

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

**VOLUME 5**  
**NOVEMBER-TO DECEMBER 2024**

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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**

**COMMUNITIES AND ENVIRONMENT SCRUTINY SELECT COMMITTEE**

**MINUTES**

**Wednesday, 6th November, 2024**

**Present:** Cllr S A Hudson (Chair), Cllr K S Tunstall (Vice-Chair), Cllr S Crisp, Cllr R W Dalton, Cllr F A Hoskins, Cllr A McDermott, Cllr W E Palmer, Cllr Stacey Pilgrim, Cllr M R Rhodes, Cllr G C Bridge (substitute) and Cllr C Brown (substitute).

Cllrs K B Tanner, M D Boughton\*, D Keers\* and Mrs A S Oakley\* were also present pursuant to Council Procedure Rule No 15.21.

(\*participated via MS Teams)

Apologies for absence were received from Councillors A G Bennison

**CE 24/30 NOTIFICATION OF SUBSTITUTE MEMBERS**

Notification of substitute members were recorded as set out below:

- Cllr Bridge substituted for Cllr Tatton
- Cllr Brown substituted for Cllr Lark

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

**CE 24/31 DECLARATIONS OF INTEREST**

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

**CE 24/32 MINUTES**

**RESOLVED:** That the notes of the meeting of the Communities and Environment Scrutiny Select Committee held on 17 July 2024 be approved as a correct record and signed by the Chair.

**CE 24/33 KENT POLICE AND CRIME COMMISSIONER - RURAL TASK FORCE**

Mr Matthew Scott, the Kent Police and Crime Commissioner (PCC) started by reminding Members that the role of the PCC was managing the police budget, holding the Chief Constable to account and funding support for victims of crime.

The [Police and Crime Plan for 2025](#) was currently out for consultation and was seeking views on how much crime and antisocial behaviour affected people across the County and what issues Kent Police should focus on.

An update was provided on the Rural Task Force which had been established to tackle and prevent crime in the countryside and to protect and to support Kents rural communities. The Task Force included officers specially trained to deal with rural offences such as wildlife crime and worked in collaboration with rural community groups, organisations and the Farmers Union.

Additional resource had been allocated to the Rural Task Force and the West Division, which included Tonbridge and Malling, currently had 4 PCs and 3 PCSOs dedicated to rural matters.

Areas of recent focus included preventative measures in respect of hare coursing and poaching, a commitment to protecting streets in rural and isolated areas (Rural Safer Streets) and tackling unlawful commercial fly tipping. The Task Force had also had success in deterring the theft of farm machinery/property by encouraging and supporting property marking.

In conclusion, Mr Scott was pleased to report a positive performance and that there had been a reduction in crime in rural areas.

Rural Matters a magazine for residents and businesses could be viewed online:

<https://www.kent.police.uk/police-forces/kent-police/areas/kent-police/about-us/about-us/rural-matters-magazine/>

Finally, there was recognition that previous telephone call handling performance, especially on 101, had been poor. However, Mr Scott was pleased to report that performance had improved with 999 calls being answered within 10 seconds and 101 calls within 45 seconds.

## **MATTERS FOR CORPORATE MONITORING**

### **CE 24/34 KEY PERFORMANCE INDICATORS 2024/25 - QUARTER 2**

The report provided data on Key Performance Indicators for the period July – September 2024 (quarter 2) that were aligned to the Corporate Strategy 2023-27, monitored on a quarterly or annual basis and related to the theme of communities and environment.

This data was a key tool in assessing performance management, helped to delivery positive change and provided Members with an insight into

areas where the Borough Council was performing well and areas that needed greater focus.

Members welcomed a reduction in the numbers of victim-based crime and fly tipping incidents being reported and improved figures for recycling and composting. Whilst the latter was below the baseline target (of 51.6%) the percentage for quarter 2 (51%) represented a positive direction of travel.

It was also noted that reports of anti-social behaviour were higher than the same period in 2023/24. However, this reflected the greater community engagement being undertaken and was seen as a positive step in improving intelligence and putting measures in place to tackle anti-social behaviour.

**RESOLVED:** That the positive and negative trends identified in the report be noted.

### **MATTERS FOR RECOMMENDATION TO THE CABINET**

#### **CE 24/35 REVIEW OF FEES AND CHARGES - COMMUNITIES AND ENVIRONMENT**

The joint report of the Director of Street Scene, Leisure and Technical Services, the Director of Planning, Housing and Environmental Health and the Director of Finance and Transformation set out the proposed fees and charges for the provision of services in respect of garden waste subscriptions, household bulky refuse and fridge/freezer collections, "missed" refuse collections, stray dog redemption fees, Tonbridge Allotments, Tonbridge Cemetery, pest control, food certificates, contaminated land monitoring and private water supplies from 1 April 2025.

In bringing forward the charging proposals for 2025/26 consideration had been given to a range of factors, including the Borough Council's overall financial and market positions, trading patterns, the current rate of inflation and customer feedback. A set of guiding principles for the setting of fees and charges had also been taken into account and were summarised in 4.2 of the report.

Particular reference was made to the Borough Council's significant and challenging financial position and as it was becoming increasingly difficult to achieve further expenditure savings to meet the targets in the Savings and Transformation Strategy it was essential that opportunities to maximise income were taken.

Attention was drawn to the Waste Contract which was due for renewal in 2027 and Members were advised that there would be a significant financial impact in respect of any future waste collection arrangements.

Given this context, the waste contract specification would need to be revisited with the aim of reducing the cost of waste collection in advance of the next contract. However, there remained significant demand for many of the services included within the Waste Contract which could be mitigated by increasing fees and charges for other services.

In addition, Members noted that it was proposed not to increase the fee for 2025/26 of requests for re-visits of food businesses following food hygiene inspections as detailed in 5.10 of the report.

Careful consideration was given to the options available and there was in-depth discussion on the proposals for garden waste collections with the majority of Members feeling that this still represented good value for money. Due regard was given to the overall financial position and potential impacts on the Medium Term Financial Strategy and on the grounds of maximising income, whilst providing value for money it was proposed by Cllr Hudson that garden waste collections should be increased to £63 per annum for the first bin and £40 per annum for second and third bins. This was seconded by Cllr Brown and supported by the majority of the Committee.

Consideration was also given to the household bulky refuse service and whether the existing concessionary charges for those in receipt of Council Tax benefit could be extended to cover other benefits. Members were advised of the challenges in assessing the financial impact of extending the subsidy as the Borough Council did not have information on all benefit claimants. However, it was likely that the financial impact would be a significant loss of income and increased collection costs.

**RECOMMENDED\*:** That

- (1) the proposed annual garden waste subscription of £63 per annum for the first bin and £40 for a second or third bin, as proposed by Cllr Hudson and seconded by Cllr Brown, be approved;
- (2) the schedule of proposed charges for household bulky refuse and fridge/freezer collection service as set out in 15.2.6 of the report, be approved;
- (3) the proposed charge for “missed” refuse collection as set out in 5.3.3 of the report, be approved;
- (4) the schedule of proposed charges in respect of Stray Dog redemption service, as set out in 5.4.4 of the report, be approved;
- (5) the charging structure for Tonbridge Allotment as set out in 5.5.2 of the report, be noted and endorsed;

- (6) the schedule of proposed charges for Tonbridge Cemetery as set out in Annex 1 and 5.6.2 of the report, be approved;
- (7) the proposed continuation of the pest control subsidy for residents in receipt of Council Tax Reduction Scheme as set out in 5.7.1 of the report be approved;
- (8) the proposed charge for condemned food certificates as set out in 5.8.2 of the report, be approved;
- (9) the proposed charge for exported food certificates as set out in 5.9.4 of the report, be approved;
- (10) the proposed charge for provision of services in respect of contaminated land as set out in 5.11.5 of the report, be approved;
- (11) the proposed charge for provision of services in respect of private water supplies as set out in 5.12.5 of the report, be approved; and
- (12) the above proposed scale of charges be implemented from 1 April 2025.

**\*Recommended to Cabinet**

### **MATTERS SUBMITTED FOR INFORMATION**

#### **CE 24/36 IDENTIFICATION OF SAVING OPTIONS**

Members were invited to propose options for evaluation to assist in bridging the current funding gap identified in the Medium-Term Financial Strategy. Any proposals would be evaluated in the coming months as part of the budget setting process.

It was agreed that any ideas should be emailed to the Chair in the first instance.

#### **CE 24/37 WORK PROGRAMME 2024-2025**

The Work Programme setting out matters to be scrutinised during 2025 was attached for information. Members were invited to suggest future matters by liaising with the Chair of the Committee.

The Chair advised comments were awaited from the Kent Resilience Forum in respect of a potential item on cladding of high-rise buildings.

**MATTERS FOR CONSIDERATION IN PRIVATE**

**CE 24/38 EXCLUSION OF PRESS AND PUBLIC**

There were no matters considered in private.

The meeting ended at 8.42 pm



# **TONBRIDGE AND MALLING BOROUGH COUNCIL**

## **CABINET**

## **MINUTES**

**Tuesday, 12th November, 2024**

**Present:** Cllr M D Boughton (Chair), Cllr R P Betts, Cllr M A Coffin, Cllr D Keers, Cllr K B Tanner and Cllr M Taylor

**In attendance:** Councillor M A J Hood was also present pursuant to Access to Information Rule No 23.

**Virtual:** Councillors L Athwal, Mrs S Bell, S Crisp, J Clokey, F A Hoskins, Mrs A S Oakley, W E Palmer, M R Rhodes participated via MS Teams and joined the discussion when invited to do so by the Chair in accordance with Access to Information Rule No 23.

### **PART 1 - PUBLIC**

#### **CB 24/100 DECLARATIONS OF INTEREST**

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

#### **CB 24/101 MINUTES**

**RESOLVED:** That the Minutes of the meeting of the Cabinet held on 3 September 2024 be approved as a correct record and signed by the Chairman.

### **MATTERS FOR CORPORATE MONITORING**

#### **CB 24/102 KEY PERFORMANCE INDICATORS - QUARTER 1**

(Decision Notice D240102CAB)

The report and annexes provided data on Key Performance Indicators (KPIs) that were aligned to the Corporate Strategy 2023-2027 and monitored on a quarterly or annual basis. Within the report, consideration was also given to a review of the KPIs and performance management more generally, setting out a number of measures which could help contribute towards embedding a culture of Performance Management and the creation of a more efficient and stream-lined approach to KPIs.

The KPIs provided at Annex 1, with the data for April – June 2024 (Q1) represented the most up-to-date available statistics in most instances,

however due to the lag in some statistics the previous quarter still represented the most up to date figures.

Cabinet noted the positive quarterly trends that could be identified and those areas of focus. Particular reference was made to the drop in recycling rates and the increase in the number of fly tipping incidents and noted that the procurement of a longer-term solution for the delivery of fly tipping and litter enforcement should result in a positive direction of travel.

**RESOLVED:** That

- (1) the report, be noted;
- (2) the targets associated with the KPIs as referred to in 5.1 and set out in Annex 1, be agreed; and
- (3) the proposed solutions arising from the review of performance management as set out in Section 6, be agreed.

#### **MATTERS FOR RECOMMENDATION TO THE COUNCIL**

##### **CB 24/103 TREASURY MANAGEMENT UPDATE AND MID-YEAR REVIEW 2024/25**

Consideration was given to the recommendations of the Audit Committee meeting held on 23 September 2024.

**RECOMMENDED\*:** That

- (1) the action taken in respect of treasury management activity for the period April to July 2024 be endorsed; and
- (2) the existing parameters intended to limit the Council's exposure to investment risks, as set out at Annex 5 of the report of the Director of Finance and Transformation for the Audit Committee meeting of 23 September 2024, be retained.

**\*Referred to Council**

## **DECISIONS TAKEN IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION**

### **EXECUTIVE KEY DECISIONS**

#### **CB 24/104 HOUSING ALLOCATIONS SCHEME - AMENDMENT**

(Decision Notice D240103CAB)

The Housing Allocations Scheme set out how the Council would assess and prioritise applications made for social housing in the district and ensured that only those who had a need for affordable housing, and a local connection to the area were prioritised. Following the launch of the new Housing Allocations Scheme in June 2023, a one year post implementation review had been completed and some amendments made in line with ongoing feedback and experience.

The report of the Director of Housing, Planning and Environmental Health asked that consideration be given to these amendments and agreement was sought to entering a period of engagement with the Council's registered providers, and then making and implementing any amendments. A list of key proposed amendments was set out at paragraph 3.1 of the report.

Cabinet had due regard to the financial and value for money considerations and the legal implications and recognised that if the current Scheme were not amended and continued to operate as it was, this might lead to the Council being open to challenge and not meeting the needs of applicants if the Scheme were not kept under review.

**RESOLVED:** That

- (1) a period of engagement on the amendments to the Housing Allocation Scheme set out at 3.1 of the report, be entered into with the Council's registered providers; and
- (2) authority be delegated to the Director of Planning, Housing and Environmental Health in consultation with the Cabinet Member for Finance and Housing to agree the final revised Housing Allocations Scheme once feedback from the engagement phase has been considered.

#### **CB 24/105 REVIEW OF FEES AND CHARGES - COMMUNITIES AND ENVIRONMENT**

(Decision Notice D240104CAB)

Consideration was given to recommendation CE 24/35 of the Communities and Environment Scrutiny Select Committee of 6 November 2024 in respect of proposed fees and charges for garden

waste subscriptions, household bulky refuse and fridge/freezer collections, 'missed' refuse collections, stray dog redemption fees, Tonbridge Allotments, Tonbridge Cemetery, pest control, food certificates, contaminated land monitoring and private water supplies from 1 April 2025.

Due regard was given to the set of guiding principles for the setting of fees and charges, the legal, financial and value for money implications, together with the views expressed by the Scrutiny Select Committee. The fees and charges applied by neighbouring authorities were also given careful consideration.

Consideration was given to reducing the annual garden waste subscription for those in receipt of benefits and it was recognised that this was a discretionary service that was facing significant increases in cost, that the proposed subscription price was broadly consistent with the price in other Councils across Kent, that the service represented good value for money, and that residents had a choice regarding taking up a subscription.

**RESOLVED:** That

- (1) the proposed annual garden waste subscription of £63 per annum for the first bin and £40 for a second or third bin, as recommended by the Communities and Environment Scrutiny Select Committee, be approved;
- (2) the schedule of proposed charges for household bulky refuse and fridge/freezer collection service as set out in 15.2.6 of the report, be approved;
- (3) the proposed charge for "missed" refuse collection as set out in 5.3.3 of the report, be approved;
- (4) the schedule of proposed charges in respect of Stray Dog redemption service, as set out in 5.4.4 of the report, be approved;
- (5) the charging structure for Tonbridge Allotment as set out in 5.5.2 of the report, be noted and endorsed;
- (6) the schedule of proposed charges for Tonbridge Cemetery as set out in Annex 1 and 5.6.2 of the report, be approved;
- (7) the proposed continuation of the pest control subsidy for residents in receipt of Council Tax Reduction Scheme as set out in 5.7.1 of the report be approved;
- (8) the proposed charge for condemned food certificates as set out in 5.8.2 of the report, be approved;

- (9) the proposed charge for exported food certificates as set out in 5.9.4 of the report, be approved;
- (10) the proposed charge for provision of services in respect of contaminated land as set out in 5.11.5 of the report, be approved;
- (11) the proposed charge for provision of services in respect of private water supplies as set out in 5.12.5 of the report, be approved; and
- (12) the above proposed scale of charges be implemented from 1 April 2025.

### **EXECUTIVE NON-KEY DECISIONS**

#### **CB 24/106 BUDGETARY CONTROL - SEPTEMBER 2024**

(Decision Notice D240105CAB)

The report presented the current financial position to the end of September 2024 for the 2024/25 Financial Year, in accordance with the Borough Council's Financial Procedure Rules.

Since a revenue budget of £11,671,480 was set by the Council in February 2024, a number of Cabinet and Committee decisions had been taken (as set out in Annex 1) with a net impact of a slight reduction of £3,192 on the revenue budget.

Budgetary Control Monitoring Statements for Salaries and Incomes to the end of July 2024 were attached for information at Annexes 2 and 3 respectively, which reflected an underspend of £98,600 against the current salary estimates proportioned to the end of September 2024 and an actual which was £15,108 less than the apportioned income estimate for the same period.

With regard to investment income, both Core and Cashflow funds were shown above the proportion of the original estimates due to continued high base rates.

Particular reference was made to capital expenditure to the end of September 2024, detailed in Annex 4, and noted that some of the budget would slip into the 2025/26 financial year due to the Gibson Building Refurbishment project being expected to commence in the new Calendar year.

**RESOLVED:** That

- (1) as at the end of September 2024, a net favourable variance of circa £296,512 when compared to the proportion of the 2024/25 budget as shown in paragraph 9 be noted;

- (2) the potential issues surrounding the impact of the current client levels, cost of temporary accommodation and debt recovery within the revenue budget for Homelessness Accommodation be noted;
- (3) the current business rate pool position, as at the end of September 2024 as set out in paragraph 10, be noted; and
- (4) the current spend on Capital Projects for 2024/25 as set out in paragraph 11, be noted.

### **CB 24/107 CONSULTANT USE AT THE COUNCIL**

(Decision Notice D240106CAB)

Consideration was given to recommendation CE 24/34 of the Overview and Scrutiny Committee of 11 September 2024 in respect of consultant use at the Council.

Due regard was given to the views of the Overview and Scrutiny Committee, the financial and value for money considerations and the legal implications and noted that some of the external support provided had resulted in cost savings and efficient project delivery, which would not have been possible without external experts.

With regard to recommendation (6) of the Overview and Scrutiny Committee regarding consultancy spend in excess of £40,000, Cabinet felt that further consideration was needed to ensure that this did not lead to delays in delivery and increased cost.

**RESOLVED:** That

- (1) the information provided in the summary of consultancy spend at Annex 2, be noted;
- (2) further detail about consultancy spend on specific projects be provided to a future meeting of the Committee, with questions to be provided in writing to Officers to enable responses to be prepared;
- (3) the Council be requested to continue to closely manage future use of external experts and an ongoing review of consultant use at the Council be reported to the Overview and Scrutiny Committee on an annual basis;
- (4) officers be requested to continue to look for opportunities to collaborate with other councils; and
- (5) the Council maintain its effectiveness at retaining specialist talent, to reduce the need for external experts going forward.

**CB 24/108 RISK MANAGEMENT**

(Decision Notice D240107CAB)

Consideration was given to recommendation AU 24/40 of the Audit Committee of 23 September 2024 in respect of risk management process and the Strategic Risk Register (SRR).

Cabinet had due regard to the views of the Committee, the financial and value for money considerations and the legal implications and noted that Management Team had undertaken a review of all the risks contained within the Strategic Risk Register with a view to achieving a more streamlined version, highlighting only the strategic risks to the Council over the one to two year horizon.

