

TONBRIDGE & MALLING BOROUGH COUNCIL



**MINUTES OF COUNCIL,
CABINET
AND
COMMITTEE MEETINGS
2022
VOL. 1**

OCT 26 – FEB 31

TONBRIDGE AND MALLING BOROUGH COUNCIL
MINUTES OF COUNCIL, CABINET AND COMMITTEE MEETINGS

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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.

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, 26th October, 2021

At the meeting of the Tonbridge and Malling Borough Council held at Civic Suite, Gibson building, Kings Hill, West Malling on Tuesday, 26th October, 2021

Present: His Worship the Mayor (Councillor R V Roud), the Deputy Mayor (Councillor Mrs S Bell), Cllr Mrs P A Bates, Cllr T Bishop, 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 R W Dalton, Cllr D A S Davis, Cllr M O Davis, Cllr Mrs T Dean, Cllr S M Hammond, Cllr P M Hickmott, Cllr M A J Hood, Cllr F A Hoskins, Cllr S A Hudson, Cllr D Keers, Cllr Mrs F A Kemp, Cllr D W King, Cllr J R S Lark, Cllr D Lettington, Cllr Mrs R F Lettington, Cllr B J Luker, Cllr Mrs A S Oakley, Cllr L J O'Toole, Cllr W E Palmer, Cllr M R Rhodes, Cllr H S Rogers, 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 Thornevell, Cllr F G Tombolis and Cllr C J Williams.

Councillors D J Cooper and N Foyle participated via MS Teams and joined the discussion when invited to do so by the Mayor in accordance with Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors Mrs J A Anderson, M C Base, R P Betts, J L Botten, N J Heslop, A P J Keeley, A Kennedy, K King, P J Montague and N G Stapleton.

PART 1 - PUBLIC

C 21/72 DECLARATIONS OF INTEREST

Councillor T Bishop declared an Other Significant Interest in the Leybourne Lakes Country Park Future Management and Facility Development as he was a Borough Council appointee to the Tonbridge and Malling Leisure Trust. Councillor M Davis declared an Other Significant Interest in the same item as he was also a Borough Council appointee to the Tonbridge and Malling Leisure Trust. The Mayor advised that Councillors Bishop and M Davis could remain in the Chamber during consideration of the item but would take no part in the discussion and voting thereon.

C 21/73 MINUTES

RESOLVED: That the Minutes of the proceedings of the meeting of the Council held on 13 July 2021 be approved as a correct record and signed by the Mayor.

C 21/74 MAYOR'S ANNOUNCEMENTS

The Mayor advised that since the last meeting of the Council he had visited a number of school award presentations. Other memorable events included:

- Visit to the Dementia Memory Café at the East Malling Centre
- Launch of 2021 'Music at Malling Festival'
- Kent Ramblers' Walk
- Tonbridge Cottage Hospital's Garden Party & Opening of New Tea Room
- TMBC's Health Team One You Event
- Medway School of Dancing's 50th Anniversary Celebration
- Tonbridge Lions Club's Diabetic Screening Event
- The High Sheriff of Kent's Justice Service
- Tonbridge and Malling and Coolings Garden Centre 'In Bloom Awards Ceremony'

He advised that future Civic and Charity Events included a Charity Quiz on 19 November 2021 and the Civic Service on 5 December 2021. Further details would be provided about the Garden Party and more Local Primary School debates in due course.

Finally, the Mayor thanked the Deputy Mayor (Councillor Sue Bell) for attending many events on his behalf and commented that this had been an exceptionally busy period.

The Mayor moved that Rule 10.4, Part 4 of the Constitution, in respect of the requirement to stand when speaking, be suspended for the meeting.

C 21/75 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 21/76 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 21/77 MOTION SUBMITTED UNDER COUNCIL PROCEDURE RULE NO 5.27

Consideration was given to a Notice of Motion pursuant to Council Procedure Rule No 5.27 submitted by Councillor A Clark on behalf of the Green Party in the following terms:

Humans have already caused irreversible climate change, the impacts of which are being felt in the UK and around the world. Global temperatures have increased by 1.2°C from pre-industrial levels and the natural world has reached crisis point, with [28% of plants and animals](#) currently threatened with extinction.

Unless we drastically change course, the world is set to exceed the Paris Agreement's safe 1.5°C limit. Pledges like the Paris Agreement and updated emissions targets are not legally binding. The gap between pledges and policies leaves the world on course for catastrophic warming of [near 3%](#). As the [2018 report](#) by the Intergovernmental Panel on Climate Change (IPCC) made clear, every half a degree makes a world of difference: severe climate impacts with 1.5°C of warming, such as extreme weather patterns causing flooding and heat waves, get significantly worse with 2°C. According to the IPCC, limiting heating to 1.5°C may still be possible with ambitious action from national and sub-national authorities, civil society, the private sector and local communities.

The UK is [one of the most nature-depleted countries in the world](#) and more than one in seven of our plants and animals face extinction and more than 40% are in decline. We have lost [95% of our hedgehogs](#). The UK needs a legally-enforceable nature target so that by 2030 nature is visibly and measurably on the path of recovery, in line with the [Global Goal for Nature](#) and the [Leaders' Pledge for Nature](#) .

Council notes that:

- I. Many local authorities are playing an important role in the UK taking action to achieve net zero carbon emissions, and to protect and revitalise local wildlife and natural habitats.*
- II. Parliament in May 2019 declared an Environment and Climate Emergency and this Council has already declared a Climate Emergency.*
- III. There is a Bill before Parliament—the [Climate and Ecological Emergency Bill](#) (published as the “Climate and Ecology Bill”), which, if it became law, would require the government to develop a strategy to address the emergency that would ensure:
 - A. the ecological emergency is tackled shoulder to shoulder with the climate crisis in a joined-up approach;**

- B. *the **Paris Agreement** is enshrined into law to ensure that UK does its real fair share to limit global temperature rise to the most stringent end of the Paris agreement -1.5°C.*
- C. *the **Leaders Pledge for Nature** is enshrined into law to ensure that the **UK's ecosystems are protected and restored** with a focus on biodiversity, soils and natural carbon sinks;*
- D. *the UK takes **full responsibility for our entire greenhouse gas footprint** (i.e. consumption emissions plus shipping, flights and land-based transport) by accounting for all of the emissions that take place overseas to manufacture, transport and dispose of the goods and services we import and consume;*
- E. *the UK takes **full responsibility for our ecological footprint** so that we protect health and resilience of ecosystems along both domestic and our global supply chains;*
- F. *an **independent, temporary Climate and Nature Assembly** is set-up, representative of the UK's population, to engage with the UK Parliament and UK Government to help develop the **emergency strategy**.*

Council therefore resolves to:

- I. **Support the Climate and Ecological Emergency Bill;**
- II. **Inform the local media of this decision;**
- III. **Write an open letter to MPs Tom Tugendhat and Tracey Crouch** (shared with our residents through local and social media) **urging them to sign up to support the Bill; and**
- IV. **Write to the [CEE Bill Alliance](#), the organisers of the campaign for the Bill, expressing its support (joinus@ceebill.uk).**

This Motion was seconded by Councillor F Hoskins.

In accordance with Council Procedure Rule 8.4 Councillor Clark requested that a recorded vote be undertaken. The request was supported by Councillor Hoskins. The voting on the motion was recorded as follows:

Members voting in favour of the motion:

Councillors Bishop, Bridge, Clark, Dean, Hickmott, Hood, Hoskins, Oakley, Shaw, Tatton and Thornevell.

Total 11

Members voting against the motion:

Councillors Bates, Bell, Boughton, Branson, Brown, Cannon, Coffin, Dalton, D Davis, M Davis, Hammond, Hudson, Keers, Kemp, D King, Lark, D Lettington, R Lettington, Luker, O'Toole, Palmer, Rhodes, Rogers, Sergison, Tanner, Taylor, Thomas, Tombolis and Williams.

Total 29

Members who abstained from voting:

Councillor Roud.

Total 1

(Total Members eligible to vote = 41)

RESOLVED: That the Notice of Motion was defeated.

C 21/78 LEADER'S ANNOUNCEMENTS

The Leader moved that Rule 5.25(b), Part 4 of the Constitution be suspended for the meeting and proposed that the Opposition Group Leaders be allowed three minutes each in response.

The Leader referenced the reform of the Parish Partnership Panel and Tonbridge Forum and looked forward to the Panels being more effective in the future. He reported that he had visited some key businesses, including NIAB East Malling Research and the Royal British Legion Industries, who contributed uniquely to the area, and had opened the new Platt Church of England Primary School and had visited the Panattoni Park in Aylesford with Tracey Crouch and the previous Secretary of State for Housing, Communities and Local Government. Residents and businesses had highlighted the need for good working relationships with the Council and the Leader was determined to build on this and along with the Cabinet Member for Economic Regeneration, investment into the community continued.

The Leader welcomed the decision not to sell River Lawn in Tonbridge and the removal of the prospect of parking charges in Aylesford, Larkfield and Snodland.

He announced that the 'What Matters to You?' consultation had ended and thanked all who had participated and promoted the consultation. He explained that with an increasingly difficult financial situation, services would have to be priorities in order to set a balanced budget and announced that the recommendations to freeze Councillor allowances until the 2023 elections would be brought forward.

The Leader referenced the long-term difficulties that the Council faced with regards to the Waste contract, which remained an immediate

priority and work continued with Urbaser on performance issues, and challenges due to costs of temporary accommodation; and highlighted various improvement made across the borough, including the regeneration at Railway Approach in Tonbridge and the re-opening of the shop in Eccles.

In response to the Leaders announcements, concern was expressed regarding the financial stability of the Council and the potential of further reductions in funding following the Chancellors Autumn budget announcement, but there were a number of changes that were welcomed, including membership changes to the Tonbridge Forum and Parish Partnership Panel, car parking charges, the freeze on Member allowances and the decision not to sell River Lawn. Members questioned the progress on the Asset Management Strategy and raised concern regarding the Waste Service.

The full Leaders announcement and responses from Members can be viewed via YouTube at [Leader's Announcements](#).

C 21/79 LOCAL CODE OF CORPORATE GOVERNANCE

Item AU 21/30 referred from Audit Committee of 26 July 2021.

RESOLVED: That the recommendation at Minute AU 21/30 be approved.

C 21/80 LEYBOURNE LAKES COUNTRY PARK - FUTURE MANAGEMENT AND FACILITY DEVELOPMENT

Item CB 21/77 referred from Cabinet of 12 October.

RESOLVED: That the recommendation at Minute CB 21/77 be approved.

C 21/81 PEMBURY ROAD OPTIONS

Item CB 21/78 referred from Cabinet of 12 October.

RESOLVED: That the recommendation at Minute CB 21/78 be approved.

C 21/82 TREASURY MANAGEMENT UPDATE

Item CB 21/79 referred from Cabinet of 12 October.

RESOLVED: That the recommendation at Minute CB 21/79 be approved.

C 21/83 REVIEW OF CCTV AT TONBRIDGE FARM SPORTS GROUND

Item CB 21/80 referred from Cabinet of 12 October.

RESOLVED: That the recommendation at Minute CB 21/80 be approved.

C 21/84 REVIEW OF TONBRIDGE FORUM AND PARISH PARTNERSHIP PANEL

Item CB 21/81 referred from Cabinet of 12 October.

Whilst there were no changes proposed to the Chairmanship of the Tonbridge Forum and the Parish Partnership Panel, the Leader (Councillor M Boughton) proposed that the following nominations be considered for the roles of Vice-Chairman:

Councillor G Bridge – Vice-Chairman of Tonbridge Forum

Councillor M Tatton – Vice-Chairman of Parish Partnership Panel

This proposal was seconded by Councillor Thornewell and it was

RESOLVED: That

- (1) the recommendation at Minute CB 21/81 be approved;
- (2) Councillor G Bridge be appointed as Vice-Chairman of the Tonbridge Forum; and
- (3) Councillor M Tatton be appointed as Vice-Chairman of the Parish Partnership Panel.

C 21/85 SPECIAL EXPENSES CONSULTATION

Item CB 21/82 referred from Cabinet of 12 October.

