Committee - Minute Numbers: LA 20/1 - 5	17 - 18

MEETINGS CANCELLED 12 MARCH - 18 MAY 2020 DUE TO CORONAVIRUS PANDEMIC

Matters referred from Advisory Boards, Panels and Other Groups that should have been presented to Cabinet on 17 March were presented to Cabinet on 3 June 2020.

3.	19 May: Extraordinary Cabinet - Minute Numbers: CB 20/32 - 34	19 - 20
4.	Cabinet Decision Notice - Decision Notice D200028CAB	21 - 22
5.	21 May: Area 1 Planning Committee - Minute Numbers: AP1 20/1 – 5	23 - 26
6.	27 May: Area 2 Planning Committee - Minute Numbers: AP2 20/1 - 5	27 - 30
7.	3 June: Cabinet - Minute Numbers: CB 20/35 - 49	31 - 34
8.	Cabinet Decision Notices - D200019MEM – D200024MEM - D200025MEM - D200026MEM - D200027MEM	35 - 50

9.	Decisions Taken Under Emergency Provisions - D200001EM – D200002EM - D200003EM - D200004EM – D200005EM - D200006EM – D200008EM - D200009EM – D200010EM	51 - 66
10.	Cabinet Decision Notices - D200029CAB – D200036CAB	67 - 74
11.	4 June: Area 3 Planning Committee - Minute Numbers: AP3 20/6 - 11	75 - 78
12.	17 June: General Purposes Committee - Minute Numbers: GP 20/09 – 14	79 - 80
13.	18 June: Overview and Scrutiny Committee - Minute Numbers: OS 20/10 - 13	81 - 84
14.	25 June: Area 1 Planning Committee - Minute Numbers: AP1 20/6 - 11	85 - 88
15.	30 June: Cabinet - Minute Numbers: CB 20/50 – 60	89 - 92
16.	Cabinet Decision Notices: - D200037MEM - D200038CAB – D200041CAB	93 - 100

NOTE: In the case of items containing exempt information, the report must remain confidential but details of the decisions need not remain confidential.

As part of the Council's environmental strategy, all Committee agenda, reports and minutes are produced with recycled paper and are available to view on line.

TONBRIDGE AND MALLING BOROUGH COUNCIL

COUNCIL MEETING

Tuesday, 18th February, 2020

At the meeting of the Tonbridge and Malling Borough Council held at Civic Suite, Gibson Building, Kings Hill, West Malling on Tuesday, 18th February, 2020

Present: Her Worship the Mayor (Councillor Mrs J A Anderson), the Deputy Mayor (Councillor R V Roud), Cllr M C Base, Cllr Mrs P A Bates, Cllr R P Betts, Cllr T Bishop, Cllr J L Botten, Cllr M D Boughton, Cllr V M C Branson, Cllr G C Bridge, Cllr C Brown, Cllr R I B Cannon, Cllr A E Clark, Cllr M A Coffin, Cllr D J Cooper, Cllr R W Dalton, Cllr N Foyle, Cllr N J Heslop, Cllr P M Hickmott, Cllr M A J Hood, Cllr F A Hoskins, Cllr S A Hudson, Cllr A P J Keeley, Cllr D Keers, Cllr Mrs F A Kemp, Cllr A Kennedy, Cllr D W King, Cllr K King, Cllr J R S Lark, Cllr D Lettington, Cllr Mrs R F Lettington, Cllr B J Luker, Cllr P J Montague, Cllr Mrs A S Oakley, Cllr W E Palmer, Cllr M R Rhodes, Cllr H S Rogers, Cllr J L Sergison, Cllr T B Shaw, Cllr N G Stapleton, Cllr K B Tanner, Cllr Mrs M Tatton, Cllr M Taylor, Cllr Miss G E Thomas, Cllr D Thornewell, Cllr F G Tombolis and Cllr C J Williams

Apologies for absence were received from Councillors Mrs S Bell, D A S Davis, M O Davis, Mrs T Dean, S M Hammond, Mrs C B Langridge and L J O'Toole

PART 1 - PUBLIC

C 20/1 DECLARATIONS OF INTEREST

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

C 20/2 MINUTES

RESOLVED: That the Minutes of the proceedings of the meeting of the Council held on 29 October 2019 be approved as a correct record and signed by the Mayor.

C 20/3 MAYOR'S ANNOUNCEMENTS

The Mayor reported that since October she had visited many school nativities, Christmas fayres and award presentations. She highlighted a number of memorable events including Her Majesty The Queen's visit to RBLI, Aylesford, the Kent International Piano Courses Concert, the Armistice Day Service at RBLI's Garden of Honour in Aylesford, a Nikolausabend Dinner, the East Peckham Dementia Community's

opening of a New Information Hub and Sensory Planter at East Peckham Library, The Diocese of Rochester's International White Ribbon Campaign, Tonbridge Rotary Club's Christmas Festival and the Mayor of Margate's Blessing of the Seas.

Past Mayoral events included hosting local primary schools' debates, Remembrance Sunday Services and Parades on 10 November and the Charity Evening at the Oast Theatre on 21 January. The Mayor was pleased to announce that the Charity Event at the Old Juddians Rugby Club on 25 January had raised £1,000 in aid of her charity CRY. The Mayor encouraged Members to buy tickets for the forthcoming Charity Event at the Old Fire Station on 15 April and advised that there were some spaces available for the Charity Quiz to be held at the Devonshire Rooms, Snodland on 21 February.

C 20/4 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 20/5 QUESTIONS FROM MEMBERS PURSUANT TO COUNCIL PROCEDURE RULE NO 5.5

No questions were received from Members pursuant to Council Procedure Rule No 5.5.

C 20/6 NOTICES OF MOTION SUBMITTED PURSUANT TO COUNCIL PROCEDURE RULE NO 5.27

Consideration was given to a Notice of Motion pursuant to Council Procedure Rule No 5.7 submitted by Councillor F Hoskins on behalf of the Tonbridge and Malling Liberal Democrat Group in the following terms:

This council notes:

- *the motion declaring a climate emergency which was passed on 9th July 2019;*
- *that the biggest single contributor to climate change is the emission of carbon from fossil fuels;*
- *that trees have the ability to soak up carbon emissions and therefore tree planting can offset some of the carbon dioxide which is contributing to climate change.*

This council therefore calls on the Chief Executive to prepare a tree planting strategy which:

- *aims to increase considerably the tree cover within the borough by identifying council owned land that could be used for tree planting;*
- *sets out to create community orchards to help improve the supply of fresh, local produce and boost the health of residents;*
- *works with the voluntary sector and local parish councils to deliver tree planting plans;*
- *involves schools, colleges and Kent university and their pupils and students in carrying out tree planting and woodland maintenance;*
- *identifies sources of funding available to the council, parishes and voluntary organisations to pay for tree planting.*

Councillor N Heslop proposed, seconded by Councillor R Betts an amendment to the motion as follows:

This council notes:

- *the motion declaring a recognition of global climate change and biodiversity emergencies which was passed on 9th July 2019;*
- *the commitment to review services and operations to ensure Tonbridge and Malling Borough Council has policies that support climate change mitigation;*
- *that the biggest single contributor to climate change is the emission of carbon from fossil fuels;*
- *that trees play an important role in terms of CO2 capture and storage. Therefore tree planting can offset some of the carbon dioxide which is contributing to climate change.*

The council welcomes the emerging Climate Change Strategy and commits to:

- *a Tree Charter for the Borough, working in partnership with organisations such as the Woodland Trust;*
- *the aim of retaining a planting budget to re-plant native trees where appropriate and ensure that trees on Borough Council owned land are well cared for;*
- *working with partners such as local landowners, developers, Kent County Council, parish councils and community groups amongst others, to encourage tree planting and explore suitable opportunities for planting within boundaries and hedgerows;*
- *inviting the Street Scene and Environment Services Advisory Board to consider the establishment of community orchards; and*
- *notes that the revenue estimates for tree maintenance on Borough Council owned land in 2020/21 is £30,000.*

Members signified consent to this alteration and it was

RESOLVED: that the Notice of Motion (as amended) be agreed as follows:

1. The Council notes:

- the motion declaring a recognition of global climate change and biodiversity emergencies which was passed on 9th July 2019;
- the commitment to review services and operations to ensure Tonbridge and Malling Borough Council has policies that support climate change mitigation;
- that the biggest single contributor to climate change is the emission of carbon from fossil fuels; and
- that trees play an important role in terms of CO2 capture and storage. Therefore tree planting can offset some of the carbon dioxide which is contributing to climate change.

2. The Council welcomes the emerging Climate Change Strategy and commits to:

- a Tree Charter for the Borough, working in partnership with organisations such as the Woodland Trust;
- the aim of retaining a planting budget to re-plant native trees where appropriate and ensure that trees on Borough Council owned land are well cared for;
- working with partners such as local landowners, developers, Kent County Council, parish councils and community groups amongst others, to encourage tree planting and explore suitable opportunities for planting within boundaries and hedgerows;
- inviting the Street Scene and Environment Services Advisory Board to consider the establishment of community orchards; and
- notes the revenue estimates in 2020/21of £30,000 for tree maintenance on Borough Council owned land.

C 20/7 LEADER'S ANNOUNCEMENTS

Waste Services Contract

The Leader began his announcements by making reference to the poor bin collection service received by residents either side of Christmas and the New Year, stating that he was aware of the significant workload created for Members.

He advised Members that, early in the New Year, the Council escalated the situation with the contractor at the most senior level. The Chief Executive personally wrote to Urbaser's Managing Director, which had been followed by a senior level meeting with the contractor involving the Leader, Councillors Coffin and Betts and senior officers.

He indicated that, since this intervention, service delivery had improved significantly, with Urbaser regularly reporting that all rounds were being completed on their scheduled day and resources had been deployed to progress the clearance of the back log of missed collections. The Council had also seen a notable reduction in calls, email traffic and complaints.

The early days of the new arrangements had seen an increase in recycling rates. The Leader stated that, for a number of years, annual recycling rates had remained relatively static at around 42%. Based on data received to date recycling rates for October and November 2019 were at 55% and 54% respectively which compared with 44% and 40% respectively in the same months in 2018.

He advised that, overall, during this period and compared with October and November 2018, the amount of material collected for recycling and composting had increased by 27%, the amount of waste sent for disposal had dropped by 24%, and overall waste had dropped by 2.5%.

The new arrangements had introduced a subscription garden waste service. He reported that 47% of all households in the Borough had signed up and that this represented by far the highest take-up in Kent and was significantly greater than the original target of 30%.

Local Plan

The Leader announced the provisional dates for the first three days of the Local Plan Hearing and advised that, subject to confirmation from the Inspectorate, the Hearing was due to open during the week commencing 18 May for three consecutive days (Tuesday 19 to Thursday 21 May) and would be held at the Orchard Suite, East Malling Research Centre.

Larkfield Leisure Centre

The Leader provided an update on the capital plan scheme at Larkfield Leisure Centre. He reported that the work in the plant room was progressing well, with the old boilers being removed, the new boilers moved into place and final connections being made. A temporary boiler had been providing heating and hot water during the course of the work. Works to the air handling unit would commence in the coming weeks.

He advised that, as the old roof was being removed, the contractors discovered some corrosion of the steelwork which had to be treated with a specialist product before any further work could take place. This had resulted in a delay to the programme of approximately 3-4 weeks,

meaning the overall scheme was currently due to be completed in mid-June. The recent inclement weather had also not helped progress although the contractors on site had continued to work in the conditions, where safe to do so.

It was reported that three out of the thirteen new polycarbonate roof bays had been installed and painting of the internal steel roof framework would begin during the week commencing 24 February.

Members were advised that Officers would continue to work closely with the contractor and the Leisure Trust to try and minimise the impact on customers.

Tonbridge Medical Group

After many years of seeking opportunities to bring a new medical centre in Tonbridge, the Leader expressed his delight that the Tonbridge Medical Group would soon achieve its aspiration for a high quality, state of the art medical facility in the town centre.

He was especially pleased that the Borough Council had been able to play its part by releasing the land that had helped realise this ambition. He congratulated the Tonbridge Medical Group and all involved for their hard work in getting to a point when the new centre would be opening its doors to patients for the first time in just a few months.

Recent Bad weather

The Leader referred to the consecutive weekends of storms and significant amounts of rain and wind which had resulted in a number of fallen trees and localised flooding, given that water levels were already at a high level. He reported that Officers were not aware of any flooding to a significant number of properties but, nevertheless, the Borough Council had had staff on duty, working with local flood warden teams and he thanked all the services that had worked over both weekends.

C 20/8 LOCALISM ACT - PAY POLICY

Item GP 20/3 referred from the General Purposes Committee minutes of 27 January 2020

RESOLVED: That the recommendations at Minute GP 20/3 be approved.

C 20/9 RISK MANAGEMENT

Item CB 20/7 referred from Cabinet minutes of 13 February 2020

RESOLVED: That the recommendations at Minute CB 20/7 be approved.

C 20/10 TREASURY MANAGEMENT UPDATE AND ANNUAL INVESTMENT STRATEGY 2020/21

Item CB 20/8 referred from Cabinet minutes of 13 February 2020

RESOLVED: That the recommendations at Minute CB 20/8 be approved.