The number of 'red' risks on the SRR remained to be 4 as set out below:

- Achievement of Savings and Transformation Strategy
- Failure to agree a Local Plan
- Implementation of the Agile software system
- Contract/Contractor Procurement

**RESOLVED:** That

- (1) the updates to the Strategic Risk Register since the last iteration with particular emphasis on those risks categorised as RED, be noted;
- (2) the lead officer for the Local Plan be requested to attend the next meeting of the Audit Committee should the risk remain RED;
- (3) the progress towards the delivery of recommendations from the Zurich Risk Management Review, be noted; and
- (4) the Chair of the Audit Committee be appointed as the Member 'Risk Champion'.

**CB 24/109 PROGRESS WITH RECOMMENDATIONS FROM AUDITOR'S ANNUAL REPORT (VALUE FOR MONEY) 2022/23**

(Decision Notice D240108CAB)

Consideration was given to recommendation AU 24/41 of the Audit Committee of 23 September 2024 in respect of progress in addressing the recommendations made in the 2022/23 Auditor's Annual Report.

Cabinet had due regard to the views of the Committee, the financial and value for money considerations, noting that the Auditor did not need to carry out any additional work as a result of identifying the two significant

weaknesses and therefore no additional fees were accrued. Cabinet also had due regard to the legal implications.

**RESOLVED:** That

- (1) Annex 1 to the report be reviewed and, if appropriate, any further updates provided, be incorporated; and
- (2) the actions and commentary set out in Annex 1 to the report, be endorsed.

### **MATTERS SUBMITTED FOR INFORMATION**

#### **CB 24/110 MINUTES OF PANELS, BOARDS AND OTHER GROUPS**

The Minutes of the Parish Partnership Panel of 29 August 2024, the Minutes of the Tonbridge Community Forum of 2 September 2024 and the Minutes of the Joint Transportation Board of 16 September 2024 were received and noted.

#### **CB 24/111 DECISIONS TAKEN BY CABINET MEMBERS**

Details of the Decisions taken in accordance with the rules for the making of decisions by executive members, as set out in Part 4 of the Constitution, were presented for information.

#### **CB 24/112 NOTICE OF FORTHCOMING KEY DECISIONS (IF AVAILABLE)**

Notice of Forthcoming Key Decisions for November to December 2024 was presented for information.

#### **CB 24/113 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.

### **MATTERS SUBMITTED FOR INFORMATION**

#### **CB 24/114 TONBRIDGE TOWN CENTRE PROGRAMME BOARD - MINUTES AND RECOMMENDATIONS**

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

The report of the Director of Central Services detailed the minutes, actions and recommendations from the Tonbridge Town Centre Board meeting on 26 September 2024.



## **DECISIONS TAKEN IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION**

### **EXECUTIVE KEY DECISIONS**

#### **CB 24/115 FUTURE OPERATOR OF THE REPLACEMENT ANGEL CENTRE**

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

(Decision Notice D240109CAB)

The report of the Director of Street Scene, Leisure and Technical Services set out a proposal to appoint the Leisure Trust as the future operator of the replacement Angel Centre. The proposal was supported by the Tonbridge Town Centre Programme Board.

Consideration was given to the advantages and disadvantages of agreeing the Trust as the operator of a future leisure/community facility in Tonbridge to replace the existing Angel Centre and noted the recommendation of Alliance Leisure that a future operator be identified soon in the process, so that it could be involved in open participation over future design and operational arrangements.

Cabinet had due regard to the risk assessment, financial and value for money considerations and the legal implications and noted that the benefits of retaining the existing Trust as the nominated operator of a new facility to replace the Angel Centre far outweighed the alternative options.

**RESOLVED:** That the future contractor for the operation of the new replacement Leisure Centre be confirmed as Tonbridge and Malling Leisure Trust.

#### **CB 24/116 LARKFIELD LEISURE CENTRE AIR SOURCE HEAT PUMPS AND AIR HANDLING UNIT TENDER**

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

(Decision Notice D210110CAB)

Following a formal tender and evaluation process, the report provided details of the tenders received for the design and installation of air source heat pumps along with replacement air handling unit serving the fitness pool at Larkfield Leisure Centre and recommended an award of the contract.

Cabinet had due regard to the evaluation, the risk assessment, financial and value for money considerations and the legal implications and noted

that the majority of the cost of the project was being met from external grant funding and that the successful tender was within the overall approved budget.

**RESOLVED:** That the contract for the design and installation of air source heat pumps and replacement air handling unit serving the fitness pool at Larkfield Leisure Centre be awarded to DMA.

#### **CB 24/117 TONBRIDGE CASTLE GATEHOUSE - ROOF REPAIR TENDER**

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

(Decision Notice D240111CAB)

Following a formal tender and evaluation process, the report provided details of the tenders received for the roof repair work at Tonbridge Castle Gatehouse and recommended an award of the contract.

Cabinet had due regard to the evaluation, the risk assessment, financial and value for money considerations and the legal implications and noted that the cost of the works, fees and contingency fell within the overall project budget.

**RESOLVED:** That the contract to undertake the roof repair works at Tonbridge Castle Gatehouse be awarded to Traditional Stone Restoration.

#### **EXECUTIVE NON-KEY DECISIONS**

#### **CB 24/118 MEDIUM TERM FINANCIAL STRATEGY - UPDATE**

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

(Decision Notice D240112CAB)

The report provided an update on the Medium Term Financial Strategy (MTFS) having regard to the latest financial issues. The MTFS would continue to be updated as the 2025/26 budget was prepared and therefore the update was treated as an interim update only.

Cabinet had due regard to the legal implications, risk assessment, financial and value for money and policy considerations and noted the changes that had positively contributed to bridging the funding gap since the MTFS was approved by Council in February 2024. In addition, consideration was given to those areas identified causing the increase in the funding gap and to those areas of potential impact on future finances.

**RESOLVED:** That the current position on the Medium Term Financial Strategy (MTFS), and the areas identified causing the increase in the funding gap, be noted.

The meeting ended at 9.10 pm



# **TONBRIDGE AND MALLING BOROUGH COUNCIL**

## **OVERVIEW AND SCRUTINY COMMITTEE**

### **MINUTES**

**Thursday, 14th November, 2024**

**Present:** Cllr Mrs A S Oakley (Chair), Cllr L Athwal (Vice-Chair), Cllr T Bishop, Cllr C Brown, Cllr R I B Cannon, Cllr D A S Davis, Cllr P M Hickmott, Cllr M A J Hood, Cllr F A Hoskins, Cllr D W King, Cllr J R S Lark (substitute), Cllr A Mehmet, Cllr R W G Oliver(substitute), Cllr W E Palmer, Cllr M R Rhodes (substitute), Cllr D Thornewell and Cllr C J Williams

Cllrs A G Bennison, R P Betts, J Clokey, M A Coffin, D Keers, R V Roud, Mrs M Tatton, M Taylor and K B Tanner\* were also present pursuant to Council Procedure Rule No 15.21.

(\*participated via MS Teams)

Apologies for absence were received from Councillors Mrs S Bell (Vice-Chair), A Cope and S A Hudson.

### **PART 1 - PUBLIC**

#### **OS 24/46 NOTIFICATION OF SUBSTITUTE MEMBERS**

Notification of substitute members were recorded as set out below:

- Cllr Lark substituted for Cllr Hudson
- Cllr Oliver substituted for Cllr Cope
- Cllr Rhodes substituted for Cllr Bell

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 24/47 DECLARATIONS OF INTEREST**

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

#### **OS 24/48 MINUTES**

**RESOLVED:** That the Minutes of the ordinary and extraordinary meetings of the Overview and Scrutiny Committee held on 11 and 26 September 2024 be approved as a correct record and signed by the Chair.

## **MATTERS FOR CORPORATE MONITORING**

### **OS 24/49 KEY PERFORMANCE INDICATORS**

The report provided data on Key Performance Indicators for the period July – September 2024 (quarter 2) that were aligned to the Corporate Strategy 2023-27 and monitored on a quarterly or annual basis

This data was a key tool in assessing performance management, helped to deliver positive change and provided Members with an insight into areas where the Borough Council was performing well and areas that needed greater focus.

Members welcomed the reductions in reported victim-based crime and staff vacancies and the increases in MyAccount registrations and the percentage of calls handled by Customer Services.

It was also noted that although social media engagement had dropped slightly during quarter 2, a summer marketing campaign had generated significant activity on third party sites and social channels. Reference was made to the increase in sickness absence medically signed off and no specific patterns to this growth had been identified other than an aging workforce.

With regard to proposed changes in reviewing performance management, as outlined at previous meetings of the Scrutiny Select Committees, the Overview and Scrutiny Committee and supported by the Cabinet, it was suggested that the revised reporting mechanism be shared outside of the meeting so that the Committee was aware of their future role in reviewing performance.

**RESOLVED:** That the positive and negative trends identified in the report be noted.

## **MATTERS FOR RECOMMENDATION TO THE CABINET**

### **OS 24/50 REVIEW OF TONBRIDGE COMMUNITY FORUM AND PARISH PARTNERSHIP PANEL**

Following a review of the operation of the Tonbridge Community Forum, as recommended by the Overview and Scrutiny Committee, the report of the Chief Executive set out a number of options for consideration.

Due regard was given to the views of existing members of the Forum on the current venue, style and format of the meetings as detailed in Annex 2. It was evident that there was a preference for in-person meetings with greater input from community groups and a more collaborative approach.

The Chair and Vice-Chair of the Forum expressed a preference for meetings of the Forum to be held at Tonbridge Methodist Church as room hire was reasonably priced, compared to the Angel Centre, and included audio equipment which avoided the requirement for an external provider.

It was noted that community groups had expressed a desire for a 'dedicated open discussion' to provide an opportunity for all members to discuss and respond to matters to ensure an equal distribution of views between Borough Councillors, County Councillors and community representatives. Whilst this was supported in principle, it was also recognised that topics should continue to be raised in advance to assist with effective agenda planning. There was also opportunity to raise other matters under Any Other Business.

**\*RECOMMENDED:** That

- (1) the venue for Tonbridge Community Forum be moved to Tonbridge Methodist Church on a trial basis for all meetings in 2025;
- (2) all Meetings of the Tonbridge Community Forum be held in person on a trial basis in 2025;
- (3) following a topic or item raised at Tonbridge Community Forum a section should be dedicated to open discussion to provide an opportunity for all members to discuss and respond to the matter;
- (4) initial responses in relation to the operation of the Parish Partnership Panel be shared at a future meeting of the Parish Partnership Panel to allow all members additional opportunity to discuss and consider options for this meeting.

## **MATTERS FOR INFORMATION**

### **OS 24/51 AGILE UPDATE**

Members were provided with an update on the progress being made on the implementation of the Agile software system. The report of the Director of Planning, Housing and Environmental Health also responded to queries raised by Councillors regarding lessons learnt and how to ensure the software was fully embedded post 'go live'.

The Committee noted the progress to date, the way forward, the financial and value for money considerations and the risk assessment as detailed in the report. A number of matters remained outstanding and whilst there had been a renewed commitment from Agile to resolve these issues, it was anticipated that there would be significant pressures on staff capacity in monitoring, escalating, testing and implementing solutions and modules.

There was now a timescale imperative for this work to be concluded as the previous operating system would not be available after the end of March 2025. As many mitigation measures as possible were being explored.

A Post Implementation Review of the APAS (built environment) was being concluded and a similar exercise would be carried out for the other implementations in the Agile programme. These would be reported to the Borough Council's Audit Committee in due course.

There was in-depth discussion on a number of issues including the functionality of the Land Terrier application, the difficulties experienced by residents and councillors in navigating planning applications, the formatting of the weekly list of planning applications, the impact on service delivery and the increased pressure on staff. Concern was also expressed at the performance of the contractor, the overall cost of the project and the significant risk related to implementation and embedding by the end of March 2025.

These concerns and queries were noted by the Director of Planning, Housing and Environmental Health and responses would be provided out of meeting and/or shared with relevant Officers.

In conclusion, the Director of Planning, Housing and Environmental Health offered to liaise with the Chair of the Committee and consider a Member User Group to canvass feedback on the Agile functionality. An interim update report would also be provided, in consultation with the Cabinet Member for Finance and Housing, in advance of the Overview and Scrutiny Committee in April 2025, when a further update report would be presented. Members requested that the Head of IT be asked to attend this meeting.

#### **OS 24/52 RECORD OF DECISIONS TAKEN BY THE EXECUTIVE**

The decisions taken by the Cabinet and Cabinet Members during September and October 2024 were presented for information and noted by the Committee.

#### **OS 24/53 NOTICE OF FORTHCOMING KEY DECISIONS**

The Notice setting out the Key Decisions anticipated to be taken during November and December 2024 was presented for information. It was also noted that the Notice was subject to change if adjustments were necessary to the reporting timetable.

It was confirmed that a discussion on a potential Procurement Strategy was scheduled for the meeting of Cabinet on 10 December 2024 following consideration by the Finance, Regeneration and Property Scrutiny Select Committee.



**OS 24/54 WORK PROGRAMME**

The Work Programme setting out potential matters to be scrutinised during 2024/25 was noted. Members were invited to suggest future items by liaising with the Chair of the Committee.

In advance of the meeting in January which focused on budget setting, the Chair invited all Members to consider potential saving and income generating opportunities and asked that ideas be shared as soon as possible out of meeting.

**MATTERS FOR CONSIDERATION IN PRIVATE****OS 24/55 EXCLUSION OF PRESS AND PUBLIC**

There were no items considered in private.

The meeting ended at 8.30 pm



## **TONBRIDGE AND MALLING BOROUGH COUNCIL**

### **FINANCE, REGENERATION AND PROPERTY SCRUTINY SELECT COMMITTEE**

#### **MINUTES**

**Tuesday, 19th November, 2024**

**Present:** Cllr A Mehmet (Vice-Chair, in the Chair), Cllr T Bishop, Cllr P Boxall, Cllr C Brown, Cllr R I B Cannon, Cllr J Clokey, Cllr W E Palmer, Cllr B A Parry, Cllr M R Rhodes, Cllr C J Williams, Cllr K Barton (substitute), Cllr A G Bennison (substitute) and Cllr R W Dalton (substitute)

Cllrs Mrs S Bell\*, M D Boughton\*, P M Hickmott, M A J Hood, Mrs A S Oakley\* and K B Tanner were also present pursuant to Council Procedure Rule No 15.21.

(\*participated via MS Teams)

Apologies for absence were received from Councillors D Harman (Chair), L Athwal and W J Mallard.

#### **PART 1 - PUBLIC**

##### **FRP 24/18 NOTIFICATION OF SUBSTITUTE MEMBERS**

Notification of substitute members were recorded as set out below:

- Cllr Barton substituted for Cllr Athwal
- Cllr Bennison substituted for Cllr Mallard
- Cllr Dalton substituted for Cllr Harman

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.

##### **FRP 24/19 DECLARATIONS OF INTEREST**

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

However, for reasons of transparency Cllr Clokey reminded Members that in relation to agenda item 10 (Budgetary Control) he was employed by one of the companies who managed a multi asset fund which the Borough Council had invested in and was referenced in the report. As this did not represent either a Disclosable Pecuniary or Other Significant Interest there was no reason for Cllr Clokey to withdraw from the meeting.

## **FRP 24/20 MINUTES**

**RESOLVED:** That the notes of the meeting of the Finance, Regeneration and Property Scrutiny Select Committee held on 17 September 2024 be approved as a correct record and signed by the Chair.

### **MATTERS FOR CORPORATE MONITORING**

#### **FRP 24/21 KEY PERFORMANCE INDICATORS**

The report provided data on Key Performance Indicators for the period July – September 2024 (quarter 2) that were aligned to the Corporate Strategy 2023-27, monitored on a quarterly or annual basis and related to the theme of communities and environment.

This data was a key tool in assessing performance management, helped to delivery positive change and provided Members with an insight into areas where the Borough Council was performing well and areas that needed greater focus.

Members welcomed the positive position in respect of Tonbridge Town Centre vacancy levels and income monitoring. It was also noted that outstanding debt had increased to around £980,000 and the unemployment rate had increased slightly.

**RESOLVED:** That the positive and negative trends identified in the report be noted.

### **MATTERS FOR RECOMMENDATION TO THE CABINET**

#### **FRP 24/22 REVIEW OF FEES AND CHARGES 2025/26**

The joint report of the Director of Finance and Transformation and Director of Central Services set out proposed fees and charges for 2025/26 for the provision of services in respect of legal costs, photocopying charges, street name and numbering, land charges, Tonbridge Castle, events on open spaces, billboards and banners and Council Tax and Business Rate court costs with effect from 1 April 2025.

In bringing forward the charging proposals for 2025/26 consideration had been given to a range of factors, including the Borough Council's overall financial and market positions, trading patterns, the current rate of inflation and customer feedback. A set of guiding principles for the setting of fees and charges had also been taken into account and were summarised in 4.2 of the report.

Particular reference was made to the Borough Council's significant and challenging financial position and as it was becoming increasingly

difficult to achieve further expenditure savings to meet the targets in the Savings and Transformation Strategy it was essential that opportunities to maximise income were taken.

Due regard was given to the overall financial position and potential impacts on the Medium-Term Financial Strategy and on the grounds of ensuring adequate cost recovery in providing street name and numbering, Cllr Clokey proposed that fees and charges for 2025/26 should be rounded up to the nearest £10. This was seconded by Cllr Brown and supported by the Committee.

In respect of Tonbridge Castle, it was clarified that the repair works to the roof had been rescheduled to early 2025 to lessen the impact on external events over the Christmas/New Year period as the Castle would be enveloped with scaffolding during the repair period.

**\*RECOMMENDED:** That

- (1) the proposed charges for legal costs, as set out in 5 of the report, be approved with effect from 1 April 2025;
- (2) the current photocopying charges of £0.10 (inclusive of VAT) for each page of the same document or additional copies of the same page plus postage as appropriate, as set out in 5.2 of the report, be retained;
- (3) the Fee Schedule for Street Naming and Numbering, as set out in 5.3 of the report, be rounded up to nearest £10 and adopted with effect from 1 April 2025;
- (4) the proposed scale of fees for local land charges searches and enquiries, as set out in 5.4 of the report, be adopted with effect from 1 April 2025;
- (5) the proposed fees and charges for 2025/26 related to Tonbridge Castle, as set out in 5.5 of the report, be approved with effect from 1 April 2025;
- (6) the proposed fees and charges for 2025/26 related to Open Spaces, as set out in 5.6 of the report, be approved;
- (7) authority be delegated to the Director of Central Services and Deputy Chief Executive to negotiate fees for individual commercial events on Council-owned land;
- (8) the proposed fees and charges for 2025/26 related to Billboards and Banners, as set out in 5.9 of the report, be approved; and

- (9) the amount of costs charged in 2025/26 to recover unpaid council tax and business rates debts remain at the 2024/25 levels, as set out in 5.10 of the report.

