

# **TONBRIDGE AND MALLING BOROUGH COUNCIL**

## **CABINET**

## **MINUTES**

**Tuesday, 3rd June, 2025**

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

Cllrs M A J Hood, Mrs A S Oakley\*, S Pilgrim\* and M R Rhodes\* were also present pursuant to Access to Information Rule No 23.

(\*participated via MS Teams)

### **PART 1 - PUBLIC**

#### **CB 25/56 DECLARATIONS OF INTEREST**

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

#### **CB 25/57 MINUTES**

**RESOLVED:** That the Minutes of the meeting of the Cabinet held on 1 April 2025 be approved as a correct record and signed by the Chairman.

### **MATTERS IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION**

#### **EXECUTIVE KEY DECISIONS**

#### **CB 25/58 RIVER LAWN, TONBRIDGE - VOLUNTARY APPLICATION FOR REGISTRATION AS A VILLAGE GREEN**

(Decision Notice D250047CAB)

Members considered whether a submission to Kent County Council should be made for a voluntary application to register land owned by the Borough Council at River Lawn, Tonbridge as a village green in accordance with the Commons Act 2006.

Any decision by the Council to make such an application in its capacity as landowner required the approval of the Cabinet as this was an executive function.

Due regard was given to the previous history related to the village green status of this land, the financial and value for money considerations and the assessed risk as detailed in the report.

The historical and community significance of the area was recognised and on the grounds that village green status would provide protection against any future development of the land, Cllr Coffin proposed, seconded by Cllr Mehmet and Cabinet

**RESOLVED:** That a voluntary application for registration of the land at River Lawn, Tonbridge (shown at Annex 1) as a village green be made by the Borough Council.

## **CB 25/59 HOUSING SERVICES STAFFING**

(Decision Notice D250048CAB)

The report of the Director of Planning, Housing and Environmental Health sought approval for funding to be transferred from the Homelessness Reserve into the revenue budget to support the capacity within the Housing Service.

To enable the Borough Council to fulfil its statutory housing duties and respond to an increased number of housing register applications it was proposed that the capacity within the Housing Service be increased on a temporary basis up to March 2026. The total cost of the proposals was £281,601 and could be funded from the Homelessness Reserve including from funds received in 2025/26.

Due regard was given to the financial and value for money considerations and the assessment of risk detailed in the report. Members were advised that the number of assessments awaiting processing was at its lowest since the introduction of the new system in 2023 and there was the highest number of live applicants on the housing register.

On the grounds of maintaining adequate staffing levels to meet service demands and in recognition of the high number of housing applications, Cllr Taylor proposed, Cllr Betts seconded and Cabinet

**RESOLVED:** That, subject to the approval of the gradings for the Housing Allocations Officers by the General Purposes Committee, the transfer of £281,601 from the Homelessness Reserve into the revenue budget to fund the temporary increase in staffing capacity (as set out in the report) be approved.

**EXECUTIVE NON-KEY DECISIONS****CB 25/60 TONBRIDGE TOWN CENTRE PROGRAMME BOARD - CHANGE OF MEMBERSHIP**

(Decision Notice D250049CAB)

Following the meeting of Annual Council where the Leader had announced changes to the scheme of delegation related to executive functions, the report detailed consequential changes to the membership of the Tonbridge Town Centre Programme Board.

The proposed membership of the Programme Board was set out in Annex 1 at 2.0.

In recognition of the importance of the Tonbridge Town Centre Programme Board in overseeing regeneration projects, it was felt that the vacant position should be filled by a Tonbridge based Member and Cllr D King was nominated.

Cllr Boughton proposed, seconded by Cllr Mehmet and Cabinet

**RESOLVED:** That the change of membership within the Tonbridge Town Centre Programme Board be approved as follows:

- (1) the Cabinet Member for Housing, Environment and Economy (formerly Cabinet Member for Climate Change, Regeneration and Property) be removed;
- (2) the Cabinet Member for Infrastructure and Tonbridge Regeneration be confirmed as Chair; and
- (3) Cllr D King fill the vacant post.