C 20/11 SETTING THE BUDGET FOR 2020/21

Item CB 20/9 referred from Cabinet minutes of 13 February 2020

It was proposed by Councillor Coffin and seconded by Councillor Heslop that the recommendations at Minute CB 20/9 be adopted. In accordance with Council Procedure Rule No 8.5 voting was recorded as follows:

Members voting for the motion:

Cllr Mrs J A Anderson, Cllr M C Base, Cllr Mrs P A Bates, Cllr R P Betts, Cllr T Bishop, Cllr J L Botten, Cllr M D Boughton, Cllr V M C Branson, Cllr G C Bridge, Cllr C Brown, Cllr R I B Cannon, Cllr M A Coffin, Cllr D J Cooper, Cllr R W Dalton, Cllr N Foyle, Cllr N J Heslop, Cllr P M Hickmott, Cllr F A Hoskins, Cllr S A Hudson, Cllr A P J Keeley, Cllr D Keers, Cllr Mrs F A Kemp, Cllr A Kennedy, Cllr D W King, Cllr K King, Cllr J R S Lark, Cllr D Lettington, Cllr Mrs R F Lettington, Cllr B J Luker, Cllr P J Montague, Cllr Mrs A S Oakley, Cllr W E Palmer, Cllr M R Rhodes, Cllr H S Rogers, Cllr R V Roud, Cllr J L Sergison, Cllr T B Shaw, Cllr K B Tanner, Cllr Mrs M Tatton, Cllr M Taylor, Cllr Miss G E Thomas, Cllr D Thornewell, Cllr F G Tombolis and Cllr C J Williams

Total 44

Members voting against the motion:

None

Members abstaining:

Cllr A E Clark, Cllr M A J Hood and Cllr N G Stapleton

Total 3

RESOLVED: That the recommendations at Minute CB 20/9 be approved.

C 20/12 SETTING THE COUNCIL TAX 2020/21

Item CB 20/10 referred from Cabinet minutes of 13 February 2020

It was proposed by Councillor Coffin and seconded by Councillor Heslop that the recommendations at Minute CB 20/10 be adopted. In accordance with Council Procedure Rule No 8.5 voting was recorded as follows:

Members voting for the motion:

Cllr Mrs J A Anderson, Cllr M C Base, Cllr Mrs P A Bates, Cllr R P Betts, Cllr T Bishop, Cllr J L Botten, Cllr M D Boughton, Cllr V M C Branson, Cllr G C Bridge, Cllr C Brown, Cllr R I B Cannon, Cllr A E Clark, Cllr M A Coffin, Cllr D J Cooper, Cllr R W Dalton, Cllr N Foyle, Cllr N J Heslop, Cllr P M Hickmott, Cllr M A J Hood, Cllr F A Hoskins, Cllr S A Hudson, Cllr A P J Keeley, Cllr D Keers, Cllr Mrs F A Kemp, Cllr A Kennedy, Cllr D W King, Cllr K King, Cllr J R S Lark, Cllr D Lettington, Cllr Mrs R F Lettington, Cllr B J Luker, Cllr P J Montague, Cllr Mrs A S Oakley, Cllr W E Palmer, Cllr M R Rhodes, Cllr H S Rogers, Cllr R V Roud, Cllr J L Sergison, Cllr N G Stapleton, Cllr K B Tanner, Cllr Mrs M Tatton, Cllr M Taylor, Cllr Miss G E Thomas, Cllr D Thornewell, Cllr F G Tombolis and Cllr C J Williams

Total 46

Members voting against the motion:

None

Members abstaining:

None

RESOLVED: That the recommendations at Minute CB 20/10 be approved and the Council Tax Resolution 2020/21, as set out as an Annex to these Minutes, be adopted.

C 20/13 REVIEW OF PUBLIC HEALTH

Item CB 20/11 referred from Cabinet minutes of 13 February 2020

RESOLVED: That the recommendations at Minute CB 20/11 be approved.

C 20/14 REVIEW OF DISABLED FACILITIES GRANTS

Item CB 20/12 referred from Cabinet minutes of 13 February 2020

RESOLVED: That the recommendations at Minute CB 20/12 be approved.

C 20/15 CORPORATE STRATEGY 2020-2023

Item CB 20/13 referred from Cabinet minutes of 13 February 2020

RESOLVED: That the recommendations at Minute CB 20/13 be approved.

C 20/16 CLASS C EMPTY PROPERTY COUNCIL TAX DISCOUNT AND LONG TERM EMPTY HOMES PREMIUM

Item CB 20/14 referred from Cabinet minutes of 13 February 2020

RESOLVED: That the recommendations at Minute CB 20/14 be approved.

C 20/17 LOCAL COUNCIL TAX REDUCTION SCHEME 2020/21

Item CB 20/15 referred from Cabinet minutes of 13 February 2020

RESOLVED: That the recommendations at Minute CB 20/15 be approved.

C 20/18 ASSET MANAGEMENT PLAN

Item CB 20/16 referred from Cabinet minutes of 13 February 2020

RESOLVED: That the recommendations at Minute CB 20/16 be approved.

C 20/19 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 9.06 pm

COUNCIL TAX

DRAFT RESOLUTION

1. It be noted that on 18th February 2020 the Council calculated:

(a) the Council Tax Base 2020/21 for the whole Council area as 51,371.02 [Item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended (the "Act")] and,

(b) for dwellings in those parts of its area to which one or more special items (Special expenses and or a Parish precept) relates as follows:

Tonbridge	13,756.80
Addington	423.52
Aylesford	4,383.69
Birling	205.14
Borough Green	1,686.49
Burham	460.56
Ditton	1,791.18
East Malling & Larkfield	5,003.43
East Peckham	1,305.24
Hadlow	1,525.27
Hildenborough	2,214.98
Ightham	1,113.13
Kings Hill	4,170.16
Leybourne	1,917.45
Mereworth	440.34
Offham	389.68
Platt	892.20
Plaxtol	593.42
Ryarsh	370.12
Shipbourne	273.21
Snodland	3,845.79
Stansted	282.02
Trottiscliffe	274.79
Wateringbury	893.93
West Malling	1,137.77
West Peckham	181.22
Wouldham	892.99
Wrotham	946.50

2. £11,019,064 being the Council Tax requirement for the Council's own purposes for 2020/21 (excluding Parish precepts).

3. That the following amounts be calculated for the year 2020/21 in accordance with Sections 31 to 36 of the Act:

(a) £87,060,534 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils.

(b) £72,910,741 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.

(c) £14,149,793 being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act).

(d) £275.44 being the amount at 3(c) above (Item R), all divided by Item T (1(a) above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year including Parish precepts.

(e) £3,994,817 being the aggregate amount of all special items (Special expenses and Parish precepts) referred to in Section 34(1) of the Act.

(f) £197.68 being the amount at 3(d) above less the result given by dividing the amount at 3(e) above by Item T (1(a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no special items relate (this is the Council Tax for General Expenses to which Special expenses and Parish precepts are added as applicable).

(g)

Part of the Council's area	Band D £
Tonbridge	253.44
Addington	256.12
Aylesford	258.63
Birling	255.75
Borough Green	318.35
Burham	255.41
Ditton	348.29
East Malling & Larkfield	271.81
East Peckham	310.01
Hadlow	276.35
Hildenborough	232.68
Ightham	310.02
Kings Hill	291.08
Leybourne	304.28
Mereworth	273.77
Offham	253.09
Platt	283.14
Plaxtol	282.72
Ryarsh	267.30
Shipbourne	242.29
Snodland	285.17
Stansted	258.88
Trottiscliffe	257.73
Wateringbury	304.79
West Malling	310.83
West Peckham	228.97
Wouldham	272.91
Wrotham	306.20

being the amounts given by adding to the amount at 3(f) above the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned above divided in each case by the amount at 1(b) above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its council tax for the year for dwellings in those parts of its area to which one or more special items (Special expenses and Parish precepts) relate.

(h)

Valuation Bands

Part of the Council's area	A £	B £	C £	D £	E £	F £	G £	H £
Tonbridge	168.96	197.12	225.28	253.44	309.76	366.08	422.40	506.88
Addington	170.75	199.20	227.66	256.12	313.04	369.95	426.87	512.24
Aylesford	172.42	201.16	229.89	258.63	316.10	373.58	431.05	517.26
Birling	170.50	198.92	227.33	255.75	312.58	369.42	426.25	511.50
Borough Green	212.23	247.61	282.98	318.35	389.09	459.84	530.58	636.70
Burham	170.27	198.65	227.03	255.41	312.17	368.93	425.68	510.82
Ditton	232.19	270.89	309.59	348.29	425.69	503.09	580.48	696.58
East Malling & Larkfield	181.21	211.41	241.61	271.81	332.21	392.61	453.02	543.62
East Peckham	206.67	241.12	275.56	310.01	378.90	447.79	516.68	620.02
Hadlow	184.23	214.94	245.64	276.35	337.76	399.17	460.58	552.70
Hildenborough	155.12	180.97	206.83	232.68	284.39	336.09	387.80	465.36
Ightham	206.68	241.13	275.57	310.02	378.91	447.81	516.70	620.04
Kings Hill	194.05	226.40	258.74	291.08	355.76	420.45	485.13	582.16
Leybourne	202.85	236.66	270.47	304.28	371.90	439.52	507.13	608.56
Mereworth	182.51	212.93	243.35	273.77	334.61	395.45	456.28	547.54
Offham	168.73	196.85	224.97	253.09	309.33	365.57	421.82	506.18
Platt	188.76	220.22	251.68	283.14	346.06	408.98	471.90	566.28
Plaxtol	188.48	219.89	251.31	282.72	345.55	408.37	471.20	565.44
Ryarsh	178.20	207.90	237.60	267.30	326.70	386.10	445.50	534.60
Shipbourne	161.53	188.45	215.37	242.29	296.13	349.97	403.82	484.58
Snodland	190.11	221.80	253.48	285.17	348.54	411.91	475.28	570.34
Stansted	172.59	201.35	230.12	258.88	316.41	373.94	431.47	517.76
Trottiscliffe	171.82	200.46	229.09	257.73	315.00	372.28	429.55	515.46
Wateringbury	203.19	237.06	270.92	304.79	372.52	440.25	507.98	609.58
West Malling	207.22	241.76	276.29	310.83	379.90	448.98	518.05	621.66
West Peckham	152.65	178.09	203.53	228.97	279.85	330.73	381.62	457.94
Wouldham	181.94	212.26	242.59	272.91	333.56	394.20	454.85	545.82
Wrotham	204.13	238.16	272.18	306.20	374.24	442.29	510.33	612.40

being the amounts given by multiplying the amounts at 3(g) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

4. That it be noted that for the year 2020/21 The Police & Crime Commissioner for Kent, the Kent & Medway Fire & Rescue Authority and the Kent County Council have stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:

	Valuation Bands							
	A	B	C	D	E	F	G	H
Precepting Authority	£	£	£	£	£	£	£	£
The Police & Crime Commissioner for Kent	135.43	158.01	180.58	203.15	248.29	293.44	338.58	406.30
Kent & Medway Fire & Rescue Authority	52.86	61.67	70.48	79.29	96.91	114.53	132.15	158.58
Kent County Council	900.84	1,050.98	1,201.12	1,351.26	1,651.54	1,951.82	2,252.10	2,702.52

5. That, having calculated the aggregate in each case of the amounts at 3(h) and 4. above, the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the following amounts as the amounts of council tax for the year 2020/21, for each of the categories of dwellings shown below:

	Valuation Bands							
	A	B	C	D	E	F	G	H
Part of the Council's area	£	£	£	£	£	£	£	£
Tonbridge	1,258.09	1,467.78	1,677.46	1,887.14	2,306.50	2,725.87	3,145.23	3,774.28
Addington	1,259.88	1,469.86	1,679.84	1,889.82	2,309.78	2,729.74	3,149.70	3,779.64
Aylesford	1,261.55	1,471.82	1,682.07	1,892.33	2,312.84	2,733.37	3,153.88	3,784.66
Birling	1,259.63	1,469.58	1,679.51	1,889.45	2,309.32	2,729.21	3,149.08	3,778.90
Borough Green	1,301.36	1,518.27	1,735.16	1,952.05	2,385.83	2,819.63	3,253.41	3,904.10
Burham	1,259.40	1,469.31	1,679.21	1,889.11	2,308.91	2,728.72	3,148.51	3,778.22
Ditton	1,321.32	1,541.55	1,761.77	1,981.99	2,422.43	2,862.88	3,303.31	3,963.98
East Malling & Larkfield	1,270.34	1,482.07	1,693.79	1,905.51	2,328.95	2,752.40	3,175.85	3,811.02
East Peckham	1,295.80	1,511.78	1,727.74	1,943.71	2,375.64	2,807.58	3,239.51	3,887.42
Hadlow	1,273.36	1,485.60	1,697.82	1,910.05	2,334.50	2,758.96	3,183.41	3,820.10
Hildenborough	1,244.25	1,451.63	1,659.01	1,866.38	2,281.13	2,695.88	3,110.63	3,732.76
Ightham	1,295.81	1,511.79	1,727.75	1,943.72	2,375.65	2,807.60	3,239.53	3,887.44
Kings Hill	1,283.18	1,497.06	1,710.92	1,924.78	2,352.50	2,780.24	3,207.96	3,849.56
Leybourne	1,291.98	1,507.32	1,722.65	1,937.98	2,368.64	2,799.31	3,229.96	3,875.96
Mereworth	1,271.64	1,483.59	1,695.53	1,907.47	2,331.35	2,755.24	3,179.11	3,814.94
Offham	1,257.86	1,467.51	1,677.15	1,886.79	2,306.07	2,725.36	3,144.65	3,773.58
Platt	1,277.89	1,490.88	1,703.86	1,916.84	2,342.80	2,768.77	3,194.73	3,833.68
Plaxtol	1,277.61	1,490.55	1,703.49	1,916.42	2,342.29	2,768.16	3,194.03	3,832.84
Ryarsh	1,267.33	1,478.56	1,689.78	1,901.00	2,323.44	2,745.89	3,168.33	3,802.00
Shipbourne	1,250.66	1,459.11	1,667.55	1,875.99	2,292.87	2,709.76	3,126.65	3,751.98
Snodland	1,279.24	1,492.46	1,705.66	1,918.87	2,345.28	2,771.70	3,198.11	3,837.74
Stansted	1,261.72	1,472.01	1,682.30	1,892.58	2,313.15	2,733.73	3,154.30	3,785.16
Trottiscliffe	1,260.95	1,471.12	1,681.27	1,891.43	2,311.74	2,732.07	3,152.38	3,782.86
Wateringbury	1,292.32	1,507.72	1,723.10	1,938.49	2,369.26	2,800.04	3,230.81	3,876.98
West Malling	1,296.35	1,512.42	1,728.47	1,944.53	2,376.64	2,808.77	3,240.88	3,889.06
West Peckham	1,241.78	1,448.75	1,655.71	1,862.67	2,276.59	2,690.52	3,104.45	3,725.34
Wouldham	1,271.07	1,482.92	1,694.77	1,906.61	2,330.30	2,753.99	3,177.68	3,813.22
Wrotham	1,293.26	1,508.82	1,724.36	1,939.90	2,370.98	2,802.08	3,233.16	3,879.80

TONBRIDGE AND MALLING BOROUGH COUNCIL

LICENSING AND APPEALS COMMITTEE

Tuesday, 10th March, 2020

Present: Cllr D Keers (Chairman), Cllr Mrs P A Bates, Cllr A E Clark, Cllr M A Coffin, Cllr Mrs F A Kemp, Cllr Mrs R F Lettington, Cllr H S Rogers, Cllr R V Roud, Cllr N G Stapleton and Cllr F G Tombolis

Councillors R P Betts, N J Heslop and D Lettington were also present pursuant to Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors Mrs J A Anderson, M C Base and D W King

PART 1 - PUBLIC

LA 20/1 DECLARATIONS OF INTEREST

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

LA 20/2 MINUTES

RESOLVED: That the Minutes of the meeting of the Licensing and Appeals Committee held on 26 November 2019 be approved as a correct record and signed by the Chairman.