**\*Recommended to Cabinet**

**FRP 24/23 PROCUREMENT STRATEGY**

Consideration was given to the draft Procurement Strategy (attached at Annex 1) which was intended to ensure a more compliant and efficient approach to procurement, enable opportunities to extract added value and develop a more sustainable approach to procurement in the future. The Strategy would also reflect major new procurement legislation being introduced by Government in 2025.

Particular reference was made to the Mid Kent Procurement Partnership which provided the Borough Council with support, guidance and experience. Since May 2024 the Partnership had worked with Officers on the procurement of a number of contracts across the organisation including waste and recycling, litter enforcement, construction contracts and pest control. A key priority for the new Partnership had been the production of a new Procurement Strategy.

It was recognised that the Strategy ensured best value from Borough Council contracts was achieved, enabled services to continue to be delivered in increasingly challenging economic markets, supported best practice and compliance and helped mitigate the level of risk related to procurement on the Corporate Risk Register.

Members welcomed the production of a Procurement Strategy as it addressed a strategic risk previously identified by external auditors. On the grounds that parish and town councils were bound by the same procurement legislation as all public sector bodies, Cllr Palmer proposed that the list of contractors be made available to parish/town councils. This was seconded by Cllr Bishop and supported by the Committee.

**\*Recommended:** That

- (1) the draft Procurement Strategy, attached at Annex 1, be commended to Cabinet for adoption; and
- (2) the Borough Council's list of contractors be made available to parish/town councils.

**\*Recommended to Cabinet**

## **FRP 24/24 DEBT COLLECTION PRACTICES - POTENTIAL PILOT WITH REACHOUT**

Members reviewed and discussed the Borough Council's collection practices for council tax and other debts following the findings of the Money Advice Trust's 'Stop the Knock' research into local authority debt collection. A formal policy covering residents in vulnerable circumstances was included in the Corporate Debt Recovery Policy (attached at Annex 2). It was recommended that this was reviewed to reflect the more challenging financial position of our residents.

Consideration was also given to the proposal to commission a pilot scheme with an organisation called ReachOut to engage with residents struggling with debt and assist them with getting support to improve financial, mental and physical wellbeing. Details of the organisation were set out in Annex 3.

Whilst the Borough Council had a duty to collect public monies it was important to consider the welfare of those in vulnerable circumstances and the recommended pilot with ReachOut provided an opportunity to understand household circumstances and support those in debt. The Committee felt that a sample size of 500 cases for the pilot scheme seemed appropriate as consideration could be given to a further tranche if these was successful.

Members were pleased to note that the Money Advice Trust had found that the Borough Council already took some of its recommended steps in respect of debt collect practices. However, the Committee were asked to consider if other steps could be taken to improve practice including a publicly published commitment to make every possible effort to reduce the use of bailiffs.

Cllr Clokey proposed that the Borough Council should target a reduction in the need to use bailiffs. This was seconded by Cllr Boxall and supported by the majority of the Committee.

**\*Recommended:** That

- (1) a pilot scheme of up to 500 cases be approved and ReachOut be commissioned to engage with residents struggling with debt, as set out in 7 of the report, and reconnect those residents with the Borough Council's teams in order to resolve their debts;
- (2) a review of the Corporate Debt Recovery Policy be approved to reflect the more challenging financial position of residents; and
- (3) a statement be made highlighting the positive actions being taken by the Borough Council to engage with residents and re-emphasising that referrals to bailiffs were only done as a last

resort and that a reduction in the need to use bailiffs would be targeted.

**\*Recommended to Cabinet**

**FRP 24/25 BUDGETARY CONTROL - SEPTEMBER 2024**

**(Decision Number D240117MEM)**

Members received information on the current financial year position to the end of September 2024 and the position related to savings achieved since the budget was set in February 2024.

Whilst a net favourable variance was reported particular reference was made to homelessness and temporary accommodation spend. The net expenditure incurred by the end of July represented an overspend of £344,000. If the client levels, cost of TA and debt recovery continued at the current levels until the end of the financial year the overspend against the agreed budget would be in the region of £555,000. Members were also advised that the current significant costs of TA continued to be offset by the good performance of the Borough Council's investment and treasury funds.

Details of salary, income, investment income and business rates monitoring to end of September 2024 was set out in the report and noted by Members.

**\*RECOMMENDED:** That

- (1) as at the end of September 2024, a net favourable variance of circa £296,512 when compared to the proportion of the 2024/25 budget, as shown in 8 of the report, be noted;
- (2) the potential issues surrounding the impact of the current client levels, cost of Temporary Accommodation and debt recovery within the revenue budget for Homelessness Accommodation be noted;
- (3) the current business rate pool position as at the end of September 2024, as set out in 10 of the report, be noted; and
- (4) the current spend on Capital Projects for 2024/25, set out in 11 of the report, be noted.

**\*Decision taken by Cabinet Member**



## **MATTERS SUBMITTED FOR INFORMATION**

### **FRP 24/26 PROGRESS WITH DIGITAL AND IT STRATEGY**

The report of the Director of Finance and Transformation provided an update on the progress to date of the Digital and IT Strategy 2023-2027.

Members reviewed and noted the progress being made on a number of projects as detailed in Annex 1. The Borough Council had completed the Cyber Assessment Framework which supported secure payments and reduced cyber risk significantly. There had also been a significant reduction in carbon footprint by moving to cloud-based systems.

### **FRP 24/27 WORK PROGRAMME 2024/25**

The Work Programme setting out matters to be scrutinised during 2024/25 was attached for information. Members were invited to suggest future matters for 2025/26 by liaising with the Chair of the Committee.

## **MATTERS FOR CONSIDERATION IN PRIVATE**

### **FRP 24/28 EXCLUSION OF PRESS AND PUBLIC**

The Chairman moved, it was seconded and

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

### **PART 2 - PRIVATE**

## **MATTERS FOR RECOMMENDATION TO THE CABINET**

### **FRP 24/29 MEDIUM TERM FINANCIAL STRATEGY - UPDATE**

**(Reason: Part 2 – Private: LGA 1972 Sch 12A Paragraph 3 – Financial or business affairs of any particular person)**

**(Decision Number D240119MEM)**

Members were provided with an interim update of the Medium-Term Financial Strategy (MTFS). Attention was drawn to the latest financial pressures, assumptions currently within the MTFS and areas of potential impact on future finances.

As a consequence, the funding gap had grown and three scenarios were detailed in the report. However, significant savings were required in order to preserve the integrity of the authority's financial plans.

It was acknowledged that the position would be likely to change again before the Cabinet and Council set the Budget in February 2025 and therefore a further update would be presented in due course.

**\*RECOMMENDED: That**

- (1) the current position on the Medium-Term Financial Strategy be noted; and
- (2) the areas identified causing the increase in the funding gap be noted.

**\*Decision taken by Cabinet Member**

The meeting ended at 10.00 pm

**TONBRIDGE AND MALLING BOROUGH COUNCIL**

**LICENSING AND APPEALS COMMITTEE**

**MINUTES**

**Wednesday, 27th November, 2024**

**Present:** Cllr C Brown (Chair), Cllr C J Williams (Vice-Chair), Cllr B Banks, Cllr M A Coffin, Cllr A Cope, Cllr D Keers, Cllr D W King, Cllr R W G Oliver, Cllr R V Roud and Cllr K S Tunstall.

Councillor M Taylor submitted apologies for in-person attendance and participated via MS Teams when invited to do so. However, he was unable to vote on or proposed any motions.

**PART 1 - PUBLIC**

**LA 24/13 DECLARATIONS OF INTEREST**

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

**LA 24/14 MINUTES**

**RESOLVED:** That the Minutes of the meeting of the Licensing and Appeals Committee held on 25 September 2024 be approved as a correct record and signed by the Chairman.

**LA 24/15 MINUTES OF PANEL**

**RESOLVED:** That the Minutes of the meetings of the Licensing and Appeals Committee sitting as a Panel held on 25 October 2024 be received and noted.

**MATTERS FOR DECISION UNDER DELEGATED POWERS**

**LA 24/16 REVIEW OF LICENSING FEES AND CHARGES 2025/26**

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 2025/26 in respect of Hackney Carriage and Private Hire Driver Licences and Vehicle Licences, Administration Fees, Scrap Metal Dealers, Street Trading Consents, Film Classification, Sex Establishments, Boating Licences, Events Pre-Application Advice, Hypnotism Licence, Animal Welfare, Gambling and the licensing of premises and practitioners providing Acupuncture, Electrolysis and Ear Piercing, Cosmetic Piercing, Tattooing and Semi-permanent make up.

Members noted that Type 1 licensing fees were set by statute for which the Borough Council had no power to amend and that when considering Type 2 and Type 3 fees, the Council considered the income and costs from the previous year, which meant that the fees would fluctuate year on year.

During discussion, concern was raised regarding the decline in Scrap Metal Mobile Collector licences, and whether this indicated an increase in illegal operators. Members requested a press release advising residents that mobile scrap metal collectors were required to display a licence in their vehicle.

**RESOLVED:** That the proposed scale of fees for licences, consents and registrations, as set out at Annex 1 to the report, be adopted with effect from the 1 April 2025.

**LA 24/17 EXCLUSION OF PRESS AND PUBLIC**

There were no items considered in private.

The meeting ended at 7.58 pm

## TONBRIDGE AND MALLING BOROUGH COUNCIL

### HOUSING AND PLANNING SCRUTINY SELECT COMMITTEE

#### MINUTES

Tuesday, 3rd December, 2024

**Present:** Cllr D A S Davis (Chair), Cllr D W King (Vice-Chair), Cllr Mrs S Bell, Cllr G C Bridge, Cllr P M Hickmott, Cllr M A J Hood, Cllr A Mehmet, Cllr W E Palmer, Cllr R V Roud, Cllr D Thornewell, Cllr L Athwal (substitute), Cllr R I B Cannon (substitute) and Cllr M R Rhodes (substitute).

Cllrs Mrs T Dean, F A Hoskins, K B Tanner, M Taylor, M D Boughton\*, M A Coffin\*, D Keers\*, Mrs A S Oakley\* and Mrs M Tatton\* were also present pursuant to Council Procedure Rule No 15.21.

(participated via MS Teams)

Apologies for absence were received from Councillors R W Dalton, S M Hammond and R W G Oliver.

#### **HP 24/36 NOTIFICATION OF SUBSTITUTE MEMBERS**

Notification of substitute Members were recorded as set out below:

- Cllr Athwal for Cllr Oliver
- Cllr Cannon for Cllr Hammond
- Cllr Rhodes substitute for Cllr Dalton

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.

#### **HP 24/37 DECLARATIONS OF INTEREST**

Cllr Mehmet declared an Other Significant Interest in respect of Fees and Charges for Discretionary Planning Services (item 7) on the grounds of his employment in planning. After seeking the advice of the Monitoring Officer, he was able to participate in discussions on the majority of the proposals but had to withdraw from the meeting when options related to development management were considered. Cllr Mehmet did not participate or vote on the recommendations set out in 5.1 – 5.4 and Annex 1 of the report.

## **HP 24/38 MINUTES**

**RESOLVED:** That the notes of the meeting of the Housing and Planning Scrutiny Select Committee held on 24 September 2024 be approved as a correct record and signed by the Chair.

### **MATTERS FOR CORPORATE MONITORING**

#### **HP 24/39 KEY PERFORMANCE INDICATORS - QUARTER 2**

The report provided data on Key Performance Indicators for the period July – September 2024 (quarter 2) that were aligned to the Corporate Strategy 2023-27, monitored on a quarterly or annual basis and related to the theme of housing and planning.

This data was a key tool in assessing performance management, helped to deliver positive change and provided Members with an insight into areas where the Borough Council was performing well and areas that needed greater focus.

Members noted positive trends in respect of disabled facilities grants and improvements in major and minor applications. Areas of focus included a revised Local Development Scheme once the implications of changes to the National Planning Policy Framework were understood, reducing the backlog on the Housing Register and identifying options to mitigate increasing need of temporary accommodation. With regard to the latter, Members were advised that a number of measures were being explored including prevention, reducing unit cost and purchasing/managing own temporary accommodation.

**RESOLVED:** That the positive and negative trends as set out in the report be noted.

### **MATTERS FOR RECOMMENDATION TO THE CABINET**

#### **HP 24/40 REVIEW OF FEES AND CHARGES FOR DISCRETIONARY PLANNING SERVICES**

The report of the Director of Planning, Housing and Environmental Health set out proposed fees and charges for 2025/26 for the provision of services in respect of development management, building control, high hedges, s106 monitoring and the Planning Performance Agreement (PPA) and Charging Schedule with effect from 1 April 2025. Fees had generally been increased between 3.5% - 5 %, with fees for strategic development being increased by 10%. Consideration had been given to each category of fee and further explanation of these increases were detailed in the report.

In bringing forward the charging proposals for 2025/26 consideration had been given to a range of factors, including the Borough Council's overall financial and market positions, trading patterns, the current rate of inflation and customer feedback. A set of guiding principles for the setting of fees and charges had also been taken into account and were summarised in 4.2 of the report.

Particular reference was made to the Borough Council's significant and challenging financial position and as it was becoming increasingly difficult to achieve further expenditure savings to meet the targets in the Savings and Transformation Strategy it was essential that opportunities to maximise income were taken.

**\*RECOMMENDED:** That

- (1) the updated Pre-application Charging Fee Schedule 2025/26 (attached at Annex 1) be adopted;
- (2) the updated Building Control Fee Schedule 2025/26 (attached at Annex 2) be adopted;
- (3) the updated High Hedges Fees (an increase to £540) as set out in paragraph 5.12 be adopted;
- (4) the updated charging fees for s106 monitoring and compliance (representing an increase to £460 for each obligation contained in the agreement) as set out 5.17-20 be adopted;
- (5) the updated Planning Performance Agreement template (attached at Annex 3) be included as a new Annex 1 to the PPA Protocol;
- (6) the updated Planning Performance Agreement charging schedule (attached at Annex 4) be adopted; and
- (7) the above proposed fees and charges be implemented with effect from 1 April 2025.

**\*Recommended to Cabinet**

**HP 24/41 HMO AND CARAVAN SITE LICENSING FEE CHARGES FOR 2025/26**

Consideration was given to the proposed fees for licensing of houses in multiple occupation (HMOs) and caravan sites for permanent residential use with effect from 1 April 2025.

In bringing forward the charging proposals for 2025/26 consideration had been given to a range of factors, including the Borough Council's overall financial and market positions, trading patterns, the current rate of

inflation and customer feedback. A set of guiding principles for the setting of fees and charges had also been taken into account and were summarised in 4.1 of the report.

Particular reference was made to the Borough Council's significant and challenging financial position and as it was becoming increasingly difficult to achieve further expenditure savings to meet the targets in the Savings and Transformation Strategy it was essential that opportunities to maximise income were taken.

**\*RECOMMENDED:** That

- (1) the proposed fee for licensing of HMOs (representing an increase of 3.5%) as detailed in 5.1.6 of the report be approved;
- (2) the proposed fee for caravan sites for permanent residential use (representing an increase of 3.5%) as detailed in 5.2.3 the report be approved
- (3) the proposed fees be implemented from 1 April 2025

**\*Recommended to Cabinet**

#### **HP 24/42 LOCAL PLAN ENGAGEMENT STRATEGY AND ESTIMATED LOCAL PLAN BUDGET**

The report of the Director of Planning, Housing and Environmental Health provided an update on the progress of a number of workstreams following the Government consultation on a revised National Planning Policy Framework (NPPF).

As a revised NPPF had not yet been published the report focused on an Engagement and Consultation Strategy (attached as Annex 1) and provided an interim position in respect of the Local Plan.

The Engagement and Consultation Strategy set out the consultation details against key local plan stages, who would be engaged at the various stages and the engagement and consultation methods that would be used. Further detail in respect of engagement with Councillors, Officers and Parish/Town Councils were set out in Annex 2.

It was recognised that engagement was an essential and critical element of the plan-making process and provided an opportunity for Members, communities, partners and stakeholders to be involved. It was also important for consultation and engagement to be effective and Members welcomed the commitment to regular dialogue with parish/town councils and communities via the Parish Partnership Panel and the Tonbridge Community Forum. Other methods of engagement proposed and



welcomed included consultation/drop-in sessions; virtual exhibition; digital consultation platform and digital maps.

In addition, it was hoped that the introduction of a new software platform to host the Regulation 18b and Regulation 19 Consultations would be easier for residents to navigate and interact with. The benefits of collecting information via on-line methods was outlined as it would be more efficient for the Borough Council to assess and analysis the data received. Alternative methods would be available for those who had difficulty in accessing services online and there would be opportunity for residents' views to be collected at drop-in sessions and virtual exhibitions. Residents would also be invited to sign up to receive emails or printed materials.

Members attention was drawn to the significant financial and value for money implications associated with the Local Plan preparation beyond that which was originally identified before the Government consultation and 'pausing' of the process. Detailed budgetary considerations were set out at 7.1 – 7.6 of the report. The budget provision within the Medium-Term Financial Strategy (MTFS) had recently been increased (on an interim basis) to £160,000 to take into account that the previously identified £80,000 would likely be insufficient to meet the requirements of a new NPPF and submission timescales. Given the work that would be required to produce a national policy compliant Local Plan it was likely that additional funds beyond the £160,000 currently identified would be required. Further updates to the figures presented in the MTFS would be considered as soon as possible in line with the publication of a revised NPPF.

**\*RECOMMENDED:** That

- (1) the Local Plan Engagement and Consultation Strategy (attached at Annex 1) be approved;
- (2) the Engagement Programme (attached at Annex 2) be endorsed; and
- (3) the updates provided in relation to the Local Plan, including the likely increase in the annual budget allocation to the Local Plan reserve that would be required to progress a Local Plan under a revised National Planning Policy Framework be noted.

**\*Recommended to Cabinet**

#### **HP 24/43 TREE PROTOCOL UPDATE**

Following the adoption of the Tree Preservation Order Protocol and the Enforcement Tree Protocol in May 2024, Members had expressed concern that the measures proposed to address an existing backlog of

Tree Preservation Order (TPO) requests were insufficient to make a significant improvement within a reasonable timeframe.

As the Borough Council did not have current capacity to clear the backlog of requests in a timely manner, three options were presented for consideration. These were detailed in paragraph 5 of the report and included:

- seeking a consultant to work on the backlog of requests
- continue to attempt to reduce the backlog within existing resource
- await the outcome of a wider review of case work and capacity.