**CB 25/61 POLICY ON MANAGING UNREASONABLE ACTIONS BY COMPLAINTS**

(Decision Notice D250050CAB)

Consideration was given to proposed revisions to the existing Policy adopted by the Borough Council on Managing Unreasonable Actions by Complainants. This was previously referred to as the Policy on managing unreasonable or unreasonably persistent complainants.

Due regard was given to the financial and value for money considerations, the assessment of risk and any legal implications detailed in the report. On the grounds that adopting a revised policy in line with the recommendations of the Local Government and Social Care Ombudsman would ensure that the Borough Council was able to

respond efficiently to the needs of local residents, Cllr Keers proposed, Cllr Taylor seconded and Cabinet

**RESOLVED:** That the revised Managing Unreasonable Actions by Complainants Policy (attached at Annex 3) be approved.

## **CB 25/62 REVIEW OF PARISH PARTNERSHIP PANEL**

(Decision Notice D250051CAB)

Consideration was given to the recommendations of the Overview and Scrutiny Committee of 3 April 2025 in respect of options for future meetings of the Parish Partnership Panel.

Due regard was given to the views of the Committee, the financial and value for money considerations, the assessment of risk and legal implications. It was noted that no significant issues had been raised and the Cabinet supported the preference for in-person meetings whilst also retaining the option for remote attendance when necessary.

The importance of encouraging greater involvement and participation in the Parish Partnership Panel was also recognised as it was a valuable way to communicate and share views between parish/town, borough and county councils.

Cllr Boughton proposed, Cllr Keers seconded and Cabinet

**RESOLVED:** That

- (1) meetings of the Parish Partnership Panel be held in the Council Chamber at Kings Hill; and
- (2) the option for Members to join remotely be retained.

## **CB 25/63 RISK MANAGEMENT**

(Decision Notice D250052CAB)

Consideration was given to the recommendations of the Audit Committee of 14 April 2025 in respect of risk management.

Due regard was given to the views of the Committee and the financial and value for money considerations and the assessment of risk detailed in the report.

Cllr Boughton proposed, Cllr Taylor seconded and Cabinet

**RESOLVED:** That

- (1) the updates to the Strategic Risk Register since the last iteration, with particular emphasis on those risks categorised as RED (set out below) be noted;
  - Achievement of Savings and Transformation Strategy
  - Failure to agree a Local Plan
  - Managed exit from Agile System
- (2) the service risks identified in Annex 2 of the report be noted; and
- (3) the responsibilities of the Member Risk Champion as detailed in Annex 3 of the report be noted.

**CB 25/64 LOCAL LETTINGS PLAN (LLP) POLICY**

(Decision Notice D250053CAB)

Consideration was given to the recommendations of the Housing and Planning Scrutiny Select Committee of 20 May 2025 in respect of a new Policy setting out the approach to Local Lettings Plans for affordable housing in partnership with Registered Providers.

Due regard was given to the views of the Scrutiny Select Committee, the financial and value for money considerations, the risk assessment and legal implications. On the grounds of improving housing options for local people and supporting the prioritisation of households with a local connection to the area, Cllr Betts proposed, Cllr Boughton seconded and Cabinet

**RESOLVED:** That

- (1) the Local Lettings Plan Policy and template (attached at Annexes A and B respectively), including amended ward groupings into sub-housing market areas (as set out 5.3 of the report) be approved; and
- (2) delegated authority be given to the Director of Planning, Housing and Environmental Health, in liaison with the Cabinet Member for Housing, Environment and Economy, to make any minor amendments to the Local Lettings Plan Policy and/or template as experience in using them develops further.

**MATTERS FOR RECOMMENDATION TO THE COUNCIL****CB 25/65 RIVERSIDE ROUTE LIGHTING PROJECT, TONBRIDGE**

(Decision Notice D250054CAB)

Consideration was given to the recommendations of the Finance, Regeneration and Property Scrutiny Select Committee in respect of a List C Capital Plan Evaluation for riverside lighting between Town Lock and Vale Road in Tonbridge. The report sought approval to move the project forward for construction later in the calendar year and requested that Cabinet recommend to Council that the scheme be transferred to List A of the Capital Plan.