DECISIONS TAKEN UNDER DELEGATED POWERS IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION (RESPONSIBILITY FOR COUNCIL FUNCTIONS)

LA 20/3 SEX ESTABLISHMENTS AND SEXUAL ENTERTAINMENT VENUES - POLICY FOR 2020-2023

The report of the Director of Central Services advised that the current Policy on Licensing Sex Shops, Sex Cinemas and Sexual Entertainment Venues was published in 2017 and had a life span of three years. Consideration was given to the approval of an updated draft policy for consultation purposes and the possibility of extending its end date to 2025. Details were given of the proposed consultation timetable and procedure for approval of the new policy.

RESOLVED: That the draft policy set out at Annex A to the report be approved for consultation and be extended to run for a five year period, subject to any significant legislative changes.

LA 20/4 AIR QUALITY CONSULTATION FOR HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES

The report of the Director of Central Services referred to the motion agreed by the Council on 9 July 2019 supporting climate change mitigation and the production of a revised draft Climate Change Strategy including deliverable performance indicators and an aspiration for Tonbridge and Malling to be carbon neutral by 2030. The report gave details of the approach by Licensing Services, primarily focusing on Hackney Carriage and Private Hire vehicle licences with a view to ensuring a carbon neutral licensed taxi fleet by 2030.

Details were given of the type of vehicles currently licensed together with a breakdown according to Euro emissions status. A number of options for delivering a carbon neutral position by 2030 and potential impact on fee income were outlined. Members discussed the implications of a progressive restriction on the type of vehicles licensed by emissions level over the next ten years and requested clarification of certain elements of the Euro emissions standards. Further information was also sought on the practice of other licensing authorities in Kent and scope for collaborative work, the possibility of introducing different tiers of fares for low carbon vehicles and the ability to issue fixed penalties for idling vehicles.

It was agreed that the report and points raised by Members form the basis for a draft consultation document to be presented at the next meeting and progressed in parallel with work on the Council's overall Climate Change Strategy. A list of consultees and proposed timetable would also be submitted.

RESOLVED: That a draft consultation document on emission levels for taxi and private hire vehicles over the next ten years be presented for consideration at the next meeting of the Committee.

EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 8.17 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

CABINET

Tuesday, 19th May, 2020

Present: Cllr N J Heslop (Chairman), Cllr R P Betts, Cllr M A Coffin, Cllr D Lettington, Cllr P J Montague and Cllr M R Rhodes

Councillors Mrs J A Anderson, M C Base, Mrs P A Bates, Mrs S Bell, M D Boughton, V M C Branson, A E Clark, R W Dalton, D A S Davis, M A J Hood, S A Hudson, K King, Mrs R F Lettington, Mrs A S Oakley, W E Palmer, H S Rogers, R V Roud, J L Sergison, T B Shaw, N G Stapleton, K B Tanner and Miss G E Thomas were also present pursuant to Access to Information Rule No 23.

PART 1 - PUBLIC

CB 20/32 DECLARATIONS OF INTEREST

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

CB 20/33 RESPONDING TO THE CORONAVIRUS EMERGENCY

Decision Notice D200028CAB

The report of the Management Team provided a strategic overview of the Borough Council's response to the national emergency, the impacts on service delivery, the introduction of priority initiatives and financial impacts. A framework for the development of a future recovery plan, in the form of an Addendum to the Corporate Strategy, was also set out.

It was explained that there would be opportunity for more detailed Member debate on a number of key issues, such as climate change and economic recovery, at various meetings of Advisory Boards and Committees over the coming months.

RESOLVED: That

(1) the overview of the Borough Council's response to the coronavirus emergency be noted;

(2) for the time being and until the overall impact can be better assessed, the principle of an 'essential spend only' policy in relation to the Borough Council's budget, as imposed by Management Team, be endorsed;

(3) the intention to submit reports to relevant Advisory Boards and Committees in the future, including in relation to the Climate Change Strategy, the Economic Development Strategy, the Medium Term Financial Strategy and the Savings and Transformation Strategy, be noted;

(4) the preparation of a one year Addendum to the Corporate Strategy, to be reported to a future meeting of the Cabinet, be agreed; and

(5) the sincere appreciation and thanks of the Cabinet and all Members of the Council be offered to the Chief Executive, Lead Officers and all the members of staff of TMBC for their exemplary attitude in undertaking their duties at home (in many cases) and, for some, in more difficult circumstances. Despite lockdown 'the staff' of TMBC had continued to offer Council Services for the benefit of the residents of the Borough.

CB 20/34 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 9.31 pm

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION

Decision Taken By: Cabinet
Decision No: D200028CAB
Date: 19 May 2020

Decision(s) and Reason(s)

Responding to the Coronavirus Emergency

(Report of Management Team)

The report provided a strategic overview of the Borough Council's response to the national emergency, the impacts on service delivery, the introduction of priority initiatives and financial impacts. A framework for the development of a future recovery plan, in the form of an Addendum to the Corporate Strategy, was also set out.

The Cabinet resolved: That

(1) the overview of the Borough Council's response to the coronavirus emergency be noted;

(2) for the time being and until the overall impact can be better assessed, the principle of an 'essential spend only' policy in relation to the Borough Council's budget, as imposed by Management Team, be endorsed;

(3) the intention to submit reports to relevant Advisory Boards and Committees in the future, including in relation to the Climate Change Strategy, the Economic Development Strategy, the Medium Term Financial Strategy and the Savings and Transformation Strategy, be noted;

(4) the preparation of a one year Addendum to the Corporate Strategy, to be reported to a future meeting of the Cabinet, be agreed; and

(5) the sincere appreciation and thanks of the Cabinet and all Members of the Council be offered to the Chief Executive, Lead Officers and all the members of staff of TMBC for their exemplary attitude in undertaking their duties at home (in many cases) and, for some, in more difficult circumstances. Despite lockdown 'the staff' of TMBC had continued to offer Council Services for the benefit of the residents of the Borough.

Reasons: As set out in the report of the Management Team.

Signed Chief Executive: J Beilby

Date of publication: 22 May 2020

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.

TONBRIDGE AND MALLING BOROUGH COUNCIL

AREA 1 PLANNING COMMITTEE

Thursday, 21st May, 2020

Present: Cllr V M C Branson (Chairman), Cllr M D Boughton (Vice-Chairman), Cllr Mrs J A Anderson, Cllr Mrs P A Bates, Cllr J L Botten, Cllr G C Bridge, Cllr M O Davis, Cllr N Foyle, Cllr N J Heslop, Cllr M A J Hood, Cllr F A Hoskins, Cllr D W King, Cllr K King, Cllr J R S Lark, Cllr M R Rhodes, Cllr H S Rogers, Cllr J L Sergison and Cllr Miss G E Thomas

Councillors R W Dalton, D Lettington and Mrs A S Oakley were also present pursuant to Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors A E Clark and F G Tombolis

PART 1 - PUBLIC

AP1 20/1 DECLARATIONS OF INTEREST

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

AP1 20/2 MINUTES

RESOLVED: That the Minutes of the meeting of the Area Planning Committee held on 12 September 2019 be approved as a correct record and signed by the Chairman.

DECISIONS TAKEN UNDER DELEGATED POWERS IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION (RESPONSIBILITY FOR COUNCIL FUNCTIONS)

AP1 20/3 DEVELOPMENT CONTROL

Decisions were taken on the following applications subject to the pre-requisites, informatives, conditions or reasons for refusal set out in the report of the Director of Planning, Housing and Environmental Health or in the variations indicated below. There were no supplementary reports circulated in advance of this 'virtual' meeting of the committee.

Members of the public addressed the meeting where the required notice had been given and their comments were taken into account by the Committee when determining the application. Speakers are listed under the relevant planning application shown below.

AP1 20/4 TM/19/02277/FL - HIGH HILDEN HOME, HIGH HILDEN CLOSE. TONBRIDGE

Change of use of former residential care home to form 12 self-contained residential units, erection of two detached dwellings together with associated access, parking, landscaping and amenity space at High Hilden Home, High Hilden Close, Tonbridge.

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

(1) the applicant entering into a planning obligation with the Borough Council to provide financial contributions towards public open space provision and enhancement;

(2) the applicant entering into a planning obligation with Kent County Council to make financial contributions towards the provision of education facilities and community services;

It is expected that the section 106 agreement should be agreed in principle within 3 months and the legalities completed within 6 months of the committee resolution unless there are good reasons for the delay. Should the agreement under section 106 of the Act not be completed and signed by all relevant parties by 21 November 2020, a report back to Area 1 Planning Committee will be made either updating on progress or making a further recommendation. Alternatively, the application may be refused under powers delegated to the Director of Planning, Housing and Environmental Health who will determine the specific reasons for refusal in consultation with the Chairman and Ward Members.

(3) The addition of the following condition:-

18. No external lighting within the communal garden, car parking and servicing areas as identified on drawing number 18268 411 P1 shall be installed until full details have been submitted to and approved by the Local Planning Authority, and the work shall be carried out in strict accordance with those details and retained at all times thereafter.

Reason: To ensure that the development does not harm the visual amenity of the locality or residential amenity.

[Speakers: Mrs D Muylle and Mr A Wallis (members of the public) addressed the committee via video-conferencing; a written statement was read by the Democratic Services Officer on behalf of Mr G Clifton (member of the public) and Mr A Gunne-Jones (Agent) addressed the committee via video-conferencing]

AP1 20/5 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 8.43 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

AREA 2 PLANNING COMMITTEE

Wednesday, 27th May, 2020

Present: Cllr H S Rogers (Chairman), Cllr B J Luker (Vice-Chairman), Cllr Mrs J A Anderson, Cllr R P Betts, Cllr C Brown, Cllr M A Coffin, Cllr S A Hudson, Cllr Mrs F A Kemp, Cllr P J Montague, Cllr L J O'Toole, Cllr W E Palmer, Cllr J L Sergison, Cllr T B Shaw, Cllr N G Stapleton, Cllr K B Tanner and Cllr M Taylor

Councillors V M C Branson, R W Dalton, D A S Davis, N J Heslop and D Lettington were also present pursuant to Council Procedure Rule No 15.21.

An apology for absence was received from Councillor Mrs C B Langridge

PART 1 - PUBLIC

AP2 20/7 DECLARATIONS OF INTEREST

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

AP2 20/8 MINUTES

RESOLVED: That the Minutes of the meeting of the Area 2 Planning Committee held on 22 January 2020 be approved as a correct record and signed by the Chairman.

DECISIONS TAKEN UNDER DELEGATED POWERS IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION (RESPONSIBILITY FOR COUNCIL FUNCTIONS)

AP2 20/9 DEVELOPMENT CONTROL

Decisions were taken on the following applications subject to the pre-requisites, informatives, conditions or reasons for refusal set out in the report of the Director of Planning, Housing and Environmental Health or in the variations indicated below. Any supplementary reports were circulated in advance of the meeting and published on the website.

Members of the public addressed the meeting where the required notice had been given and their comments were taken into account by the Committee when determining the application. Speakers are listed under the relevant planning application shown below.

AP2 20/10 (A) TM/19/02842/FL AND (B) TM/19/02843/LB - IGHTHAM MOTE, MOTE ROAD, IVY HATCH, SEVENOAKS

(A) Construction of a relocated car park in the lower section of the field to the east of the Walled Garden and the existing parking area; the restoration of the North Drive, the removal of the temporary Visitor Reception building, the reinstatement of the Walled Garden and the erection of a replacement Visitor Reception and Shop, Glasshouse and Bothy within the restored Walled Garden together with associated landscaping and drainage works; and

(B) Listed Building Application: construction of a relocated car park in the lower section of the field to the east of the Walled Garden and the existing parking area; the restoration of the North Drive, the removal of the temporary Visitor Reception building, the reinstatement of the Walled Garden and the erection of a replacement Visitor Reception and Shop, Glasshouse and Bothy within the restored Walled Garden together with associated landscaping and drainage works at Ightham Mote, Mote Road, Ivy Hatch, Sevenoaks.