Members recognised that one of the proposed options would require a funding stream to be identified as there was no budget provision available. It had been estimated that a one-off cost of approximately £29,000 would be required to clear the backlog.

Due regard was given to the Borough Council's financial position and the potential impact on the Medium-Term Financial Strategy. Members also recognised that this needed to be balanced with providing an effective service and on the grounds of reducing the backlog Cllr King proposed that a consultant be sought to work on the backlog of TPO requests (detailed in Option A). This was seconded by Cllr Roud and supported by the Committee.

Whilst recommending the use of an external consultant to address the backlog, Members felt it was important to identify and understand the ongoing and future demand and capacity within the Service. Concern was also expressed that the existing backlog was delaying the protection of other trees.

**\*RECOMMENDED:** That

- (1) a consultant be sought to work on reducing the backlog of Tree Preservation Order requests (Option A), as detailed in 5.3 – 5.7 of the report; and
- (2) the approximate one-off cost for Option A of £29,000 and the need to identify a funding stream be noted.

**\*Recommended to Cabinet**

## **HP 24/44 HOARDING WORKING WITHIN HOUSING**

(Decision Number D240121MEM)

Consideration was given to the provision of a Hoarding Co-ordinator service for residents of Tonbridge and Malling and associated clearance

and clean-up works. This to be funded via the disabled facilities grant element of the Better Care Fund (BCF).

The proposal was for the Home Improvement Agency to deliver the Hoarding Co-ordinator role which they already undertook across Kent as part of their hospital discharge service.

As defined by the Kent and Medway Multi-Agency Policy and Procedures to Support People that Self Neglect or Demonstrate Hoarding Behaviour (attached as Annex 1) hoarding was the excessive collection and retention of any material to the point that living space was sufficiently cluttered to preclude activities for what they were designed for. Hoarding was a recognised mental health diagnosis.

Due regard was given to the financial and value for money considerations set out in the report and it was noted that the BCF continued to be underspent in recent years. The diversion of funding to support further revenue initiatives would provide essential support in respect of hoarding in the community. Members recognised the importance of addressing hoarding issues within properties as it enabled households to remain in their home safely. There was also a wider positive impact for neighbouring properties.

**\*RECOMMENDED:** That:

- (1) a part-time (0.5FTE) Hoarding Co-ordinator role employed by the Home Improvement Agency be funded via the Disabled Facilities Grant (DFG) element of the Better Care Fund;
- (2) the estimated cost of £30,000 per annum for this role be noted;
- (3) a £15,000 per annum budget for clearance and clean-up works be provided and funded from the Better Care Fund;
- (4) authority to enter into the contract with the Home Improvement Agency be delegated to the Director of Planning, Housing and Environmental Health.

**\*Decision taken by Cabinet Member**

**HP 24/45 PROCEDURE ON AMENDMENTS TO PLANNING INCLUDING RESERVED MATTERS APPLICATIONS**

(Report of Cabinet Member for Planning and Director of Planning, Housing and Environmental Health)

The report provided an update in respect of the Non-Amendments Policy and presented an updated procedure (attached at Annex 1) for consideration.

The National Planning Policy Framework stated that decisions on planning applications should be made as quickly as possible and within statutory timescales unless a longer period had been agreed by the applicant in writing. With this in mind, it was proposed that the current procedure of a Non-Amendment Policy be amended and adopted to provide clarity on when amendments and additional information would be accepted, what happens when a refusal was recommended and information on the Planning Guarantee.

A number of amendments were put forward by Cllr Mehmet and to give Officers sufficient time to give these appropriate consideration he proposed, seconded by Cllr Thornewell, that the Amendments Policy be presented to Cabinet in January 2025 following consultation with the Director of Planning, Housing and Environmental Health and the Cabinet Member for Planning. This was supported by the majority of the Committee.

**\*RECOMMENDED:** That:

- (1) the amendments put forward by Cllr Mehmet be reviewed by Officers, in consultation with the Director of Planning, Housing and Environmental Health and the Cabinet Member for Planning; and
- (2) the Amendments Policy, reflecting any of the amendments put forward, be considered by Cabinet.

**\*Recommended to Cabinet**

## **HP 24/46 INFRASTRUCTURE FUNDING STATEMENT 2023-24**

(Decision Number D240122MEM)

Members reviewed the Infrastructure Funding Statement 2023/24 which set out the infrastructure delivery and contributions collected by the Borough Council, allocations made within the monitoring period, projects delivered within the relevant period and new agreements entered into. Contributions agreed over the 2023/24 period were also outlined.

The Borough Council had a statutory requirement under the Community Infrastructure Levy Regulations 2010 (Regulation 121A) to publish an annual Infrastructure Funding Statement (IFS) by the end of December each year. The purpose of the IFS was to provide a summary of all financial and non-financial developer contributions.

Reference was made to the lack of a mechanism for Tonbridge to have an infrastructure statement and a different approach on how these

funding requests could be put forward would be considered in discussion with Members and the Tonbridge Community Forum.

**\*RECOMMENDED:** That:

- (1) the Infrastructure Funding Statement and associated documents be endorsed; and
- (2) the Infrastructure Funding Statement be approved for publication by the end of December 2024.

**\*Decision taken by Cabinet Member**

**HP 24/47 AUTHORITY MONITORING REPORT 2023-24**

(Decision Number D240123MEM)

The report outlined the Borough Council's latest Authority Monitoring Report (AMR) (attached as Annex 1), which reviewed the effectiveness of the organisations planning policies and helped to ensure that progress was being made towards achieving the objectives as set out in the suite of Adopted Development Plan documents. The AMR was a statistical document to help guide the direction of travel for future corporate and planning policy.

Members noted that the AMR covered the previous financial year due to the period for data collection and reported on the period 2023/24. The last AMR was published by Tonbridge and Malling in 2017 and this version sought to provide an up-to-date consideration of the effectiveness of policies as well as progress in preparing planning documents as set out in the Local Development Scheme and actions taken in relation to the duty to cooperate.

**\*RECOMMENDED:** That:

- (1) the Authority Monitoring Report for the period 2023/24 be endorsed;
- (2) the Authority Monitoring Report for the period 2023/24 be approved for publication by the end of December 2024.

**\*Decision taken by Cabinet Member**

## **MATTERS SUBMITTED FOR INFORMATION**

### **HP 24/48 UPDATE ON HOMELESSNESS AND TEMPORARY ACCOMMODATION ACTION PLAN**

Following a consultancy review of the homelessness and temporary accommodation service at the end of 2023, a number of actions were recommended and an Action Plan (attached at Annex 1) developed to monitor progress.

Members noted the good progress being made, with only 4 actions remaining to be started, and the positive changes outlined in 5.2 of the report. It was intended that all actions would be completed by 31 March 2025. However, it was also noted that the work related to improving opportunities to access the private rented sector to facilitate move-on and discharge of duties would be championed by the proposed new Accommodation Team which it was hoped would be established early in 2025.

### **HP 24/49 WORK PROGRAMME 2025**

The Work Programme setting out matters to be scrutinised during 2025 was attached for information. Members were invited to suggest future matters by liaising with the Chair of the Committee.

### **HP 24/50 CONSIDERATION OF MATTER IN PUBLIC**

Before consideration of the Local Nature Recovery Strategy report, which was identified as Private in accordance with LGA 1972 Sch 12A Paragraph 3 – Financial or business affairs of any particular person, Councillor Thornewell proposed that the matter be discussed in public as the report did not contain exempt information and it was in the public interest to have the matter heard in public. This was seconded by Cllr Bridge and supported by the majority of the Committee.

Subsequent to the meeting, the report of the Cabinet Member for Planning and Director of Planning, Housing and Environmental Health was made public.

### **HP 24/51 LOCAL NATURE RECOVERY STRATEGY**

(Decision Number D240123MEM)

Kent County Council was commencing its pre-consultation review of the Kent and Medway Local Nature Recovery Strategy. The review was to determine whether the relevant authorities, including Tonbridge and Malling Borough Council, were content for the public consultation to proceed. If no objections were received by the end of the 28-day period,

commencing 14 November and ending on 12 December, it would be determined that public consultation could go ahead.

**\*RECOMMENDED:** That:

- (1) the purpose and content of the draft Kent and Medway Local Nature Recovery Strategy be noted;
- (2) confirmation be given to Kent County Council that the Borough Council supported proceeding to public consultation; and
- (3) the Borough Council's response be delegated to the Director of Housing, Planning and Environmental Health, in consultation with the Cabinet Member for Planning.

**\*Decision taken by Cabinet Member**

### **MATTERS FOR CONSIDERATION IN PRIVATE**

#### **HP 24/52 EXCLUSION OF PRESS AND PUBLIC**

The Chair moved, it was seconded and

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

### **MATTERS FOR RECOMMENDATION TO CABINET**

#### **HP 24/53 PROPOSED LEASE OF RESIDENTIAL APARTMENTS IN TONBRIDGE FOR USE AS TEMPORARY ACCOMMODATION**

(Reasons: Private – LGA 1972 Sch12A Paragraph 3 – Financial or business affairs of any particular person)

Consideration was given to the proposal to lease a total of 19 residential apartments in the High Street, Tonbridge to serve as temporary accommodation in line with the Borough Council's adopted Housing Strategy.

Details of the terms of the lease and costs assumed in the financial modelling were set out in 5.5 and 7.3 of the report.

On the grounds that the ongoing costs associated with providing temporary accommodation was one of the Borough Council's most challenging financial issues, the Committee supported the proposal. However, during the discussion Members asked that an 'option to buy' clause be tested with the freeholder.

**\*RECOMMENDED:** That

- (1) the terms of the lease for 19 residential apartments in the High Street, Tonbridge to serve as temporary accommodation, as set out in the report, be approved; and
- (2) the one-off setup costs and tax liability to be funded from an appropriate budget to be identified in liaison with Finance Services be agreed.

**\*Recommended to Cabinet**

The meeting ended at 10.00 pm  
having started at 6.50 pm



# **TONBRIDGE AND MALLING BOROUGH COUNCIL**

## **AREA 2 PLANNING COMMITTEE**

### **MINUTES**

**Wednesday, 4th December, 2024**

**Present:** Cllr W E Palmer (Chair), Cllr C Brown (Vice-Chair), Cllr B Banks, Cllr R P Betts, Cllr M D Boughton, Cllr P Boxall, Cllr M A Coffin, Cllr S Crisp, Cllr Mrs T Dean, Cllr S A Hudson, Cllr J R S Lark, Cllr R V Roud, Cllr K B Tanner, Cllr Mrs M Tatton and Cllr M Taylor

**In attendance:** Councillor D Thornewell was also present pursuant to Council Procedure Rule No 15.21.

**Virtual:** Councillors Mrs S Bell and Mrs A S Oakley participated via MS Teams in accordance with Council Procedure Rule No 15.21.

An apology for in-person attendance was received from Councillor D Harman who participated via MS Teams in accordance with Council Procedure Rule No 15.21.

### **PART 1 - PUBLIC**

#### **AP2 24/38 DECLARATIONS OF INTEREST**

For reasons of transparency, Councillors M Tatton and R Roud made a declaration on the grounds of being Parish Councillors of the East Malling and Larkfield Parish Council, a beneficiary of the developer contributions to arise from the proposed development which however was not of their prior knowledge, regarding application TM/23/03060 (Land west of Stickens Lane, Mill Street and southwest of Clare Lane, East Malling).

#### **AP2 24/39 MINUTES**

**RESOLVED:** That the Minutes of the meeting of the Area 2 Planning Committee held on 30 October 2024 be approved as a correct record and signed by the Chairman.

#### **AP2 24/40 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 24/41 TM/21/00881/OA - MOD LAND SOUTH OF DISCOVERY DRIVE, KINGS HILL, WEST MALLING**

The Committee were advised that this item had been withdrawn from the agenda and deferred to the extraordinary meeting of the Committee on 12 December 2024.

**AP2 24/42 TM/23/03060 - LAND WEST OF STICKENS LANE, MILL STREET AND SOUTHWEST OF CLARE LANE, EAST MALLING**

Outline Application: The erection of up to 150 dwellings (including affordable housing) with public open space, landscaping, sustainable drainage system (SuDS) and vehicular access point. All matters reserved except for means of access.

Due regard was given to the determining issues and conditions as detailed in the report of the Director of Planning, Housing and Environmental Health, with particular attention given to the concerns raised by the public speakers and due consideration given to the Borough Council's latest housing land supply position (3.97 years) against the five-year housing land supply requirement set by the Government. In addition, general comments were made in respect of the NHS Integrated Care Board liaising closely with GP practices to ensure mitigation measures were put in place to address the additional pressures on local general practice services resulting from the increase in patient numbers arising from new developments.

**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.

In accordance with Council Procedure Rule 8.6, Part 4 (Rules) of the Constitution, Councillors Banks, Boxall, Dean, Roud and Tatton requested that it be recorded in the Minutes that they had voted against approval of the planning application.

[Speakers: Mr P Jordan, Mr G James, Mrs K Jordan, Mr M Steward, Ms S Lang, Ms L Batty, Mr J Blount, Mr I Storr, Ms J Ostermeyer (members of the public) and Ms A Aldridge (on behalf of the Applicant) addressed the Committee in person]

**AP2 24/43 TM/24/00927/PA - ROTARY HOUSE, NORMAN ROAD, WEST MALLING**

The Committee were advised that this item had been withdrawn from the agenda and deferred to the extraordinary meeting of the Committee on 12 December 2024.

**AP2 24/44 TM/24/00078/PA - 119 LAND SOUTH OF WINDMILL HILL, WROTHAM HEATH, SEVENOAKS**

Removal of soil bund and erection of 1x 3 bedroom detached dwelling with associated parking and landscaping.

Due regard was given to the determining issues detailed in the report of the Director of Planning, Housing and Environmental Health, with particular attention given to whether the financial position of the Wrotham Heath Golf Club (the Applicant) and the purpose of the development met the definition of 'very special circumstances' to demonstrate that the potential benefit of the development would outweigh the harm to the Green Belt and other harm resulting from this development.

**RESOLVED:** That planning permission be REFUSED for the following reasons:

1. The site lies within the Green Belt where there is a strong presumption against inappropriate development, as defined in Chapter 13 of the National Planning Policy Framework. The proposal would introduce a new building on land not previously developed and therefore would fall outside the scope of paragraph 154 g) of the NPPF relating to limited infilling and partial and complete redevelopment of previously developed land. It would constitute inappropriate development, by definition, harmful to the Green Belt and would not be permitted other than in very special circumstances. The additional bulk and massing resulting from this development would not only erode the sense of openness in both visual and spatial terms but also undermine the ability of the application site to assist in safeguarding the countryside from encroachment. There are no other considerations that could clearly and demonstrably outweigh the harm to the Green Belt and other harm arising from this development. To permit the development proposal would thus give rise to a significant conflict with Policy CP3 of the Tonbridge and Malling Borough Core Strategy 2007 and Chapter 13 of the National Planning Policy Framework 2023.
2. The development proposal by reason of its scale and siting would result in the loss of trees forming part of an ancient woodland identified in the NPPF as an irreplaceable habitat and in the MDEDPD as a local wildlife site. The failure to retain a minimum

of 15m buffer zone as per the relevant standing advice would put further pressure on and creating conflict between the remaining habitat and the proposed development, detrimental to the biodiversity and integrity of the ancient woodland. Moreover, the supporting documents fail to give adequate consideration to the development impact on protected and priority species and consequently to formulate appropriate mitigation and compensation measures reasonably necessary to make this development policy compliant. These shortcomings would collectively give rise to a significant adverse impact on the ancient woodland and biodiversity of the site surroundings and would put protected and priority species at risk of disturbance contrary to Policies NE2, NE3 and NE4 of the Managing Development and the Environment Development Plan Document 2008 and Chapter 15 of the National Planning Policy Framework 2023.

3. The proposal would result in an overtly domestic form of development within a rural countryside location which would appear as an incongruous and intrusive built form, detrimental to the prevailing character and appearance of the countryside and the wider landscape. To permit the development would therefore be contrary to Policy CP24 of the Tonbridge and Malling Borough Core Strategy 2007 and paragraph 180 of the National Planning Policy Framework 2023.

[Speakers: Mr N Hart (member of the public) and Mr I Sayer (Applicant) addressed the Committee in person]

#### **AP2 24/45 PLANNING APPEALS, PUBLIC INQUIRIES AND HEARINGS**

The report setting out updates in respect of planning appeals, public inquiries and hearings held since the last meeting of the Planning Committee was received and noted.

#### **AP2 24/46 EXCLUSION OF PRESS AND PUBLIC**

There were no items considered in private.

The meeting ended at 10.03 pm  
having commenced at 6.30 pm  
with a break between 8.02 pm and 8.12 pm

## **TONBRIDGE AND MALLING BOROUGH COUNCIL**

### **CABINET**

### **MINUTES**

**Tuesday, 10th December, 2024**

**Present:** Cllr M D Boughton (Chair), Cllr M A Coffin, Cllr D Keers and Cllr K B Tanner

Cllrs L Athwal\*, M A J Hood\*, W E Palmer\* and M R Rhodes\* were also present pursuant to Access to Information Rule No 23.

Apologies for in-person attendance were received from Councillors R P Betts and M Taylor. However, they both participated via MS Teams.

(\*participated via MS Teams)

### **PART 1 - PUBLIC**

#### **CB 24/119 DECLARATIONS OF INTEREST**

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

#### **CB 24/120 MINUTES**

**RESOLVED:** That the Minutes of the meeting of the Cabinet held on 12 November 2024 be approved as a correct record and signed by the Chairman.

### **DECISIONS TAKEN IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION**

#### **EXECUTIVE KEY DECISIONS**

#### **CB 24/121 REVIEW OF FEES AND CHARGES 2025/26**

(Decision Notice D240127CAB)

Consideration was given to recommendation FRP 24/22 of the Finance, Regeneration and Property Scrutiny Select committee of 19 November 2024 in respect of fees and charges for the provision of legal costs, photocopying charges, street name and numbering, land charges, Tonbridge Castle, events on open spaces, billboards and banners and Council Tax and Business Rates court costs with effect from 1 April 2025.

Cabinet had due regard to the views of the Scrutiny Select Committee, the financial and value for money considerations and legal implications and recognised that in bringing forward the charging proposals for 2025/26 consideration had been given to a range of factors including the Borough Council's overall financial position, market position, trading patterns and the current rate of inflation and customer feedback.