In accordance with Council Procedure Rule 8.4 Councillor Hoskins requested that a recorded vote be undertaken in respect of recommendation (1). The request was supported by Councillor Thornewell. The voting was recorded as follows:

Members voting in favour of recommendation (1):

Councillors Bates, Bell, Bishop, Boughton, Branson, Brown, Cannon, Coffin, Dalton, D Davis, M Davis, Hammond, Hudson, Keers, Kemp, D King, Lark, D Lettington, R Lettington, Luker, O'Toole, Palmer, Rhodes, Rogers, Roud, Sergison, Shaw, Tanner, Taylor, Thomas, Tombolis and Williams.

Total 32

Members voting against recommendation (1):

Councillors Bridge, Clark, Dean, Hickmott, Hood, Hoskins, Oakley, Tatton and Thornewell.

Total 9

(Total Members eligible to vote = 41)

RESOLVED: That the recommendation at Minute CB 21/82 be approved.

C 21/86 CHANGES TO THE CONSTITUTION

The report of the Monitoring Officer recommended changes to the Constitution to allow for additional speaking time for opposition group leaders and to address concerns raised in respect of the Electoral Review Working Group.

Following the replacement of Public Health England by the UK Health Security Agency (UKHSA), there was also a minor amendment required to the appointment of a proper officer for the purposes of public health functions.

RESOLVED: That the Monitoring Officer be authorised to amend the Constitution to give effect to the changes detailed in the report and summarised below:

- (1) Rule 5.25(b) of the Council and Committee Procedure Rules (Part 4) be amended to read '*the opposition group leaders shall be given an opportunity to comment upon the announcements and the total time allowed shall be limited to three minutes per opposition group leader*';
- (2) The Electoral Review Working Group be abolished and all matters relating to electoral review to sit within the terms of reference for the General Purposes Committee; and
- (3) Replace reference to Public Health England within Part 3 of the Constitution with UKHSA.

C 21/87 CHANGES TO POLITICAL BALANCE

The report of the Director of Central Services and Deputy Chief Executive set out details of political balance arrangements required to be applied to the Borough Council's committees, sub-committees, advisory boards and panels following Councillor N Stapleton's move to the Green Party and the proposed abolition of the Electoral Review Working Group.

RESOLVED: That

- (1) the composition of all committees, sub-committees, advisory boards and panels be approved in accordance with the table set out at paragraph 1.1.6 of the report and the Monitoring Officer make any consequential amendments to the Borough Council's Constitution in respect of political balance; and
- (2) memberships of affected Committees, Advisory Boards and Panels be finalised out of meeting in consultation with Group Leaders and Democratic Services.

C 21/88 ARMED FORCES COVENANT

The report of the Chief Executive set out details in respect of the existing Armed Forces Covenant, sought nominations for an Armed Forces Champion to represent the Borough Council and recommended involvement in the Defence Employer Recognition Scheme.

RESOLVED: That

- (1) an updated version of the Armed Forces Covenant be signed by the Borough Council;
- (2) Councillor D Davis and Councillor S Hammond be appointed into a shared role of Armed Forces Champion for Tonbridge and Malling Borough Council; and
- (3) the Borough Council takes steps to progress through the Defence Employer Recognition Scheme.

C 21/89 APPOINTMENTS TO OUTSIDE BODIES

The report of the Director of Central Services and Deputy Chief Executive advised that, following the deaths of Dr Gordon Court and Mr David Cure, it was necessary to consider appointments to the Tonbridge Town Lands and Richard Mylls, Sir Thomas Smythe and the Petley and Deakins Almshouses charities.

It was also necessary to consider an appointment to the Hospital of the Holy Trinity, Aylesford.

RESOLVED: That

- (1) Mr Owen Baldock be appointed as the Borough Council representative to serve on the Tonbridge Town Lands and Richard Mylls charity until October 2024;
- (2) Councillors Vivian Branson and James Lark be appointed as Trustees to the Sir Thomas Smythe's Charity (St Peters and St

Paul with St Saviour) for a four year term of office (until October 2025);

- (3) Councillor David Lettington be appointed as a Trustee to the Board of the Hospital of the Holy Trinity, Aylesford until October 2023;
- (4) Councillor Kim Tanner be appointed as a Trustee to the Petley and Deakins Almshouses for a four year term of office (until October 2025); and
- (5) the expiry of Mrs Maria Heslop's term of office as a trustee for Petley and Deakins Almshouses at the end of December 2021 and the creation of a vacancy be noted.

C 21/90 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 9.30 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

COUNCIL MEETING

Tuesday, 26th October, 2021

At the special meeting of the Tonbridge and Malling Borough Council held at Civic Suite, Gibson building, Kings Hill, West Malling on Tuesday, 26th October, 2021

Present: His Worship the Mayor (Councillor R V Roud), the Deputy Mayor (Councillor Mrs S Bell), Cllr Mrs P A Bates, Cllr T Bishop, 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 R W Dalton, Cllr D A S Davis, Cllr M O Davis, Cllr Mrs T Dean, Cllr S M Hammond, Cllr P M Hickmott, Cllr M A J Hood, Cllr F A Hoskins, Cllr S A Hudson, Cllr D Keers, Cllr Mrs F A Kemp, Cllr D W King, Cllr J R S Lark, Cllr D Lettington, Cllr Mrs R F Lettington, Cllr B J Luker, Cllr Mrs A S Oakley, Cllr L J O'Toole, Cllr W E Palmer, Cllr M R Rhodes, Cllr H S Rogers, 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 Thornevell, Cllr F G Tombolis and Cllr C J Williams

Councillors D J Cooper and N Foyle participated via MS Teams and joined the discussion when invited to do so by the Mayor in accordance with Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors Mrs J A Anderson, M C Base, R P Betts, J L Botten, N J Heslop, A Keeley, A Kennedy, K King, P J Montague and N G Stapleton

PART 1 - PUBLIC

C 21/91 ADMITTANCE OF HONORARY FREEMAN

Consideration was given to a Notice of Motion pursuant to Council Procedure Rule No. 5.18 submitted jointly by Councillors Mrs J Anderson, M Boughton, V Branson, N Heslop, M Rhodes and J Sergison that the title of Honorary Freeman be conferred on Mr Owen Baldock in accordance with Section 249 of the Local Government Act 1972.

It was proposed by Councillor Branson and seconded by Councillor Rhodes and

RESOLVED: That

- (1) in recognition of his eminent services to the Borough of Tonbridge and Malling, Mr Owen Baldock be admitted as an Honorary Freeman of the Borough pursuant to Section 249(5) of the Local

Government Act 1972; and

- (2) in pursuance of Section 249(9) of the Local Government Act 1972, expenditure be authorised to enable an address to be presented to each of the Honorary Freemen of the Borough referred to in (1) and (2) above.

C 21/92 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 9.35 pm
having opened at 9.31 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

COUNCIL MEETING

Tuesday, 26th October, 2021

At the special meeting of the Tonbridge and Malling Borough Council held at Civic Suite, Gibson building, Kings Hill, West Malling on Tuesday, 26th October, 2021

Present: His Worship the Mayor (Councillor R V Roud), the Deputy Mayor (Councillor Mrs S Bell), Cllr Mrs P A Bates, Cllr T Bishop, 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 R W Dalton, Cllr D A S Davis, Cllr M O Davis, Cllr Mrs T Dean, Cllr S M Hammond, Cllr P M Hickmott, Cllr M A J Hood, Cllr F A Hoskins, Cllr S A Hudson, Cllr D Keers, Cllr Mrs F A Kemp, Cllr D W King, Cllr J R S Lark, Cllr D Lettington, Cllr Mrs R F Lettington, Cllr B J Luker, Cllr Mrs A S Oakley, Cllr L J O'Toole, Cllr W E Palmer, Cllr M R Rhodes, Cllr H S Rogers, 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 Thornevell, Cllr F G Tombolis and Cllr C J Williams

Councillors D J Cooper and N Foyle participated via MS Teams and joined the discussion when invited to do so by the Mayor in accordance with Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors Mrs J A Anderson, M C Base, R P Betts, J L Botten, N J Heslop, A Keeley, A Kennedy, K King, P J Montague and N G Stapleton

PART 1 - PUBLIC

C 21/93 CONFERMENT OF THE TITLE OF HONORARY ALDERMAN

Consideration was given to a Notice of Motion pursuant to Council Procedure Rule No 5.18 and submitted jointly by Councillors M Base, M Boughton, N Heslop, D Keers, Mrs A Kemp, A Kennedy and M Rhodes that the title of Honorary Alderman be conferred upon Mr Matthew Balfour, Mr Christopher Smith and Mr Allan Sullivan in accordance with Section 249 of the Local Government Act 1972.

It was proposed by Councillor Kemp, seconded by Councillor Keers and

RESOLVED: That in accordance with Section 249 of the Local Government Act 1972, the title of Honorary Alderman be conferred upon the following former Councillors in recognition of their eminent services to the Borough Council:

- Mr Matthew Balfour
- Mr Christopher Smith
- Mr Allan Sullivan

C 21/94 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 9.40 pm
having opened at 9.35 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

LICENSING AND APPEALS COMMITTEE

MINUTES

Tuesday, 16th November, 2021

Present: Cllr C Brown (Chairman), Cllr Mrs F A Kemp (Vice-Chairman), Cllr Mrs P A Bates, Cllr A E Clark, Cllr M A Coffin, Cllr D W King, Cllr Mrs R F Lettington, Cllr H S Rogers, Cllr R V Roud and Cllr C J Williams.

Councillors M D Boughton, N Heslop and D Keers participated via MS Teams and joined the discussion when invited to do so by the Chairman in accordance with Council Procedure Rule No 15.21.

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

Apologies for absence were received from Councillors M C Base, M Taylor, D Thornewell and F G Tombolis.

PART 1 - PUBLIC

LA 21/16 DECLARATIONS OF INTEREST

There were no declarations of interest made in accordance with the Code of Conduct. However, in the interest of transparency, Councillor Rogers advised that his wife was a trustee of the Kingfisher Medway Trust which provided pleasure boat cruises and occasionally required a licence within the Borough.

LA 21/17 MINUTES

RESOLVED: That the Minutes of the meeting of the Licensing and Appeals Committee held on 14 September 2021 be approved as a correct record and signed by the Chairman.

LA 21/18 MINUTES OF PANEL

RESOLVED: That the Minutes of the meetings of the Licensing and Appeals Committee sitting as a Panel held on 10 September 2021 be received and noted.

DECISIONS TAKEN UNDER DELEGATED POWERS**LA 21/19 GAMBLING ACT 2005 - REVISED STATEMENT OF PRINCIPLES FOR GAMBLING**

The report of the Director of Central Services and Monitoring Officer presented a revised Statement of Principles for Gambling under the Gambling Act 2005. The Council's current policy took effect from 15 January 2019 and would run until 30 January 2022. Due to the timings of the consultation being presented to the Committee, Members were asked to extend the current policy until 1 May 2022 and for the revised policy to run from 1 May 2022 to 30 January 2025.

The draft statement had been prepared having regard to guidance from the Gambling Commission and the report highlighted the licensing objectives, the responsible authorities for the Borough and the process for consultation over a twelve week period and adoption of the new policy.

RESOLVED: That the current policy be extended until 1 May 2022 and that the draft policy set out at Annex 1 to the report, be approved for consultation.

LA 21/20 REVIEW OF FEES AND CHARGES 2022/23 - LICENSING FEES

Following a review of the existing fee structure the report of the Director of Central Services and Deputy Chief Executive set out details of the proposed licensing fees and charges for 2022/23 in respect of Hackney Carriage and Private Hire, Pleasure Boats and Boatmen, Scrap Metal Dealers, Animal Welfare, Street Trading Consents in Tonbridge, Sex Establishments and the licensing of premises and practitioners providing Acupuncture, Tattooing, Ear Piercing, Semi-permanent make-up and Electrolysis.

The Head of Licensing, Community Safety and Customer Service made a number of suggestions for fees and charges for 2022/23. During discussion, further clarification was sought on scrap metal fees, street trading consents and animal welfare licences. After careful consideration, it was

RESOLVED: That the proposed scale of fees for licences, consents and registrations, as set out at the revised Annex 1 appended to the minutes, be adopted with effect from 1 April 2022.

