

TONBRIDGE AND MALLING BOROUGH COUNCIL

MINUTES OF MINUTES OF COUNCIL, CABINET AND COMMITTEE MEETINGS, CABINET AND COMMITTEE MEETINGS

SUPPLEMENT

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

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TONBRIDGE AND MALLING BOROUGH COUNCIL

CABINET

Tuesday, 6th July, 2021

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, M D Boughton, R I B Cannon, A E Clark, R W Dalton, D A S Davis, M A J Hood, F A Hoskins, S A Hudson, D W King, Mrs A S Oakley, H S Rogers and J L Sergison were also present via Ms Teams pursuant to Access to Information Rule No 23.

(Note: As Councillor V M C Branson was unable to attend in person and participated via MS Teams, she was unable to vote on any matters).

PART 1 - PUBLIC

CB 21/63 DECLARATIONS OF INTEREST

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

CB 21/64 MINUTES

RESOLVED: That the Minutes of the meeting of the Cabinet held on 2 June 2021 be approved as a correct record and signed by the Chairman.

CB 21/65 MATTERS REFERRED FROM ADVISORY BOARDS

The notes of the meetings of the following Advisory Boards 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 7 June 2021
- Street Scene and Environment Services Advisory Board of 8 June 2021
- Planning and Transformation Advisory Board of 29 June 2021

RESOLVED: That the report be received and noted.

MATTERS FOR RECOMMENDATION TO THE COUNCIL**CB 21/66 THE ADOPTION OF THE KENT DOWNS AREA OF OUTSTANDING NATURAL BEAUTY (AONB) MANAGEMENT PLAN**

Consideration was given to the recommendations from the Planning and Transportation Advisory Board meeting held on the 29 June 2021 (as set out at Minute Number PE 21/12).

RECOMMENDED: That

- (1) Council resolve to adopt the Kent Downs Area of Outstanding Natural Beauty (AONB) Management Plan 2021-2026 as a material planning consideration; and
- (2) delegated authority be given to the Director of Planning, Housing and Environmental Health, in consultation with the Cabinet Member for Strategic Planning and Infrastructure, to produce the Kent Downs AONB Management Plan and to make further minor changes during the adoption process.

Referred to Council*DECISION TAKEN IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION - EXECUTIVE NON-KEY DECISIONS****CB 21/67 WASTE SERVICES UPDATE REPORT**

Decision Notice D210069CAB

Consideration was given to the recommendations from the meeting of the Street Scene and Environment Services Advisory Board of 8 June 2021 (as set out at Minute Number SSE 21/12).

Following extensive debate by the Street Scene and Environment Services Advisory Board, it was felt appropriate that Cabinet consider the recommendations of the Advisory Board. Cabinet noted that procedural concerns were raised following the meeting of the Board.

An alternative proposal was put to Cabinet, following which the Cabinet

RESOLVED: That

- (1) the roll out of recycling to flats, starting with a trial area, commence no later than the 31 August 2021;
- (2) a timetable for the reinstatement of the Saturday freighter service be presented to the next meeting of the Street Scene and Environment Services Advisory Board; and

- (3) the Street Scene and Environment Services Advisory Board receive a report at its next meeting on the enforcement of fly-tipping and littering, including dumping at recycling sites.

CB 21/68 SAVINGS AND TRANSFORMATION STRATEGY AND MEDIUM TERM FINANCIAL STRATEGY

Decision Notice D210070CAB

The joint report of the Chief Executive, Director of Finance and Transformation and Director of Central Services and Monitoring Officer provided an update on both the Savings and Transformation Strategy and the Medium Term Financial Strategy having regard to the latest financial issues. Amongst a number of recommendations, Cabinet was asked to note the current position and proactively engage in a prioritisation exercise in order to facilitate savings options being worked up by Management Team.

Reference was made to the contextual background and the current position of the Savings and Transformation Strategy agreed in February 2021. An update on the Medium Term Financial Strategy following assessment of the current financial risks was provided.

The Chairman advised that it would be the role of the new Cabinet, which was to be appointed on 13 July 2021, to work through the financial implications set out within the report and consider how solutions could be formulated.