RESOLVED: That

In respect of application (A) TM/19/02842/FL planning permission be REFUSED for the following reason:-

1. The proposed development insofar as it relates to the new car park, by virtue of its overall scale, siting and layout amounts to inappropriate development which is harmful by definition and also causes material harm to openness and further planning harm to the localised landscape which is designated as an Area of Outstanding Natural Beauty and which cannot be adequately mitigated. The Local Planning Authority does not consider that the wider scheme that would be derived from the provision of the new car parks would result in benefits that would clearly outweigh those identified harms in totality. As such, the proposed development is contrary to the requirements of adopted policies CP3 and CP7 of the Tonbridge and Malling Borough Local Plan and paragraphs 143, 144, 145, 146 and 172 of the National Planning Policy Framework 2019.

In respect of application (B) TM/19/02843/LB Listed Building Consent be REFUSED for the following reason:-

1. The proposed development necessitates works to the cluster of Grade I and Grade II Listed Buildings which form part of Ightham Mote and which, in the absence of any acceptable associated development, are not justified which is contrary to paragraph 198 of the National Planning Policy Framework 2019.

[Speakers: Mr N Tyler of Shipbourne Parish Council addressed the committee via video-conferencing; Mr L Henry, Mrs S Berkeley, Ms J Austin, Ms A Farr, Mr D Luther, Mr A Rigney, Mr D Flint, Mrs J Flint, Ms Z Templeman Young on behalf of Prof. C Young, Ms C Templeman, Mrs D Champion, Mr C Killick, Mr G Berkeley, Mr N Davey and Mr T Champion (members of the public) addressed the committee via video-conferencing; written statements were read out by the Democratic Services Officer on behalf of Mr R Bate, Ms L Pearson, Ms K Davey and Mr R Willingham (members of the public); and video statements, provided by Ms E Hawkes (Agent) and Ms B Gillow on behalf of the National Trust (Applicant) in advance of the meeting, were presented to the committee]

AP2 20/11 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 11.22 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

CABINET

Wednesday, 3rd June, 2020

Present: Cllr N J Heslop (Chairman), Cllr R P Betts, Cllr M A Coffin, Cllr D Lettington, Cllr P J Montague and Cllr M R Rhodes

Councillors Mrs J A Anderson, M C Base, Mrs S Bell, M D Boughton, V M C Branson, A E Clark, Mrs T Dean, P M Hickmott, M A J Hood, F A Hoskins, S A Hudson, D W King, K King, Mrs A S Oakley, J L Sergison, T B Shaw and N G Stapleton were also present pursuant to Access to Information Rule No 23.

PART 1 - PUBLIC

CB 20/35 DECLARATIONS OF INTEREST

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

CB 20/36 MINUTES

RESOLVED: That the Minutes of the meeting of the Cabinet held on 13 February 2020 be approved as a correct record and signed by the Chairman.

CB 20/37 MINUTES

RESOLVED: That the Minutes of the Extraordinary meeting of Cabinet held on 19 May 2020 be approved as a correct record and signed by the Chairman.

DECISIONS TAKEN IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION (RESPONSIBILITY FOR EXECUTIVE DECISIONS)

CB 20/38 CAR PARKING FEES AND CHARGES - OUTCOME OF PUBLIC CONSULTATION

Decision Notice D200029CAB

CB 20/39 ON STREET PARKING FEES AND CHARGES

Decision Notice D200030CAB

CB 20/40 CORPORATE STRATEGY - FIRST YEAR ADDENDUM

Decision Notice D200031CAB

CB 20/41 REVENUE AND CAPITAL OUTTURN 2019-20

Decision Notice D200032CAB

CB 20/42 STRATEGIC RISK REGISTER

Decision Notice D200033CAB

CB 20/43 DEVELOPMENT MANAGEMENT - PROCESSES AND PROCEDURES

Decision Notice D200034CAB

CB 20/44 PROPOSED REVISION TO THE JOINT TRANSPORTATION BOARD AGREEMENT

Decision Notice D200035CAB

MATTERS SUBMITTED FOR INFORMATION

CB 20/45 MATTERS REFERRED FROM ADVISORY BOARDS

The notes of the meetings of the following Advisory Boards were received, any recommendations contained therein being incorporated within the decisions of the Cabinet reproduced at the annex to these Minutes.

Street Scene and Environment Services Advisory Board of 11 February 2020
Communities and Housing Advisory Board of 25 February 2020
Planning and Transportation Advisory Board of 3 March 2020
Street Scene and Environment Services Advisory Board of 5 March 2020

RESOLVED: That the report be received and noted.

CB 20/46 MATTERS REFERRED FROM ADVISORY PANELS 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 Forum of 24 February 2020
Joint Transportation Board of 9 March 2020

RESOLVED: That the report be received and noted.

CB 20/47 DECISIONS TAKEN UNDER EMERGENCY PROVISIONS

Details of the Decisions taken in accordance with Emergency Provisions were presented.

RESOLVED: That the report be received and noted.

CB 20/48 EXCLUSION OF PRESS AND PUBLIC

The Chairman moved, it was seconded and

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

DECISIONS TAKEN IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION (RESPONSIBILITY FOR EXECUTIVE DECISIONS)

CB 20/49 CORONAVIRUS PANDEMIC - CONTRACT ARRANGEMENTS WITH TONBRIDGE AND MALLING LEISURE TRUST

Decision Notice D200036CAB

(LGA 1972 Sch 12A Paragraph 3 – Financial or business affairs of any particular person)

The meeting ended at 9.05 pm

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION

Decision Taken By: Cabinet Member for Housing **Decision No:** D200019MEM

Date: 25 February 2020

Decision(s) and Reason(s)

Housing Strategy Project Plan

(Report of Director of Planning, Housing and Environmental Health)

The report gave details of a proposal for the Council to have a Housing Strategy outlining its priorities and strategic approach to housing delivery in the Borough. Consideration was given to the approval of a project plan for the development of the Housing Strategy.

A number of suggestions were made regarding the scope of the strategy, its ambitions and supporting policies. Officers undertook to report back at the research and drafting stage of the project plan.

Following consideration by the Communities and Housing Advisory Board, the Cabinet Member for Housing resolved that:

The Housing Strategy Project Plan set out at Annex 1 to the report be approved.

Reasons: As set out in the report submitted to the Communities and Housing Advisory Board of 25 February 2020.

Signed Cabinet Member for Housing	P Montague
Signed Leader:	N Heslop
Signed Chief Executive:	J Beilby
Date of publication:	28 February 2020

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 Member for Housing **Decision No:** D200020MEM

Date: 25 February 2020

Decision(s) and Reason(s)

Local Lettings Policies

(Report of Director of Planning, Housing and Environmental Health)

The report provided information on the current approach to using Local Lettings Policies (LLPs) for affordable housing in partnership with Registered Providers, clarified the use of such LLPs in the future and proposed a pro-forma document for adoption for all new housing developments in the Borough.

Following consideration by the Communities and Housing Advisory Board, the Cabinet Member for Housing resolved that:

(1) the current approach to using Local Lettings Policies be noted and the following priorities for using LLPs be agreed:

(a) local connection to the area in which the development is located using housing sub-market areas;

(b) an aim for 50% of lettings to be to economically active households; and

(2) the pro-forma Local Lettings Policy set out at Annex 1 to the report be approved subject to amendment of section C to clarify the definition of economically active households.

Reasons: As set out in the report submitted to the Communities and Housing Advisory Board of 25 February 2020.

Signed Cabinet Member for Housing	P Montague
Signed Leader:	N Heslop
Signed Chief Executive:	J Beilby
Date of publication:	28 February 2020

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 Member for Housing **Decision No:** D200021MEM

Date: 25 February 2020

Decision(s) and Reason(s)

Private Sector Housing Civil Penalties Policy

(Report of Director of Planning, Housing and Environmental Health)

The report recommended the implementation of a private sector housing financial (civil) penalties policy under the Housing Act 2004 and Housing and Planning Act 2016. This would enable the Council to adopt an alternative approach to prosecution of a private landlord or agent for certain housing offences or breaches of a banning order. It was noted that implementation of financial penalties would allow the Council to re-use the income to self-finance some of its future targeted enforcement activity.

Following consideration by the Communities and Housing Advisory Board, the Cabinet Member for Housing resolved that:

(1) the Private Sector Housing Financial Civil Penalties Policy set out at Annex 1 to the report be endorsed; and

(2) authority be delegated to the Director of Planning, Housing and Environmental Health, in consultation with the Cabinet Member for Housing, to approve amendments to the policy to reflect any changes to the law affecting the enforcement of civil penalties under the Housing Act 2004, the Housing and Planning Act 2016 or other relevant legislation.

Reasons: As set out in the report submitted to the Communities and Housing Advisory Board of 25 February 2020.

Signed Cabinet Member for Housing	P Montague
Signed Leader:	N Heslop
Signed Chief Executive:	J Beilby
Date of publication:	28 February 2020

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 Member for Community Services

Decision No: D200022MEM

Date: 25 February 2020

Decision(s) and Reason(s)

Key Voluntary Sector Bodies - Review of Core Grant Support

(Report of Chief Executive)

The report gave details of summaries of progress achieved against the objectives set out in the Service Level Agreements (SLAs) with a number of key voluntary sector bodies at the end of the existing one year term. It was noted that each organisation had been consulted to establish the implications for service delivery if a reduction were applied to their grant which would enable the SLA to be extended for a suggested four year term, thus providing increased security and stability.

A summary was presented of the responses received from each grant recipient and future options considered.

Following consideration by the Communities and Housing Advisory Board, the Cabinet Member for Community Services resolved that:

(1) based on the good progress by all voluntary bodies and the vital support provided to residents, grant funding be continued for each organisation in line with Service Level Agreements;

(2) based on the positive responses received regarding the suggested longer term settlement of four years and the level of difficulty highlighted with any reduction to grant, the following be agreed:

(a) the grants to Citizens Advice North and West Kent (CANWK) and Age UK Sevenoaks and Tonbridge be maintained at existing levels for a one year term and a more detailed review be undertaken via the Overview and Scrutiny Committee to fully explore options for the future; and

(b) in respect of Imago, Involve and Maidstone and West Kent Mediation Schemes, each organisation be offered a choice as follows:

- set grants at the reduced rate for a fixed four year settlement, OR

- maintain the grant at existing levels for a one year term and undertake a more detailed review via the Overview and Scrutiny Committee to fully explore options for the future.

Reasons: As set out in the report submitted to the Communities and Housing Advisory Board of 25 February 2020.

Signed Cabinet Member for Community Services	M Rhodes
Signed Leader:	N Heslop
Signed Chief Executive:	J Beilby
Date of publication:	28 February 2020

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 Member for Community Services

Decision No: D200023MEM

Date: 25 February 2020

Decision(s) and Reason(s)

Community Development Update

(Report of Chief Executive)

The report provided an update on community development work taking place in the Borough's three priority communities of Trench, East Malling and Snodland. Consideration was given to the continuation of support for 2020/21 in accordance with budgetary provision.

Following consideration by the Communities and Housing Advisory Board, the Cabinet Member for Community Services resolved that:

The Council continue to support Community Development Partnerships in each of the priority communities.

Reasons: As set out in the report submitted to the Communities and Housing Advisory Board of 25 February 2020.

Signed Cabinet Member for Community Services	M Rhodes
Signed Leader:	N Heslop
Signed Chief Executive:	J Beilby
Date of publication:	28 February 2020

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 Member for Community Services

Decision No: D200024MEM

Date: 25 February 2020

Decision(s) and Reason(s)

Basted Mill Public Open Space

(Report of Director of Street Scene, Leisure and Technical Services)

The report provided an update on the current and proposed future management arrangements for Basted Mill Public Open Space, Borough Green following formal notification of resignation from the existing Joint Management Committee by the three participating parish councils.

The work of the parish councils and volunteers over the years in the management and maintenance of the Public Open Space was acknowledged.

Following consideration by the Communities and Housing Advisory Board, the Cabinet Member for Community Services resolved that:

(1) the resignation of Plaxtol, Platt and Borough Green Parish Councils from the Basted Mill Public Open Space Joint Committee be noted;

(2) the Basted Mill Public Open Space Joint Committee be "wound up" on 1 April 2021 and the management and maintenance of the site be undertaken solely by the Borough Council;

(3) the current contribution made by the Borough Council to the Joint Committee be transferred in full to a revenue budget for the future maintenance of the site; and

(4) any residual funding from the Joint Committee be transferred to the Borough Council on 1 April 2021 in accordance with the adopted Constitution and ring-fenced in a designated "Reserve" to be solely used for the future management and maintenance of Basted Mill Public Open Space.

Reasons: As set out in the report submitted to the Communities and Housing Advisory Board of 25 February 2020.

Signed Cabinet Member for Community Services M Rhodes

Signed Leader: N Heslop

Signed Chief Executive: J Beilby

Date of publication: 28 February 2020

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.

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION

Decision Taken By: Cabinet Member for Strategic Planning and Infrastructure

Decision No: D200025MEM

Date: 03 March 2020

Decision(s) and Reason(s)

Local Plan Update and Timetable

(Report of Director of Planning, Housing and Environmental Health)

The report provided an update on the Local Plan progress since November 2019, considered the next stages in the process and recommended a revised timetable for approval. Progress in neighbouring authorities was also reviewed.

Following consideration by the Planning and Transportation Advisory Board, the Cabinet Member for Strategic Planning and Infrastructure resolved that:

(1) the content of the report be noted; and

(2) the revised Local Plan timetable, set out at Annex 1 to the report, be endorsed.