LA 21/21 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 SUBMITTED FOR INFORMATION

LA 21/22 IMPACT OF COVID-19 ON HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS

The Head of Licensing provided an overview of the impact of Covid-19 on Hackney Carriage and Private Hire drivers in the Borough and made particular reference to the resumption of the Knowledge tests which had previously been suspended as the offices were closed and Covid restrictions were in place.

The meeting ended at 8.36 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

AREA 1 PLANNING COMMITTEE

MINUTES

Thursday, 25th November, 2021

Present: Cllr D W King (Chairman), Cllr Mrs J A Anderson, Cllr Mrs P A Bates, Cllr M D Boughton, Cllr V M C Branson, Cllr G C Bridge, Cllr A E Clark, Cllr M O Davis, Cllr N J Heslop, Cllr M A J Hood, Cllr F A Hoskins, Cllr J R S Lark, Cllr M R Rhodes and Cllr H S Rogers

(Note: As Councillor N Foyle was unable to attend in person and participated via MS Teams he was unable to vote on any matters).

Councillor Mrs A S Oakley participated via MS Teams and joined the discussion when invited to do so in accordance with Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors J L Botten, J L Sergison, Miss G E Thomas and F G Tombolis

PART 1 - PUBLIC

AP1 21/16 DECLARATIONS OF INTEREST

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

AP1 21/17 MINUTES

RESOLVED: That the Minutes of the meeting of the Area 1 Planning Committee held on 5 August 2021 be approved as a correct record and signed by the Chairman.

AP1 21/18 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. 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.

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

**AP1 21/19 TM 21/02064/FL - UNIT 1C, CANNON LANE RETAIL PARK,
TONBRIDGE**

Section 73 Application: Variation of condition 1 (use of warehouse) of planning permission TM/98/01517/FL to extend the range of goods that can be sold from the unit at Unit 1C, Cannon Lane Retail Park, Cannon Lane, Tonbridge.

RESOLVED: That the application be deferred to allow officers to obtain further evidence regarding potential highway impacts arising from the proposal.

[Speakers: Verbal statements were made by Mr Mark Ansdell and Ms Amy Ah-kine (members of the public) and, jointly, by Mr Chris Smith and Mr Chris Betteridge on behalf of the Applicant. A representation was made by Mr Omar Fahmy (member of the public) by a written statement which was read out by the Democratic Services Officer.]

AP1 21/20 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 9.30 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

OVERVIEW AND SCRUTINY COMMITTEE

MINUTES

Thursday, 2nd December, 2021

Present: Cllr J L Sergison (Chairman), Cllr Mrs A S Oakley (Vice-Chairman), Cllr M O Davis (Vice-Chairman), Cllr C Brown, Cllr R I B Cannon, Cllr R W Dalton, Cllr M A J Hood, Cllr F A Hoskins, Cllr S A Hudson, Cllr Mrs F A Kemp, Cllr D W King, Cllr J R S Lark, Cllr H S Rogers, Cllr M Taylor and Cllr F G Tombolis

(Note: As Councillor Base was unable to attend in person and participated via MS Teams he was unable to vote on any matters)

Councillors Mrs J A Anderson, Mrs P A Bates, R P Betts, V M C Branson, M A Coffin, N J Heslop, D Keers, W E Palmer and M R Rhodes participated via MS Teams and joined the discussion when invited to do so by the Chairman in accordance with Council Procedure Rule No 15.21.

An apology for absence was received from Councillor D Thornewell

PART 1 - PUBLIC

OS 21/27 DECLARATIONS OF INTEREST

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

OS 21/28 MINUTES

RESOLVED: That the Minutes of the meeting of the Overview and Scrutiny Committee held on 7 October 2021 be approved as a correct record and signed by the Chairman.

MATTERS FOR RECOMMENDATION TO THE CABINET

OS 21/29 NORTHAMPTONSHIRE COUNTY COUNCIL - INTERVENTIONS REPORT

The joint report of the Chief Executive, Director of Finance and Transformation and Director of Central Services and Deputy Chief Executive summarised the key issues arising from the Commissioners' Interventions Report at the former Northamptonshire County Council.

Members reviewed the issues raised and assessed whether the Borough Council was adequately equipped to avoid these occurring

within Tonbridge and Malling. Particular reference was made to the major financial challenges facing the Council and consideration given to what role the Overview and Scrutiny Committee should have in supporting the 'financial agenda'. In addition, Members discussed what specific training might be required to assist in the overview and scrutiny role.

After careful consideration, it was

RECOMMENDED: That

- (1) Officers be invited to consider how the agenda for each meeting of the Committee include an item on an element of financial matters which identifies any changes in the budgetary position since the previous meeting;
- (2) the Risk Register be reported to the Committee on a regular basis to provide an update on those identified as 'red' and identify actions taken to negate those risks;
- (3) Officers be invited to identify suitable training for members of the Committee in light of its scrutiny role and to enable a better understanding of financial issues; and
- (4) Officers investigate best practice at other local authorities and invite their officers to present details of this at a future meeting of the Committee.

***Referred to Cabinet**

MATTERS FOR CONSIDERATION IN PRIVATE

OS 21/30 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 9.03 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

GENERAL PURPOSES COMMITTEE

MINUTES

Tuesday, 7th December, 2021

Present: Cllr M R Rhodes (Chairman), Cllr B J Luker (Vice-Chairman), Cllr Mrs P A Bates, Cllr Mrs S Bell, Cllr M D Boughton, Cllr D J Cooper, Cllr D A S Davis, Cllr M A J Hood, Cllr D Lettington, Cllr R V Roud and Cllr Mrs M Tatton

(Note: As Councillor M A Coffin was unable to attend in person and participated via MS Teams, he was unable to vote on any matters).

Councillors R P Betts, T Bishop, V M C Branson, G C Bridge, R I B Cannon, A E Clark, R W Dalton, M O Davis, Mrs T Dean, F A Hoskins, S A Hudson, D Keers, Mrs F A Kemp, D W King, J R S Lark, Mrs R F Lettington, P J Montague, H S Rogers, J L Sergison, T B Shaw, N G Stapleton, K B Tanner and D Thornevell were also present in the Council Chamber pursuant to Council Procedure Rule No 15.21.

Councillors Mrs J A Anderson, P M Hickmott, M Taylor and Miss G E Thomas participated via MS Teams and joined the discussion when invited to do so by the Chairman in accordance with Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors N J Heslop and W E Palmer

PART 1 - PUBLIC

GP 21/32 DECLARATIONS OF INTEREST

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

MATTERS FOR RECOMMENDATION TO THE COUNCIL

GP 21/33 BOUNDARY COMMISSION REVIEW - RESPONSE TO DRAFT WARDING PATTERNS

The report of the Chief Executive provided an overview of the proposed response to the draft warding pattern put forward by the Local Government Boundary Commission for England (LGBCE), which was currently out to consultation until 13 December 2021. The draft response to the proposals were set out in Appendix 2 to the report.

RECOMMENDED: That

- (1) the report be noted; and
- (2) the draft response as set out in Appendix 2, be recommended to Council.

***Referred to Council**

MATTERS FOR CONSIDERATION IN PRIVATE

GP 21/34 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 8.12 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

COUNCIL MEETING

MINUTES

Tuesday, 7th December, 2021

At the Extraordinary meeting of the Tonbridge and Malling Borough Council held at Civic Suite, Gibson Building, Kings Hill, West Malling on Tuesday, 7th December, 2021

Present: His Worship the Mayor (Councillor R V Roud), the Deputy Mayor (Councillor Mrs S Bell), Cllr Mrs P A Bates, Cllr R P Betts, Cllr T Bishop, 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 D J Cooper, Cllr R W Dalton, Cllr D A S Davis, Cllr M O Davis, Cllr Mrs T Dean, Cllr M A J Hood, Cllr F A Hoskins, Cllr S A Hudson, Cllr D Keers, Cllr Mrs F A Kemp, Cllr D W 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 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 and Cllr D Thornewell.

(Note: As Councillors Mrs J A Anderson, P M Hickmott and M Taylor were unable to attend in person and participated via MS Teams, they were unable to vote on any matters).

Apologies for absence were received from Councillors M C Base, J L Botten, M A Coffin, N Foyle, N J Heslop, A P J Keeley, A Kennedy, W E Palmer and Miss G E Thomas.

PART 1 - PUBLIC

C 21/95 DECLARATIONS OF INTEREST

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

C 21/96 BOUNDARY COMMISSION REVIEW - RESPONSE TO DRAFT WARDING PATTERNS

The report of the Chief Executive provided an overview of the proposed response to the draft warding pattern put forward by the Local Government Boundary Commission for England (LGBCE), which was currently out for consultation until 13 December 2021. The draft response to the proposal was set out in Appendix 2 to the report.

RESOLVED: That

- (1) the report be noted; and
- (2) the draft response as set out in Appendix 2, be agreed.

C 21/97 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 8.35 pm
having commenced at 8.20 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

AREA 2 PLANNING COMMITTEE

MINUTES

Wednesday, 8th December, 2021

Present: Cllr H S Rogers (Chairman), Cllr B J Luker (Vice-Chairman), Cllr R P Betts, Cllr C Brown, Cllr S A Hudson, Cllr Mrs F A Kemp, Cllr W E Palmer, Cllr J L Sergison, Cllr T B Shaw, Cllr N G Stapleton, Cllr K B Tanner and Cllr M Taylor

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

Councillors D Lettington and Mrs A S Oakley 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 M Coffin.

PART 1 - PUBLIC

AP2 21/17 DECLARATIONS OF INTEREST

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

AP2 21/18 MINUTES

RESOLVED: That the Minutes of the meeting of the Area 2 Planning Committee held on 11 August 2021 be approved as a correct record and signed by the Chairman.

AP2 21/19 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. 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.

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

**AP2 21/20 TM/21/02301/FL - AREA 14, KINGS HILL PHASE 3, GIBSON DRIVE,
KINGS HILL**

Erection of a Class E retail unit with access, car parking and associated works at Area 14, Kings Hill Phase 3, Gibson Drive, Kings Hill.

RESOLVED: That the application be deferred to allow officers to explore further opportunities to negotiate improvements to the scheme with particular emphasis on inclusion of climate change mitigation measures in accordance with the Council's corporate climate change strategy and to give further consideration as to whether trip forecasts and associated highways impacts are robust.

[Speakers: Verbal statements were made by Mr D Rush (member of the public) and Mr D Pannell (on behalf of the Applicant) who addressed the Committee via MS Teams.]

AP2 21/21 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 10.05 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

LICENSING AND APPEALS COMMITTEE

MINUTES

Tuesday, 14th December, 2021

Present: Cllr C Brown (Chairman), Cllr Mrs F A Kemp (Vice-Chairman), Cllr Mrs P A Bates, Cllr M A Coffin, Cllr D W King, Cllr Mrs R F Lettington, Cllr H S Rogers, Cllr R V Roud and Cllr F G Tombolis

Councillors M D Boughton, A Cope, D Harman, M A J Hood and D Keers participated via MS Teams and joined the discussion when invited to do so by the Chairman in accordance with Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors Mrs J A Anderson, A E Clark, M Taylor and C J Williams.

(Note: As Councillors Mrs J A Anderson, A E Clark and M Taylor were unable to attend in person and participated via MS Teams, they were unable to vote on any matters).

PART 1 - PUBLIC

LA 20/23 DECLARATIONS OF INTEREST

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

DECISIONS TAKEN UNDER DELEGATED POWERS

LA 20/24 REVIEW OF HACKNEY CARRIAGE FARES

The report of the Director for Central Services and Deputy Chief Executive invited Members to consider whether any increase in the maximum Hackney Carriage fares was appropriate. The current maximum fares were attached at Annex 1.

The Head of Licensing, Community Safety and Customer Service highlighted that the last increase was authorised for 19 May 2017. During discussion, Members considered the views of Hackney Carriage Drivers, Dual Drivers and Hackney Carriage Proprietors and following careful consideration agreed the maximum Hackney Carriage fares as set out in the appendix to the minutes.

RESOLVED: That

- (1) an increase in Hackney Carriage Fares be considered; and
- (2) an increase in the maximum Hackney Carriage fares, as set out in the appendix to the minutes, be agreed with effect from 3 January 2022 to allow for the statutory public consultation period.