RESOLVED: That

- (1) the escalating scale of the financial challenge summarised in paragraph 1.6.1 be noted;
- (2) the requirements of the CIPFA Financial Management Code for both officers and elected Members be noted;
- (3) the recommendations for the sector from the Northamptonshire County Council Interventions report be noted;
- (4) an exercise by the Management Team commencing during the summer to identify any possible contribution towards the immediate Tranche 1 and 2 savings targets be noted;
- (5) it be noted that a prioritisation of services exercise prepared by elected Members was critical in steering Management Team in the right direction in the identification of more radical solutions, and it was agreed that a facilitated discussion as suggested in paragraph 1.4.14 would assist in this process; and

- (6) the intention to report to the Overview and Scrutiny Committee in October 2021 with the recommendations arising from the Northamptonshire County Council Interventions report and the exploration of the roles and responsibilities of the Overview and Scrutiny Committee in respect of financial challenge and overview be noted.

CB 21/69 CORPORATE PLAN - ADDENDUM UPDATE

Decision Notice D210071CAB

The report of the Chief Executive and Management Team provided an update on the first-year addendum to the Corporate Strategy adopted in June 2020 in order to provide a framework for the Council's response to the Covid-19 pandemic.

RESOLVED: That

- (1) the report be noted; and
- (2) the production of a second-year addendum for approval at a future Cabinet meeting, be agreed.

CB 21/70 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.

PART 2 - PRIVATE

MATTERS FOR RECOMMENDATION TO THE COUNCIL

CB 21/71 LOCAL PLAN DELIVERY APPROACH

(Reason: LGA 1972 Sch 12A Paragraph 5 – Legal Advice)

Consideration was given to the recommendations from the meeting of the Planning and Transportation Advisory Board of 29 June 2021 (as set out at Minute Number PE 21/19).

RESOLVED: That Option 3, to withdraw the current Plan and Review, Refresh and Resubmit the Local Plan, as set out in Annex 3 to the report, be commended to Council as the preferred option.

***Referred to Council**

**DECISION TAKEN IN ACCORDANCE WITH PART 3 OF THE
CONSTITUTION - EXECUTIVE NON-KEY DECISIONS**

CB 21/72 INTERNAL AUDIT AND COUNTER FRAUD SERVICE MODEL

(Reason: LGA 1972 Sch 12A Paragraph 1 – Information relating to an individual)

Decision Notice D210072CAB

The report of the Director of Finance and Transformation provided an update on the discussions taking place with Kent County Council with regard to the ongoing provision of Audit and Counter Fraud Services. The report recommended that delegated authority be given to the Director of Finance and Transformation and the Director of Central Services and Monitoring Officer, to agree the final Delegation Agreement with Kent County Council in liaison with the Cabinet Member with responsibility for shared services.

RESOLVED: That

- (1) delegated authority be given to the Director of Finance and Transformation and the Director of Central Services and Monitoring Officer, in liaison with the Cabinet Member with responsibility for shared services, to agree the final Delegation Agreement with Kent County Council; and
- (2) an anticipated start date of 1 August 2021 be set, subject to final negotiations regarding the Agreement being confirmed and all TUPE consultations having been carried out satisfactorily.

The meeting ended at 8.24 pm
having commenced at 7.41 pm

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION

**Decision Taken By: Cabinet Member for Finance,
Innovation and Property**

**Decision No:
D210061MEM**

Date: 08 June 2021

Decision(s) and Reason(s)

Tonbridge Town Centre - Residents Parking Season Ticket Trial

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

The report brought forward a one-year trial proposal to reduce the cost of Season tickets in Tonbridge town centre for residents. This was to help address significant parking problems in the area and generate additional income to the Council from its car parking assets.

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

- (1) a period of formal consultation is undertaken in respect of the proposals set out in the report for a trial Tonbridge Town Centre Residents Season ticket with a report on the outcome of the consultation to be reported to a future meeting of the Street Scene and Environment Services Advisory Board.