Reasons: As set out in the report submitted to the Planning and Transportation Advisory Board of 3 March 2020.

Signed Cabinet Member for Strategic Planning and Infrastructure	D Lettington
Signed Leader:	N Heslop
Signed Chief Executive:	J Beilby
Date of publication:	6 March 2020

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.

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION

Decision Taken By: Cabinet Member for Street Scene and Environment Services

Decision No: D200026MEM

Date: 05 March 2020

Decision(s) and Reason(s)

Air Quality Management Area Review

(Report of Director of Planning, Housing and Environmental Health)

The report set out details of the periodic statutory review of Air Quality Management Areas (AQMAs) within the Borough and outlined a proposed update of the Council's Air Quality Action Plan (AQAP).

Following consideration by the Street Scene and Environment Services Advisory Board, the Cabinet Member for Street Scene and Environment Services resolved that:

The issue of revocation and amendment orders as required by DEFRA for the

- revocation of AQMA 1 relating to Daily PM^{10} only;
- revocation of the whole of AQMA 2 at Ditton; and
- amendments to the areas of AQMAs 5, 6, and 7 at Aylesford, Larkfield and Borough Green respectively,

as detailed in Section 1.3 of the report, be endorsed.

Reasons: As set out in the report submitted to the Street Scene and Environment Services Advisory Board of 5 March 2020.

Signed Cabinet Member for Street Scene and Environment Services	R Betts
Signed Leader:	N Heslop
Signed Chief Executive:	J Beilby
Date of publication:	6 March 2020

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.

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION

Decision Taken By: Cabinet Member for Street Scene and Environment Services

Decision No: D200027MEM

Date: 09 March 2020

Decision(s) and Reason(s)

Parking Action Plan - Phase 11

(Report of Director of Street Scene, Leisure and Technical Services)

The report highlighted the outcome of the formal consultation undertaken between 17 January and 9 February in respect of 26 locations across the Borough. A summary of the locations, issues raised and recommendation for each location were set out in Annex 1 to the report.

Following consideration by the Joint Transportation Board, the Cabinet Member for Street Scene and Environment Services resolved that:

(1) with the exception of the locations listed in (2) to (4) below, the recommendations for each location included in Phase 11 of the Parking Action Plan, as set out at Annex 1 to the report, be adopted and, where appropriate, any objections be set aside and the restrictions be introduced;

(2) the proposals at Papyrus Way, Larkfield (ref. 11.17), Maple Close, Larkfield (ref. 11.22), and Somerhill Road, Tonbridge (ref. 11.34) be implemented;

(3) the scheme at Chaucer Way, Larkfield (ref. 11.20) not proceed;

(4) the High Street element of the scheme at Lyons Crescent and High Street, Tonbridge (ref. 11.32) be implemented and the proposals for Lyons Crescent be redrafted; and

(5) a permit parking scheme at Gorham Drive, Tonbridge be considered in the next Phase of the Parking Action Plan.

Reasons: As set out in the report submitted to the Joint Transportation Board of 9 March 2020.

Signed Cabinet Member for Street Scene and Environment Services R Betts

Signed Leader: N Heslop

Signed Chief Executive: J Beilby

Date of publication: 13 March 2020

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.

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION TAKEN UNDER EMERGENCY POWERS

Decision No:	**D200001EM**
Decision Taken By:	Leader of the Borough Council
Authority under which Decision Taken:	Emergency provisions for decision making during a period of serious and unexpected disruption under Part 7 of the Constitution.
Decision Type:	Executive Key Decision
Date:	20 March 2020

Decision(s) and Reason(s)
Future Gas and Electricity Supply Contracts
RESOLVED: That: (1) the Council enters into a further four year agreement with Npower, Total Gas and LASER (KCC) for the supply of electricity and gas (purchased under PWP) for the Council's high and low volume sites for the period 2020-24; (2) approval is given under Contract Procedure Rule 8.1 to utilise the LASER framework; and (3) authorisation be given to opt for electricity supplies generated by renewable sources as soon as practicable.
Taken in accordance with the Emergency Provisions set out at Part 7 Paragraph 1.3 of the Constitution and in agreement with the Chairman of Overview and Scrutiny Committee.

Signed Leader: N Heslop

Signed Chairman of Overview and Scrutiny Committee: J Sergison

Signed Chief Executive: J Beilby

Date of publication: 20 March 2020

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.

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION TAKEN UNDER EMERGENCY POWERS

Decision No:	**D200002EM**
Decision Taken By:	Leader of the Borough Council
Authority under which Decision Taken:	Emergency provisions for decision making during a period of serious and unexpected disruption under Part 7 of the Constitution.
Decision Type:	Executive Non-Key Decision
Date:	20 March 2020

Decision(s) and Reason(s)
Debts for Write Off **(LGA 1972 Sch 12A Paragraph 2 – Information likely to reveal information about an individual)**
RESOLVED: That: The 3 items shown in the schedule of amounts over £5,000, totalling £126,171.53 be written off for the reasons stated within the schedule (contains exempt information).
Taken in accordance with the Emergency Provisions set out at Part 7 Paragraph 1.3 of the Constitution and in agreement with the Chairman of Overview and Scrutiny Committee.

Signed Leader: N Heslop

Signed Chairman of Overview and Scrutiny Committee: J Sergison

Signed Chief Executive: J Beilby

Date of publication: 20 March 2020

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.

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION TAKEN UNDER EMERGENCY POWERS

Decision No:	**D200003EM**
Decision Taken By:	Leader of the Borough Council
Authority under which Decision Taken:	Emergency provisions for decision making during a period of serious and unexpected disruption under Part 7 of the Constitution.
Decision Type:	Executive Non Key Decision
Date:	27 March 2020

Decision(s) and Reason(s)

Rate Relief Discounts to Support Businesses in 2020/21

As part of measures announced during the coronavirus crisis, the Government issued details of discounts and reliefs to support businesses in 2020/21.

The Borough Council was required to adopt a local scheme and determine in each individual case when, having regard to Government guidance, to grant relief under section 47 Local Government Finance Act 1988. Central government would fully reimburse local authorities for the local share of the discretionary relief (using a grant under section 31 of the Local Government Act 2003).

In all cases the total amount of government-funded relief available for each property for 2020/21 under these schemes was 100% of the bill. There was no rateable value limit. Government advice was that local authorities should prepare to award the discounts ignoring de minimis State Aid limits and MHCLG will inform them of the outcome of the notification as soon as it is known.

RESOLVED: That:

(1) a scheme of Expanded Retail Discount, as described in the guidance issued by the Ministry of Housing, Communities and Local Government, be adopted;

(2) a scheme of Nursery Discount, as described in the guidance issued by the Ministry of Housing, Communities and Local Government, be adopted; and

(3)	delegated authority be given to the Director of Finance & Transformation to grant relief in accordance with the adopted schemes, subject to any disputed entitlement to relief being referred to the Finance, Innovation and Property Advisory Board.
Taken in accordance with the Emergency Provisions set out at Part 7 Paragraph 1.3 of the Constitution and in agreement with the Chairman of Overview and Scrutiny Committee.	

Signed Leader: N Heslop

Signed Chairman of Overview and Scrutiny Committee: J Sergison

Signed Chief Executive: J Beilby

Date of publication: 27 March 2020

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.

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION TAKEN UNDER EMERGENCY POWERS

Decision No:	**D200004EM**
Decision Taken By:	Leader of the Borough Council
Authority under which Decision Taken:	Emergency provisions for decision making during a period of serious and unexpected disruption under Part 7 of the Constitution.
Decision Type:	Executive Key Decision
Date:	24 April 2020

Decision(s) and Reason(s)

Advance Payment to the Leisure Trust under the Cabinet Office's Procurement Policy Note (PNN) – Supplier Relief due to COVID-19

(LGA 1972 Schedule 12A Paragraph 3 – Financial or business affairs of any particular person)

In response to Government's requirements around COVID-19 the Borough Council's leisure facilities, managed by the Leisure Trust, had been closed and the majority of staff furloughed. In order to stabilise cash-flows the Trust was taking the opportunity to defer payments such as VAT, PAYE and national insurance and would apply to the Government's furlough scheme.

In accordance with the Cabinet Office's 'Procurement Policy Note (PPN) - Supplier relief due to COVID-19' all contracting authorities were required to put in place the most appropriate payment measures to support supplier cash-flow.

A summary of the financial implications and reasons were set out in an annex (containing exempt information) submitted to the Leader and Chairman of the Overview and Scrutiny Committee in accordance with the Emergency Provisions set out in Part 7 Paragraph 1.3 of the Constitution.

RESOLVED: That:

In accordance with the Procurement Policy Note it was appropriate to pay in advance an 'assessed' sum of £300,000 to the Tonbridge and Malling Leisure Trust to support supplier cash-flow.

This sum to be invoiced to the Borough Council by the Trust and a reconciliation

completed throughout the year against the invoiced sum. If the advanced amount proved to be too high, the Leisure Trust would pay back any balance at the year end. If this proved to be too little, a further invoice would be raised by the Trust and the balance paid. (This was based on the assumption that the current situation did not continue for a prolonged period of time, in which case it was possible a sum of £300,000 might not be sufficient).
Taken in accordance with the Emergency Provisions set out at Part 7 Paragraph 1.3 of the Constitution and in agreement with the Chairman of Overview and Scrutiny Committee.

Signed Leader:	N Heslop
Signed Chairman of Overview and Scrutiny Committee:	J Sergison
Signed Chief Executive:	J Beilby
Date of publication:	24 April 2020

This decision is urgent and therefore not subject to call-in (in accordance with Overview and Scrutiny Committee Procedure Rule 15 (i) as set out in Part 4 of the Constitution) and may be implemented immediately.

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION TAKEN UNDER EMERGENCY POWERS

Decision No:	**D200005EM**
Decision Taken By:	Leader of the Borough Council
Authority under which Decision Taken:	Emergency provisions for decision making during a period of serious and unexpected disruption under Part 7 of the Constitution.
Decision Type:	Executive Key Decision
Date:	24 April 2020

Decision(s) and Reason(s)

Government Funding for Specific Hardship Policy – Council Tax Reduction

The Government recently announced new grant funding of £500m to support economically vulnerable people and households in the local area. Tonbridge and Malling Borough Council had received a funding allocation of £866,829.

Billing authorities would primarily use grant allocations to reduce the council tax liability of local council taxpayers outside of the local authorities formal Council Tax Reduction (CTR) Scheme, using discretionary powers under s13A(1)(c) of the Local Government Finance Act 1992. It was noted that the Borough Council had adopted a new CTR Scheme on 18 February 2020.

All recipients of working age were to be provided with local council tax support during the financial year 2020-21, with a further reduction in the annual council tax bill of up to £150. The sums allocated would be credited to a taxpayer's council tax account reducing net liability for the year, and would not be 'cash' allocations.

It was possible that in the current circumstances, and with the significant increase in claims for Universal Credit, that working age claims for CTR could also increase significantly. This represented a financial risk to the Borough Council as the entire cost of the award of up to £150 per case would have to be met from the General Fund as there were no indications from Government that any specific additional costs in respect of this scheme, over and above the initial allocation, would be met through a second grant 'tranche'. It was recommended that this financial concern be raised with local Members of Parliament to lobby Government.

In order to distribute the funding in accordance with the Government's guidance, it was necessary for the Borough Council to adopt a specific policy (the Council Tax s13A (1) (c) policy) to sit alongside the adopted exceptional hardship policy. This would be implemented strictly in accordance with Government guidelines.

Finally, it was recommended that delegated authority was given to the Director of Finance and Transformation, in liaison with the Leader and Cabinet Member for Finance, Innovation and Property, to make minor adjustments to the policy as needed to reflect further government guidance on this matter.
RESOLVED: That: (1) the Council Tax s13A (1) (c) policy as set out above and as described in government guidance be adopted; (2) delegated authority be given to the Director of Finance and Transformation (and Finance Officers) to grant reductions in accordance with the policy; (3) the lobbying of MPs, already undertaken by the Leader, regarding the 'risks' for billing authorities (as set out above) be endorsed; (4) delegated authority be given to the Director of Finance and Transformation, in liaison with the Leader and Cabinet Member for Finance, Innovation and Property, to make minor adjustments to the policy as needed to reflect further government guidance or requirements.
Taken in accordance with the Emergency Provisions set out at Part 7 Paragraph 1.3 of the Constitution and in agreement with the Chairman of Overview and Scrutiny Committee.

Signed Leader:	N Heslop
Signed Chairman of Overview and Scrutiny Committee:	J Sergison
Signed Chief Executive:	J Beilby
Date of publication:	24 April 2020

This decision is urgent and therefore not subject to call-in (in accordance with Overview and Scrutiny Committee Procedure Rule 15 (i) as set out in Part 4 of the Constitution) and may be implemented immediately.

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION TAKEN UNDER EMERGENCY POWERS

Decision No:	**D2000006EM**
Decision Taken By:	Leader of the Borough Council
Authority under which Decision Taken:	Emergency provisions for decision making during a period of serious and unexpected disruption under Part 7 of the Constitution.
Decision Type:	Council Decision
Date:	1 May 2020

Decision(s) and Reason(s)
APPOINTMENTS TO OUTSIDE BODIES
Consideration was given to appointments to the Berry Housing Trust and the Gatwick Airport Noise Management Board Community Forum.
RESOLVED: That: (1) the appointment of Mrs Gillian Coffin as a Trustee of the Berry Housing Trust be approved; (2) the appointment of Councillor Matt Boughton to the Gatwick Airport Noise Management Board Community Forum be approved; and (3) confirmation of Councillor Boughton's attendance at the meeting of the Forum in February be endorsed as an approved duty.
Taken in accordance with the Emergency Provisions set out at Part 7 Paragraph 1.3 of the Constitution and in agreement with the Chairman of Overview and Scrutiny Committee.