**RESOLVED:** That

- (1) the proposed charges for legal costs, as set out in 5 of the report, be approved with effect from 1 April 2025;
- (2) the current photocopying charges of £0.10 (inclusive of VAT) for each page of the same document or additional copies of the same page plus postage as appropriate, as set out in 5.2 of the report, be retained;
- (3) the Fee Schedule for Street Naming and Numbering, as set out in 5.3 of the report, be rounded up to nearest £10 and adopted with effect from 1 April 2025;
- (4) the proposed scale of fees for local land charges searches and enquiries, as set out in 5.4 of the report, be adopted with effect from 1 April 2025;
- (5) the proposed fees and charges for 2025/26 related to Tonbridge Castle, as set out in 5.5 of the report, be approved with effect from 1 April 2025;
- (6) the proposed fees and charges for 2025/26 related to Open Spaces, as set out in 5.6 of the report, be approved;
- (7) authority be delegated to the Director of Central Services and Deputy Chief Executive to negotiate fees for individual commercial events on Council-owned land;
- (8) the proposed fees and charges for 2025/26 related to Billboards and Banners, as set out in 5.9 of the report, be approved; and
- (9) the amount of costs charged in 2025/26 to recover unpaid council tax and business rates debts remain at the 2024/25 levels, as set out in 5.10 of the report.

**CB 24/122 REVIEW OF FEES AND CHARGES FOR DISCRETIONARY PLANNING SERVICES**

(Decision Notice D240128CAB)

Consideration was given to recommendation HP 24/40 of the Housing and Planning Scrutiny Select Committee of 3 December 2024 in respect of fees and charges for discretionary planning services.

Cabinet had due regard to the views of the Scrutiny Select Committee, the financial and value for money considerations and legal implications and recognised that in bringing forward the charging proposals for 2025/26 consideration had been given to a range of factors including the Borough Council's overall financial position, market position, trading patterns and the current rate of inflation and customer feedback.

**RESOLVED:** That

- (1) the updated Pre-application Charging Fee Schedule 2025/26 (attached at Annex 1) be adopted;
- (2) the updated Building Control Fee Schedule 2025/26 (attached at Annex 2) be adopted;
- (3) the updated High Hedges Fees (an increase to £540) as set out in paragraph 5.12 be adopted;
- (4) the updated charging fees for s106 monitoring and compliance (representing an increase to £460 for each obligation contained in the agreement) as set out 5.17-20 be adopted;
- (5) the updated Planning Performance Agreement template (attached at Annex 3) be included as a new Annex 1 to the PPA Protocol;
- (6) the updated Planning Performance Agreement charging schedule (attached at Annex 4) be adopted; and
- (7) the above proposed fees and charges be implemented with effect from 1 April 2025.

**CB 24/123 HMO AND CARAVAN SITE LICENSING FEE CHARGES FOR 2025/26**

(Decision Notice D240129CAB)

Consideration was given to recommendation HP 24/41 of the Housing and Planning Scrutiny Select Committee of 3 December 2024 in respect of fees and charges for HMOs and licensing of caravans with effect from 1 April 2025.

Cabinet had due regard to the views of the Scrutiny Select Committee, the financial and value for money considerations and legal implications and recognised that in bringing forward the charging proposals for 2025/26 consideration had been given to a range of factors including the Borough Council's overall financial position, market position, trading patterns and the current rate of inflation and customer feedback.

**RESOLVED:** That

- (1) the proposed fee for licensing of HMOs (representing an increase of 3.5%) as detailed in 5.1.6 of the report be approved;
- (2) the proposed fee for caravan sites for permanent residential use (representing an increase of 3.5%) as detailed in 5.2.3 the report be approved
- (3) the proposed fees be implemented from 1 April 2025

### **EXECUTIVE NON-KEY DECISIONS**

#### **CB 24/124 LOCAL PLAN ENGAGEMENT STRATEGY AND ESTIMATED LOCAL PLAN BUDGET**

(Decision Notice D240130CAB)

Consideration was given to recommendation HP 24/42 of the Housing and Planning Scrutiny Select Committee of 3 December 2024 in respect of the Local Plan Engagement and Consultation Strategy.

Cabinet had due regard to the views of the Scrutiny Select Committee, the financial and value for money considerations and the legal implications and supported the commitment to regular dialogue with parish/town councils and communities via the Parish Partnership Panel and the Tonbridge Community Forum, welcomed the use of consultation/drop-in sessions; virtual exhibitions; a digital consultation platform and digital maps and recognised the benefits of collecting information on-line for easier assessment.

**RESOLVED:** That

- (1) the Local Plan Engagement and Consultation Strategy (attached at Annex 1) be approved;
- (2) the Engagement Programme (attached at Annex 2) be endorsed; and
- (3) the updates provided in relation to the Local Plan, including the likely increase in the annual budget allocation to the Local Plan



reserve that would be required to progress a Local Plan under a revised National Planning Policy Framework be noted.

## **CB 24/125 DATA PROTECTION POLICY**

(Decision Notice D240131CAB)

The report of the Cabinet Member for Finance and Housing and the Director of Central Services presented an updated Data Protection Policy for approval.

Consideration was given to the draft Policy, attached at Annex 1, which set out how the Borough Council intended to perform its statutory responsibilities and duties under the provisions of the UK GDPR and the Data Protection Act 2018.

**RESOLVED:** That

- (1) the Data Protection Policy (attached at Annex 1) be approved; and
- (2) the approved Data Protection Policy be published to the Borough Council's website.

## **CB 24/126 COMMUNITY GRANT SCHEME**

(Decision Notice D240132CAB)

Consideration was given to a proposed 50<sup>th</sup> Anniversary Community Grant Scheme as detailed in the report of the Cabinet Member for Community Services and the Chief Executive.

The grant guidelines, criteria and application process were set out in Annexes 1 and 2.

Over recent years the Borough Council had delivered two Community Development Grant Schemes using income provided by the UK Shared Prosperity Fund (UKSPF) which had been oversubscribed. This illustrated a local need for funding of smaller organisations and charities to enable them to deliver projects and support services that helped residents.

At the present time, there was no firm commitment for any future round of UKSP funding for 2025/26 or beyond. However, the Borough Council had agreed a sum of £87,000 to be allocated to support a one-off 50-year anniversary grant scheme. It was recommended that £50,000 be allocated to the Anniversary Grant Scheme with a further £37,000 ringfenced to support further community initiatives in 2025/26, potentially including phase 2 of the borough wide Community Enforcement Team pilot.

Cabinet had due regard to the financial and value for money considerations and the legal implications and welcomed the proposal for a one-off grant to coincide with the 50<sup>th</sup> anniversary year of the Tonbridge and Malling Borough Council.

**RESOLVED:** That

- (1) a 50<sup>th</sup> Anniversary Community Grant Scheme be launched with a budget of £50,000 with effect from 2 January 2025;
- (2) the Grant guidelines, criteria and application process, as set out in Annexes 1 and 2 be endorsed; and
- (3) £37,000 be ringfenced to support further community initiatives in 2025/26, including potentially phase 2 of the borough wide Community Enforcement Team Pilot.

### **CB 24/127 REVIEW OF TONBRIDGE COMMUNITY FORUM AND PARISH PARTNERSHIP PANEL**

(Decision Notice D240133CAB)

Consideration of recommendation OS 24/50 of the Overview and Scrutiny Committee of 14 November 2024 in respect of the operation of the Tonbridge Community Forum.

Cabinet had due regard to the views of the Committee, the financial and value for money considerations and legal implications and noted that there was a preference for in-person meetings with greater input from community groups and a more collaborative approach.

A preference for meetings to be held at the Tonbridge Methodist Church for a trial period to reduce costs associated with room hire and provision of audio-visual support was also noted. To provide clarity around open discussion (as set out in recommendation (3)) Cllr Boughton proposed that the words 'on that item' be added. This was seconded by Cllr Coffin and supported unanimously by Cabinet.

The views of the Parish Partnership Panel of 21 November 2024 would be considered by the Overview and Scrutiny Committee in due course.

**RESOLVED:** That

- (1) the venue for Tonbridge Community Forum be moved to Tonbridge Methodist Church on a trial basis for all meetings in 2025;
- (2) all Meetings of the Tonbridge Community Forum be held in person on a trial basis in 2025;

- (3) following a topic or item raised at Tonbridge Community Forum a section should be dedicated to open discussion on that item to provide an opportunity for all members to discuss and respond to the matter; and
- (4) it be noted that the views of the Parish Partnership Panel would be considered by the Overview and Scrutiny Committee in due course.

### **CB 24/128 PROCUREMENT STRATEGY**

(Decision Notice D240134CAB)

Consideration was given to recommendation FRP 24/23 of the Finance, Regeneration and Property Scrutiny Select Committee of 19 November 2024 in respect of a draft Procurement Strategy.

Cabinet had due regard to the views of the Scrutiny Select Committee, the financial and value for money considerations and the legal implications and recognised that the Strategy not only ensured that best value from Borough Council contracts was achieved but mitigated the level of risk related to procurement on the Corporate Risk Register.

In addition, it was reported that Member training on procurement issues would be arranged, an action plan would be developed and an annual report on progress being made on procurement would be presented to the Audit Committee.

**RESOLVED:** That

- (1) the draft Procurement Strategy, attached at Annex 1, be adopted; and
- (2) the Borough Council's list of contractors be made available to parish/town councils.

### **CB 24/129 DEBT COLLECTION PRACTICES - POTENTIAL PILOT WITH REACHOUT**

(Decision Notice D240135CAB)

Consideration of recommendation FRP 24/24 of the Finance, Regeneration and Property Scrutiny Select Committee of 19 November 2024 in respect of debt collection practices and the challenging financial position faced by many residents.

Cabinet had due regard to the views of the Scrutiny Select Committee, the financial and value for money considerations and the legal implications and supported the proposal for a pilot scheme to be

commissioned with ReachOut to engage with residents struggling with debt.

**RESOLVED:** That

- (1) a pilot scheme of up to 500 cases be approved and ReachOut be commissioned to engage with residents struggling with debt, as set out in 7 of the report, and reconnect those residents with the Borough Council's teams in order to resolve their debts;
- (2) a review of the Corporate Debt Recovery Policy be approved to reflect the more challenging financial position of residents; and
- (3) a statement be made highlighting the positive actions being taken by the Borough Council to engage with residents and re-emphasising that referrals to bailiffs were only done as a last resort and that a reduction in the need to use bailiffs would be targeted.

**CB 24/130 TREE PROTOCOL UPDATE**

(Decision Notice D240136CAB)

Consideration was given to recommendation HP 24/43 of the Housing and Planning Scrutiny Select Committee of 3 December 2024 in respect of options to address the backlog in dealing with Tree Preservation Order (TPO) requests.

Cabinet had due regard to the views of the Scrutiny Select Committee, the financial and value for money considerations and the legal implications. Whilst supportive of the recommendation to engage an external consultant (as detailed in Option A) Cabinet were mindful that an estimated one-off cost of £29,000 funding had yet to be identified.

On the grounds of reducing the backlog and providing an effective and efficient service, Cllr Boughton proposed, seconded by Cllr Tanner that the estimated cost of £29,000 be built into the forward estimates for 2025/26 as a one-off cost.

**RESOLVED:** That

- (1) a consultant be sought to work on reducing the backlog of Tree Preservation Order requests (Option A), as detailed in 5.3 – 5.7 of the report; and
- (2) the estimated cost of £29,000 be built into the forward estimates for 2025/26 as a one-off cost.

**MATTERS SUBMITTED FOR INFORMATION****CB 24/131 DECISIONS TAKEN BY CABINET MEMBERS**

Details of the Decisions taken in accordance with the rules for the making of decisions by executive members, as set out in Part 4 of the Constitution, were presented for information.

**CB 24/132 NOTICE OF FORTHCOMING KEY DECISIONS**

The Notices setting out Key Decisions anticipated to be taken during December to January 2024/25 and January to February 2026 were noted.

**CB 24/133 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****EXECUTIVE KEY DECISION****CB 24/134 PROPOSED LEASE OF RESIDENTIAL APARTMENTS IN TONBRIDGE FOR USE AS TEMPORARY ACCOMMODATION**

(Reasons: Private – LGA 1972 Sch12A Paragraph 3 – Financial or business affairs of any particular person)

(Decision Notice D240137CAB)

Consideration was given to recommendation HP 24/53 of the Housing and Planning Scrutiny Select Committee of 3 December 2024 in respect of a proposed lease of residential apartments for use as temporary accommodation in Tonbridge.

Cabinet had due regard to the views of the Scrutiny Select Committee, the financial and value for money considerations and the legal implications. The details of the terms of the lease and costs assumed in the financial modelling set out in 5.5 and 7.3 of the report to the Scrutiny Select Committee were also noted.

On the grounds that the ongoing costs associated with providing temporary accommodation was one of the Borough Council's most challenging financial issues, the Cabinet supported the recommendation.

With regard to a request to pursue an 'option to buy' clause as part of the lease arrangement the freeholder had indicated an unwillingness to progress this course of action.

**RESOLVED:** That

- (1) the terms of the lease for 19 residential apartments in the High Street, Tonbridge to serve as temporary accommodation, as set out in the report, be approved; and
- (2) the one-off setup costs and tax liability to be funded from an appropriate budget to be identified in liaison with Finance Services be agreed.

The meeting ended at 8.02 pm

# **TONBRIDGE AND MALLING BOROUGH COUNCIL**

## **AREA 2 PLANNING COMMITTEE**

### **MINUTES**

**Thursday, 12th December, 2024**

**Present:** Cllr W E Palmer (Chair), Cllr C Brown (Vice-Chair), Cllr B Banks, Cllr M D Boughton, Cllr P Boxall, Cllr S Crisp, Cllr Mrs T Dean, Cllr S A Hudson, Cllr R V Roud, Cllr K B Tanner, Cllr Mrs M Tatton and Cllr M Taylor

**In attendance:** Councillor D Thornevell was also present pursuant to Council Procedure Rule No 15.21.

**Virtual:** Councillors D Keers and Mrs A S Oakley participated via MS Teams in accordance with Council Procedure Rule No 15.21.

An apology for in-person attendance was received from Councillor D Harman who participated via MS Teams in accordance with Council Procedure Rule No 15.21. Apologies for absence were received from Councillors R P Betts, M A Coffin and J R S Lark.

### **PART 1 - PUBLIC**

#### **AP2 24/47 DECLARATIONS OF INTEREST**

For reasons of transparency, Councillor Mrs M Tatton advised that she was the Parish Clerk for Teston Parish Council who were one of the consultees on application TM/21/00881/OA (MOD Land South of Discovery Drive, Kings Hill, West Malling). However, as she had not been involved in any decision making regarding the Parish Council's response, this did not represent either a Disclosable Pecuniary or Other Significant Interest and there was no requirement for her to withdraw from the meeting or to not participate in the debate.

#### **AP2 24/48 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 24/49 TM/21/00881/OA - MOD LAND SOUTH OF DISCOVERY DRIVE,  
KINGS HILL, WEST MALLING**

Outline Application: Development of up to 65 dwellings (all matters reserved other than access).

Due regard was given to the determining issues and conditions as detailed in the report of the Director of Planning, Housing and Environmental Health, with particular attention given to the concerns raised by the public speakers and due consideration given to the Borough Council's latest housing land supply position and the fact that the proposed development was within a designated allocated site (known as 'f – Kings Hill') as defined in Policy H1 of the Development Land Allocations DPD (April 2008). In addition, clarification was sought in respect of provision within the developer contributions, as part of the Section 106 agreement, towards the NHS Integrated Care Board.

It was proposed by Councillor K Tanner, seconded by Councillor C Brown that the application be refused on grounds relating to the size and means of access, impact on the adjacent Ancient Woodland and impact on the character and appearance of the area and visual amenity of the locality. In order to seek legal advice and on the grounds of maintaining legal professional privilege, the Committee agreed to move into Part 2 to consider exempt information in private before returning to Part 1 to resume the meeting in public. Following a formal vote, this motion was defeated.

**RESOLVED:** That planning permission be GRANTED subject to:

- (1) the applicant entering into a legal agreement in respect of:
  - 40% affordable housing
  - Off-site open space provision
  - Education provision, community facilities and services (Kent County Council Economic Development)
  - Off-Site BNG and monitoring
- (2) the submitted details, conditions, reasons and informatives set out in the report of the Director of Planning, Housing and Environmental Health; and
- (3) authority being delegated to the Director of Planning, Housing and Environmental Health to further investigate and establish the provision within the developer contributions towards the NHS Integrated Care Board, as part of the Section 106 agreement.



[Speakers: Cllr A Petty (on behalf of Kings Hill Parish Council), Mr I Farrington, Mr M Jones, Mrs W Rush, Mr N Hartnup, Mr N Hart, Mr K Murphy, Ms K Bell, Mr F McLymont, Ms J Timon, Mr D Rush, (Name withheld), (Name withheld), Mrs K Cockrill, Mr P Cockrill (members of the public) and Mr D Pope (on behalf of the Applicant) addressed the Committee in person.]

**AP2 24/50 TM/24/00927/PA - ROTARY HOUSE, NORMAN ROAD, WEST MALLING**

The Committee were advised that this item had been withdrawn from the agenda.

**AP2 24/51 EXCLUSION OF PRESS AND PUBLIC**

There were no items considered in private.

The meeting ended at 9.49 pm  
having commenced at 6.37 pm



**TONBRIDGE AND MALLING BOROUGH COUNCIL**

**RECORD OF EXECUTIVE NON-KEY DECISION**

<b>Decision Taken By:</b> Cabinet Member for Climate Change, Regeneration and Property	<b>Decision Number:</b> D240101MEM
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**Date: 1 November 2024**

<b>Decision(s) and Reason(s)</b>
<b>Gibson East Refurbishment – Approval of Tender Route</b>
Following consideration of the options as set out in the attached Briefing Note, the Cabinet Member for Climate Change, Regeneration and Property <b>RESOLVED</b> that:  (1) the Gibson East refurbishment project be procured via a two stage open tender route.
<b>Reasons for decision:</b>  By undertaking a two stage open tender route the market will be tested to ensure value for money is being obtained.

Signed Cabinet Member for Climate Change, Regeneration and Property:	R Betts
Signed Leader:	M Boughton
Signed Chief Executive:	D Roberts
Date of publication:	8 November 2024

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: D240102CAB**

**Decision Type: Non-Key**

**Date: 12 November 2024**

**Decision(s) and Reason(s)**

**Key Performance Indicators - Quarter 1**

The report and annexes provided data on Key Performance Indicators (KPIs) that were aligned to the Corporate Strategy 2023-2027 and monitored on a quarterly or annual basis. Within the report, consideration was also given to a review of the KPIs and performance management more generally, setting out a number of measures which could help contribute towards embedding a culture of Performance Management and the creation of a more efficient and stream-lined approach to KPIs.

The KPIs provided at Annex 1, with the data for April – June 2024 (Q1) represented the most up-to-date available statistics in most instances, However, due to the lag in some statistics the previous quarter still represented the most up to date figures.

Cabinet noted the positive quarterly trends that could be identified and those areas of focus. Particular reference was made to the drop in recycling rates and the increase in the number of fly tipping incidents and noted that the procurement of a longer-term solution for the delivery of fly tipping and litter enforcement should result in a positive direction of travel.