In accordance with Paragraph 2 Annex 1 of the Executive Procedure Rules, the Leader nominated the Cabinet Member for Finance, Innovation and Property to take this decision in the absence of the Cabinet portfolio holder (Street Scene and Environment Services).

Reasons: As set out in the report submitted to the Street Scene and Environment Services Advisory Board of 8 June 2021.

Signed Cabinet Member for Finance, Innovation and Property M Coffin

Signed Leader: N Heslop

Signed Chief Executive: J Beilby

Date of publication: 11 June 2021

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 Finance,
Innovation and Property**

**Decision No:
D210062MEM**

Date: 08 June 2021

Decision(s) and Reason(s)

Climate Change Action Plan

(Report of Chief Executive)

The report detailed progress against the Year 1 Climate Change Action Plan and sought endorsement for the Year 2 Action Plan.

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

- (1) the progress of the Climate Change Action Plan 2020-21 as set out in Annex 1 of the report be endorsed; and
- (2) the Climate Change Action Plan 2021-22 as set out in Annex 3 of the report, be adopted.

In accordance with Paragraph 2 Annex 1 of the Executive Procedure Rules the Leader nominated the Cabinet Member for Finance, Innovation and Property to take this decision in the absence of the Cabinet portfolio holder (Street Scene and Environment Services).

Reasons: As set out in the report submitted to the Street Scene and Environment Services Advisory Board of 8 June 2021.

Signed Cabinet Member for Finance, Innovation and Property M Coffin

Signed Leader: N Heslop

Signed Chief Executive: J Beilby

Date of publication: 11 June 2021

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.

Date: 08 June 2021

Decision(s) and Reason(s)

Carbon Reduction Options

(Report of Chief Executive)

Consideration was given to the options set out by Laser (energy consultants appointed by the Council).

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

- (1) it be noted that none of the proposed carbon reduction options had been factored into the Council's Medium Term Financial Strategy;
- (2) Laser's Carbon Reduction Model Output report at Annex 2, be noted; and
- (3) Management Team be asked to analyse the energy project proposals outlined in the report, along with their financial implications, and report their findings to the relevant Advisory Board.

In accordance with Paragraph 2 Annex 1 of the Executive Procedure Rules, the Leader nominated the Cabinet Member of Finance, Innovation and Property to take this decision in the absence of the Cabinet portfolio holder (Street Scene and Environment Services).

Reasons: As set out in the report submitted to the Street Scene and Environment Services Advisory Board on 8 June 2021.

Signed Cabinet Member for
Finance, Innovation and
Property

M Coffin

Signed Leader:

N Heslop

Signed Chief Executive:

J Beilby

Date of publication:

11 June 2021

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:
D210064MEM**

Date: 29 June 2021

Decision(s) and Reason(s)

Tunbridge Wells Local Plan Statement of Common Ground

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

The report provided a summary of the Statement of Common Ground between Tunbridge Wells and Tonbridge and Malling and sought approval for it to be returned to Tunbridge Wells Borough Council to accompany its Local Plan submission to the Secretary of State. In response to comments regarding the Governance arrangements the Planning Policy Manager advised that the text of Section 7 would be amended to extend the level of Member involvement. The Portfolio Holder agreed to consider any further suggested amendments from Members up to mid-July in order that the Statement could be finalised and returned to Tunbridge Wells Borough Council before the submission of their Local Plan in August.

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) subject to the amendment of section 7 and any further proposed changes, the Statement of Common Ground with Tunbridge Wells Borough Council, as set out at Annex 1 to the report, be approved.

Reasons: As set out in the report submitted to the Planning and Transportation Advisory Board of 29 June 2021.

Signed Cabinet Member for
Strategic Planning and
Infrastructure

D Lettington

Signed Leader:

N Heslop

Signed Chief Executive:

J Beilby

Date of publication: 2 July 2021

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 Strategic Planning and Infrastructure

**Decision No:
D210065MEM**

Date: 29 June 2021

Decision(s) and Reason(s)

Housing Delivery Test Action Plan

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

The report provided an explanation of the Government's Housing Delivery Test which provided an annual measurement of housing delivery at local level. The report sought endorsement of the preparation of an Action Plan which identified the profile of housing supply within the Borough and actions to be taken to boost delivery.