LA 20/25 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 7.55 pm

Appendix to the minutes of the meeting of the Licensing and Appeals Committee held on the 14 December 2021

	Previous Fares	Agreed Fares
FLAG	£3.00 (up to .50 of a mile / FLAG (880 yards)	£3.50 (up to .50 of a mile / FLAG (880 yards)
each subsequent 155 yards	£0.20 (each subsequent 135 yards)	£0.20 (each subsequent 135 yards)
1 Mile	£4.40	£4.90
2 Mile	£7.00	£7.50
Waiting Time (For each period of 20 seconds or part thereof	£0.20 for every 30 seconds	£0.20 for every 30 seconds
Extra Charges <ul style="list-style-type: none"> at any time on a bank or public holiday except Christmas Day between 18:00 and 24:00 hours on Christmas Eve between 18:00 and 24:00 hours on New Year's Eve Easter Sunday 	50% of the above rate of fare <ul style="list-style-type: none"> For hiring beginning between 00:00 hours and 06:00 on any day 	50% of the above rate of fare <ul style="list-style-type: none"> For hiring beginning between 23:30 hours and 06:00 on any day
For hiring beginning at any time on Christmas Day	100% of the above rate of fare	100% of the above rate of fare
For hiring's on Saturdays & Sundays per fare beginning between 06:00 hours and 24:00 hours.	£0.50 surcharge on each fare	£0.50 surcharge on each fare
For the carriage of more than four passengers up to the maximum capacity of the carriage	50% of the above rate of fare	50% of the above rate of fare
Vehicle spoilage charge	£100.00	£100.00
Congestion charges, tolls and car parking	Congestion charges, tolls and car parking incurred during hiring Any charges(s) detailed above, incurred as a result of a passenger's instruction may be added to the fare.	Congestion charges, tolls and car parking incurred during hiring Any charges(s) detailed above, incurred as a result of a passenger's instruction may be added to the fare.

TONBRIDGE AND MALLING BOROUGH COUNCIL

AREA 1 PLANNING COMMITTEE

MINUTES

Thursday, 13th January, 2022

Present: Cllr D W King (Chairman), Cllr Mrs J A Anderson, Cllr M D Boughton, Cllr G C Bridge, Cllr A E Clark, Cllr A Cope, Cllr M O Davis, Cllr M A J Hood, Cllr F A Hoskins, Cllr J R S Lark, Cllr M R Rhodes, Cllr H S Rogers, Cllr J L Sergison, Cllr Miss G E Thomas and Cllr F G Tombolis.

(Note: As Councillors V M C Branson and N Foyle were unable to attend in person and participated via MS Teams, they were unable to vote on any matters).

Councillors Mrs S Bell and D Harman participated via MS Teams and joined the discussion when invited to do so in accordance with Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors Mrs P A Bates, J L Botten and N J Heslop.

PART 1 - PUBLIC

AP1 22/1 DECLARATIONS OF INTEREST

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

AP1 22/2 MINUTES

RESOLVED: That the Minutes of the meeting of the Area 1 Planning Committee held on 25 November 2021 be approved as a correct record and signed by the Chairman.

AP1 22/3 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. Any supplementary reports were tabled at the meeting.

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.

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

AP1 22/4 TM/19/00014/OAEA - LAND NORTH OF LOWER HAYSDEN LANE, TONBRIDGE

Outline Application: construction of up to 125 new homes, the formation of new means of access onto Lower Haysden Lane, new pedestrian and cycle links (including links to the existing playing fields and Country Park to the west), the laying out of open space, new strategic landscaping, habitat creation, drainage features and associated ground works and infrastructure at Land North Of Lower Haysden Lane Tonbridge Kent.

The item was WITHDRAWN from the agenda.

AP1 22/5 TM/21/02064/FL - UNIT 1C, CANNON LANE, RETAIL PARK, CANNON LANE, TONBRIDGE

Section 73 Application: Variation of condition 1 of planning permission TM/16/00818/FL to allow the sale of convenience goods from Unit 1C at Unit 1C Cannon Lane Retail Park Cannon Lane Tonbridge Kent.

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

[Speaker: A verbal statement was made by Mr Chris Smith on behalf of the applicant.]

AP1 22/6 EXCLUSION OF PRESS AND PUBLIC

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

AP1 22/7 TM/21/02064/FL - UNIT 1, CANNON LANE RETAIL PARK, CANNON LANE, TONBRIDGE

Section 73 Application: Variation of condition 1 of planning permission TM/16/00818/FL to allow the sale of convenience goods from Unit 1C at Unit 1C Cannon Lane Retail Park Cannon Lane Tonbridge Kent

RESOLVED: That the report be received for information.

The meeting ended at 8.32 pm.

TONBRIDGE AND MALLING BOROUGH COUNCIL

OVERVIEW AND SCRUTINY COMMITTEE

MINUTES

Tuesday, 18th January, 2022

Present: Cllr M O Davis (Vice-Chairman in the Chair), Cllr Mrs A S Oakley (Vice-Chairman), Cllr C Brown, Cllr R I B Cannon, Cllr R W Dalton, Cllr M A J Hood, Cllr S A Hudson, Cllr Mrs F A Kemp, Cllr D W King, Cllr J R S Lark, Cllr H S Rogers and Cllr F G Tombolis.

(Note: As Councillors J L Botten, F A Hoskins and M Taylor were unable to attend in person and participated via MS Teams, they were unable to vote on any matters).

Councillors Mrs J A Anderson, Mrs P A Bates, Mrs S Bell, M D Boughton, D Harman, N J Heslop, D Keers, P J Montague, W E Palmer, M R Rhodes and K B Tanner participated via MS Teams and joined the discussion when invited to do so by the Chairman, in accordance with Council Procedure Rule 15.21.

Councillor A Cope was present in the Council Chamber pursuant to Council Procedure Rule No 15.21.

An apology for absence was received from Councillor J L Sergison (Chairman).

PART 1 - PUBLIC

OS 22/1 DECLARATIONS OF INTEREST

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

OS 22/2 MINUTES

RESOLVED: That the Minutes of the meeting of the Overview and Scrutiny Committee held on 2 December 2021 be approved as a correct record and signed by the Chairman.

MATTERS FOR RECOMMENDATION TO THE CABINET

OS 22/3 REVIEW OF COUNCILS PUBLIC HEALTH FUNCTION

The report of the Director of Planning, Housing and Environmental Health set out options to amend the structure of the Borough Council's One You team in order to bring the cost of the service within the annual grant allocation received from Kent County Council.

The current structure and cost of the service was provided at Annex 1. Proposals for a revised staffing structure and cost were detailed in Annex 2.

Particular reference was made to the financial and value for money considerations which illustrated that the difference between the grant funding received from the County Council and the actual cost of the service meant that there was a funding gap of circa £35,000. It was explained that the overspend on public health had been funded via the Borough Council's public health reserve. Due to expenditure exceeding income and based on the latest estimates, without any changes to the service, it was expected that this reserve would be fully used during 2022/23.

The proposals for a revised structure would bring the service within the cost of the annual grant application and avoid budget growth.

RECOMMENDED: That

the proposal to revise the structure of the One You Service, as detailed in 1.3 of the report, to bring it within the annual Kent County Council grant allocation be endorsed.

***Referred to Cabinet**

OS 22/4 REVENUE ESTIMATES 2022/23

The report of the Director of Finance and Transformation referred to the responsibility of the Cabinet under the Constitution for formulating initial draft proposals in respect of the Budget. Reference was made to the role of the Committee in assisting the Cabinet and the Council in preparation of the Budget for 2022/23 within the context of the Medium Term Financial Strategy (MTFS) and the Council's priorities.

Details were given of the provisional Local Government Finance Settlement and the position regarding New Homes Bonus funding. It was reported that the latter funding stream remained a subject of discussion, but it would not continue in its current form. It was likely that the scheme would either be withdrawn and not replaced or replaced, but where the funding stream and sum awarded was much reduced.

Members were advised that for the year 2022/23, a referendum would be triggered where council tax was increased by 2%, or more than 2% and more than £5. For the purposes of preparing the budget papers and updating the MTFS an increase of £5 in 2022/23 had been assumed and each year thereafter. In addition, it was proposed, that the 'annual capital allowance' currently set at £250,000 continued to be set at that level.

The report indicated the factors to be taken into account when updating the MTFs and referred to the Savings and Transformation Strategy (STS) which provided a structure and focus for addressing the significant financial challenge facing the Council. Progress was reported on savings achieved and it was noted that the MTFs would continue to be updated as more information became available and the targets and timescales within the STS would be revisited and realigned with the latest projected funding gap. The latest projected 'outstanding' funding gap was £2,350,000 including the initiative already built into the MTFs, the scaling back of office accommodation in the sum of £200,000.

Finally, reference was made to the recommendations of the Finance, Innovation and Property Advisory Board of 12 January that the Revenue Estimates contained in the Booklet (Annex 1) be endorsed and that Cabinet give serious consideration to bringing forth a detailed plan to address the funding gap.

RECOMMENDED: That

- (1) the draft Revenue Estimates contained in the Booklet (Annex 1) be endorsed and commended to the Cabinet for its meeting on 10 February 2022, subject to noting the additional recommendation arising from the Finance, Innovation and Property Advisory Board of 12 January 2022 that Cabinet gives serious consideration to bringing forth a detailed plan to address the funding gap;
- (2) Cabinet be invited to work with the Management Team to identify areas where significant savings could be made in order to meet the required annual savings; and
- (3) the Savings and Transformation Strategy be updated to reflect the latest projected 'outstanding' funding gap as part of the budget setting process.

***Referred to Cabinet**

OS 22/5 CAPITAL PLAN REVIEW 2021/22

Consideration was given to the report of the Director of Finance and Transformation which set out progress on the 2021/22 Capital Plan Review and sought endorsement of recommendations to the Cabinet.

Members were reminded that the annual capital allowance was currently set at £250,000. It was noted that based on current projections, from 2028-29 the Borough Council might need to borrow to fund such expenditure.

Particular reference was made to the two schemes on List C (attached as Annex 3 to the report) recommended for fast track evaluation and in

turn, their addition to the Capital Plan; purchase of an Air Quality Monitor and Tonbridge Farm Sportsground Improvements.

RECOMMENDED: That

- (1) the recommendations to the Finance, Innovation and Property Advisory Board detailed at paragraph 1.3 of the report be endorsed; and
- (2) the Capital Strategy, as set out at Annex 5 to the report, be endorsed for adoption by Council and publication on the Council's website.

***Referred to Cabinet**

DECISIONS TAKEN BY THE COMMITTEE

OS 22/6 SCOPING REPORT - PLANNING ENFORCEMENT

The report of the Director of Planning, Housing and Environmental Health presented options for a review of the existing Planning Enforcement Plan and associated practices.

It was proposed that the scope of the review should focus on the prioritisation of schemes, internal processes regarding case allocation and workflow management, the content of plan, communicating with complainants and updating on enforcement investigations.

RESOLVED: That the approach detailed in 1.3 of the report (and summarised above) to review and update the existing Planning Enforcement Plan be endorsed.

MATTERS FOR INFORMATION

OS 22/7 PEER CHALLENGE REVIEW

The report of the Chief Executive provided an update on the Local Government Association review which was due to take place from 25 January 2022. Members noted the Position Statement as attached at Annex 1.

MATTERS FOR CONSIDERATION IN PRIVATE

OS 22/8 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 9.18 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

AREA 2 PLANNING COMMITTEE

MINUTES

Wednesday, 19th January, 2022

Present: Cllr H S Rogers (Chairman), Cllr B J Luker (Vice-Chairman), Cllr R P Betts, Cllr P Boxall, Cllr D Harman, Cllr S A Hudson, Cllr Mrs F A Kemp, Cllr W E Palmer, Cllr T B Shaw, Cllr K B Tanner and Cllr M Taylor

Apologies for absence were received from Councillors Mrs J A Anderson, C Brown, P J Montague, J L Sergison and N G Stapleton

PART 1 - PUBLIC

AP2 22/1 DECLARATIONS OF INTEREST

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

AP2 22/2 MINUTES

RESOLVED: That the Minutes of the meeting of the Area 2 Planning Committee held on 8 December 2021 be approved as a correct record and signed by the Chairman.

AP2 22/3 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. Any supplementary reports were tabled at the meeting.

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.