**RESOLVED:** That

- (1) the report, be noted;
- (2) the targets associated with the KPIs as referred to in 5.1 and set out in Annex 1, be agreed; and
- (3) the proposed solutions arising from the review of performance management as set out in Section 6, be agreed.

Reasons: As set out in the report submitted to Cabinet of 12 November 2024.

Signed Leader: M Boughton

Signed Chief Executive: D Roberts

Date of publication: 14 November 2024

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: D240103CAB**

**Decision Type: Key**

**Date: 12 November 2024**

**Decision(s) and Reason(s)**

**Housing Allocations Scheme - Amendment**

The Housing Allocations Scheme set out how the Council would assess and prioritise applications made for social housing in the district and ensured that only those who had a need for affordable housing, and a local connection to the area were prioritised. Following the launch of the new Housing Allocations Scheme in June 2023, a one-year post implementation review had been completed and some amendments made in line with ongoing feedback and experience.

The report of the Director of Housing, Planning and Environmental Health asked that consideration be given to these amendments and agreement was sought to entering a period of engagement with the Council's registered providers, and then make and implement any amendments. A list of key proposed amendments was set out at paragraph 3.1 of the report.

Cabinet had due regard to the financial and value for money considerations and the legal implications and recognised that if the current Scheme were not amended and continued to operate as it was, this might lead to the Council being open to challenge and not meeting the needs of applicants if the Scheme were not kept under review.

**RESOLVED:** That

- (1) a period of engagement on the amendments to the Housing Allocation Scheme set out at 3.1 of the report, be entered into with the Council's registered providers; and
- (2) authority be delegated to the Director of Planning, Housing and Environmental Health in consultation with the Cabinet Member for Finance and Housing to agree the final revised Housing Allocations Scheme once feedback from the engagement phase has been considered.

Reasons: As set out in the report submitted to Cabinet of 12 November 2024.

Signed Leader: M Boughton

Signed Chief Executive: D Roberts

Date of publication: 14 November 2024

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: D240104CAB**  
**Decision Type: Key**  
**Date: 12 November 2024**

**Decision(s) and Reason(s)**

**Review of Fees and Charges - Communities and Environment**

Consideration was given to recommendation CE 24/35 of the Communities and Environment Scrutiny Select Committee of 6 November 2024 in respect of proposed fees and charges for garden waste subscriptions, household bulky refuse and fridge/freezer collections, 'missed' refuse collections, stray dog redemption fees, Tonbridge Allotments, Tonbridge Cemetery, pest control, food certificates, contaminated land monitoring and private water supplies from 1 April 2025.

Due regard was given to the set of guiding principles for the setting of fees and charges, the legal, financial and value for money implications, together with the views expressed by the Scrutiny Select Committee. The fees and charges applied by neighbouring authorities were also given careful consideration.

Consideration was given to reducing the annual garden waste subscription for those in receipt of benefits and it was recognised that this was a discretionary service that was facing significant increases in cost, that the proposed subscription price was broadly consistent with the price in other Councils across Kent, that the service represented good value for money, and that residents had a choice regarding taking up a subscription.

**RESOLVED:** That

- (1) the proposed annual garden waste subscription of £63 per annum for the first bin and £40 for a second or third bin, as recommended by the Communities and Environment Scrutiny Select Committee, be approved;
- (2) the schedule of proposed charges for household bulky refuse and fridge/freezer collection service as set out in 15.2.6 of the report, be approved;
- (3) the proposed charge for "missed" refuse collection as set out in 5.3.3 of the report, be approved;
- (4) the schedule of proposed charges in respect of Stray Dog redemption service, as set out in 5.4.4 of the report, be approved;
- (5) the charging structure for Tonbridge Allotment as set out in 5.5.2 of the report, be noted and endorsed;
- (6) the schedule of proposed charges for Tonbridge Cemetery as set out in Annex 1 and 5.6.2 of the report, be approved;



- (7) the proposed continuation of the pest control subsidy for residents in receipt of Council Tax Reduction Scheme as set out in 5.7.1 of the report be approved;
- (8) the proposed charge for condemned food certificates as set out in 5.8.2 of the report, be approved;
- (9) the proposed charge for exported food certificates as set out in 5.9.4 of the report, be approved;
- (10) the proposed charge for provision of services in respect of contaminated land as set out in 5.11.5 of the report, be approved;
- (11) the proposed charge for provision of services in respect of private water supplies as set out in 5.12.5 of the report, be approved; and
- (12) the above proposed scale of charges be implemented from 1 April 2025.

Reasons: As set out in the report submitted to the Communities and Environment Scrutiny Select Committee of 6 November 2024.

Signed Leader: M Boughton

Signed Chief Executive: D Roberts

Date of publication: 14 November 2024

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: D240105CAB**  
**Decision Type: Non-Key**  
**Date: 12 November 2024**

**Decision(s) and Reason(s)**

**Budgetary Control - September 2024**

The report presented the current financial position to the end of September 2024 for the 2024/25 Financial Year, in accordance with the Borough Council's Financial Procedure Rules.

Since a revenue budget of £11,671,480 was set by the Council in February 2024, a number of Cabinet and Committee decisions had been taken (as set out in Annex 1) with a net impact of a slight reduction of £3,192 on the revenue budget.

Budgetary Control Monitoring Statements for Salaries and Incomes to the end of July 2024 were attached for information at Annexes 2 and 3 respectively, which reflected an underspend of £98,600 against the current salary estimates proportioned to the end of September 2024 and an actual which was £15,108 less than the apportioned income estimate for the same period.

With regard to investment income, both Core and Cashflow funds were shown above the proportion of the original estimates due to continued high base rates.

Particular reference was made to capital expenditure to the end of September 2024, detailed in Annex 4, and noted that some of the budget would slip into the 2025/26 financial year due to the Gibson Building Refurbishment project being expected to commence in the new Calendar year.

**RESOLVED:** That

- (1) as at the end of September 2024, a net favourable variance of circa £296,512 when compared to the proportion of the 2024/25 budget as shown in paragraph 9 be noted;
- (2) the potential issues surrounding the impact of the current client levels, cost of temporary accommodation and debt recovery within the revenue budget for Homelessness Accommodation be noted;
- (3) the current business rate pool position, as at the end of September 2024 as set out in paragraph 10, be noted; and
- (4) the current spend on Capital Projects for 2024/25 as set out in paragraph 11, be noted.

Reasons: As set out in the report submitted to Cabinet of 12 November 2024.

Signed Leader: M Boughton

Signed Chief Executive: D Roberts

Date of publication: 14 November 2024

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: D240106CAB**  
**Decision Type: Non-Key**  
**Date: 12 November 2024**

**Decision(s) and Reason(s)**

**Consultant Use at the Council**

Consideration was given to recommendation CE 24/34 of the Overview and Scrutiny Committee of 11 September 2024 in respect of consultant use at the Council.

Cabinet had due regard to the views of the Committee, the financial and value for money considerations and the legal implications and noted that some of the external support provided had resulted in cost savings and efficient project delivery, which would not have been possible without external experts.

With regard to recommendation (6) of the Overview and Scrutiny Committee regarding consultancy spend in excess of £40,000, Cabinet felt that further consideration was needed to ensure that this did not lead to delays in delivery and increased cost.

**RESOLVED:** That

- (1) the information provided in the summary of consultancy spend at Annex 2, be noted;
- (2) further detail about consultancy spend on specific projects be provided to a future meeting of the Committee, with questions to be provided in writing to Officers to enable responses to be prepared;
- (3) the Council be requested to continue to closely manage future use of external experts and an ongoing review of consultant use at the Council be reported to the Overview and Scrutiny Committee on an annual basis;
- (4) officers be requested to continue to look for opportunities to collaborate with other councils; and
- (5) the Council maintain its effectiveness at retaining specialist talent, to reduce the need for external experts going forward.

Reasons: As set out in the report submitted to the Overview and Scrutiny Committee of 11 September 2024.

Signed Leader: M Boughton

Signed Chief Executive: D Roberts

Date of publication: 14 November 2024

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: D240107CAB**  
**Decision Type: Non-Key**  
**Date: 12 November 2024**

**Decision(s) and Reason(s)**

**Risk Management**

Consideration was given to recommendation AU 24/40 of the Audit Committee of 23 September 2024 in respect of risk management process and the Strategic Risk Register (SRR).

Cabinet had due regard to the views of the Committee, the financial and value for money considerations and the legal implications and noted that Management Team had undertaken a review of all the risks contained within the Strategic Risk Register with a view to achieving a more streamlined version, highlighting only the strategic risks to the Council over the one to two year horizon.

The number of 'red' risks on the SRR remained to be 4 as set out below:

- Achievement of Savings and Transformation Strategy
- Failure to agree a Local Plan
- Implementation of the Agile software system
- Contract/Contractor Procurement

**RESOLVED:** That

- (1) the updates to the Strategic Risk Register since the last iteration with particular emphasis on those risks categorised as RED, be noted;
- (2) the lead officer for the Local Plan be requested to attend the next meeting of the Audit Committee should the risk remain RED;
- (3) the progress towards the delivery of recommendations from the Zurich Risk Management Review, be noted; and
- (4) the Chair of the Audit Committee be appointed as the Member 'Risk Champion'.

Reasons: As set out in the report submitted to the Audit Committee of 23 September 2024.

Signed Leader: M Boughton

Signed Chief Executive: D Roberts

Date of publication: 14 November 2024

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: D240108CAB**  
**Decision Type: Non-Key**  
**Date: 12 November 2024**

**Decision(s) and Reason(s)**

**Progress with Recommendations from Auditor's Annual Report (Value for Money) 2022/23**

Consideration was given to recommendation AU 24/41 of the Audit Committee of 23 September 2024 in respect of progress in addressing the recommendations made in the 2022/23 Auditor's Annual Report.

Cabinet had due regard to the views of the Committee, the financial and value for money considerations, noting that the Auditor did not need to carry out any additional work as a result of identifying the two significant weaknesses and therefore no additional fees were accrued. Cabinet also had due regard to the legal implications.

**RESOLVED:** That

- (1) Annex 1 to the report be reviewed and, if appropriate, any further updates provided, be incorporated; and
- (2) the actions and commentary set out in Annex 1 to the report, be endorsed.

Reasons: As set out in the report submitted to the Audit Committee of 23 September 2024.

Signed Leader: M Boughton

Signed Chief Executive: D Roberts

Date of publication: 14 November 2024

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: D240109CAB**

**Decision Type: Key**

**Date: 12 November 2024**

**Decision(s) and Reason(s)**

**Future Operator of the replacement Angel Centre**

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

The report of the Director of Street Scene, Leisure and Technical Services set out a proposal to appoint the Leisure Trust as the future operator of the replacement Angel Centre. The proposal was supported by the Tonbridge Town Centre Programme Board.

Consideration was given to the advantages and disadvantages of agreeing the Trust as the operator of a future leisure/community facility in Tonbridge to replace the existing Angel Centre and noted the recommendation of Alliance Leisure that a future operator be identified soon in the process, so that it could be involved in open participation over future design and operational arrangements.

Cabinet had due regard to the risk assessment, financial and value for money considerations and the legal implications and noted that the benefits of retaining the existing Trust as the nominated operator of a new facility to replace the Angel Centre far outweighed the alternative options.

**RESOLVED:** That the future contractor for the operation of the new replacement Leisure Centre be confirmed as Tonbridge and Malling Leisure Trust.

Reasons: As set out in the report submitted to Cabinet of 12 November 2024 (contains exempt information).

Signed Leader: M Boughton

Signed Chief Executive: D Roberts

Date of publication: 14 November 2024

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: D240110CAB**  
**Decision Type: Key**  
**Date: 12 November 2024**

**Decision(s) and Reason(s)**

**Larkfield Leisure Centre Air Source Heat Pumps and Air Handling Unit Tender**

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

Following a formal tender and evaluation process, the report provided details of the tenders received for the design and installation of air source heat pumps along with replacement air handling unit serving the fitness pool at Larkfield Leisure Centre and recommended an award of the contract.

Cabinet had due regard to the evaluation, the risk assessment, financial and value for money considerations and the legal implications and noted that the majority of the cost of the project was being met from external grant funding and that the successful tender was within the overall approved budget.

**RESOLVED:** That the contract for the design and installation of air source heat pumps and replacement air handling unit serving the fitness pool at Larkfield Leisure Centre be awarded to DMA.

Reasons: As set out in the report submitted to Cabinet of 12 November 2024 (contains exempt information).

Signed Leader: M Boughton

Signed Chief Executive: D Roberts

Date of publication: 14 November 2024

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: D240111CAB**  
**Decision Type: Key**  
**Date: 12 November 2024**

**Decision(s) and Reason(s)**

**Tonbridge Castle Gatehouse - Roof Repair Tender**

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

Following a formal tender and evaluation process, the report provided details of the tenders received for the roof repair work at Tonbridge Castle Gatehouse and recommended an award of the contract.

Cabinet had due regard to the evaluation, the risk assessment, financial and value for money considerations and the legal implications and noted that the cost of the works, fees and contingency fell within the overall project budget.

**RESOLVED:** That the contract to undertake the roof repair works at Tonbridge Castle Gatehouse be awarded to Traditional Stone Restoration.

Reasons: As set out in the report to Cabinet of 12 November 2024 (contains exempt information).

Signed Leader: M Boughton

Signed Chief Executive: D Roberts

Date of publication: 14 November 2024

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: D240112CAB**

**Decision Type: Non-Key**

**Date: 12 November 2024**

**Decision(s) and Reason(s)**

**Medium Term Financial Strategy - Update**

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

The report provided an update on the Medium-Term Financial Strategy (MTFS) having regard to the latest financial issues. The MTFS would continue to be updated as the 2025/26 budget was prepared and therefore the update was treated as an interim update only.

Cabinet had due regard to the legal implications, risk assessment, financial and value for money and policy considerations and noted the changes that had positively contributed to bridging the funding gap since the MTFS was approved by Council in February 2024. In addition, consideration was given to those areas identified causing the increase in the funding gap and to those areas of potential impact on future finances.

**RESOLVED:** That the current position on the Medium-Term Financial Strategy (MTFS), and the areas identified causing the increase in the funding gap, be noted.

Reasons: As set out in the report Cabinet of 12 November 2024 (contains exempt information).

Signed Leader: M Boughton

Signed Chief Executive: D Roberts

Date of publication: 14 November 2024

This decision will come into force and may then be implemented on the expiry of 5 working days after publication unless it is called in.

**TONBRIDGE AND MALLING BOROUGH COUNCIL**

**RECORD OF EXECUTIVE NON-KEY DECISION**

<b>Decision Taken By:</b> Cabinet Member for Finance and Housing	<b>Decision Number:</b> D240113MEM
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**Date: 13 November 2024**

<b>Decision(s) and Reason(s)</b>
<b>APPLICATION FOR REMOVAL OF COUNCIL TAX EMPTY PROPERTY PREMIUM CHARGE</b>
(Reason: LGA 1972 Sch 12A Paragraph 3 Information relating to the financial or business affairs of any particular person (including the authority holding that information))  Following consideration of an application for discretionary relief, the Cabinet Member for Finance and Housing RESOLVED that:  (1) in accordance with the Empty Homes and Second Homes Premium Policy 2024-25, an application to waive the council tax premium charge be REFUSED
<b>Reasons for decision:</b>  Consideration had been given to the taxpayer's circumstances - however, it was felt that they did not warrant a discretionary award to waive the premium charge.  The proposed Government exception to the premium charge regarding actively marketing the property for sale or rent does not come into effect until April 2025. It was felt that difficulties in selling the property (the owner of the inherited property had tried to sell but the chain had collapsed) were not exceptional.  This decision is consistent with a similar application that had been considered and refused earlier this year.

Signed Cabinet Member for Finance and Housing:	<i>K Tanner</i>
Signed Leader:	<i>M Boughton</i>
Signed Chief Executive:	<i>D Roberts</i>
Date of publication:	14 November 2024

This decision will come into force and may then be implemented on the expiry of 5 working days after publication unless it is called in.

**TONBRIDGE AND MALLING BOROUGH COUNCIL**

**RECORD OF EXECUTIVE NON-KEY DECISION**

<b>Decision Taken By:</b> <b>Cabinet Member for Finance and Housing</b>	<b>Decision Number:</b> <b>D240114MEM</b>
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**Date: 12 November 2024**

<b>Decision(s) and Reason(s)</b>
<b>One You Team – Staffing Arrangements</b>
(1) Extend current One You team maternity cover post to 31/3/25; and (2) an estimated cost of £5,569 be funded from the Public Health Reserve.
A reasons report is attached at Annex 1.  Following consideration of the proposal, the Cabinet Member for Finance and Housing RESOLVED that:  (1) The current One You team maternity cover post be extended to 31/3/25; and (2) the estimated cost of £5,569 be funded from the Public Health Reserve.
<b>Reasons for decision:</b>  To ensure continued service delivery and to facilitate future need for maternity cover.

Signed Cabinet Member for Finance and Housing:	<i>Kim Tanner</i>
Signed Leader:	<i>Matt Boughton</i>
Signed Chief Executive:	<i>Damian Roberts</i>
Date of publication:	14 November 2024

This decision will come into force and may then be implemented on the expiry of 5 working days after publication unless it is called in.





**TONBRIDGE AND MALLING BOROUGH COUNCIL**

**RECORD OF EXECUTIVE NON-KEY DECISION**

<b>Decision Taken By:</b> Cabinet Member for Transformation & Infrastructure	<b>Decision Number:</b> D240115MEM
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**Date: 7 November 2024**

<b>Decision(s) and Reason(s)</b>
<b>Award of contract for the provision of litter and fly tipping enforcement activities</b>
<p>Following a review of the current pilot for the enforcement of litter, fly tipping and other waste offences, Members agreed that a longer-term contract arrangement be put in place. As such, officers undertook a formal procurement process using the open tender procedure. This process was administered by the TMT Procurement Partnership and led by the Borough Council's Street Scene Manager.</p> <p>Three tenders were received and evaluated, on a 50% Quality 50% Value basis.</p> <p>In terms of the Value element, tenderers were asked to submit their proposal for a contribution to the Council for each Fixed Penalty Notice paid.</p> <p>Following consideration of the options, detailed evaluation and scoring, the Cabinet Member for Transformation and Infrastructure <b>RESOLVED</b> that:</p> <p>(1) the contract for the provision of enforcement services to deal with litter, fly tipping and other waste-related offences be awarded to Kingdom LA Support Ltd for a period of three years with an option for a two-year extension, depending on performance and commercial viability for the contractor.</p>
<b>Reasons for decision:</b> To comply with the outcome of the formal procurement process.