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

- (1) the draft Housing Delivery Test Action Plan, set out at Annex 1 to the report, be endorsed; and
- (2) following engagement with relevant stakeholders, the Director of Planning, Housing and Environmental Health, in consultation with the Cabinet Member for Strategic Planning and Infrastructure and the Chairman of the Planning and Transportation Advisory Board, be authorised to agree the final version of the Action Plan.

Reasons: As set out in the report submitted to the Planning and Transportation Advisory Board of 29 June 2021.

Signed Cabinet Member for Strategic Planning and Infrastructure D Lettington

Signed Leader: N Heslop

Signed Chief Executive: J Beilby

Date of publication: 2 July 2021

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.

Date: 29 June 2021

Decision(s) and Reason(s)

Borough Green Gardens

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

The report provided an update on the garden communities work undertaken to support the delivery of development at Borough Green Gardens, a significant strategic allocation in the Council's draft Local Plan. The report informed Members about the creation of a Project Board to enable discussion with technical consultees and delivery partners involved in the Garden Communities project. In addition it was reported that, in order to progress the draft Development Brief towards formal public consultation later in 2021, it was important to seek the views of the local community, including businesses, residents and community groups so that benefits for existing and future residents could be maximised.

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 project next steps and timetable be endorsed to allow community engagement activities to commence.

Reasons: As set out in the report submitted to the Planning and Transportation Advisory Board of 29 June 2021.

Signed Cabinet Member for Strategic Planning and Infrastructure D Lettington

Signed Leader: N Heslop

Signed Chief Executive: J Beilby

Date of publication: 2 July 2021

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.

Date: 29 June 2021

Decision(s) and Reason(s)

Review of Planning Enforcement Plan and associated protocols

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

The report provided an update on the activities undertaken by the Planning Enforcement Team over the past 12 months, with particular reference to the effectiveness of the adopted Planning Enforcement Plan and the publication of additional guidance in respect of the issuing of Cautions. Additionally, the report sought approval to the adoption of a Tree Protection Enforcement Protocol.

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

- (1) the principle of a Tree Protection Enforcement Protocol be adopted subject to
 - consideration by the Cabinet of any necessary amendments to the draft document to reflect all feedback from the Planning and Transportation Advisory Board to ensure it was fit for purpose; and
 - a 6-month review period following the successful appointment to the Tree and Landscape Officer post;
- (2) the Director of Planning, Housing and Environmental Health be granted delegated authority to approve the final protocol in consultation with the Cabinet Member for Strategic Planning and Infrastructure; and
- (3) the Simple Cautions and Planning Enforcement Guidance Note, as attached at Annex 2 to the report, be adopted.

Reasons: As set out in the report submitted to the Planning and Transportation Advisory Board of 29 June 2021.

Signed Cabinet Member for Strategic Planning and Infrastructure D Lettington

Signed Leader: N Heslop

Signed Chief Executive: J Beilby

Date of publication: 2 July 2021

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.

Date: 29 June 2021

Decision(s) and Reason(s)

Tree Related Service Improvements and Tree Preservation Order Protocol

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

The report provided an update on the ongoing review into how the service dealt with all tree related matters and outlined proposed changes to processes and procedures to facilitate improvements. Additionally, the report outlined the terms and scope of a Protocol intended to provide a clear and transparent framework on the administration of Tree Preservation Order work.

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

The proposed strategy in respect of tree related matters, as set out in the report, be approved as follows:-

- (1) the principle of a Tree Preservation Order Protocol be adopted, subject to
 - consideration by the Cabinet of any necessary amendments to the draft document to reflect all feedback from the Planning and Transportation Advisory Board to ensure it was fit for purpose; and
 - a 6-month review period following the successful appointment to the Tree and Landscape Officer post;
- (2) the Director of Planning, Housing and Environmental Health be granted delegated authority to approve the final protocol in consultation with the Cabinet Member for Strategic Planning and Infrastructure;
- (3) Officers seek to develop a new Protocol further to the adopted Planning Enforcement Plan setting out in detail how alleged unauthorised works to protected trees will be investigated and how any evidenced breaches will be addressed;
- (4) Officers progress on-site Member training event(s) to enhance the information provided within the Member Briefing Note at a practical level following the successful appointment to the Landscape Officer post. Final arrangements for how the training event(s) will take place to be delegated to the Director of Planning, Housing and Environmental Health in consultation with the Cabinet Member for Strategic Planning and Infrastructure;