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

**AP2 22/4 TM/21/02565/FL - AVENUE, COTTAGE, SHIPBOURNE ROAD,
TONBRIDGE**

Demolish the existing extended property and associated outbuildings and construct a more sustainable new build replacement residential property at Avenue Cottage, Shipbourne Road, Tonbridge.

RESOLVED: That the application be APPROVED, subject to the following:

(1) Amended informative:

1. Please note that previously certified outbuildings under applications TM/21/00527/LDP and TM/21/01956/LDP certified that the buildings were permitted development at the date of issuing the Lawful Development Certificates. These outbuildings would not be permitted development if constructed and only used following the demolition of the existing house. The applicant is further reminded that in the event these outbuildings were constructed ahead of this planning permission being implemented, their subsequent retention would not be in accordance with the plans approved by this planning permission and a breach of planning control would be occurring.

(2) Additional Informative:

3. The applicant is strongly encouraged to take all possible measures to ensure the dwelling hereby approved will meet EPC Rating "A" and to demonstrate how this will be achieved through the submission of details pursuant to Condition 5 of this planning permission.

[Speaker: A verbal statement was made by Ms J Andrews (on behalf of the Applicant) who addressed the Committee via MS Teams.]

AP2 22/5 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 8.45 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

AUDIT COMMITTEE

MINUTES

Monday, 24th January, 2022

Present: Cllr Mrs F A Kemp (Chairman), Cllr N Foyle (Vice-Chairman), Cllr T Bishop, Cllr R I B Cannon, Cllr N J Heslop, Cllr P M Hickmott, Cllr D W King, Cllr J R S Lark and Cllr M R Rhodes

Councillor M A J Hood was also present in the Council Chamber pursuant to Council Procedure Rule No 15.21.

Councillors Mrs J A Anderson, V M C Branson, D Harman, B J Luker, Mrs A S Oakley, W E Palmer, H S Rogers and K B Tanner participated via MS Teams and joined the discussion when invited to do so by the Chairman in accordance with Council Procedure Rule No 15.21.

PART 1 - PUBLIC

AU 22/1 DECLARATIONS OF INTEREST

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

AU 22/2 MINUTES

RESOLVED: That the Minutes of the meeting of the Audit Committee held on 27 September 2021 be approved as a correct record and signed by the Chairman.

MATTERS FOR RECOMMENDATION TO THE CABINET

AU 22/3 APPOINTMENT OF EXTERNAL AUDITORS

The Director of Finance and Transformation recommended that the Council opted into the appointing person arrangements made by Public Sector Audit Appointments Limited (PSAA) for the appointment of external auditors.

It was reported that the Borough Council had previously opted into the PSAA national auditor appointment arrangements covering the five year period 2018/19 to 2022/23. It was now time to consider external audit arrangements for the period commencing April 2023 and the national appointing arrangements made by the PSAA remained the preferred option.

RECOMMENDED: That the Borough Council opts into the appointing persons arrangements made by Public Sector Audit Appointments Limited for the appointment for external auditors for the five consecutive financial years commencing 1 April 2023.

***Referred to Cabinet**

AU 22/4 AUDITORS ANNUAL REPORT

The joint report of the Chief Executive and the Director of Finance and Transformation introduced the Auditor's Annual Report prepared by Grant Thornton UK LLP on the Borough Council's arrangements for securing economy, efficiency and effectiveness in its use of resources and governance. Mr Paul Dossett, Engagement Lead, presented the report and answered questions raised.

No significant weaknesses in arrangements were identified. However, a number of improvement recommendations were made and these were detailed in the report together with management comments.

RECOMMENDED: That

- (1) the Auditor's Annual Report for 2020/21, attached at Annex 1, be approved; and
- (2) the management comments to the improvement recommendations made in paragraphs 1.2.3 to 1.2.9 be noted and endorsed.

***Referred to Cabinet**

AU 22/5 RISK MANAGEMENT

The report of the Management Team invited the Committee to review the Risk Management Strategy and accompanying Risk Management Guidance which set out the Council's risk management objectives and detailed roles and responsibilities of officers, Members and partners in the identification, evaluation and cost-effective control of risks. The report also provided an update on the risk management process and Strategic Risk Register. Whilst it was noted that no new risks had been added to the Register since the last meeting in September, the number of those categorised as 'red' remained unchanged:

- Financial position/budget deficit
- EU Transition and economic uncertainty (severely impacted by the coronavirus pandemic)
- Corporate Strategy and Savings and Transformation Strategy
- Waste Services
- Local Plan

A schedule of ongoing risks and risks identified by Service Management Teams and Management Team since the meeting in September 2021 was attached at Annex 4.

RECOMMENDED: That

- (1) the Risk Management Strategy and accompanying Risk Management Guidance be commended to the Cabinet for approval by the Council; and
- (2) the updates to the Strategic Risk Register since the last iteration with particular emphasis on those risks categorised as 'RED' be noted.

***Referred to Cabinet**

**AU 22/6 TREASURY MANAGEMENT UPDATE AND TREASURY
MANAGEMENT AND ANNUAL INVESTMENT STRATEGY FOR
2022/23**

The report of the Director of Finance and Transformation provided details of investments undertaken and return achieved in the first nine months of the current financial year. In addition, it provided an introduction to the 2022/23 Treasury Management and Annual Investment Strategy (attached at Annex 5), which reflected the current economic environment, Link Asset Services' latest interest rate forecast and incorporated the risk parameters summarised in the report.

RECOMMENDED: That

- (1) the treasury management position as at 31 December 2021 be noted; and
- (2) the Treasury Management and Annual Investment Strategy for 2022/23, as set out at Annex 5 to the report, be commended to Council for adoption.

***Referred to Cabinet**

DECISIONS TAKEN UNDER DELEGATED POWERS

AU 22/7 ACCOUNTING POLICIES

The Accounting Policies proposed for the 2021/22 Financial Statements were presented for consideration and endorsement. It was noted that only changes required to those adopted for 2020/21 related to the accounting treatment in respect of the charge made for the garden waste service from a cash basis to an accrual's basis and to the removal of references to the Kent Business Rates Pool for the year 2021/22.

RESOLVED: That the Accounting Policies to be used in the preparation of the 2021/22 Financial Settlements, as set out at Annex 1 to the report, be endorsed.

AU 22/8 ANNUAL REVIEW OF THE ANTI-FRAUD, BRIBERY AND CORRUPTION POLICY AND THE WHISTLEBLOWING POLICY

Members were informed of the outcome of the annual review of the Borough Council's Anti-Fraud, Bribery and Corruption Policy and advised that, whilst there were no changes required at this time, it was recommended that the Policy be reviewed every two years.

The Whistleblowing Policy was also presented and Members advised that the latest review had identified that a number of changes were required to bring it up to date with best practice. These included the publication of a staff whistleblowing procedure (Annex 3) and policy for those working externally to the Borough Council who witnessed wrongdoing by employees or Members (Annex 4).

RESOLVED: That

- (1) the Anti-Fraud, Bribery and Corruption Policy be approved; and
- (2) the General Purposes Committee be invited to approve the Whistleblowing Policy (attached at Annex 2) and accompanying Whistleblowing Procedure (Annex 3) and external Policy (Annex 4).

AU 22/9 ANNUAL REVIEW OF ANTI-MONEY LAUNDERING POLICY

The report of the Director of Finance and Transformation gave details of the outcome of the annual review of the Borough Council's Anti-Money Laundering Policy and supporting guidance notes and advised that, whilst there were no changes required at this time, it was recommended that the Policy be reviewed every two years.

RESOLVED: That the Anti-Money Laundering Policy and supporting guidance notes (attached at Annexes 1 and 2 respectively) be approved.

MATTERS SUBMITTED FOR INFORMATION

AU 22/10 INTERNAL AUDIT AND COUNTER FRAUD UPDATE

Members were provided with an update on the work of both the Internal Audit and Counter Fraud functions for the period April to December 2021. Attention was drawn to the audit recommendation in respect of validation of parking permit application documents which was now closed as the risk had been accepted by the Service. Details were set out in Annex 4 for awareness.

RESOLVED: That the report be noted.

AU 22/11 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 8.26 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

CABINET

MINUTES

Tuesday, 25th January, 2022

Present: Cllr M D Boughton (Chairman), Cllr R P Betts, Cllr V M C Branson, Cllr D Keers, Cllr P J Montague and Cllr K B Tanner

(Note: As Councillor M A Coffin was unable to attend in person and participated via MS Teams he was unable to vote on any matters).

Councillors M A J Hood and D Thornewell were also present in the Council Chamber pursuant to Access to Information Rule No 23.

Councillors Mrs S Bell, R I B Cannon, A E Clark, D Harman, F A Hoskins, S A Hudson, D W King, J R S Lark, Mrs A S Oakley, W E Palmer, M R Rhodes, H S Rogers, J L Sergison and T B Shaw participated via MS Teams and joined the discussion when invited to do so by the Chairman in accordance with Access to Information Rule No 23.

PART 1 - PUBLIC

CB 22/1 DECLARATIONS OF INTEREST

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

CB 22/2 MINUTES

RESOLVED: That the Minutes of the meeting of the Cabinet held on 12 October 2021 be approved as a correct record and signed by the Chairman.

CB 22/3 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. Any financial matters were referred to the Budget meeting of Cabinet to be held on 10 February 2022.

- Economic Regeneration Advisory Board of 2 November 2021
- Communities and Housing Advisory Board of 9 November 2021
- Planning and Transportation Advisory Board of 10 November 2021

- Street Scene and Environment Services Advisory Board of 23 November 2021

CB 22/4 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.

- Parish Partnership Panel of 4 November 2021
- Joint Transportation Board of 22 November 2021

EXECUTIVE KEY DECISIONS

CB 22/5 LOCAL PLAN UPDATE

Decision Notice: D220008CAB

Consideration was given to the recommendations of the Planning and Transportation Advisory Board meeting held on 10 November 2021 (PE 21/22 and PE 21/29).

RESOLVED: That:

- (1) the contents of the report, including the proposed way forward in respect of the new Call for Sites exercise set out in section 1.1.9 to 1.1.16 and Annex 2 to the report be noted;
- (2) the Local Development Scheme, set out at Annex 3 to the report, be approved subject to the financial implications detailed in the Part 2 report on the Local Plan Update;
- (3) the additional funding requirement of circa £200,000 for the delivery of the Local Plan, as laid out in the Part 1 report on the Local Plan Update, be approved; and
- (4) it be noted that the increased budget provisions will be reflected in the budget setting processes for 2022/23 and 2023/24.

EXECUTIVE NON-KEY DECISIONS

CB 22/6 LEYBOURNE LAKES COUNTRY PARK - CAFE PETITION

Decision Notice: D220009CAB

Consideration was given to a petition received from the existing catering concessionaire in respect of the future provision of catering services at Leybourne Lakes Country Park.

Members listened to the views of the petition organiser, considered current and future catering provision on the site and gave regard to financial and value for money considerations. It was recognised that access to the existing catering concessionaire was currently altered due to the ongoing works on site and it was felt that access arrangements, including signage, and relocating to an alternative location in the Country Park should continue to be discussed with the operator and the Leisure Trust.

RESOLVED: That

- (1) the petition be accepted and noted;
- (2) the action requested for the café to remain in the hands of the current business not be taken;
- (3) the current business be assisted with relocating to an alternative location within Leybourne Lakes Country Park until the opening of the new facilities or the operator secures new arrangements elsewhere; and
- (4) the catering operator be included on the tender list for any future appropriate opportunities within Tonbridge and Malling.

CB 22/7 NORTHAMPTONSHIRE COUNTY COUNCIL - INTERVENTIONS REPORT

Decision Notice: D220010CAB

Consideration was given to the recommendations of the Overview and Scrutiny Committee meeting held on 2 December (OS 21/29).

RESOLVED: That

- (1) Officers be invited to consider how the agenda for each meeting of the Committee include an item on an element of financial matters which identified any changes in the budgetary position since the previous meeting;
- (2) the Risk Register be reported to the Committee on a regular basis to provide an update on those identified as 'red' and identify actions taken to negate those risks; and
- (3) Officers investigate best practice of other local authorities and invite their officers to present details of this at a future meeting of the Committee.

