

**TONBRIDGE AND MALLING BOROUGH COUNCIL**

**HOUSING AND PLANNING SCRUTINY SELECT COMMITTEE**

**MINUTES**

**Tuesday, 21st March, 2023**

**Present:** Cllr J L Botten (Chair), Cllr D J Cooper (Vice-Chair), Cllr Mrs S Bell, Cllr G C Bridge, Cllr R W Dalton, Cllr M O Davis, Cllr D Harman, Cllr M A J Hood, Cllr Mrs F A Kemp, Cllr D W King, Cllr M R Rhodes, Cllr R V Roud, Cllr M Taylor, Cllr Miss G E Thomas and Cllr D Thornewell.

**In attendance:** Councillors D A S Davis and D Lettington were also present pursuant to Council Procedure Rule No 15.21.

**Virtual:** Councillors P A Bates, M D Boughton, D Keers, P J Montague, Mrs A S Oakley and W E Palmer participated via MS Teams and joined the discussions when invited to do so by the Chair in accordance with Council Procedure Rule No 15.21.

**HP 23/1 NOTIFICATION OF SUBSTITUTE MEMBERS**

There were no substitute Members nominated for this meeting.

**HP 23/2 DECLARATIONS OF INTEREST**

Councillor M Davis declared an Other Significant Interest in the agenda item relating to the Local Plan on the grounds of his status as a partner of Warner's Solicitors. It was noted that he was entitled to remain in the meeting in accordance with the dispensation granted to him under section 33 of the Localism Act 2011 at Minute [GP 22/27](#) (General Purposes Committee of 18 July 2022).

**HP 23/3 MINUTES**

**RESOLVED:** That the notes of the meeting of the Housing and Planning Scrutiny Select Committee held on 6 December 2022 be approved as a correct record and signed by the Chair.

**MATTERS FOR RECOMMENDATION TO THE CABINET**

**HP 23/4 IMPLICATIONS OF NPPF CONSULTATION ON LOCAL PLAN**

Following submission of the Council's full response to the 'Levelling-up and Regeneration Bill: reforms to national planning policy' consultation as approved by Cabinet on 14 February 2023, the report of the Director of Planning, Housing and Environmental Health further considered the proposed changes and their implications for the content, form and timing

of the local plan and requested Members to consider options for progression of the local plan and design codes and recommend an approach to future timetable and next steps, as set out in paragraph 1.5 and Annex 2.

Members had regard to the implications of the proposed changes, the legal implications and the financial and value for money considerations detailed in the report and sought clarity around the determination of exceptional circumstances in the green belt, the likely implications of updated household projections on housing needs and setting of local targets, the duty to cooperate and the alignment policy and the certainty of the legislation being passed and timelines. In response, Members were advised that the timetable detailed for Option 1, to proceed under current arrangements, was challenging but achievable and allowed for some flexibility to allow for the anticipated changes to arise from the technical consultations this year, however there were risks in terms of unforeseen delays arising from future changes to the NPPF, outcomes of a further Regulation 18 consultation or other unknown factors. Members were further advised that if they were minded to support the continuation of the local plan under the current arrangements, any abortive costs in moving to the new arrangements at a later date could be significant.

**RECOMMENDED:** That

- (1) the implications of the proposed 'Levelling-up and Regeneration Bill: Reforms to National Planning Policy', as set out in Annex 1, be noted;
- (2) the Council progresses the local plan under the current arrangements, as outlined as Option 1 in the report; and
- (3) a new Local Development Scheme with more detailed financial implications be brought to a future meeting of the Housing and Planning Scrutiny Select Committee in Summer 2023.

\* Referred to Cabinet

### **MATTERS SUBMITTED FOR INFORMATION**

#### **HP 23/5 KEY PERFORMANCE INDICATORS**

Members received a list of Key Performance Indicators (KPIs) that were relevant to the committee. A baseline covering April to June 2022 had been used, with the data for October to December 2022 representing the most up-to-date available statistics in most instances, although some statistics covering the period up to the end of January 2023 had been made available by the Planning Department. The KPIs would be

monitored on a quarterly-annual basis and would be made available on an ongoing basis.

Members were requested to submit any questions regarding the KPIs to the relevant Director at least two days in advance of the meeting in order to ensure that a suitable response could be provided at the meeting.

**HP 23/6 WORK PROGRAMME 2022/23**

The Work Programme setting out matters to be scrutinised during 2022/23 was attached for information. Members were invited to suggest future matters by liaising with the Chair of the Committee.

**MATTERS FOR CONSIDERATION IN PRIVATE**

**HP 23/7 EXCLUSION OF PRESS AND PUBLIC**

There were no matters considered in private.

The meeting ended at 8.54 pm