Signed Leader:	N Heslop
Signed Chairman of Overview and Scrutiny Committee:	J Sergison
Signed Chief Executive:	J Beilby
Date of publication:	1 May 2020

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION TAKEN UNDER EMERGENCY POWERS

Decision No:	**D200007EM**
Decision Taken By:	Leader of the Borough Council
Authority under which Decision Taken:	Emergency provisions for decision making during a period of serious and unexpected disruption under Part 7 of the Constitution.
Decision Type:	Council Decision
Date:	1 May 2020

Decision(s) and Reason(s)
PROGRAMME OF MEETINGS 2020-21
Consideration was given to the programme of meetings for 2020-21 previously approved by Annual Council on 20 May 2019. A number of changes to the programme were recommended due to the current coronavirus pandemic and the requirement to maintain social distancing and to avoid gatherings.
RESOLVED: That the programme of meetings for 2020-21 be endorsed and the following changes approved: (1) Economic Regeneration Advisory Board of 19 May to be cancelled; (2) Finance, Innovation and Property Advisory Board of 20 May to be cancelled; (3) Communities and Housing Advisory Board of 26 May to be cancelled; and (4) An Extraordinary meeting of Cabinet to be programmed for 19 May 2020
Taken in accordance with the Emergency Provisions set out at Part 7 Paragraph 1.3 of the Constitution and in agreement with the Chairman of Overview and Scrutiny Committee.

Signed Leader: N Heslop

Signed Chairman of Overview and Scrutiny Committee: J Sergison

Signed Chief Executive: J Beilby

Date of publication: 1 May 2020

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION TAKEN UNDER EMERGENCY POWERS

Decision No:	**D200008EM**
Decision Taken By:	Leader of the Borough Council
Authority under which Decision Taken:	Emergency provisions for decision making during a period of serious and unexpected disruption under Part 7 of the Constitution.
Decision Type:	Council Decision
Date:	1 May 2020

Decision(s) and Reason(s)
SCHEME OF DELEGATIONS
Consideration was given to the Scheme of Delegations in compliance with the Constitution.
RESOLVED: That: (1) those parts of the Scheme of Delegations set out in Part 3 of the Constitution which are for the Council to approve be confirmed; (2) the Leader's recommendations for decision making by individual executive Members set out in Part 3 of the Constitution be adopted; and (3) the current scheme of delegation to officers in respect of executive functions set out in Part 3 of the Constitution be re-adopted.
Taken in accordance with the Emergency Provisions set out at Part 7 Paragraph 1.3 of the Constitution and in agreement with the Chairman of Overview and Scrutiny Committee.

Signed Leader:	N Heslop
Signed Chairman of Overview and Scrutiny Committee:	J Sergison
Signed Chief Executive:	J Beilby
Date of publication:	1 May 2020

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION TAKEN UNDER EMERGENCY POWERS

Decision No:	**D200009EM**
Decision Taken By:	Leader of the Borough Council
Authority under which Decision Taken:	Emergency provisions for decision making during a period of serious and unexpected disruption under Part 7 of the Constitution.
Decision Type:	Executive Key Decision
Date:	12 May 2020

Decision(s) and Reason(s)

Discretionary Business Support Grant Scheme – Covid-19 Discretionary Fund

Further to the funding support offered to businesses under the Small Business Grant Fund and the Retail, Hospitality and Leisure Grants Scheme, on 2 May the Government had announced additional 'discretionary' funding aimed at small businesses with ongoing fixed property related costs. The Government had stated that priority was to be given to businesses in shared spaces, regular market traders and small charity properties that met the criteria for Small Business Rates Relief, and bed and breakfasts that paid council tax rather than business rates.

The headline criteria for accessing this new discretionary funds had been strengthened since the initial announcement by Government in a joint Ministerial letter dated 6 May. Despite final guidance not yet being available it was essential that the Borough Council prepared a Scheme that could be launched as soon as possible. In addition, the funding allocation for Tonbridge and Malling Borough Council to distribute to local businesses had not yet been specified.

In order to get funding support distributed to businesses as quickly as possible, it was proposed that delegated authority was given to Chief Executive and the Director of Finance and Transformation, in liaison with the Leader (in his capacity as the Portfolio Holder for Economic Regeneration) and the Deputy Leader (in his capacity as the Portfolio Holder for Finance, Innovation and Property) to determine the scheme within Tonbridge & Malling. In addition, rather than bring grant applications to Members for decision, the approval of grant awards within the terms of the policy should be delegated to the Chief Executive and Director of Finance & Transformation.

RESOLVED: That:

(1) delegated authority be given to the Chief Executive and Director of Finance & Transformation in liaison with the Leader (as the Portfolio Holder for

	Economic Regeneration) and the Deputy Leader (as the Portfolio Holder for Finance, Innovation and Property to determine a discretionary business grant scheme once the guidance from government has been received; and
(2)	delegated authority be given to the Chief Executive and Director of Finance & Transformation to process and determine the grant applications within the guidelines of the scheme.
Taken in accordance with the Emergency Provisions set out at Part 7 Paragraph 1.3 of the Constitution and in agreement with the Chairman of Overview and Scrutiny Committee.	

Signed Leader: N Heslop

Signed Chairman of Overview and Scrutiny Committee: J Sergison

Signed Chief Executive: J Beilby

Date of publication: 15 May 2020

This decision is urgent and therefore not subject to call-in (in accordance with Overview and Scrutiny Committee Procedure Rule 15 (i) as set out in Part 4 of the Constitution) and may be implemented immediately.

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION TAKEN UNDER EMERGENCY POWERS

Decision No:	**D200010EM**
Decision Taken By:	Leader of the Borough Council
Authority under which Decision Taken:	Emergency provisions for decision making during a period of serious and unexpected disruption under Part 7 of the Constitution.
Decision Type:	Executive Key Decision
Date:	12 May 2020

Decision(s) and Reason(s)

Reopening of Car Parks and Toilet Facilities at the Country Parks

In a direct response to the Covid-19 virus, and in accordance with Government policy for people to 'Stay at Home, the Borough Council closed the main car parks, toilets and catering facilities at both Haysden and Leybourne Lakes Country Parks on 25 March 2020.

On 11th May 2020 new guidance was published and the Government's policy changed to 'Stay Alert' and encouraged people to exercise more in the outdoors.

In considering the revised guidance, it was noted that people might drive to outdoor spaces irrespective of distance. It was considered appropriate to reopen the car parks at both Country Parks and for existing car parking charges to be applied. In addition, it was considered essential to reopen the toilet facilities at both Country Parks to enable good hand hygiene to be maintained.

RESOLVED: That

(1) delegated authority be given to the Chief Executive and Director of Street Scene, Leisure and Technical Services, in liaison with the Leader, Deputy Leader and Cabinet Member for Communities to reopen the car parks and toilet facilities at both Haysden and Leybourne Lakes Country Parks; and

(2) existing car parking charges be applied with immediate effect.

Taken in accordance with the Emergency Provisions set out at Part 7 Paragraph 1.3 of the Constitution and in agreement with the Chairman of Overview and Scrutiny Committee.

Signed Leader:	N Heslop
Signed Chairman of Overview and Scrutiny Committee:	J Sergison
Signed Chief Executive:	J Beilby
Date of publication:	15 May 2020

This decision is urgent and therefore not subject to call-in (in accordance with Overview and Scrutiny Committee Procedure Rule 15 (i) as set out in Part 4 of the Constitution) and may be implemented immediately.

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION

Decision Taken By: Cabinet
Decision No: D200029CAB
Date: 03 June 2020

Decision(s) and Reason(s)

Car Parking Fees and Charges - Outcome of Public Consultation

Consideration of recommendations to the Cabinet from the Street Scene and Environment Services Advisory Board of 5 March 2020 (Item SSE 20/8).

The Cabinet resolved that:

(1) the recommendations of the Street Scene and Environment Services Advisory Board be deferred until the next annual review of car parking arrangements in autumn 2020, to enable the financial implications and the impact to the community arising from the coronavirus pandemic to be fully assessed.

(2) the concession for the diabetic screening unit/clinic at West Malling Car Parking be approved.

Reasons: As set out in the report submitted to the Street Scene and Environment Services Advisory Board of 5 March.

Signed Chief Executive: J Beilby

Date of publication: 5 June 2020

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: D200030CAB
Date: 03 June 2020

Decision(s) and Reason(s)
On Street Parking Fees and Charges **Consideration of recommendations to the Cabinet from the Joint Transportation Board of 9 March 2020 (Item JTB 20/4).** The Cabinet resolved that: The recommendations of the Joint Transportation Board be deferred until the next annual review of car parking arrangements in autumn 2020, to enable the financial implications and impacts to the community arising from the coronavirus pandemic to be assessed.
Reasons: As set out in the report submitted to the Joint Transportation Board of 9 March 2020.

Signed Chief Executive: J Beilby

Date of publication: 5 June 2020

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: D200031CAB
Date: 03 June 2020

Decision(s) and Reason(s)

Corporate Strategy - First Year Addendum

(**Report of Chief Executive and the Management Team)**

Consideration was given to the proposed approach to a one-year addendum to the Borough Council's Corporate Strategy to provide a framework within which to consider a wide range of issues in response to the Covid-19 pandemic.

The Cabinet resolved that:

(1) the one-year addendum, set out in Annex 1 to the report of Management Team, be adopted;

(2) the actions set out in the one-year addendum be endorsed for further reporting to Advisory Boards or Committees as appropriate;

(3) the proposed extension to the Climate Change Strategy consultation and the revised programme for adoption, as set out in the one-year addendum be noted.

Reasons: As set out in the report submitted to Cabinet of 3 June 2020.

Signed Chief Executive: J Beilby

Date of publication: 5 June 2020

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: D200032CAB
Date: 03 June 2020

Decision(s) and Reason(s)

Revenue and Capital Outturn 2019-20

(Report of Chief Executive, Director of Finance and Transformation, Leader of the Council and Cabinet Member for Finance, Innovation and Property)

In accordance with the Borough Council's Financial Procedure Rules, consideration was given to information detailing actual Revenue and Capital Outturn for the year ended 31 March 2020. Subsequent adjustments made in light of the Outturn position were also considered.

The Cabinet resolved that:

(1) the Revenue and Capital Outturn for the year 2019-20 be noted and endorsed;

(2) the action taken following a review of specific earmarked reserves (the establishment of a Reorientation/Post Emergency reserve and the transfer to the Invest to Save reserve), as set out in paragraph 1.2.3 of the report, be noted and endorsed;

(3) the Treasury Management and Investment Strategy Review 2019-20 (as set out in Annex 4 to the report) be noted and endorsed; and

(4) as a result of the Covid-19 pandemic, the significant impact on the Borough Council's reserve balances and the resulting adverse impact on the scale and timing of the savings and transformation contributions required be noted.

Reasons: As set out in the report submitted to Cabinet of 3 June 2020.

Signed Chief Executive: J Beilby

Date of publication: 5 June 2020

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: D200033CAB
Date: 03 June 2020

Decision(s) and Reason(s)
Strategic Risk Register **(Report of Management Team)** **In the light of the coronavirus pandemic, consideration was given to an update of the Strategic Risk Register and a number of areas where risk had been escalated were set out.** Particular reference was made to the significant risks and implications to the financial position and budget deficit, Brexit impact and economic uncertainty, the Corporate Strategy and the Savings and Transformation Strategy and waste services. The Cabinet resolved that: The escalation of a number of key risks to Red (summarised above and detailed in the Strategic Risk Register attached as Annex 1) be noted and acknowledged.
Reasons: As set out in the report submitted to Cabinet of 3 June 2020.

Signed Chief Executive: J Beilby

Date of publication: 5 June 2020

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: D200034CAB
Date: 03 June 2020

Decision(s) and Reason(s)
Development Management - Processes and Procedures **Consideration of recommendations to the Cabinet from the Planning and Transportation Advisory Board of 3 March 2020 (Item PE 20/4).** The Cabinet resolved that: The recommendations of the Planning and Transportation Advisory Board of 3 March be deferred until the next meeting of Cabinet on 30 June 2020 in order to allow for discussion with Parish Councils at the meeting of the Parish Partnership Panel on 11 June.
Reasons: As set out in the report submitted to the Planning and Transportation Advisory Board of 3 March 2020.

Signed Chief Executive: J Beilby

Date of publication: 5 June 2020

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: D200035CAB
Date: 03 June 2020

Decision(s) and Reason(s)
Proposed Revision to the Joint Transportation Board Agreement **Consideration of recommendations to the Cabinet from the Planning and Transportation Advisory Board of 3 March 2020 (Item PE 20/5).** The Cabinet resolved that: The recommendations of the Planning and Transportation Advisory Board be approved as follows: (1) that the revised Joint Transportation Board Agreement (attached at Annex 2 of the report) be approved; and (2) that Parish/Town Council representatives would not have voting rights as part of this amendment.
Reasons: As set out in the report submitted to the Planning and Transportation Advisory Board of 3 March 2020.

Signed Chief Executive: J Beilby

Date of publication: 5 June 2020

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: D200036CAB
Date: 03 June 2020

Decision(s) and Reason(s)

Coronavirus Pandemic - Contract Arrangements with Tonbridge and Malling Leisure Trust

(LGA 1972 – Sch 12A Paragraph 3 – Financial or business affairs of any particular person)

(Report of Management Team)

Consideration was given to the financial issues in respect of the contractual arrangements with Tonbridge and Malling Leisure Trust as a consequence of the pandemic.

