

TONBRIDGE AND MALLING BOROUGH COUNCIL

OVERVIEW AND SCRUTINY COMMITTEE

MINUTES

Thursday, 26th September, 2024

Present: Cllr Mrs A S Oakley (Chair), Cllr L Athwal (Vice-Chair), Cllr A Cope, Cllr D A S Davis, Cllr D Harman, Cllr P M Hickmott, Cllr M A J Hood, Cllr F A Hoskins, Cllr S A Hudson, Cllr D W King, Cllr W E Palmer, Cllr D Thornewell, Cllr C J Williams, Cllr Mrs S Bell (substitute), Cllr A Mehmet (substitute) and Cllr M R Rhodes (substitute)

In attendance: Councillors A G Bennison and M Taylor were also present pursuant to Council Procedure Rule No 15.21.

Virtual: Councillors R P Betts, M A Coffin, Stacey Pilgrim, K B Tanner and Mrs M Tatton participated via MS Teams in accordance with Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors R I B Cannon (Vice-Chair), T Bishop, C Brown and K S Tunstall.

PART 1 - PUBLIC

OS 24/42 NOTIFICATION OF SUBSTITUTE MEMBERS

Notification of substitute members were recorded as set out below:

- Councillor S Bell substitutes for Councillor C Brown
- Councillor A Mehmet substitutes for Councillor K Tunstall
- Councillor M Rhodes substitutes for Councillor R Cannon

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 24/43 DECLARATIONS OF INTEREST

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

MATTERS FOR RECOMMENDATION TO THE CABINET**OS 24/44 CALL-IN OF DECISION D240094MEM - RESPONSE TO PROPOSED REFORMS TO THE NATIONAL PLANNING POLICY FRAMEWORK (NPPF) AND OTHER CHANGES TO THE PLANNING SYSTEM CONSULTATION**

The report of the Scrutiny Officer advised that in accordance with the Overview and Scrutiny Committee Procedure Rule 15 (c) as set out in Part 4 of the Constitution, five members of the Committee had raised a valid 'call-in' request in relation to the decision taken by the Cabinet Member for Planning in respect of the Borough Council's response to the Government's consultation on 'Proposed Reforms to the National Planning Policy Framework (NPPF) and other changes to the Planning System'.

Decision Notice D240094MEM (attached at Annex 1 to the report) had been published on 16 September 2024 and was subsequently called-in by Councillors Hood, Cope, Hickmott, Hoskins and Thornewell. In the meantime, the Department of Housing, Communities and Local Government had extended the deadline for submissions to be endorsed by Members to 30 September 2024.

The grounds for call-in were set out in the report, at paragraph 1.2.1, and the decision was 'deferred' pending consideration by the Overview and Scrutiny Committee.

It was noted that at the meeting of the Housing and Planning Scrutiny Select Committee on 24 September 2024, Members expressed significant concerns in respect of a number of proposed revisions to the NPPF regarding the uplift in housing need requirements in Tonbridge and Malling and the green and grey belt proposals, however, no changes to the consultation response had been suggested by the Housing and Planning Scrutiny Select Committee.

Members of the Overview and Scrutiny Committee considered the grounds for the call-in and had regard to the responses provided by the Cabinet Member for Planning (Councillor M Taylor) and the views of the Housing and Planning Scrutiny Select Committee of 24 September 2024.

Members appreciated the tight timetable to enable Officers to prepare the draft response to the consultation in order to meet the original submission deadline of 24 September 2024, however, they reflected on the lack of sufficient communication and engagement with Members in general throughout the consultation process given the significant implications of the proposals for the borough and its residents. It was hoped that consideration could be given to better communication with Members for engagement and input going forward.

After an in-depth discussion and a formal vote, the Overview and Scrutiny Committee recommended that Cabinet Member Decision No. D240094MEM be revised to reflect an amendment to the response to Question 73 of the consultation in respect of making installation of solar panels mandatory by developers for all new housing, which was proposed by Councillor D Thornewell, seconded by Councillor F Hoskins and agreed by the Overview and Scrutiny Committee.

RECOMMENDED*: That

- (1) the Borough Council's response to Question 73 of the consultation on 'Proposed Reforms to the National Planning Policy Framework and other changes to the Planning System' be amended to reflect that installation of solar panels by developers be made mandatory for all new housing, to enable a revised response to be submitted to the Ministry of Housing, Communities and Local Government within the extended submission deadline of 30 September 2024.

***Recommended to Cabinet Member for Planning**

MATTERS FOR CONSIDERATION IN PRIVATE

OS 24/45 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 8.10 pm