CB 22/8 REVIEW OF COUNCIL'S PUBLIC HEALTH FUNCTION

Decision Notice: D220011CAB

Consideration was given to the recommendations of the Overview and Scrutiny Committee held on 18 January 2022 (OS 22/3)

RESOLVED: That the proposal to revise the structure of the One You Service, as detailed in 1.3 of the report, to bring it within the annual Kent County Council grant allocation be endorsed.

MATTERS SUBMITTED FOR INFORMATION**CB 22/9 PEMBURY ROAD TEMPORARY ACCOMMODATION UPDATE**

The report of the Director of Planning, Housing and Environmental Health provided an update on the status of the Pembury Road temporary accommodation project. Alternative options presently being progressed were also detailed.

RESOLVED: That the report be received and noted.

CB 22/10 DECISIONS TAKEN UNDER EMERGENCY PROVISIONS

Details of the Decisions taken in accordance with emergency provisions were presented for information.

RESOLVED: That the report be received and noted.

CB 22/11 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.

EXECUTIVE KEY DECISIONS**CB 22/12 CONTRACT ARRANGEMENTS COVERING THE COUNCIL'S BANKING, MERCHANT ACQUIRER, INSURANCE AND CASH COLLECTION SERVICE CONTRACTS**

Decision Notice: D220012CAB

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

Consideration was given to the recommendations of the Finance, Innovation and Property Advisory Board of 12 January 2022 (FIP 22/9).

RESOLVED: That

- (1) the progress made in renegotiating both the banking and merchant acquirer services contracts be noted and delegated authority be granted to the Director of Finance and Transformation, in liaison with the Cabinet Member for Finance, Innovation and Property, to finalise the negotiations;
- (2) the approach to be adopted in respect of the retendering of the Council's insurance arrangements be noted and endorsed and delegated authority be granted to the Director of Finance and Transformation, in liaison with the Cabinet Member for Finance, Innovation and Property, to award the contract to the successful tenderer following the outcome of the tender exercise; and
- (3) the current situation regarding renewal of the cash collection contract and securing alternative cash payment facilities be noted.

The meeting ended at 8.20 pm

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION

Decision Taken By: Cabinet Member for Economic Regeneration

**Decision No:
D210097MEM**

Date: 02 November 2021

Decision(s) and Reason(s)

Jobs and Training Fairs - Analysis

(Report of Chief Executive)

The report provided a brief update on the delivery of jobs and training fairs to support local employers with their recruitment needs and assist residents seeking new job opportunities and training courses. The report outlined proposals for an analysis of the jobs and training fairs to help identify lessons learnt and to gain an appreciation of their economic impact.

Following consideration by the Economic Regeneration Advisory Board, the Cabinet Member for Economic Regeneration resolved that:

- (1) the report be noted;
- (2) the initial findings, set out at paragraph 1.2.2 of the report, and the actions to improve promotion and tackling barriers to employment be endorsed; and
- (3) the proposed approach to analysing the Jobs and Training Fairs, as set out at section 1.3, and the timeframe set out at section 1.4, be agreed.

Reasons: As set out in the report submitted to the Economic Regeneration Advisory Board of 2 November 2021.

Signed Cabinet Member for
Economic Regeneration

V Branson

Signed Leader:

M Boughton

Signed Chief Executive:

J Beilby

Date of publication:

5 November 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 Economic Regeneration

**Decision No:
D210098MEM**

Date: 02 November 2021

Decision(s) and Reason(s)

Welcome Back Fund

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

The report provided an update on progress on the Welcome Back Fund and sought support for the plan and progress made to date.

Following consideration by the Economic Regeneration Advisory Board, the Cabinet Member for Economic Regeneration resolved that:

- (1) The Welcome Back plan be supported and the progress and spend be noted.

Reasons: As set out in the report submitted to the Economic Regeneration Advisory Board of 2 November 2021.

Signed Cabinet Member for
Economic Regeneration

V Branson

Signed Leader:

M Boughton

Signed Chief Executive:

J Beilby

Date of publication:

5 November 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 Economic Regeneration

**Decision No:
D210099MEM**

Date: 02 November 2021

Decision(s) and Reason(s)

Apprenticeships

(Report of Chief Executive)

The report provided details of work undertaken in recent years to address worklessness and improve skills attainment, including the employment of apprentices at the Council, and outlined additional measures which could be taken to increase the availability of apprenticeship opportunities in the borough.

Following consideration by the Economic Regeneration Advisory Board, the Cabinet Member for Economic Regeneration resolved that:

- (1) the report be noted;
- (2) the options for intervention, as outlined at section 1.3 of the report, be given further consideration; and
- (3) the next steps, as set out at paragraph 1.4.1, be agreed.

Reasons: As set out in the report submitted to the Economic Regeneration Advisory Board of 2 November 2021.

Signed Cabinet Member for
Economic Regeneration

V Branson

Signed Leader:

M Boughton

Signed Chief Executive:

J Beilby

Date of publication:

5 November 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 Economic Regeneration

**Decision No:
D210100MEM**

Date: 02 November 2021

Decision(s) and Reason(s)

Tonbridge Safer Towns Partnership

(Report of Chief Executive)

The report set out details of a proposed contribution from the remaining Business Rates Retention Pilot towards the purchase of new equipment to ensure that the Safer Towns Partnership remained an effective mechanism through which crime against Tonbridge town centre businesses was prevented.

Following consideration by the Economic Regeneration Advisory Board, the Cabinet Member for Economic Regeneration resolved that:

- (1) the report be noted; and
- (2) the proposed £8,000 contribution towards new equipment for the Tonbridge Safer Towns Partnership and the arrangements set out at section 1.2 of the report be agreed.

Reasons: As set out in the report submitted to the Economic Regeneration Advisory Board of 2 November 2021.

Signed Cabinet Member for
Economic Regeneration

V Branson

Signed Leader:

M Boughton

Signed Chief Executive:

J Beilby

Date of publication:

5 November 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 Housing

**Decision No:
D210101MEM**

Date: 09 November 2021

Decision(s) and Reason(s)

Tonbridge and Malling Housing Strategy 2022-2027

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

The report presented a draft Housing Strategy for members review and approval ahead of public consultation. The Housing Strategy set out the Council's strategic approach to housing in the borough for 2022-2027. A revised and final draft of the Housing Strategy would be presented for further review, approval and adoption as soon as possible.

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

- (1) the draft Housing Strategy 2022-2027 be approved for public consultation (as set out at Annex 1); and
- (2) that approval of the final consultation material be delegated to the Director of Planning, Housing and Environmental Health in liaison with the Cabinet Member for Housing.

Reasons: As set out in the report submitted to the Communities and Housing Advisory Board of 9 November 2021.

Signed Cabinet Member for Housing

K Tanner

Signed Leader:

M Boughton

Signed Chief Executive:

J Beilby

Date of publication:

12 November 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 Community Services

**Decision No:
D210103MEM**

Date: 09 November 2021

Decision(s) and Reason(s)

Community Trigger Review

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

The report provided Members with information about the revised Community Trigger process.

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

- (1) the Community Trigger process be endorsed.

Reasons: As set out in the report to the Communities and Housing Advisory Board of 9 November 2021.

Signed Cabinet Member for Community Services D Keers

Signed Leader: M Boughton

Signed Chief Executive: J Beilby

Date of publication: 12 November 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:
D210104MEM**

Date: 10 November 2021

Decision(s) and Reason(s)

Development Management Update

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

The report provided an update on various matters pertaining to the Development Management function over the course of the year. It was noted that actions contained within the report would result in some savings in wider service efficiencies to support the Council's medium term financial strategy.

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

The contents of the report be noted and regard be had to the following:

- (1) Officers will commence a review of the Council's local validation requirements in accordance with the recommended processes set out in the Planning Practice Guidance;
- (2) Improvements will be made to messaging contained on the Council's website concerning use of the pre-application advice service and the Council's approach to not accepting amendments/additional information post submission where Planning Performance Agreements are not in place; and
- (3) Officers will continue to review the effectiveness of the adopted Section 106 Protocol with a substantive update to be reported to the Board after a further period of implementation.

Reasons: As set out in the report submitted to the Planning and Transportation Advisory Board of 10 November 2021.

Signed Cabinet Member for
Strategic Planning and
Infrastructure

D Lettington

Signed Leader: M Boughton

Signed Chief Executive: J Beilby

Date of publication: 12 November 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:
D210105MEM**

Date: 10 November 2021

Decision(s) and Reason(s)

Gatwick Northern Runway Consultation

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

The report provided an overview of the Gatwick Northern Runway consultation and draft consultation response.

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 Borough Council's objection to the northern runway proposals, as set out in the draft consultation response appended to the report, be approved and submitted to Gatwick Airport.

Reasons: As set out in the report submitted to the Planning and Transportation Advisory Board of 10 November 2021.

Signed Cabinet Member for
Strategic Planning and
Infrastructure

D Lettington

Signed Leader:

M Boughton

Signed Chief Executive:

J Beilby

Date of publication:

12 November 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:
D210106MEM**

Date: 10 November 2021

Decision(s) and Reason(s)

Affordable Housing Protocol

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

The report set out the policy approach for addressing affordable housing and sought approval to use it for Development Management purposes until the Local Plan was adopted.

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

The Affordable Housing Protocol, as set out at Annex 1 to the report, be approved for adoption by the Council for Development Management purposes, and that final approval of any changes required to the document before publication be delegated to the Director of Planning, Housing and Environmental Health in consultation with the Cabinet Members for Strategic Planning and Infrastructure and Housing.

Reasons: As set out in the report submitted to the Planning and Transportation Advisory Board of 10 November 2021.

Signed Cabinet Member for
Strategic Planning and
Infrastructure

D Lettington

Signed Leader:

M Boughton

Signed Chief Executive:

J Beilby

Date of publication:

12 November 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 Environment and Climate Change

**Decision No:
D210107MEM**

Date: 23 November 2021

Decision(s) and Reason(s)

River Lawn, Tonbridge

(Joint report of Director of Central Services & Deputy Chief Executive and Director of Street Scene, Leisure and Technical Services)

Consideration was given to a number of options in respect of the land at River Lawn including applications for Village Green status or Local Green space designation in the Local Plan and the future rewilding of the site.

There was also an update provided on the Public Rights of Way (PROW) which the Borough Council had previously objected to. It was reported that a decision on the application made by Kent County Council might not be issued until 2023 due to the backlog of cases.

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

- (1) the area of land at River Lawn, Tonbridge (shown at Annex 1 to the report) be considered for designation in the Local Plan as a Local Green Space;
- (2) the proposal to partially rewild the land in partnership with the Medway Valley Countryside Partnership be progressed in consultation with the Cabinet Member for Environment and Climate Change; and
- (3) the objections to the Public Rights of Way Order (PROW) be withdrawn.

Reasons: As set out in the report submitted to the Street Scene and Environment Services Advisory Board of 23 November 2021

Signed Cabinet Member for
Environment and Climate Change:

R Betts

Signed Leader:

M Boughton

Signed Chief Executive: J Beilby

Date of publication: 26 November 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 Finance,
Innovation and Property**

**Decision No:
D220001MEM**

Date: 12 January 2022

Decision(s) and Reason(s)

Corporate Debt Recovery Policy

(Report of Director of Finance and Transformation)

**The report provided details of the outcome of the review of the Council's
Corporate Debt Recovery Policy.**

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

- (1) the Corporate Debt Recovery Policy, as set out at Annex 1 to the report, be
approved for publication on the Council's website.

Reasons: As set out in the report submitted to the Finance, Innovation and Property
Advisory Board of 12 January 2022.

Signed Cabinet Member for
Finance, Innovation and Property

M Coffin

Signed Leader:

M Boughton

Signed Chief Executive:

J Beilby

Date of publication:

14 January 2022

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:
D220002MEM**

Date: 12 January 2022

Decision(s) and Reason(s)

Debts for Write-Off

(LGA 1972 Sch 12A Paragraph 2 – Information which is likely to reveal the identity of an individual)

(Report of Director of Finance and Transformation)

The report sought approval for the writing-off of debts considered to be irrecoverable.

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

- (1) the 4 items shown in the schedule of amounts over £5,000, totalling £36,576.68 be written off for the reason stated within the schedule.