The Cabinet resolved that:

(1) the potential financial implications for the Tonbridge and Malling Leisure Trust as a result of the government's directions in response to the pandemic be noted;

(2) the written reassurance of the Management Team, in liaison with the Leader and Deputy Leader, to the Tonbridge and Malling Leisure Trust Board be noted;

(3) the proposal that Management Team work with the Tonbridge and Malling Leisure Trust to set out potential options to a future meeting of the Communities and Housing Advisory Board be endorsed; and

(4) the Management Agreement with the Tonbridge and Malling Leisure Trust be reviewed with details presented to a future meeting.

Reasons: As set out in the report (contains exemption information) submitted to Cabinet of 3 June 2020.

Signed Chief Executive: J Beilby

Date of publication: 5 June 2020

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.

TONBRIDGE AND MALLING BOROUGH COUNCIL

AREA 3 PLANNING COMMITTEE

Thursday, 4th June, 2020

Present: Cllr D A S Davis (Chairman), Cllr M C Base (Vice-Chairman), Cllr Mrs S Bell, Cllr T Bishop, Cllr R I B Cannon, Cllr D J Cooper, Cllr R W Dalton, Cllr Mrs T Dean, Cllr S M Hammond, Cllr P M Hickmott, Cllr D Keers, Cllr A Kennedy, Cllr D Lettington, Cllr Mrs R F Lettington, Cllr Mrs A S Oakley, Cllr R V Roud, Cllr Mrs M Tatton, Cllr D Thornewell and Cllr C J Williams

Councillors N J Heslop, S A Hudson and H S Rogers were also present pursuant to Council Procedure Rule No 15.21.

An apology for absence was received from Councillor A P J Keeley

PART 1 - PUBLIC

AP3 20/6 DECLARATIONS OF INTEREST

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

AP3 20/7 MINUTES

RESOLVED: That the Minutes of the meeting of the Area 3 Planning Committee held on 30 January 2020 be approved as a correct record and signed by the Chairman.

DECISIONS TAKEN UNDER DELEGATED POWERS IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION (RESPONSIBILITY FOR COUNCIL FUNCTIONS)

AP3 20/8 DEVELOPMENT CONTROL

Decisions were taken on the following applications subject to the pre-requisites, informatives, conditions or reasons for refusal set out in the report of the Director of Planning, Housing and Environmental Health or in the variations indicated below. Any supplementary reports were circulated in advance of the meeting and published to the website.

Members of the public addressed the meeting where the required notice had been given and their comments were taken into account by the Committee when determining the application. Speakers are listed under the relevant planning application shown below.

AP3 20/9 TM/19/00786/FL - THE OAST HOUSE, HOLLOW LANE, SNODLAND

Partial demolition of existing vacant building, change of use of remaining floorspace and erection of new single storey extension for mixed restaurant and hot food takeaway (mixed A3/A5) use, incorporating a 'drive-thru' lane, creation of new vehicular access and egress point from Hollow Lane, provision of car and cycle parking, plant and extraction system, landscaping at The Oast House, Hollow Lane Snodland.

RESOLVED: That planning permission be REFUSED for the following reason(s):

(1) The proposed development, by virtue of the nature of the use, the capacity of the site to accommodate the level of activity associated with that use combined with the proximity of nearby residential properties, would when taken cumulatively result in an unacceptable level of noise and disturbance which would be significantly harmful to the residential amenities of those properties and which cannot be fully or appropriately mitigated through planning conditions. As such, the proposed development is contrary to the requirements of paragraphs 127(a) and (f) 180 (a) of the NPPF.

[Speakers: Mrs Annick West (on behalf of Mr Mark West), Mr David Rayner and Ms Lea West (members of the public) addressed the Committee via video-conferencing, a written statement was read by the Democratic Services Officer on behalf of Mr Dave Dempsey (member of the public); and Ms Laura Fitzgerald, Highways Consultant addressed the Committee via video-conferencing (on behalf of the applicant)].

AP3 20/10 TM/18/01106/FL - BELVIDERE OAST, 165 WATERINGBURY ROAD, EAST MALLING

Proposed new entrance to No.165 Wateringbury Road at Belvidere Oast 165 Wateringbury Road, East Malling.

RESOLVED: That planning permission be DEFERRED for a report from Legal Services on the risks arising from a decision contrary to the recommendation of the Director of Planning, Housing and Environmental Health (as set out in CPR 15.25, Part 4 (Rules) of the Constitution).

[Speaker: The applicant, Mr Geoff Kenward, addressed the Committee via video-conferencing]

PART 2 - PRIVATE

AP3 20/11 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 10.25 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

GENERAL PURPOSES COMMITTEE

Wednesday, 17th June, 2020

Present: Cllr Mrs P A Bates, Cllr M D Boughton, Cllr M A Coffin, Cllr D J Cooper, Cllr M A J Hood, Cllr K King, Cllr B J Luker, Cllr N G Stapleton and Cllr Mrs M Tatton

Councillors Mrs J A Anderson, R P Betts, V M C Branson, N J Heslop, D W King, D Lettington, Mrs A S Oakley, M R Rhodes, H S Rogers and J L Sergison were also present pursuant to Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors Mrs F A Kemp (Chairman), L J O'Toole (Vice-Chairman), D A S Davis and W E Palmer

PART 1 - PUBLIC

GP 20/9 ELECTION OF CHAIRMAN

In the absence of both the Chairman and Vice-Chairman and in accordance with Committee Procedure Rule 14.7 (as set out in Part 4 of the Constitution) it was proposed by Councillor M Coffin, seconded by Councillor Mrs P Bates and

RESOLVED: That Councillor M Boughton be elected as Chairman of this meeting of the General Purposes Committee.

GP 20/10 DECLARATIONS OF INTEREST

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

GP 20/11 MINUTES

RESOLVED: That the Minutes of the meeting of the General Purposes Committee held on 27 January 2020 be approved as a correct record and signed by the Chairman.

DECISIONS TAKEN UNDER DELEGATED POWERS IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION (RESPONSIBILITY FOR COUNCIL FUNCTIONS)

GP 20/12 ESTABLISHMENT CHANGES - MEDIA AND COMMUNICATIONS

The report of the Director of Central Services addressed the requirements for developing the Council's new website in support of its

Digital Strategy and post-pandemic reorientation. He reminded Members that the new website formed a central plank of the Council's strategy and goal of becoming a digital by default organisation. The report assessed the current approach to online content management and proposed centralising responsibility for this under a new post of Digital Content Manager within the Media and Communications team.

RESOLVED: That

(1) a new full-time post of Digital Content Editor (Grade SO) be created within the Media and Communications Team with immediate effect; and

(2) the budget be updated accordingly.

GP 20/13 SICKNESS ABSENCE POLICY

The Director of Central Services presented details of an amendment to the current Sickness Absence Policy and Procedure to incorporate the use of Tailored Adjustment Agreements to facilitate the rigorous formal tracking of "reasonable adjustments" agreed between line managers and employees with a disability. Details of the updated Section K to the Sickness Absence Policy and Procedure were set out within Annex 1.

RESOLVED: That the updated Sickness Absence Policy and Procedure, as set out at Annex 1 to the report, be adopted by Council.

MATTERS FOR CONSIDERATION IN PRIVATE

GP 20/14 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 8.06 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

OVERVIEW AND SCRUTINY COMMITTEE

Thursday, 18th June, 2020

Present: Cllr J L Sergison (Chairman), Cllr Mrs A S Oakley (Vice-Chairman), Cllr Mrs J A Anderson, Cllr M C Base, Cllr T Bishop, Cllr J L Botten, Cllr M D Boughton, Cllr C Brown, Cllr M A J Hood, Cllr H S Rogers, Cllr M Taylor and Cllr Miss G E Thomas

Councillors Mrs P A Bates, R P Betts, V M C Branson, N J Heslop, D W King, D Lettington, P J Montague, W E Palmer and M R Rhodes were also present pursuant to Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors F G Tombolis (Vice-Chairman), D Keers and D Thornewell.

PART 1 - PUBLIC

OS 20/10 DECLARATIONS OF INTEREST

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

OS 20/11 MINUTES

RESOLVED: That the Minutes of the meeting of the Overview and Scrutiny Committee held on 15 January 2020 be approved as a correct record and signed by the Chairman.

DECISIONS TAKEN BY THE COMMITTEE

OS 20/12 REVISED OVERVIEW AND SCRUTINY PROGRAMME

The report of the Chief Executive advised that due to the Borough Council's role in the emergency response to Covid-19 the previously agreed programme of the Overview and Scrutiny Committee had been placed on hold. Whilst work to scrutinise some of these review areas had started, the coronavirus pandemic had significantly impacted on work streams for all areas of the Borough Council, as well as dramatically changing the landscape for the community. It was recognised that a return to 'business as usual' approach was unlikely and there should be a focus on a 'new normal'.

However, as a result of the easing of the lockdown measures and planning for the recovery phase it was considered appropriate to re-establish a programme of meetings for this committee. The report outlined an opportunity for the Committee to re-scope its programme of work aligned to the three themes of review, re-orientation and recovery.

Members supported the proposed amendments to the original reviews and the extension of some funding arrangements until the end of the financial year, which offered schemes and organisations a level of security for the short term. It was commented that this provided an opportunity for the Borough Council to explore new models of operation and service delivery to support the longer term recovery of the Authority.

RESOLVED: That

(1) the following amendments to the original reviews (as set out in paragraph 1.2.1) be adopted:

- Review of the Councils Public Health Function – to be focused on the role of the "One You" health team throughout the Covid-19 crisis and future support that can be offered by this team to aid the recovery process;

- Disabled Facilities Grants /Hospital Discharge Scheme – to be deferred pending consideration of the Better Care Fund allocation for 2020/21;

- Review of Community Safety and CCTV – to be deferred pending further consideration by Cabinet;

- Review of Anti-Social Behaviour in Housing Association Properties – review to be deferred with a revised scope to include wider issues that impact on tenants;

- Review of Council Marketing/Media – this topic to be considered as part of a wider review of the Council's response to the pandemic;

- Review of Grant Support to Voluntary Sector organisations and groups – this topic to be considered as part of a wider review focussing on recovery for the voluntary sector; and

(2) a revised programme of reviews focused on Review, Re-orientation and Recovery be agreed as follows:

- Community Hub
- Business Support
- Recovery for the Voluntary and Community Sector
- Media and Communications
- One You health team – recovery support
- Homeworking and virtual meetings

MATTERS FOR CONSIDERATION IN PRIVATE

OS 20/13 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 7.57 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

AREA 1 PLANNING COMMITTEE

Thursday, 25th June, 2020

Present: Cllr V M C Branson (Chairman), Cllr M D Boughton (Vice-Chairman), Cllr Mrs J A Anderson, Cllr J L Botten, Cllr G C Bridge, Cllr A E Clark, Cllr M O Davis, Cllr N Foyle, Cllr N J Heslop, Cllr M A J Hood, Cllr F A Hoskins, Cllr D W King, Cllr K King, Cllr J R S Lark, Cllr M R Rhodes, Cllr H S Rogers, Cllr J L Sergison and Cllr Miss G E Thomas

Councillor Mrs A S Oakley was also present pursuant to Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors Mrs P A Bates and F G Tombolis

PART 1 - PUBLIC

AP1 20/6 DECLARATIONS OF INTEREST

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

AP1 20/7 MINUTES

RESOLVED: That the Minutes of the meeting of the Area 1 Planning Committee held on 21 May 2020 be approved as a correct record and signed by the Chairman.

DECISIONS TAKEN UNDER DELEGATED POWERS IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION (RESPONSIBILITY FOR COUNCIL FUNCTIONS)

AP1 20/8 DEVELOPMENT CONTROL

Decisions were taken on the following applications subject to the pre-requisites, informatives, conditions or reasons for refusal set out in the report of the Director of Planning, Housing and Environmental Health or in the variations indicated below. Any supplementary reports were circulated in advance of the meeting and published to the website.

Members of the public addressed the meeting where the required notice had been given and their comments were taken into account by the Committee when determining the application. Speakers are listed under the relevant planning application shown below.

AP1 20/9 TM/20/00341/FL - 140 TONBRIDGE ROAD, HILDENBOROUGH

Demolition of existing garage and associated buildings and structures and the erection of a 75-bed care home (use class C2) with car parking at 140 Tonbridge Road, Hildenborough.

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

(1) The amendment of condition 16 to read:

16. The effectiveness of the remediation scheme shall be verified in two phases.

(a) The first phase will cover the removal of the fuel storage infrastructure and associated contamination as carried out pursuant to Condition 15 (b) and will be submitted prior to commencement of the development.

(b) Following completion of the remainder of the approved remediation strategy, and prior to the first occupation of the development, a final verification report shall be submitted.

In each case, the verification report shall scientifically and technically demonstrate the effectiveness and completion of that phase of the remediation scheme at above and below ground level and shall be submitted for the information of the Local Planning Authority.

The reports shall be undertaken in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'. Where it is identified that further remediation works are necessary, details and a timetable of those works shall be submitted to the Local Planning Authority for written approval and shall be fully implemented as approved.

Thereafter, no works shall take place such as to prejudice the effectiveness of the approved scheme of remediation.

Reason: In the interests of amenity, public safety and human health and in accordance with the National Planning Policy Framework.

(2) The addition of conditions 19 and 20 as follows:

19. Any first and second floor windows serving the stairwell in the northernmost corner of the building shall be fitted with obscured glass prior to the first occupation of the building and retained at all times thereafter.

Reason: To minimise the effect of overlooking onto the adjoining property.

20. Prior to the first occupation of the development hereby approved, a scheme for any ventilation system to serve the kitchen and any air conditioning units, ducts, fans or similar apparatus to serve the development as a whole, including their location on the building, appearance and technical specifications shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be fully installed before first occupation of the building and shall thereafter be maintained in strict accordance with the approved details.