Signed Cabinet Member for Transformation & Infrastructure:	<i>M Coffin</i>
Signed Leader:	<i>M Boughton</i>
Signed Chief Executive:	<i>D Roberts</i>
Date of publication:	15 November 2024

This decision will come into force and may then be implemented on the expiry of 5 working days after publication unless it is called in.

**TONBRIDGE AND MALLING BOROUGH COUNCIL**

**RECORD OF EXECUTIVE NON-KEY DECISION**

<b>Decision Taken By:</b> Cabinet Member for Climate Change, Regeneration and Property	<b>Decision Number:</b> D240116MEM
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**Date: 18 November 2024**

<b>Decision(s) and Reason(s)</b>
<b>NEW LEASE ARRANGEMENTS AT 9-13 MARTIN SQUARE, LARKFIELD</b>
(Private: Reasons LGA 1972 Sch 12A Paragraph 3 - Financial or business affairs of any particular person)  Following consideration of the options, the Cabinet Member for Climate Change, Regeneration and Property <b>RESOLVED</b> that:  1) a new lease to Bet Fred Limited re 9 and 13 Martin Square, Larkfield ME20 6QL, be granted.
<b>Reasons for decision:</b>  The new lease arrangements will ensure continuity of income for the Council at an increased level.  We are not aware of any details of any conflict of interest declared by any executive member consulted in relation to the decision.

Signed Cabinet Member for Climate Change, Regeneration and Property	R Betts
Signed Leader:	M Boughton
Signed Chief Executive:	D Roberts
Date of publication:	18 November 2024

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**

<b>Decision Taken By: Cabinet Member for Finance and Housing</b>	<b>Decision No: D240117MEM</b>
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**Date: 19 November 2024**

**Decision(s) and Reason(s)**

**Budgetary Control - September 2024**

**(Report of Cabinet Member for Finance and Housing and Director of Finance and Transformation)**

Members received information on the current financial year position to the end of September 2024 and the position related to savings achieved since the budget was set in February 2024.

Whilst a net favourable variance was reported particular reference was made to homelessness and temporary accommodation spend. The net expenditure incurred by the end of July represented an overspend of £344,000. If the client levels, cost of TA and debt recovery continued at the current levels until the end of the financial year the overspend against the agreed budget would be in the region of £555,000. Members were also advised that the current significant costs of TA continued to be offset by the good performance of the Borough Council's investment and treasury funds.

Details of salary, income, investment income and business rates monitoring to end of September 2024 was set out in the report and noted by Members.

Following consideration by the Finance, Regeneration and Property Scrutiny Select Committee, the Cabinet Member for Finance and Housing resolved that:

- (1) as at the end of September 2024, a net favourable variance of circa £296,512 when compared to the proportion of the 2024/25 budget, as shown in 8 of the report, be noted;
- (2) the potential issues surrounding the impact of the current client levels, cost of Temporary Accommodation and debt recovery within the revenue budget for Homelessness Accommodation be noted;
- (3) the current business rate pool position as at the end of September 2024, as set out in 10 of the report, be noted; and
- (4) the current spend on Capital Projects for 2024/25, set out in 11 of the report, be noted.

Reasons: As set out in the report submitted to the Finance, Regeneration and Property Scrutiny Select Committee of 19 November 2024.

Signed Cabinet Member for Finance and Housing	K Tanner
Signed Leader:	M Boughton
Signed Chief Executive:	D Roberts
Date of publication:	21 November 2024

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 and Housing**

**Decision No:**  
D240118MEM

**Date: 19 November 2024**

**Decision(s) and Reason(s)**

**Medium Term Financial Strategy - Update**

**(Reason: Part 2 – Private: LGA 1972 Sch 12A Paragraph 3 – Financial or business affairs of any particular person)**

**(Report of Cabinet Member for Finance and Housing and Director of Finance and Transformation)**

Members were provided with an interim update of the Medium-Term Financial Strategy (MTFS). Attention was drawn to the latest financial pressures, assumptions currently within the MTFS and areas of potential impact on future finances.

As a consequence, the funding gap had grown and three scenarios were detailed in the report. However, significant savings were required in order to preserve the integrity of the authority's financial plans.

It was acknowledged that the position would be likely to change again before the Cabinet and Council set the Budget in February 2025 and therefore a further update would be presented in due course.

Following consideration by the Finance, Regeneration and Property Scrutiny Select Committee, the Cabinet Member for Finance and Housing resolved that:

- (1) the current position on the Medium-Term Financial Strategy be noted; and
- (2) the areas identified causing the increase in the funding gap be noted.

Reasons: As set out in the report submitted to the Finance, Regeneration and Property Scrutiny Select Committee of 19 November 2024 (contains exempt information).

Signed Cabinet Member for Finance and Housing:	<i>K Tanner</i>
Signed Leader:	<i>M Boughton</i>
Signed Chief Executive:	<i>D Roberts</i>
Date of publication:	21 November 2024

This decision will come into force and may then be implemented on the expiry of 5 working days after publication unless it is called in.



**TONBRIDGE AND MALLING BOROUGH COUNCIL**

**RECORD OF EXECUTIVE NON-KEY DECISION**

<b>Decision Taken By:</b> Cabinet Member for Planning	<b>Decision Number:</b> D240119MEM
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**Date: 20 November 2024**

<b>Decision(s) and Reason(s)</b>
<b>Extension of a Fixed Term Senior Planning Officer Post</b>
<p>(Reason: LGA 1972 - Sch 12A Paragraph 3 – Financial or business affairs of any particular person)</p> <p>To seek Cabinet Member authority for extending the Senior Planning Officer (SPO) fixed term post for one year including Market Supplement, On-costs and Car Allowance at a cost of <b>£68,129</b> with funding agreed from the Planning Reserve. There is currently £89,000 which is unspent in the Planning Reserve which will cover the cost of the extended period.</p> <p>A reasons report is attached at Annex 1. Due to confidential staffing information this reasons report will not be published.</p> <p>Following consideration of the proposal, the Cabinet Member for Planning <b>RESOLVED</b> that:</p> <p>(1) one year's extension to the remaining one-year fixed term Senior Planning Officer post be approved; and</p> <p>(2) an estimated cost of £68,129 for the one year extension be funded from the Planning Reserve.</p>
<b>Reasons for decision:</b>
<p>Without the extension to the fixed term post, it is considered unlikely that the SPO post would be recruited to, as identified from past experiences, and this will add additional pressure on existing Development Management officers in terms of increased case load and staff well-being.</p>

Signed Cabinet Member for Planning:	<i>Mike Taylor</i>
Signed Deputy Leader:	<i>Martin Coffin</i>
Signed Chief Executive:	<i>Damian Roberts</i>

Date of publication:	25 November 2024
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This decision will come into force and may then be implemented on the expiry of 5 working days after publication unless it is called in.

**TONBRIDGE AND MALLING BOROUGH COUNCIL**

**RECORD OF EXECUTIVE NON-KEY DECISION**

<b>Decision Taken By:</b> Cabinet Member for Climate Change, Regeneration and Property	<b>Decision Number:</b> D240120MEM
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**Date: 25 November 2024**

<b>Decision(s) and Reason(s)</b>
<b>East of High Street Masterplan – Consultant Selection</b>
(Reason: LGA 1972 Sch 12A Paragraph 3 - Financial or business affairs of any particular person)  Following consideration of the options, the Cabinet Member for Climate Change, Regeneration and Property RESOLVED that:  1) MACE be appointed to deliver the East of High Street Masterplan exercise in accordance with the Masterplan brief, and;  2) the cost to be met from the Tonbridge Town Centre Reserve.
<b>Reasons for decision:</b>  MACE are recommended for appointment by the Tonbridge Town Centre Programme Board following evaluation of their proposal, in order to progress a key priority for the Council.  We are not aware of any details of any conflict of interest declared by any executive member consulted in relation to the decision.

Signed Cabinet Member for Climate Change, Regeneration and Property	R Betts
Signed Leader:	M Boughton
Signed Chief Executive:	D Roberts
Date of publication:	25 November 2024

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 and Housing**

**Decision No:  
D240121MEM**

**Date: 03 December 2024**

**Decision(s) and Reason(s)**

**Hoarding Working within Housing**

(Report of Cabinet Member for Finance and Housing and Director of Planning, Housing and Environmental Health)

Consideration was given to the provision of a Hoarding Co-ordinator service for residents of Tonbridge and Malling and associated clearance and clean-up works. This to be funded via the disabled facilities grant element of the Better Care Fund (BCF).

The proposal was for the Home Improvement Agency to deliver the Hoarding Co-ordinator role which they already undertook across Kent as part of their hospital discharge service.

As defined by the Kent and Medway Multi-Agency Policy and Procedures to Support People that Self Neglect or Demonstrate Hoarding Behaviour (attached as Annex 1) hoarding was the excessive collection and retention of any material to the point that living space was sufficiently cluttered to preclude activities for what they were designed for. Hoarding was a recognised mental health diagnosis.

Due regard was given to the financial and value for money considerations set out in the report and it was noted that the BCF continued to be underspent in recent years. The diversion of funding to support further revenue initiatives would provide essential support in respect of hoarding in the community. Members recognised the importance of addressing hoarding issues within properties as it enabled households to remain in their home safely. There was also a wider positive impact for neighbouring properties.

Following consideration by the Housing and Planning Scrutiny Select Committee, the Cabinet Member for Finance and Housing resolved that:

- (1) a part-time (0.5FTE) Hoarding Co-ordinator role employed by the Home Improvement Agency be funded via the Disabled Facilities Grant (DFG) element of the Better Care Fund;
- (2) the estimated cost of £30,000 per annum for this role be noted;

- (3) a £15,000 per annum budget for clearance and clean-up works be provided and funded from the Better Care Fund;
- (4) authority to enter into the contract with the Home Improvement Agency be delegated to the Director of Planning, Housing and Environmental Health.

Reasons: As set out in the report submitted to the Housing and Planning Scrutiny Select Committee of 3 December 2024.

Signed Cabinet Member for Finance and Housing:	<i>K Tanner</i>
Signed Leader:	<i>M Boughton</i>
Signed Chief Executive:	<i>D Roberts</i>
Date of publication:	6 December 2024

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 Transformation and Infrastructure**

**Decision No:**  
D240122MEM

**Date: 03 December 2024**

**Decision(s) and Reason(s)**

**Infrastructure Funding Statement 2023-24**

(Report of Cabinet Member of Transformation and Infrastructure and Director of Planning, Housing and Environmental Health)

Members reviewed the Infrastructure Funding Statement 2023/24 which set out the infrastructure delivery and contributions collected by the Borough Council, allocations made within the monitoring period, projects delivered within the relevant period and new agreements entered into. Contributions agreed over the 2023/24 period were also outlined.

The Borough Council had a statutory requirement under the Community Infrastructure Levy Regulations 2010 (Regulation 121A) to publish an annual Infrastructure Funding Statement (IFS) by the end of December each year. The purpose of the IFS was to provide a summary of all financial and non-financial developer contributions.

Following consideration by the Housing and Planning Scrutiny Select Committee, the Cabinet Member for Transformation and Infrastructure **RESOLVED** that:

- (1) the Infrastructure Funding Statement and associated documents be endorsed; and
- (2) the Infrastructure Funding Statement be approved for publication by the end of December 2024.

Reasons: As set out in the report submitted to the Housing and Planning Scrutiny Select Committee of 3 December 2024.

Signed Cabinet Member for Transformation and Infrastructure:	<i>M Coffin</i>
Signed Leader:	<i>M Boughton</i>
Signed Chief Executive:	<i>D Roberts</i>
Date of publication:	6 December 2024

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 Planning**

**Decision No:**  
D240123MEM

**Date: 03 December 2024**

**Decision(s) and Reason(s)**

**Authority Monitoring Report 2023-24**

(Report of Cabinet Member for Planning and Director of Planning, Housing and Environmental Health and Housing)

The report outlined the Borough Council's latest Authority Monitoring Report (AMR) (attached as Annex 1), which reviewed the effectiveness of the organisations planning policies and helped to ensure that progress was being made towards achieving the objectives as set out in the suite of Adopted Development Plan documents. The AMR was a statistical document to help guide the direction of travel for future corporate and planning policy.

Members noted that the AMR covered the previous financial year due to the period for data collection and reported on the period 2023/24. The last AMR was published by Tonbridge and Malling in 2017 and this version sought to provide an up to date consideration of the effectiveness of policies as well as progress in preparing planning documents as set out in the Local Development Scheme and actions taken in relation to the duty to cooperate.

Following consideration by the Housing and Planning Scrutiny Select Committee, the Cabinet Member for Planning **RESOLVED** that:

- (1) the Authority Monitoring Report for the period 2023/24 be endorsed;
- (2) the Authority Monitoring Report for the period 2023/24 be approved for publication by the end of December 2024.

Reasons: As set out in the report submitted to the Housing and Planning Scrutiny Select Committee of 3 December 2024.

Signed Cabinet Member for Planning:	<i>M Taylor</i>
Signed Leader:	<i>M Boughton</i>
Signed Chief Executive:	<i>D Roberts</i>
Date of publication:	6 December 2024

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 Planning**

**Decision No:**  
D240124MEM

**Date: 03 December 2024**

**Decision(s) and Reason(s)**

**Local Nature Recovery Strategy**

(Report of Cabinet Member for Planning and Director of Planning, Housing and Environmental Health)

Kent County Council was commencing its pre-consultation review of the Kent and Medway Local Nature Recovery Strategy. The review was to determine whether the relevant authorities, including Tonbridge and Malling Borough Council, were content for the public consultation to proceed. If no objections were received by the end of the 28 day period, commencing 14 November and ending on 12 December, it would be determined that public consultation could go ahead.

Following consideration by the Housing and Planning Scrutiny Committee, the Cabinet Member for Planning **RESOLVED** that:

- (1) the purpose and content of the draft Kent and Medway Local Nature Recovery Strategy be noted;
- (2) confirmation be given to Kent County Council that the Borough Council supported proceeding to public consultation; and
- (3) the Borough Council's response be delegated to the Director of Housing, Planning and Environmental Health, in consultation with the Cabinet Member for Planning.

Reasons: As set out in the report submitted to the Housing and Planning Scrutiny Select Committee of 3 December 2024.

Signed Cabinet Member for Planning:	<i>M Taylor</i>
Signed Leader:	<i>M Boughton</i>
Signed Chief Executive:	<i>D Roberts</i>
Date of publication:	6 December 2024

This decision will come into force and may then be implemented on the expiry of 5 working days after publication unless it is called in.



**TONBRIDGE AND MALLING BOROUGH COUNCIL**

**RECORD OF EXECUTIVE NON-KEY DECISION**

<b>Decision Taken By:</b> Cabinet Member for Climate Change, Regeneration and Property	<b>Decision Number:</b> D240125MEM
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**Date: 5 December 2024**

<b>Decision(s) and Reason(s)</b>
<b>UK Shared Prosperity Fund Year 3 Update</b>
Following consideration of the options, the Cabinet Member for Climate Change, Regeneration and Property RESOLVED that:  (1) the Reasons Report (attached at Annex 1), be noted;  (2) the contingency arrangements set out in this covering report under 4.2 and 4.3, be agreed; and  (3) any further minor amendments to the Investment Plan to ensure maximum spend be delegated to the Strategic Economic Regeneration Manager.
<b>Reasons for decision:</b>  The UKSPF Programme is made up of a number of socio-economic projects aimed at benefitting the local community and businesses. Whilst most of the projects are scheduled to complete by the deadline at the end of the 2024/25 financial year, some funding does need to be reallocated to ensure that as much of the funding as possible is retained in the borough and spent on local priorities for the benefit of our residents.

Signed Cabinet Member for Climate Change, Regeneration and Property:	R Betts
Signed Leader:	M Boughton
Signed Chief Executive:	D Roberts
Date of publication:	

This decision will come into force and may then be implemented on the expiry of 5 working days after publication unless it is called in.



**TONBRIDGE AND MALLING BOROUGH COUNCIL**

**RECORD OF EXECUTIVE NON-KEY DECISION**

<b>Decision Taken By:</b> Cabinet Member for Community Services	<b>Decision Number:</b> D240126MEM
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**Date: 4 December 2024**

<b>Decision(s) and Reason(s)</b>
<b>Appointment to Undertake Additional Feasibility Work for a Replacement Angel Leisure Centre in Tonbridge</b>
Following consideration of the options, the Cabinet Member for Community Services RESOLVED that:  (1) Alliance Leisure Ltd be appointed to undertake additional feasibility work for a replacement Angel Leisure Centre in Tonbridge; and  (2) the work be funded from the Tonbridge Town Centre Reserve.
<b>Reasons for decision:</b>  Alliance Leisure Ltd are recommended for appointment following consideration of their proposal, and details contained in the briefing note (attached at Annex 1), in order to progress a key priority for the Council.  We are not aware of any details of any conflict of interest declared by any executive member consulted in relation to the decision.

Signed Cabinet Member for Community Services:	D Keers
Signed Leader:	M Boughton
Signed Chief Executive:	D Roberts
Date of publication:	9 December 2024

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: D240127CAB**

**Decision Type: Key**

**Date: 10 December 2024**

**Decision(s) and Reason(s)**

**Review of Fees and Charges 2025/26**

Consideration was given to recommendation FRP 24/22 of the Finance, Regeneration and Property Scrutiny Select committee of 19 November 2024 in respect of fees and charges for the provision of legal costs, photocopying charges, street name and numbering, land charges, Tonbridge Castle, events on open spaces, billboards and banners and Council Tax and Business Rates court costs with effect from 1 April 2025.

Cabinet had due regard to the views of the Scrutiny Select Committee, the financial and value for money considerations and legal implications and recognised that in bringing forward the charging proposals for 2025/26 consideration had been given to a range of factors including the Borough Council's overall financial position, market position, trading patterns and the current rate of inflation and customer feedback.

**RESOLVED:** That

- (1) the proposed charges for legal costs, as set out in 5 of the report, be approved with effect from 1 April 2025;
- (2) the current photocopying charges of £0.10 (inclusive of VAT) for each page of the same document or additional copies of the same page plus postage as appropriate, as set out in 5.2 of the report, be retained;
- (3) the Fee Schedule for Street Naming and Numbering, as set out in 5.3 of the report, be rounded up to nearest £10 and adopted with effect from 1 April 2025;
- (4) the proposed scale of fees for local land charges searches and enquiries, as set out in 5.4 of the report, be adopted with effect from 1 April 2025;
- (5) the proposed fees and charges for 2025/26 related to Tonbridge Castle, as set out in 5.5 of the report, be approved with effect from 1 April 2025;
- (6) the proposed fees and charges for 2025/26 related to Open Spaces, as set out in 5.6 of the report, be approved;
- (7) authority be delegated to the Director of Central Services and Deputy Chief

Executive to negotiate fees for individual commercial events on Council-owned land;

- (8) the proposed fees and charges for 2025/26 related to Billboards and Banners, as set out in 5.9 of the report, be approved; and
- (9) the amount of costs charged in 2025/26 to recover unpaid council tax and business rates debts remain at the 2024/25 levels, as set out in 5.10 of the report.