Reasons: As set out in the report submitted to the Finance, Innovation and Property Advisory Board of 12 January 2022 (contains exempt information).

Signed Cabinet Member for
Finance, Innovation and Property

M Coffin

Signed Leader:

M Boughton

Signed Chief Executive:

J Beilby

Date of publication:

14 January 2022

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:
D220003MEM**

Date: 12 January 2022

Decision(s) and Reason(s)

47 High Street, Tonbridge

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

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

The report set out details of the proposed purchase of 47 High Street, Tonbridge.

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

- (1) the purchase of the freehold interest of 47 High Street as set out in the report be approved; and
- (2) the funding arrangements for the proposed purchase via the Urgent Decision taken under the Council's Budget and Policy Framework Procedure Rules be noted.

Reasons: As set out in the report submitted to the Finance, Innovation and Property Advisory Board of 12 January 2022 (contains exempt information).

Signed Cabinet Member for
Finance, Innovation and Property

M Coffin

Signed Leader:

M Boughton

Signed Chief Executive:

J Beilby

Date of publication:

14 January 2022

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:
D220004MEM**

Date: 12 January 2022

Decision(s) and Reason(s)

Proposed Sale of Car Parking Spaces 2 and 3 at Pembury Grove, Tonbridge

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

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

The report set out details of the proposed sale of two car parking spaces at Pembury Grove in Tonbridge.

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

- (1) the sale of the two car parking spaces on the terms identified in the report be approved.

Reasons: As set out in the report submitted to the Finance, Innovation and Property Advisory Board of 12 January 2022 (contains exempt information).

Signed Cabinet Member for
Finance, Innovation and Property

M Coffin

Signed Leader:

M Boughton

Signed Chief Executive:

J Beilby

Date of publication:

14 January 2022

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:
D220005MEM**

Date: 12 January 2022

Decision(s) and Reason(s)

**Proposed Surrender of Existing Lease and Letting of Land at the rear of 38-52
Barden Park Road, Tonbridge**

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

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

**The report set out details of the surrender of an existing lease and the
proposed letting of land at the rear of 38-52 Barden Park Road, Tonbridge.**

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

- (1) the surrender of the existing lease be accepted; and
- (2) approval be given to a new lease of the land on the terms detailed in the
report.

Reasons: As set out in the report submitted to the Finance, Innovation and Property
Advisory Board of 12 January 2022 (contains exempt information).

Signed Cabinet Member for
Finance, Innovation and Property

M Coffin

Signed Leader:

M Boughton

Signed Chief Executive:

J Beilby

Date of publication:

14 January 2022

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:
D220006MEM**

Date: 12 January 2022

Decision(s) and Reason(s)

Proposed Letting of Unit 29 Martin Square, Larkfield

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

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

The report set out details of the proposed letting of Unit 29 Martin Square, Larkfield.

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

- (1) subject to investigating whether the lease can be 'contracted out' of the Landlord and Tenant Act 1954, approval be given to the letting of Unit 29, Martin Square on the terms set out in the report.

Reasons: As set out in the report submitted to the Finance, Innovation and Property Advisory Board of 12 January 2022 (contains exempt information).

Signed Cabinet Member for
Finance, Innovation and Property

M Coffin

Signed Leader:

M Boughton

Signed Chief Executive:

J Beilby

Date of publication:

14 January 2022

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:
D220007MEM**

Date: 12 January 2022

Decision(s) and Reason(s)

Electric Vehicle Charging Points Lease Arrangements

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

(Joint report of Director of Central Services and Deputy Chief Executive and Director of Street Scene, Leisure and Technical Services)

The report set out the proposed lease arrangements in respect of the contract to install electric vehicle charging points in a number of Council car parks.

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

- (1) approval be given to grant leases to Connected Kerb in relation to the provision of Electric Vehicle Charging Points (ECVPs) on the terms detailed in the report.

Reasons: As set out in the report submitted to the Finance, Innovation and Property Advisory Board of 12 January 2022 (contains exempt information).

Signed Cabinet Member for
Finance, Innovation and Property

M Coffin

Signed Leader:

M Boughton

Signed Chief Executive:

J Beilby

Date of publication:

14 January 2022

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: D220008CAB

Decision Type: Key

Date: 25 January 2022

Decision(s) and Reason(s)

Local Plan Update

Consideration of recommendations (PE 21/22 and PE 21/29) to the Cabinet from the meeting of the Planning and Transportation Advisory Board of 10 November 2021.

The Cabinet resolved that:

- (1) the contents of the report, including the proposed way forward in respect of the new Call for Sites exercise set out in section 1.1.9 to 1.1.16 and Annex 2 to the report be noted;
- (2) the Local Development Scheme, set out at Annex 3 to the report, be approved subject to the financial implications detailed in the Part 2 report on the Local Plan Update;
- (3) the additional funding requirement of circa £200,000 for the delivery of the Local Plan, as laid out in the Part 1 report on the Local Plan Update, be approved; and
- (4) it be noted that the increased budget provisions will be reflected in the budget setting processes for 2022/23 and 2023/24

Reasons: As set out in the report submitted to the Planning and Transportation Advisory Board of 10 November 2021.

Signed Chief Executive: J Beilby

Date of publication: 28 January 2022

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: D220009CAB
Decision Type: Non Key
Date: 25 January 2022

Decision(s) and Reason(s)

Leybourne Lakes Country Park - Cafe Petition

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

Consideration was given to a petition received from the existing catering concessionaire in respect of the future provision of catering services at Leybourne Lakes Country Park.

Members listened to the views of the petition organiser, considered current and future catering provision on the site and gave regard to financial and value for money considerations. It was recognised that access to the existing catering concessionaire was currently altered due to the ongoing works on site and it was felt that access arrangements, including signage, and relocating to an alternative location in the Country Park should continue to be discussed with the operator and the Leisure Trust.

The Cabinet resolved that:

- (1) the petition be accepted and noted;
- (2) the action requested for the café to remain in the hands of the current business not be taken;
- (3) the current business be assisted with relocating to an alternative location within Leybourne Lakes Country Park until the opening of the new facilities or the operator secures new arrangements elsewhere; and
- (4) the catering operator be included on the tender list for any future appropriate opportunities within Tonbridge and Malling.

Reasons: As set out in the report submitted to Cabinet of 25 January 2022.

Signed Chief Executive: J Beilby

Date of publication: 28 January 2022

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: D220010CAB
Decision Type: Non Key
Date: 25 January 2022

Decision(s) and Reason(s)

Northamptonshire County Council - Interventions Report

Consideration of recommendations to Cabinet from the Overview and Scrutiny Committee of 2 December 2020 (OS 21/29)

The Cabinet resolved that:

- (1) Officers be invited to consider how the agenda for each meeting of the Committee include an item on an element of financial matters which identified any changes in the budgetary position since the previous meeting;
- (2) the Risk Register be reported to the Committee on a regular basis to provide an update on those identified as 'red' and identify actions taken to negate those risks; and
- (3) Officers investigate best practice of other local authorities and invite their officers to present details of this at a future meeting of the Committee.

Reasons: As set out in the report submitted to Overview and Scrutiny Committee of 2 December 2021.

Signed Chief Executive: J Beilby

Date of publication: 28 January 2022

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: D220011CAB
Decision Type: Non Key
Date: 25 January 2022

Decision(s) and Reason(s)

Review of Councils Public Health Function

Consideration of recommendations to the Cabinet from Overview and Scrutiny Committee of 18 January 2022 (OS 22/3).

The Cabinet resolved that:

- (1) the proposal to revise the structure of the One You Service, as detailed in 1.3 of the report, to bring it within the annual Kent County Council grant allocation be endorsed.

Reasons: As set out in the report submitted to the Overview and Scrutiny Committee of 18 January 2022.

Signed Chief Executive: J Beilby

Date of publication: 28 January 2022

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: D220012CAB
Decision Type: Key
Date: 25 January 2022

Decision(s) and Reason(s)

Contract Arrangements covering the Council's Banking, Merchant Acquirer, Insurance and Cash Collection Service Contracts

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

Consideration of recommendations to Cabinet from Finance, Innovation and Property Advisory Board of 12 January 2022 (FIP 22/9).

The Cabinet resolved that:

- (1) the progress made in renegotiating both the banking and merchant acquirer services contracts be noted and delegated authority be granted to the Director of Finance and Transformation, in liaison with the Cabinet Member for Finance, Innovation and Property, to finalise the negotiations;
- (2) the approach to be adopted in respect of the retendering of the Council's insurance arrangements be noted and endorsed and delegated authority be granted to the Director of Finance and Transformation, in liaison with the Cabinet Member for Finance, Innovation and Property, to award the contract to the successful tenderer following the outcome of the tender exercise; and
- (3) the current situation regarding renewal of the cash collection contract and securing alternative cash payment facilities be noted.

Reasons: As set out in the report submitted to Finance, Innovation and Property Advisory Board of 12 January 2021.

Signed Chief Executive: J Beilby

Date of publication: 28 January 2022

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:	D210006EM
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:	17 December 2021

Decision(s) and Reason(s)

HOUSEHOLD SUPPORT FUNDING

Kent County Council had received a substantial allocation of grant funding from Government to support those most in need this winter. Further guidance was available on the Gov.uk website [Household Support Fund: final guidance for County Councils and Unitary Authorities in England - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/household-support-fund-final-guidance-for-county-councils-and-unitary-authorities-in-england)

In response to the requirement to work closely with district/borough councils, and other local partners to identify a broad range of vulnerable households across their local area, Tonbridge and Malling Borough Council had been allocated a sum of £160,227.59 to distribute.

The purpose of the grant was “*to support households who would otherwise struggle to buy food or pay essential utility bills or meet other essential living costs or housing costs (in exceptional cases of genuine emergency) this winter as the economy recovers.*” Eligible spend included:

- Food
- Energy and water (including sewerage);
- Essentials linked to energy and water (including sanitary products, warm clothing, soap, blankets, boiler service/repair, purchase of equipment including fridges, freezers, ovens, etc.);
- Wider essentials including but are not limited to, support with other bills including broadband or phone bills, clothing, and essential transport-related costs such as repairing a car, buying a bicycle or paying for fuel;
- Housing Costs in exceptional cases of genuine emergency (eligibility for Discretionary Housing Payments must first be considered and whether the claimant is at statutory risk of homelessness and therefore owed a duty of support through the Homelessness Prevention Grant); and

- Reasonable administrative costs.

The passported sum of £160,227.59 was to be spent in accordance with the eligibility criteria set out above and number of options were reviewed as immediate priorities ahead of the Christmas period.

Finally, all Borough Councillors would be asked to assist in the identification and nomination of other partners for future tranches of support.

RESOLVED: That

- (1) £15,000 be awarded to Tonbridge Baptist Church for food and fuel vouchers for those residents of the TMBC area;
- (2) £15,000 be awarded to NW Kent CAB for food and fuel vouchers for those residents of TMBC area;
- (3) £2,000 be awarded to each of the following food banks
 - East Malling Community Larder
 - Snodland Food Assist
 - Aylesford food bank
 - Feast (Tonbridge)
- (4) future waves of funding set within the context of the eligible spend above be agreed under delegated authority to the Chief Executive and Director of Finance & Transformation in liaison with the Leader and Cabinet Member for Finance, Innovation & Property.

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: M Boughton

Signed Chairman of Overview and Scrutiny Committee: J Sergison

Signed Chief Executive: J Beilby

Date of publication: 17 December 2021

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:	D220001EM
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:	10 January 2022

Decision(s) and Reason(s)
OMICRON HOSPITALITY AND LEISURE GRANT SCHEME
<p>Following the Government announcement of 21 December 2021 that additional support would be available for hospitality, leisure and accommodation businesses, it was proposed that the Borough Council adopted a policy, based on Government guidance, in order to seek applications from relevant businesses.</p> <p>The proposed Tonbridge and Malling Borough Council Omicron Hospitality and Leisure Grant Scheme (December 2021) was attached at Annex 1.</p> <p>It was reported that the Borough Council had been allocated circa £996,000 to distribute to businesses that had a business rates liability and met the criteria set out in the Policy.</p> <p>Businesses would be invited to submit applications before the end of February 2022 and it was anticipated that the online application portal would be 'live' as soon as possible.</p>
RESOLVED: That:
(1) the Omicron Hospitality and Leisure Grant Scheme (December 2021) as set out at Annex 1 be 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:

M Boughton

Signed Chairman of Overview and Scrutiny Committee: J Sergison

Signed Chief Executive: J Beilby

Date of publication: 11 January 2022

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:	D220002EM
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:	19 January 2022

Decision(s) and Reason(s)

ADDITIONAL RESTRICTIONS GRANT (ARG) (DECEMBER ONWARDS 2021)

The Government had announced additional funding to the Additional Restrictions (Support) Grant, which was primarily aimed at those businesses unable to access other grant schemes because they were a business that didn't have a business rates liability.

