

TONBRIDGE AND MALLING BOROUGH COUNCIL

OVERVIEW AND SCRUTINY COMMITTEE

MINUTES

Thursday, 6th April, 2023

Present: Cllr Mrs A S Oakley (Chair), Cllr M O Davis (Vice-Chair), Cllr C Brown, Cllr R I B Cannon, Cllr R W Dalton, Cllr N Foyle, Cllr D Harman, Cllr F A Hoskins, Cllr S A Hudson, Cllr Mrs F A Kemp, Cllr D W King, Cllr J R S Lark, Cllr M Taylor, Cllr D Thornewell and Cllr M A J Hood (substitute)

In attendance: Councillor W E Palmer was also present pursuant to Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors A E Clark, M C Base, H S Rogers and F G Tombolis

(Note: Cllr Rogers was unable to attend in person but listened to the debate via MS Teams).

PART 1 - PUBLIC

OS 23/12 NOTIFICATION OF SUBSTITUTE MEMBERS

Notification of substitute members were recorded as set out below:

- Cllr M Hood for Cllr A Clark

In accordance with Council Procedure Rules 17.5 to 17.9 these Councillors had the same rights as the ordinary member of the committee for whom they were substituting.

OS 23/13 DECLARATIONS OF INTEREST

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

OS 23/14 MINUTES

RESOLVED: That the Minutes of the meeting of the Overview and Scrutiny Committee held on 26 January 2023 be approved as a correct record and signed by the Chair.

MATTERS FOR RECOMMENDATION TO THE CABINET**OS 23/15 CORPORATE STRATEGY - COMMUNITY CONSULTATION**

The report of the Chief Executive provided an overview of the Corporate Strategy Community Consultation and advised of the work undertaken to update and improve the document following feedback received from residents.

Information about the recent community consultation and the resultant proposed changes and additions to the Strategy were provided in Annexes 1 – 3. A high level Action Plan linking to the priorities set out in the Corporate Strategy was also attached at Annex 4. It was noted that in respect of the timeframe for the Strategy Cabinet had recommended a period of 2023-2027, with a review built in after two years.

Clarity was sought on a number of issues in respect of Tonbridge Sports Farm and safeguarding Key Performance Indicators (KPIs). Members were advised that any further comments related to KPIs would be considered as part of the Gap Analysis work.

RECOMMENDED*: That the Corporate Strategy and Action Plan, along with the aligned Key Performance Indicators (set out in Annex 3), be commended to Cabinet for approval

***Referred to Cabinet**

OS 23/16 DEVELOPMENT MANAGEMENT OFFICER PROTOCOL - MEMBER CALL-IN PROTOCOL

An amended Development Management Officer Protocol – Member Call-ins was presented for consideration. The proposed amendments were set out in 1.1.2 of the report and the amended Protocol was attached at Annex 1.

Unfortunately, due to technical issues Members were unable to receive technical advice from Officers participating online and responses to questions could not be addressed. Due to these circumstances, it was proposed by the Chair and supported by the Committee that this item be deferred and brought back to a future meeting.

RESOLVED: That the item be deferred due to technical issues and brought back to a future meeting of the Overview and Scrutiny Committee.

**OS 23/17 RESPONSE TO THE DLUHC TECHNICAL CONSULTATION:
STRONGER PERFORMANCE OF LOCAL PLANNING
AUTHORITIES SUPPORTED THROUGH AN INCREASE IN
PLANNING FEES**

Careful consideration was given to the Borough Council's proposed response (attached at Annex 1) to the DLUHC technical consultation which sought views on improving performance of local planning authorities by increasing planning fees, building capacity and capability and introducing a more robust performance regime.

The consultation period ended on 25 April 2023 and the Borough Council had until this date to submit its response which, once approved, would be actioned through an online survey.

Members welcomed the proposed doubling of planning fees for retrospective applications.

RECOMMENDED*: That:

- (1) the proposed response to the consultation, set out at Annex 1, be endorsed and submitted on behalf of the Borough Council by the Director of Planning, Housing and Environmental Health

***Decision taken by Cabinet Member**

DECISIONS TO BE TAKEN UNDER DELEGATED POWERS**OS 23/18 SCOPING REPORT - REVIEW OF GOVERNANCE
ARRANGEMENTS**

As a result of recommendations from an LGA Peer Review the Borough Council had adopted a new governance structure in May 2022. The report of the Chief Executive set out options to review these arrangements which had now been in place for 11 months.

A suggested focus for the next stage of the review was detailed in 1.2 of the report. Members would be invited to reflect on whether the issues identified by the Peer Review team had been addressed, what had worked well and whether there were opportunities for improvement. Any amendments or suggested changes to the existing governance arrangements would be assessed in full as part of the final review.

Due to the upcoming local elections, the Committee felt that a review should be undertaken later in the year to enable any newly elected councillors to experience a meeting cycle before assessing arrangements. Concern was expressed that the current governance arrangements didn't reflect the reduction in councillors arising from the recent boundary review. However, Members also welcomed the opportunity to identify whether improvements could be made to the

Scrutiny Select Committees structure and remove potential duplications with the main Overview and Scrutiny Committee.

Finally, it was felt that there should be further assessment on the format of Area Planning Committees and the review into governance arrangements offered opportunity for this to be revisited.

RESOLVED: That

(1) Subject to:

- (i) being undertaken in late 2023/early 2024; and
- (ii) the format of Area Planning Committees being considered for further assessment

the approach to a Scrutiny Review, as set out in 1.2 of the report, be endorsed and further evaluation of the issues raised be undertaken.

MATTERS FOR INFORMATION

OS 23/19 RECORD OF DECISIONS TAKEN BY THE EXECUTIVE

The decisions taken by the Cabinet and Cabinet Members during January, February and March 2023 were presented for information and noted by the Committee.

OS 23/20 WORK PROGRAMME

The Work Programme setting out potential matters to be scrutinised during 2023 was noted. Members were invited to suggest future items by liaising with the Chair of the Committee.

MATTERS FOR CONSIDERATION IN PRIVATE

OS 23/21 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 8.17 pm