Reason: In the interests of the amenities of nearby properties.

[Speakers: A written statement was read by the Democratic Services Officer on behalf of Hildenborough Parish Council; Mr K Bird (member of the public) and Mr D Bond (Agent) addressed the Committee via video-conferencing.]

AP1 20/10 TM/20/00098/FL - LAND FRONTING VALE RISE AT COLAS ROADS LTD, VALE ROAD, TONBRIDGE

Development to provide 15 industrial units for use in association with Use Class B1(c) (light industrial), B2 (general industrial) and B8 (storage and distribution) with ancillary trade counters and associated servicing, parking and landscaping at Land fronting Vale Rise at Colas Roads Limited, Vale Road, Tonbridge.

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

(1) The amendment of the Plans List to cite:

Flood Risk Assessment 19-046R-003 REV2 dated 20.04.2020
Proposed Floor Plans C-355-TP-03-B dated 23.03.2020

(2) The amendment of conditions 16 and 20 to read:

16. The development hereby approved shall be undertaken in strict accordance with the measures and recommendations set out in the Flood Risk Assessment prepared by Bradbrook Consulting Rev 2 dated April 2020

Reason: In the interests of flood prevention

20. Prior to the commencement of any above ground works, a scheme of hard and soft landscaping incorporating how the footway along the site frontages on Vale Road and Vale Rise can, where practicable, be

widened to up to 3m in order to make provision for a future footway/cycleway shall be submitted to and approved by the Local Planning Authority. The development shall thereafter be undertaken in strict accordance with that scheme, with the associated planting scheme carried out in the first planting season following occupation of the buildings or the completion of the development, whichever is the earlier. Any trees or plants which within 10 years of planting are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of visual amenity and promoting and facilitating sustainable modes of transport in the locality.

(3) The addition of Informatives 7 and 8:

7. The applicant is reminded that pursuant to the requirements of Condition 20 it will be necessary for them to enter into a Section 278 agreement with Kent County Council.

8. The applicant is strongly encouraged to consider opportunities for incorporating additional renewable energy technologies into the building which Units 5 – 11 will occupy where possible and for measures to support biodiversity including the incorporation of swift boxes where possible within the construction of the buildings.

[Speakers: A written statement was read by the Democratic Services Officer on behalf of Mr S Bowler (member of the public); Mrs F Long on behalf of Tonbridge Bicycle Users Group (member of the public) addressed the Committee via video-conferencing; and a video statement, provided by Mr J Lee (Agent) in advance of the meeting, was presented to the committee.]

AP1 20/11 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 9.24 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

CABINET

Tuesday, 30th June, 2020

Present: Cllr N J Heslop (Chairman), Cllr R P Betts, Cllr M A Coffin, Cllr D Lettington, Cllr P J Montague and Cllr M R Rhodes

Councillors Mrs J A Anderson, M C Base, Mrs S Bell, M D Boughton, V M C Branson, A E Clark, R W Dalton, D A S Davis, Mrs T Dean, M A J Hood, F A Hoskins, S A Hudson, D Keers, K King, J R S Lark, Mrs A S Oakley, W E Palmer, H S Rogers, R V Roud, J L Sergison, T B Shaw, N G Stapleton, K B Tanner, Mrs M Tatton, M Taylor and Mrs C B Langridge were also present pursuant to Access to Information Rule No 23.

PART 1 - PUBLIC

CB 20/50 DECLARATIONS OF INTEREST

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

CB 20/51 MINUTES

RESOLVED: That the Minutes of the meeting of the Cabinet held on 3 June 2020 be approved as a correct record and signed by the Chairman.

MATTERS FOR RECOMMENDATION TO THE COUNCIL

CB 20/52 TONBRIDGE AND MALLING LEISURE TRUST

The joint report of the Director of Street Scene, Leisure and Technical Services and the Chief Financial Services Officer outlined the need to establish a budget provision in 2020/21 to support Tonbridge and Malling Leisure Trust (TMLT) in maintaining the Council's facilities during the pandemic and preparing them for re-opening and operation in the manner required through Government direction. The report suggested that a budget of £1m be set aside against which validated claims from TMLT, made through the 'open book' process, could be paid.

Members supported the proposals as the facilities offered by the Leisure Trust provided social, health and wellbeing, mental health and community benefits to residents of Tonbridge and Malling.

RECOMMENDED: That

(1) the Council establish a supplementary budget of £1m in 2020/21 in respect of the Council's Leisure Management Arrangements; and

(2) the Council, in liaison with the Leisure Trust, lobbies Government for direct financial support.

*** Referred to Council**

DECISIONS TAKEN IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION (RESPONSIBILITY FOR EXECUTIVE DECISIONS)

CB 20/53 COVID-19 AND IMPACT ON THE MEDIUM TERM FINANCIAL STRATEGY

Decision Notice D200038CAB

CB 20/54 CORPORATE PLAN - ADDENDUM

Decision Notice D200039CAB

CB 20/55 DEVELOPMENT MANAGEMENT - PROCESSES AND PROCEDURES

Decision Notice D200040CAB

MATTERS SUBMITTED FOR INFORMATION

CB 20/56 MATTERS REFERRED FROM ADVISORY PANELS 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.

- Joint Transportation Board of 8 June 2020
- Parish Partnership Panel of 11 June 2020

RESOLVED: That the report be received and noted.

CB 20/57 ELECTORAL REVIEW FOR TONBRIDGE AND MALLING BOROUGH COUNCIL

The joint report of the Chief Executive and the Leader of the Council advised that the Local Government Boundary Commission for England would be undertaking a boundary review of electoral wards across the Borough which would commence in September 2020.

RESOLVED: That the report be received and noted.

CB 20/58 URGENT ITEMS

The Chairman announced that he had accepted an urgent item of business. In accordance with s100B (4)(b) of the Local Government Act 1972, he advised that he considered the matter to be urgent due to the need to establish a mechanism for the determination of applications for pavement licences in accordance with the proposals set out in the Business and Planning Bill.

CB 20/59 BUSINESS AND PLANNING BILL - PAVEMENT LICENCES/OFF-SALES OF ALCOHOL

Decision Notice D200041CAB

CB 20/60 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 9.45 pm

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION

Decision Taken By: Cabinet Member for Street Scene and Environment Services

Decision No: D200037MEM

Date: 08 June 2020

Decision(s) and Reason(s)

Parking Action Plan - Phase 12

(Report of Director of Street Scene, Leisure and Technical Services)

The report provided details of 20 schemes to be taken forward for investigation and informal consultation under Phase 12 (20/21) of the Parking Action Plan. Details of the schemes were set out in Annex 1 to the report while Annex 2 identified a list of locations to be considered in future phases of the Parking Action Plan. It was noted that the timescale for investigation and informal consultation on the schemes identified within Phase 12 would be influenced by the restrictions placed on the Parking Team by the Covid-19 emergency and current workload, which included a significant amount of work relating to the completion of Phase 11 works.

Following consideration by the Joint Transportation Board, the Cabinet Member for Street Scene and Environment Services resolved that:

(1) the list of locations identified in Annex 1 to the report be taken forward for investigation and informal consultation as Phase 12 of the Parking Action Plan; and

(2) the list of locations identified in Annex 2 to the report be held on a list for the next cycle of the Phased Parking Action Plan.

Reasons: As set out in the report submitted to the Joint Transportation Board of 8 June 2020

Signed Cabinet Member for Street Scene and Environment Services: R Betts

Signed Leader: N Heslop

Signed Chief Executive: J Beilby

Date of publication: 12 June 2020

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.

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION

Decision Taken By: Cabinet
Decision No: D200038CAB
Date: 30 June 2020

Decision(s) and Reason(s)

Covid-19 and Impact on the Medium Term Financial Strategy

(Report of Director of Finance and Transformation)

The report advised of the financial impacts to the Council to the end of May, outlined the scale of the potential longer term impact of the Covid-19 pandemic, in broad terms, on the Council's finances, the Medium Term Financial Strategy and the Savings and Transformation Strategy and, in turn, savings and transformation contributions required to balance the budget.

The Cabinet resolved that:

(1) the spend and income foregone as a result of Covid-19 as at end of May and as set out in the report be noted;

(2) the target of £500,000 to be saved during 2020/21 from appropriate budgets in relation to the 'essential spend only' policy be approved and Management Team be requested to continuously monitor this during the year;

(3) the imperative to continue to progress the savings initiatives as soon as practically possible for which decisions were made prior to the pandemic be noted;

(4) the range of potential financial impacts forecast for the end of the financial year 2020/21 be noted;

(5) lobbying for additional grant payments from government to assist with the unprecedented financial impacts be continued;

(6) it be agreed that the general revenue reserve balance should not drop below £2m at any point in the MTFS 10-year period as the Council recovers from the pandemic and that a minimum level of £3m be returned by the end of the period;

(7) indicative savings targets of £100,000 to be achieved by April 2021 and £100,000 to be achieved by April 2022 be set in order to protect the Council's financial position;

(8)	it be noted that the Covid-19 pandemic will, in all likelihood, have a significant impact on the Council's reserve balances and as a result, in turn, have an adverse impact on the scale and timing of the savings and transformation contributions required;
(9)	the scale of the financial challenge, such that financial sustainability is at risk, be noted; and
(10)	Management Team be asked to bring a draft revision of the Savings and Transformation Strategy to Cabinet in the Autumn.
Reasons: As set out in the report submitted to Cabinet of 30 June 2020	

Signed Chief Executive: J Beilby

Date of publication: 3 July 2020

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: D200039CAB
Date: 30 June 2020

Decision(s) and Reason(s)

Corporate Plan - Addendum

(Report of Management Team)

The report provided an update on recent activity in response to the Coronavirus Emergency. The activity was referenced against the Corporate Plan Addendum to allow Cabinet to review progress at a strategic level.

The Cabinet resolved that

(1) the strategic update in respect of the Corporate Plan Addendum be endorsed;

(2) regular strategic monitoring reports be submitted to future meetings of Cabinet; and

(3) Management Team be asked to conduct a review of all the Borough Council's assets, including use of the Gibson Building, to cover all areas as well as the need, function and capability of the Council Chamber and Committee Room for Council, Cabinet, Advisory Board and Committee meetings, in line with the Digital and Climate Change Strategies.

Reasons: As set out in the report submitted to Cabinet of 30 June 2020

Signed Chief Executive: J Beilby

Date of publication: 3 July 2020

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: D200040CAB
Date: 30 June 2020

Decision(s) and Reason(s)

Development Management - Processes and Procedures

Consideration of recommendations to the Cabinet from the Planning and Transportation Advisory Board of 3 March 2020 (Item PE 20/4) and Deferred from Cabinet of 3 June 2020 as per Cabinet Decision D200034CAB

The Cabinet resolved that:

The proposed changes to process, as set out in the report and detailed below, be approved:

(1) from 1 September 2020, the Borough Council will not accept representations on applications received after the relevant 21 day period from any party not included in the statutory (technical) consultees definition (as set out at paragraph 1.2.9 of the report). It is, however, recognised that there could be exceptions to this where fundamental matters are raised outside the period, which could leave the authority open to legal challenge, or raises new material considerations, or where the application has a large degree of complexity resulting in there being a significant amount of information to assess;

(2) from 1 September 2020 the Borough Council will notify Parishes via the weekly list B and they will have 21 days from then within which to make representations (as set out in paragraph 1.2.12 of the report) and therefore the provision of hard copies of planning applications to Parish Councils will cease and they will be required to view relevant papers online (as set out at paragraph 1.2.12 of the report);

(3) the savings derived from changes to how Parish Council's will be notified will contribute to both the Savings and Transformation Strategy and the Medium Term Financial Strategy (as set out at paragraph 1.2.14 of the report);

(4) from 1 September 2020, amendments to planning applications will not be accepted, other than where the changes sought were considered to be "de-minimis", to correct errors or discrepancies identified by officers, or where a Planning Performance Agreement is in place that provides for such amendments to be negotiated between the parties (as set out in paragraph 1.3.7 of the report);

(5)	progress on the proposals will be updated at the meeting of the Planning and Transportation Advisory Board scheduled for 28 July 2020; and
(6)	the Borough Council will commence a programme of engagement with Parish Councils to offer technical advice and training, and to assess their individual needs, in order to remove barriers to viewing applications online.
Reasons: As set out in the report submitted to Cabinet of 30 June 2020	

Signed Chief Executive: J Beilby

Date of publication: 3 July 2020

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: D200041CAB
Date: 30 June 2020

Decision(s) and Reason(s)

Business and Planning Bill - Pavement Licences/Off-Sales of Alcohol

(Report of Director of Central Services and Deputy Chief Executive)

The report provided an update on the key proposals contained within the Business and Planning Bill relating to pavement licences/off-sales of alcohol. It was noted that, as the Bill was expected to receive Royal Assent on 1 July 2020, it was important that appropriate processes were in place to enable the Borough Council to receive and determine applications for pavement (outdoor seating) licences.

The Cabinet resolved that:

(1) subject to the Business and Planning Bill receiving Royal Assent, all functions of the Council to deal with applications for pavement licences be delegated to the Director of Central Services; and

(2) the fee for applications for pavement licences be set at £100.

In accordance with s100B (4) (b) of the Local Government Act 1972 this matter was taken as an urgent item of business due to the need to establish a mechanism for the determination of applications for pavement licences as set out in the Business and Planning Bill announced on 25 June 2020.

Reasons: As set out in the report submitted to Cabinet of 30 June 2020

Signed Chief Executive: J Beilby

Date of publication: 3 July 2020

This decision is urgent and therefore not subject to call-in (in accordance with Overview and Scrutiny Committee Procedure Rule 15 (i) as set out in Part 4 of the Constitution) and may be implemented immediately.