- (5) Officers continue to develop detailed parameters for the review of historic TPOs across the Borough reflecting all feedback from the Planning and Transportation Advisory Board to ensure it is suitably focused and has a defined and achievable scope;
- (6) Officers build into 1 and 3-5 (inclusive) a review period to take place 6 months following the successful appointment to the Landscape Officer post to be reported to the Planning and Transportation Advisory Board for consideration of an updated, refined Protocol as necessary; and
- (7) Officers continue to review and improve all tree-related internal processes and administrative work to ensure that Members are regularly updated on improvements made.

Reasons: As set out in the report submitted to the Planning and Transportation Advisory Board of 29 June 2021.

Signed Cabinet Member for Strategic Planning and Infrastructure D Lettington

Signed Leader: N Heslop

Signed Chief Executive: J Beilby

Date of publication: 2 July 2021

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: D210069CAB
Decision Type: Non Key
Date: 06 July 2021

Decision(s) and Reason(s)

Waste Services Update Report

Consideration was given to the recommendations (SSE 21/12) to the Cabinet from the meeting of the Street Scene and Environment Services Advisory Board of 8 June 2021.

Following extensive debate by the Street Scene and Environment Services Advisory Board, it was felt appropriate that Cabinet consider the recommendations of the Advisory Board. Cabinet noted that procedural concerns were raised following the meeting of the Board.

An alternative proposal was put to Cabinet, following which the Cabinet resolved that:

- (1) the roll out of recycling to flats, starting with a trial area, commence no later than the 31 August 2021;
- (2) a timetable for the reinstatement of the Saturday freighter service be presented to the next meeting of the Street Scene and Environment Services Advisory Board; and
- (3) the Street Scene and Environment Services Advisory Board receive a report at its next meeting on the enforcement of fly-tipping and littering, including dumping at recycling sites.

Reasons: As set out in the report submitted to the Cabinet of 6 July 2021.

Signed Chief Executive: J Beilby

Date of publication: 9 July 2021

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: D210070CAB

Decision Type: Non Key

Date: 06 July 2021

Decision(s) and Reason(s)

Savings and Transformation Strategy and Medium Term Financial Strategy

(Joint report of the Chief Executive, Director of Finance and Transformation and Director of Central Services and Monitoring Officer)

The report provided an update on both the Savings and Transformation Strategy and the Medium Term Financial Strategy having regard to the latest financial issues. Amongst a number of recommendations, Cabinet was asked to note the current position and proactively engage in a prioritisation exercise in order to facilitate savings options being worked up by Management Team.

Reference was made to the contextual background and the current position of the Savings and Transformation Strategy agreed in February 2021. An update on the Medium Term Financial Strategy following assessment of the current financial risks was provided.

The Chairman advised that it would be the role of the new Cabinet, which was to be appointed on 13 July 2021, to work through the financial implications set out within the report and consider how solutions could be formulated.

The Cabinet resolved that:

- (1) the escalating scale of the financial challenge summarised in paragraph 1.6.1 be noted;
- (2) the requirements of the CIPFA Financial Management Code for both officers and elected Members be noted;
- (3) the recommendations for the sector from the Northamptonshire County Council Interventions report be noted;
- (4) an exercise by the Management Team commencing during the summer to identify any possible contribution towards the immediate Tranche 1 and 2 savings targets be noted;
- (5) it be noted that a prioritisation of services exercise prepared by elected Members was critical in steering Management Team in the right direction in the identification of more radical solutions, and it was agreed that a facilitated discussion as suggested in paragraph 1.4.14 would assist in this process; and

(6) the intention to report to the Overview and Scrutiny Committee in October 2021 with the recommendations arising from the Northamptonshire County Council Interventions report and the exploration of the roles and responsibilities of the Overview and Scrutiny Committee in respect of financial challenge and overview be noted.