Reasons: As set out in the report submitted to the Finance, Regeneration and Property Scrutiny Committee of 19 November 2024.

Signed Leader: M Boughton

Signed Chief Executive: D Roberts

Date of publication: 12 December 2024

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: D240128CAB**  
**Decision Type: Key**  
**Date: 10 December 2024**

**Decision(s) and Reason(s)**

**Review of Fees and Charges for Discretionary Planning Services**

Consideration was given to recommendation HP 24/40 of the Housing and Planning Scrutiny Select Committee of 3 December 2024 in respect of fees and charges for discretionary planning services.

Cabinet had due regard to the views of the Scrutiny Select Committee, the financial and value for money considerations and legal implications and recognised that in bringing forward the charging proposals for 2025/26 consideration had been given to a range of factors including the Borough Council's overall financial position, market position, trading patterns and the current rate of inflation and customer feedback.

**RESOLVED:** That

- (1) the updated Pre-application Charging Fee Schedule 2025/26 (attached at Annex 1) be adopted;
- (2) the updated Building Control Fee Schedule 2025/26 (attached at Annex 2) be adopted;
- (3) the updated High Hedges Fees (an increase to £540) as set out in paragraph 5.12 be adopted;
- (4) the updated charging fees for s106 monitoring and compliance (representing an increase to £460 for each obligation contained in the agreement) as set out 5.17-20 be adopted;
- (5) the updated Planning Performance Agreement template (attached at Annex 3) be included as a new Annex 1 to the PPA Protocol;
- (6) the updated Planning Performance Agreement charging schedule (attached at Annex 4) be adopted; and
- (7) the above proposed fees and charges be implemented with effect from 1 April 2025.

Reasons: As set out in the report submitted to the Housing and Planning Scrutiny Select Committee of 3 December 2024.

Signed Leader:

M Boughton

Signed Chief Executive:

D Roberts

Date of publication:

12 December 2024

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: D240129CAB**  
**Decision Type: Key**  
**Date: 10 December 2024**

**Decision(s) and Reason(s)**

**HMO and Caravan Site Licensing Fee Charges for 2025/26**

Consideration was given to recommendation HP 24/41 of the Housing and Planning Scrutiny Select Committee of 3 December 2024 in respect of fees and charges for HMOs and licensing of caravans with effect from 1 April 2025.

Cabinet had due regard to the views of the Scrutiny Select Committee, the financial and value for money considerations and legal implications and recognised that in bringing forward the charging proposals for 2025/26 consideration had been given to a range of factors including the Borough Council's overall financial position, market position, trading patterns and the current rate of inflation and customer feedback.

**RESOLVED:** That

- (1) the proposed fee for licensing of HMOs (representing an increase of 3.5%) as detailed in 5.1.6 of the report be approved;
- (2) the proposed fee for caravan sites for permanent residential use (representing an increase of 3.5%) as detailed in 5.2.3 the report be approved
- (3) the proposed fees be implemented from 1 April 2025.

Reasons: As set out in the report submitted to the Housing and Planning Scrutiny Select Committee of 3 December 2024.

Signed Leader: M Boughton

Signed Chief Executive: D Roberts

Date of publication: 12 December 2024

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: D240130CAB**  
**Decision Type: Non-Key**  
**Date: 10 December 2024**

**Decision(s) and Reason(s)**

**Local Plan Engagement Strategy and Estimated Local Plan Budget**

Consideration was given to recommendation HP 24/42 of the Housing and Planning Scrutiny Select Committee of 3 December 2024 in respect of the Local Plan Engagement and Consultation Strategy.

Cabinet had due regard to the views of the Scrutiny Select Committee, the financial and value for money considerations and the legal implications and supported the commitment to regular dialogue with parish/town councils and communities via the Parish Partnership Panel and the Tonbridge Community Forum, welcomed the use of consultation/drop-in sessions; virtual exhibitions; a digital consultation platform and digital maps and recognised the benefits of collecting information on-line for easier assessment.

**RESOLVED:** That

- (1) the Local Plan Engagement and Consultation Strategy (attached at Annex 1) be approved;
- (2) the Engagement Programme (attached at Annex 2) be endorsed; and
- (3) the updates provided in relation to the Local Plan, including the likely increase in the annual budget allocation to the Local Plan reserve that would be required to progress a Local Plan under a revised National Planning Policy Framework be noted.

Reasons: As set out in the report submitted to the Housing and Planning Scrutiny Select Committee of 3 December 2024.

Signed Leader: M Boughton

Signed Chief Executive: D Roberts

Date of publication: 12 December 2024

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: D240131CAB**  
**Decision Type: Non-Key**  
**Date: 10 December 2024**

**Decision(s) and Reason(s)**

**Data Protection Policy**

The report of the Cabinet Member for Finance and Housing and the Director of Central Services presented an updated Data Protection Policy for approval.

Consideration was given to the draft Policy, attached at Annex 1, which set out how the Borough Council intended to perform its statutory responsibilities and duties under the provisions of the UK GDPR and the Data Protection Act 2018.

**RESOLVED:** That

- (1) the Data Protection Policy (attached at Annex 1) be approved; and
- (2) the approved Data Protection Policy be published to the Borough Council's website.

Reasons: As set out in the report submitted to the Cabinet of 10 December 2024.

Signed Leader: M Boughton

Signed Chief Executive: D Roberts

Date of publication: 12 December 2024

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: D240132CAB**  
**Decision Type: Non-Key**  
**Date: 10 December 2024**

**Decision(s) and Reason(s)**

**Community Grant Scheme**

Consideration was given to a proposed 50<sup>th</sup> Anniversary Community Grant Scheme as detailed in the report of the Cabinet Member for Community Services and the Chief Executive.

The grant guidelines, criteria and application process were set out in Annexes 1 and 2.

Over recent years the Borough Council had delivered two Community Development Grant Schemes using income provided by the UK Shared Prosperity Fund (UKSPF) which had been oversubscribed. This illustrated a local need for funding of smaller organisations and charities to enable them to deliver projects and support services that helped residents.

At the present time, there was no firm commitment for any future round of UKSP funding for 2025/26 or beyond. However, the Borough Council had agreed a sum of £87,000 to be allocated to support a one-off 50-year anniversary grant scheme. It was recommended that £50,000 be allocated to the Anniversary Grant Scheme with a further £37,000 ringfenced to support further community initiatives in 2025/26, potentially including phase 2 of the borough wide Community Enforcement Team pilot.

Cabinet had due regard to the financial and value for money considerations and the legal implications and welcomed the proposal for a one-off grant to coincide with the 50<sup>th</sup> anniversary year of the Tonbridge and Malling Borough Council.

**RESOLVED:** That

- (1) a 50<sup>th</sup> Anniversary Community Grant Scheme be launched with a budget of £50,000 with effect from 2 January 2025;
- (2) the Grant guidelines, criteria and application process, as set out in Annexes 1 and 2 be endorsed; and
- (3) £37,000 be ringfenced to support further community initiatives in 2025/26, including potentially phase 2 of the borough wide Community Enforcement Team Pilot.

Reasons: As set out in the report submitted to the Cabinet of 10 December 2024.

Signed Leader: M Boughton

Signed Chief Executive: D Roberts

Date of publication: 12 December 2024

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: D240133CAB**

**Decision Type: Non-Key**

**Date: 10 December 2024**

**Decision(s) and Reason(s)**

**Review of Tonbridge Community Forum and Parish Partnership Panel**

Consideration of recommendation OS 24/50 of the Overview and Scrutiny Committee of 14 November 2024 in respect of the operation of the Tonbridge Community Forum.

Cabinet had due regard to the views of the Committee, the financial and value for money considerations and legal implications and noted that there was a preference for in-person meetings with greater input from community groups and a more collaborative approach.

A preference for meetings to be held at the Tonbridge Methodist Church for a trial period to reduce costs associated with room hire and provision of audio-visual support was also noted. To provide clarity around open discussion (as set out in recommendation (3)) Cllr Boughton proposed that the words 'on that item' be added. This was seconded by Cllr Coffin and supported unanimously by Cabinet.

The views of the Parish Partnership Panel of 21 November 2024 would be considered by the Overview and Scrutiny Committee in due course.

**RESOLVED:** That

- (1) the venue for Tonbridge Community Forum be moved to Tonbridge Methodist Church on a trial basis for all meetings in 2025;
- (2) all Meetings of the Tonbridge Community Forum be held in person on a trial basis in 2025;
- (3) following a topic or item raised at Tonbridge Community Forum a section should be dedicated to open discussion on that item to provide an opportunity for all members to discuss and respond to the matter; and
- (4) it be noted that the views of the Parish Partnership Panel would be considered by the Overview and Scrutiny Committee in due course.

Reasons: As set out in the report submitted to the Overview and Scrutiny Committee of 14 November 2024.

Signed Leader:

M Boughton

Signed Chief Executive:

D Roberts



Date of publication:

12 December 2024

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: D240134CAB**  
**Decision Type: Non-Key**  
**Date: 10 December 2024**

**Decision(s) and Reason(s)**

**Procurement Strategy**

Consideration was given to recommendation FRP 24/23 of the Finance, Regeneration and Property Scrutiny Select Committee of 19 November 2024 in respect of a draft Procurement Strategy.

Cabinet had due regard to the views of the Scrutiny Select Committee, the financial and value for money considerations and the legal implications and recognised that the Strategy not only ensured that best value from Borough Council contracts was achieved but mitigated the level of risk related to procurement on the Corporate Risk Register.

**RESOLVED:** That

- (1) the draft Procurement Strategy, attached at Annex 1, be adopted; and
- (2) the Borough Council's list of contractors be made available to parish/town councils.

Reasons: As set out in the report submitted to the Finance, Regeneration and Property Scrutiny Select Committee of 19 November 2024.

Signed Leader: M Boughton

Signed Chief Executive: D Roberts

Date of publication: 12 December 2024

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: D240135CAB**  
**Decision Type: Non-Key**  
**Date: 10 December 2024**

**Decision(s) and Reason(s)**

**Debt Collection Practices - Potential Pilot with ReachOut**

Consideration of recommendation FRP 24/24 of the Finance, Regeneration and Property Scrutiny Select Committee of 19 November 2024 in respect of debt collection practices and the challenging financial position faced by many residents.

Cabinet had due regard to the views of the Scrutiny Select Committee, the financial and value for money considerations and the legal implications and supported the proposal for a pilot scheme to be commissioned with ReachOut to engage with residents struggling with debt.

**RESOLVED:** That

- (1) a pilot scheme of up to 500 cases be approved and ReachOut be commissioned to engage with residents struggling with debt, as set out in 7 of the report, and reconnect those residents with the Borough Council's teams in order to resolve their debts;
- (2) a review of the Corporate Debt Recovery Policy be approved to reflect the more challenging financial position of residents; and
- (3) a statement be made highlighting the positive actions being taken by the Borough Council to engage with residents and re-emphasising that referrals to bailiffs were only done as a last resort and that a reduction in the need to use bailiffs would be targeted.

Reasons: As set out in the report submitted to the Finance, Regeneration and Property Scrutiny Select Committee of 19 November 2024.

Signed Leader: M Boughton

Signed Chief Executive: D Roberts

Date of publication: 12 December 2024

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: D240136CAB**  
**Decision Type: Non-Key**  
**Date: 10 December 2024**

**Decision(s) and Reason(s)**

**Tree Protocol Update**

Consideration was given to recommendation HP 24/43 of the Housing and Planning Scrutiny Select Committee of 3 December 2024 in respect of options to address the backlog in dealing with Tree Preservation Order (TPO) requests.

Cabinet had due regard to the views of the Scrutiny Select Committee, the financial and value for money considerations and the legal implications. Whilst supportive of the recommendation to engage an external consultant (as detailed in Option A) Cabinet were mindful that an estimated one-off cost of £29,000 funding had yet to be identified.

On the grounds of reducing the backlog and providing an effective and efficient service, Cllr Boughton proposed, seconded by Cllr Tanner that the estimated cost of £29,000 be built into the forward estimates for 2025/26 as a one-off cost.

**RESOLVED:** That

- (1) a consultant be sought to work on reducing the backlog of Tree Preservation Order requests (Option A), as detailed in 5.3 – 5.7 of the report; and
- (2) the estimated cost of £29,000 be built into the forward estimates for 2025/26 as a one-off cost.

Reasons: As set out in the report submitted to the Housing and Planning Scrutiny Select Committee of 3 December 2024.

Signed Leader: M Boughton

Signed Chief Executive: D Roberts

Date of publication: 12 December 2024

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: D240137CAB**  
**Decision Type: Key**  
**Date: 10 December 2024**

**Decision(s) and Reason(s)**

**Proposed Lease of Residential Apartments in Tonbridge for use as Temporary Accommodation**

Consideration was given to recommendation HP 24/53 of the Housing and Planning Scrutiny Select Committee of 3 December 2024 in respect of a proposed lease of residential apartments for use as temporary accommodation in Tonbridge.

Cabinet had due regard to the views of the Scrutiny Select Committee, the financial and value for money considerations and the legal implications. The details of the terms of the lease and costs assumed in the financial modelling set out in 5.5 and 7.3 of the report to the Scrutiny Select Committee were also noted.

On the grounds that the ongoing costs associated with providing temporary accommodation was one of the Borough Council's most challenging financial issues, the Cabinet supported the recommendation.

**RESOLVED:** That

- (1) the terms of the lease for 19 residential apartments in the High Street, Tonbridge to serve as temporary accommodation, as set out in the report, be approved; and
- (2) the one-off setup costs and tax liability to be funded from an appropriate budget to be identified in liaison with Finance Services be agreed.

Reasons: As set out in the report submitted to the Housing and Planning Scrutiny Select Committee of 3 December 2024 (contains exempt information).

Signed Leader:

M Boughton

Signed Chief Executive:

D Roberts

Date of publication:

12 December 2024

This decision will come into force and may then be implemented on the expiry of 5 working days after publication unless it is called in.



**TONBRIDGE AND MALLING BOROUGH COUNCIL**

**RECORD OF EXECUTIVE NON-KEY DECISION**

<b>Decision Taken By:</b> <b>Cabinet Member for Finance and Housing</b>	<b>Decision Number:</b> <b>D240138MEM</b>
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**Date: 11 December 2024**

<b>Decision(s) and Reason(s)</b>
<b>APPLICATION FOR REMOVAL OF COUNCIL TAX EMPTY PROPERTY PREMIUM CHARGE</b>
<p>(Reason: LGA 1972 Sch 12A Paragraph 3 Information relating to the financial or business affairs of any particular person (including the authority holding that information))</p> <p>Following consideration of an application for discretionary relief, the Cabinet Member for Finance and Housing RESOLVED that:</p> <p>(1) in accordance with the Empty Homes and Second Homes Premium Policy 2024-25, an application to waive the council tax premium charge be REFUSED.</p>
<p><b>Reasons for decision:</b></p> <p>Consideration had been given to the taxpayer's circumstances - however, it was felt that they did not warrant a discretionary award to waive the premium charge.</p> <p>The proposed Government exception to the premium charge regarding actively marketing the property for sale or rent does not come into effect until April 2025. It was felt that difficulties in selling the property (the property is assisted living accommodation, so has very high ground rent/service charges) were not exceptional. Probate had been granted nearly 2 years ago so it was also felt there had been sufficient time to review the price of the property to make it easier to sell.</p> <p>This decision is consistent with a similar application that had been considered and refused earlier this year.</p>

Signed Cabinet Member for Finance and Housing:	<i>K Tanner</i>
Signed Leader:	<i>M Boughton</i>
Signed Chief Executive:	<i>D Roberts</i>

Date of publication:	12 December 2024
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This decision will come into force and may then be implemented on the expiry of 5 working days after publication unless it is called in.



**TONBRIDGE AND MALLING BOROUGH COUNCIL**

**RECORD OF EXECUTIVE NON-KEY DECISION**

<b>Decision Taken By:</b> <b>Cabinet Member for Finance and Housing</b>	<b>Decision Number:</b> <b>D240139MEM</b>
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**Date: 11 December 2024**

<b>Decision(s) and Reason(s)</b>
<b>Household Support Fund Tranche 6 (October 2024 – March 2025) Policy</b>
<p>Kent County Council has allocated Tonbridge &amp; Malling Borough Council a fund of £139,263.24. A new policy has been written to outline how the new tranche of the scheme will be administered and the funds distributed and is attached at Annex 1.</p> <p>Following consideration of the policy, the Cabinet Member for Finance and Housing RESOLVED that:</p> <ul style="list-style-type: none"><li>(1) the household support fund policy be adopted for the period October 2024 to March 2025; and</li><li>(2) the funds be distributed accordingly.</li></ul>
<b>Reasons for decision:</b>
<p>The policy is in keeping with how the Council has administered previous tranches of the household support fund. This is primarily used to provide vital funding to third-party organisations that provide residents of the borough with appropriate support in respect of food poverty, fuel poverty, debt advice support and wider household essentials.</p> <p>The policy allows for a greater weighting of funding to be used to mitigate the effect of central government's policy regarding linking the winter fuel payment to pension credit eligibility.</p>

Signed Cabinet Member for Finance and Housing:	<i>K Tanner</i>
Signed Leader:	<i>M Boughton</i>
Signed Chief Executive:	<i>D Roberts</i>
Date of publication:	16 December 2024

This decision will come into force and may then be implemented on the expiry of 5 working days after publication unless it is called in.

**TONBRIDGE AND MALLING BOROUGH COUNCIL**

**RECORD OF EXECUTIVE NON-KEY DECISION**

<b>Decision Taken By: Cabinet Member for Climate Change, Regeneration and Property</b>	<b>Decision Number: D240140MEM</b>
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**Date: 18 December 2024**

<b>Decision(s) and Reason(s)</b>
<b>NEW LEASE ARRANGEMENTS AT 25 MARTIN SQUARE, LARKFIELD</b>
(Private: Reasons LGA 1972 Sch 12A Paragraph 3 - Financial or business affairs of any particular person)  Following consideration of the options, the Cabinet Member for Climate Change, Regeneration and Property resolved that:  1) A new lease is granted at 25 Martin Square, Larkfield ME20 6QL
<b>Reasons for decision:</b>  The new lease arrangements will ensure continuity of income for the Council at an increased level.  We are not aware of any details of any conflict of interest declared by any executive member consulted in relation to the decision.

Signed Cabinet Member for Climate Change, Regeneration and Property:	R Betts
Signed Leader:	M Boughton
Signed Chief Executive:	D Roberts
Date of publication:	31 December 2024

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.