A proposed policy entitled 'Tonbridge & Malling Borough Council Additional Restrictions Grants (30th December 2021 onwards)' was presented for approval.

The sectors eligible for grant support were broadly:

- Hospitality, Leisure and Accommodation sector
- Other Travel and Tourism sector
- Suppliers to the Hospitality, Leisure and Accommodation sector
- Personal Care

Full details of the criteria were set out in the Policy (attached at Annex 1)

Government had allocated circa £260,000 to TMBC for distribution to those businesses that applied and met the criteria within the Policy. Applications would be invited from businesses as soon as an online application portal was finalised. This was estimated to be during the week commencing 24 January 2022.

RESOLVED: That the Tonbridge and Malling Borough Council Additional Restrictions Grant (30 December 2021 onwards) Policy (attached at Annex 1) be 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: M Boughton

Signed Chairman of Overview and Scrutiny Committee: J Sergison

Signed Chief Executive: J Beilby

Date of publication: 21 January 2022

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 AND MALLING BOROUGH COUNCIL

LICENSING AND APPEALS COMMITTEE

MINUTES

Wednesday, 26th January, 2022

Present: Cllr C Brown (Chairman), Cllr Mrs F A Kemp (Vice-Chairman), Cllr Mrs J A Anderson, Cllr Mrs P A Bates, Cllr A E Clark, Cllr D W King, Cllr R V Roud and Cllr C J Williams

(Note: As Councillors H S Rogers, M Taylor and F G Tombolis were unable to attend in person and participated via MS Teams, they were unable to vote on any matters).

Councillors D Harman, D Keers and Mrs A S Oakley participated via MS Teams and joined the discussion when invited to do so by the Chairman in accordance with Council Procedure Rule No. 15.21.

An apology for absence was received from Councillor Mrs R F Lettington.

PART 1 - PUBLIC

LA 22/1 DECLARATIONS OF INTEREST

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

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

LA 22/2 OBJECTION TO HACKNEY CARRIAGE FARES SET ON 16 NOVEMBER 2021

The report of the Director of Central Services and Deputy Chief Executive invited Members to consider the objections received to the increase in the Hackney Carriage Fares.

Following Members agreement on 16 November 2021 to increase Hackney Carriage Fares, the new proposed Fare increase was advertised for 14 days, commencing on 23 December 2021. During this period, three formal objections to the Fare increase were received as detailed in Annex 2, 3 and 4 to the report.

To assist Members in their consideration, the Head of Licensing provided a revised table of fares which incorporated the key concerns identified in the objections.

RESOLVED: That the amended Hackney Carriage Fare Table, as circulated at the meeting and attached as an Annex to these Minutes, be approved subject to the statutory 14 day consultation period.

LA 22/3 MATTER FOR INFORMATION

The Head of Licensing, Community Safety and Customer Services reported that on the 21 January 2022 an unlicensed riding school had been fined £5,000 following a prosecution brought by Tonbridge and Malling Borough Council.

LA 22/4 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 8.05 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

GENERAL PURPOSES COMMITTEE

MINUTES

Monday, 31st January, 2022

Present: Cllr M R Rhodes (Chairman), Cllr Mrs P A Bates, Cllr M D Boughton, Cllr M A Coffin, Cllr D J Cooper, Cllr D A S Davis, Cllr N J Heslop, Cllr M A J Hood, Cllr W E Palmer, Cllr R V Roud and Cllr Mrs M Tatton

Councillors Mrs J A Anderson, V M C Branson, A E Clark, D Harman, D Keers, Mrs A S Oakley, H S Rogers, J L Sergison and K B Tanner participated via MS Teams and joined the discussion when invited to do so by the Chairman in accordance with Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors B J Luker and Mrs S Bell

PART 1 - PUBLIC

GP 22/1 DECLARATIONS OF INTEREST

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

GP 22/2 MINUTES

RESOLVED: That the Minutes of the meeting of the General Purposes Committee held on 5 October 2021 and of the extraordinary meeting held on 7 December 2021 be approved as correct records and signed by the Chairman.

MATTERS FOR RECOMMENDATION TO THE COUNCIL

GP 22/3 LOCALISM ACT - PAY POLICY

The report of the Director of Central Services summarised the requirements of the Localism Act 2011 and presented an updated Pay Policy Statement 2022/23. Members noted that, as there had not been any changes to the Borough Council's remuneration policy, the substantive content of the updated Pay Policy Statement set out at Annex 1 to the report was identical to the authority's first Pay Policy Statement adopted by the Council on 16 February 2012.

RECOMMENDED: That the Pay Policy Statement, as set out at Annex 1 to the report, be commended to Council for adoption. ◀

***Referred to Council**

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

GP 22/4 APPOINTMENT OF INDEPENDENT PERSONS

The report of the Director of Central Services sought approval to the process for the recruitment of Independent Persons.

RESOLVED: That

- (1) the Monitoring Officer advertises for the recruitment of 2 Independent Persons; and
- (2) a panel, comprising the Chair and Vice-Chair of the Joint Standards Committee together with the Group Leaders, be set up to short-list and interview candidates and to make a recommendation to Council for appointment.

GP 22/5 ANNUAL REVIEW OF THE WHISTLEBLOWING POLICY

The joint report of the Director of Central Services and the Director of Finance and Transformation advised of the outcome of the annual review of the Borough Council's Whistleblowing Policy. A copy of the updated internal Whistleblowing Policy was attached at Annex 1 with the new Whistleblowing Procedure at Annex 2. In addition, to align with best practice, an external policy to be made available to support those working externally who may witness wrongdoing by officers and councillors, was attached at Annex 3.

RESOLVED: That the Whistleblowing Policy, as attached at Annex 1, and accompanying Whistleblowing Procedure and External Procedure, as set out in Annexes 2 and 3 respectively, be approved.

GP 22/6 PAY AWARD 2022/23

The report of the Chief Executive requested Members to consider a pay award of 2% for employees for 2022/23. Members noted that Council employees had a term in their contracts which read 'Salaries will be revised on 1 April each year by an amount determined by the Authority having regard to movements in the Retail Price Index, comparative pay settlements and prevailing economic conditions' and that the Council therefore determined its own pay awards and was not tied into the national process of collective bargaining. A supplement, circulated in

advance of the meeting, provided details of a number of issues and concerns raised with UNISON by staff in respect of the increased costs and financial challenges they faced due to current economic circumstances. Members acknowledged the value of staff and the effort that employees had continued to make during a challenging period but expressed concern that any increase in the pay award would have a detrimental effect on the Council's ability to maintain services and could lead to redundancies.

RESOLVED: That a 2.0% pay award, from 1 April 2022, be agreed.

MATTERS SUBMITTED FOR INFORMATION

GP 22/7 GENDER PAY GAP

The report of the Director of Central Services summarised the legislative context for gender pay gap reporting and incorporated the outcomes of the Council's gender pay gap analysis for 2020-21.

RESOLVED: That the report be received and noted.

MATTERS FOR CONSIDERATION IN PRIVATE

GP 22/8 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

GP 22/9 ESTABLISHMENT REPORT

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

The report of the Director of Central Services set out for approval a number of establishment changes arising from the ongoing operational management of the Borough Council's Services.

RESOLVED: That

- (1) post DA0704 Printing Assistant 28.5 hours per week scale 1/2 be deleted from the Establishment with immediate effect;

- (2) post DG0502 Head Ranger 37 hours per week scale 6 be deleted from the Establishment with immediate effect;
- (3) post DG0503 Assistant Ranger 37 hours per week scale 3/4 be deleted from the Establishment with immediate effect;
- (4) post DG0599 Seasonal Ranger 37 hours per week scale 2 be deleted from the Establishment with immediate effect;
- (5) post DF0604 Fraud Officer 37 hours per week scale 4/6 be deleted from the Establishment with immediate effect;
- (6) post DF0606 Fraud/Audit Assistant 37 hours per week scale 2/4 be deleted from the Establishment with immediate effect;
- (7) post DF0998 Intelligence Officer 37 hours per week scale 2/4 be deleted from the Establishment with immediate effect;
- (8) post DF0802 Audit and Assurance Manager 18.5 hours per week M8 be deleted from the establishment with immediate effect;
- (9) post DF0804 Senior Internal Audit Officer 37 hours per week scale 6/SO be deleted from the Establishment with immediate effect;
- (10) the reduction in hours of post DJ0210 Building Control Surveyor M9 from 37 to 25 per week that came into effect on 1 July 2021 be noted;
- (11) post DF0402 37 hours per week scale 6 be re-designated from Senior Exchequer Officer (Income and Treasury) to Exchequer Officer (Income and Insurance) from 1 February 2022;
- (12) post DF0407 30 hours per week scale 6 be re-designated from Senior Exchequer Officer (Payments and Bank Transactions) to Exchequer Officer (Payments) from 1 February 2022;
- (13) post DG0110 Administrator/Cemetery Registrar 22.5 hours per week scale 3/4 be deleted with effect from 1 February 2022;
- (14) a new post of Cemetery Administration Officer 15 hours per week scale 3/4 be created with effect from 1 February 2022;
- (15) the hours of post DB0201 HR and Development Manager M6 be increased from 22.2 to 37 per week and the post be re-designated Head of HR and Development with effect from 1 April 2022;
- (16) post DB0006 Senior HR Advisor full-time M8 be deleted with effect from 1 April 2022;

- (17) a new full-time post of HR Advisor M9 be created with effect from 1 April 2022;
- (18) the full-time post DA1201 Head of Communications M7 be added to the permanent establishment with immediate effect;
- (19) post DF0404 Payroll Manager 21 hours per week scale 6/SO be deleted from the Establishment with effect from 1 February 2022;
- (20) post DF0409 Exchequer Assistant (Payments) 22.5 hours per week be deleted from the Establishment with effect from 1 February 2022;
- (21) a new post of Payroll Officer 37 hours per week scale 6 be created with effect from 1 February 2022;
- (22) post DF0412 Exchequer Assistant (Bank) 37 hours per week scale 2/3 be re-designated and re-graded to Exchequer Assistant (Bank and Payroll) 37 hours per week scale 3/4 with effect from 1 February 2022;
- (23) the hours pertaining to post DF0413 Exchequer Assistant (Bank) scale 2/3 be reduced from 30 to 24 per week with effect from 1 February 2022;
- (24) post DN0113 Senior Systems Analyst M8 22.5 hours per week be deleted from the Establishment on 25 February 2022;
- (25) a new post of Developer SO/M9 30 hours per week be created with effect from 25 February 2022;
- (26) the hours attached to post DF1106 Senior Revenue and Benefits Officer be increased from 22 to 28 per week, at the cost of £7395, with effect from 1 March 2022;
- (27) the full-time DV0201 Team Leader M9 post be deleted with effect from 1 April 2022;
- (28) the full-time DV0297 Health Improvement Support Assistant scale 3 post be deleted with effect from 1 April 2022;
- (29) the two full-time scale 5 posts of One You Advisor (DV0202 and DV0203) be deleted with effect from 1 April 2022;
- (30) a new full-time M9 post of One You Team Leader be created with effect from 1 April 2022;
- (31) two 22 hours per week One You Advisor posts be created with effect from 1 April 2022; and

- (32) the ring-fenced sums of £7,800 in Leisure Services and £5,350 in Central Services and Electoral Registration be removed from the Establishment with immediate effect.

The meeting ended at 8.30 pm

- Minutes of the Cabinet held on 10 February 2022 are *'to follow'*

- Cabinet Decisions from the meeting held on 10 February 2022 are *'to follow'*

- Decisions taken under emergency or urgency provisions reviewed by Cabinet on 10 February 2022 are *'to follow'*