Reasons: As set out in the report submitted to Cabinet of 6 July 2021.

Signed Chief Executive: J Beilby

Date of publication: 9 July 2021

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: D210071CAB
Decision Type: Non Key
Date: 06 July 2021

Decision(s) and Reason(s)

Corporate Plan - Addendum Update

(Report of the Chief Executive and Management Team)

The report provided an update on the first-year addendum to the Corporate Strategy adopted in June 2020 in order to provide a framework for the Council's response to the Covid-19 pandemic.

The Cabinet resolved that:

- (1) the report be noted; and
- (2) the production of a second-year addendum for approval at a future Cabinet meeting, be agreed.

Reasons: As set out in the report submitted to Cabinet of 6 July 2021.

Signed Chief Executive: J Beilby

Date of publication: 9 July 2021

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: D210072CAB

Decision Type: Non Key

Date: 06 July 2021

Decision(s) and Reason(s)

Internal Audit and Counter Fraud Service Model

(Report of the Director of Finance and Transformation)

The report provided an update on the discussions taking place with Kent County Council with regard to the ongoing provision of Audit and Counter Fraud Services. The report recommended that delegated authority be given to the Director of Finance and Transformation and the Director of Central Services and Monitoring Officer, to agree the final Delegation Agreement with Kent County Council in liaison with the Cabinet Member with responsibility for shared services.

The Cabinet resolved that:

- (1) delegated authority be given to the Director of Finance and Transformation and the Director of Central Services and Monitoring Officer, in liaison with the Cabinet Member with responsibility for shared services, to agree the final Delegation Agreement with Kent County Council; and
- (2) an anticipated start date of 1 August 2021 be set, subject to final negotiations regarding the Agreement being confirmed and all TUPE consultations having been carried out satisfactorily.

Reasons: As set out in the report submitted to Cabinet of 6 July 2021.

Signed Chief Executive: J Beilby

Date of publication: 9 July 2021

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, 8th July, 2021

Present: Cllr D A S Davis (Chairman), Cllr T Bishop, Cllr R I B Cannon, Cllr D J Cooper, Cllr R W Dalton, 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.

(Note: As Councillor Mrs S Bell was unable to attend in person and participated via MS Teams, she was unable to vote on any matters)

Councillors N J Heslop and N G Stapleton participated via MS Teams and joined the discussion when invited to do so in accordance with Council Procedure Rule No 15.21.

An apology for absence was received from Councillor Mrs T Dean.

PART 1 - PUBLIC

AP3 21/13 DECLARATIONS OF INTEREST

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

AP3 21/14 MINUTES

RESOLVED: That the Minutes of the meeting of the Area 3 Planning Committee held on 18 March 2021 be approved as a correct record and signed by the Chairman.

AP3 21/15 GLOSSARY AND SUPPLEMENTARY MATTERS

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 or tabled at the meeting.

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

AP3 21/16 TM/21/00864/FL - 4 AND 4A HIGH STREET, SNODLAND

Demolition of existing warehouse, former shop and 3 bedroom first floor flat and redevelopment of the site with a new building incorporating

14 apartments (4 no. 2 bedroom and 10 no. 1 bedroom flats), including the rebuilding of the Art-deco front section of the building, with associated cycle store, bin store, parking and turning at 4 and 4A High Street, Snodland.

RESOLVED: That the application be REFUSED for the following reasons:

1. The proposal by virtue of the overall size of the site combined with the total number of units, the consequential density of the development and its resultant layout, in particular the ability of the site to accommodate parking of a sufficient amount, layout and size to serve the development, would result in an unduly cramped form of development that would function poorly and which would not be of a sufficient quality overall. The proposal would therefore be contrary to the requirements of policies CP1 and CP24 of the Tonbridge and Malling Core Strategy 2007 and paragraphs 127 and 130 of the National Planning Policy Framework 2019.

AP3 21/17 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 8.22 pm