Cabinet had due regard to the views of the Scrutiny Select Committee, the feasibility study report (Annex 2) and the Capital Plan Evaluation (Annex 1) and welcomed the provision of high-quality lighting for pedestrians, the opportunity to create a safe and secure environment and reduce crime. The lack of lighting, combined with a narrow path lined with trees and shrubbery and unprotected river edge, made this an uninviting section of the route.

Discussions had taken place with Kent County Council Public Rights of Way and it was confirmed that lighting might be installed on the route using powers under s161 of the Public Health Act 1875.

On the grounds of enhancing the area and improving safety of pedestrians, Cllr Mehmet proposed, seconded by Cllr Taylor and Cabinet

**RESOLVED:** That

- (1) Phase 1 of the project be taken forward through the design stages up to and including the preparation of tender documents;
- (2) the use of the Borough Council's powers under s161 of the Public Health Act 1875 for the delivery of the project, with agreement from Kent County Councils Public Rights of Way Team, be authorised; and
- (3) arrangement be made for Members to have physical sight of the likely intended lighting columns by means of a demonstration in a low light at a future meeting or a site visit.

**\*RECOMMENDED:** That

- (4) the scheme be transferred to List A of the Capital Plan.

**\*Recommended to Council**

**MATTERS SUBMITTED FOR INFORMATION****CB 25/66 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 25/67 EXCLUSION OF PRESS AND PUBLIC**

Cllr Coffin moved, it was seconded by Cllr Boughton and

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

**PART 2 - PRIVATE****MATTERS IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION****EXECUTIVE KEY DECISIONS****CB 25/68 PROPOSED LEASE RENEWAL - RESIDENTIAL APARTMENTS IN MAIDSTONE - TEMPORARY ACCOMMODATION**

(Decision Notice D250055CAB)

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

Consideration was given to a proposal to renew an existing lease of 7 residential apartments in Maidstone to serve as temporary accommodation in line with the Council's adopted Housing Strategy. There was a support element provided to residents via the housing provider which was considered to be excellent and integral to this provision. Without this support, the Borough Council would struggle to find appropriate placements for these applicants and it was likely that any placement secured would be more expensive.

Due regard was given to the financial and value for money considerations, the assessed risk and legal implications. Members noted that the leasing transaction would attract a Stamp Duty Land Tax liability which could be met from the first-year rent underspend.

On the grounds that the proposal supported those most in need of housing support, being homeless or at risk of becoming homeless and represented good value for money when combined with the support services provided, Cllr Taylor proposed, Cllr Betts seconded and Cabinet

**RESOLVED:** That

- (1) the terms of the lease renewal for the accommodation in Maidstone, as detailed in the report and in Annex A, be approved; and
- (2) the one-off stamp duty land tax liability arising from the lease transaction, as detailed in 7.4 of the report, be funded from the first-year rent underspend.

**CB 25/69 GIBSON EAST REFURBISHMENT TENDER**

(Decision Notice D250056CAB)

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

The report of the Director of Central Services and Cabinet Member for Housing, Environment and Economy provided details of the tenders received for the refurbishment of Gibson Building East and sought approval to award the contract.

It was also proposed to transfer some funding from the Decarbonising the Council's Estate Capital Plan Scheme to the Gibson East Refurbishment Scheme to help support the installation of renewable and de-carbonising technologies.

Cabinet had due regard to the financial and value for money considerations, the outcome of the tender evaluations and the progress being made on identifying further savings to close a shortfall in funding. Particular reference was made to the Business Rates Pool (Shared Growth Fund) Programme which offered an opportunity to transfer funding as detailed in 6.1 to 6.8 of the report.

On the grounds that this project formed part of the Borough Council's office accommodation consolidation project and supported climate change by increasing energy efficiency, Cllr Betts proposed, Cllr Boughton seconded and Cabinet

**RESOLVED:** That

- (1) delegated authority be granted to the Director of Central Services, with agreement from the Cabinet Member for Housing, Environment and Economy, to award the contract to the preferred bidder (detailed in the report) for the refurbishment of Gibson East upon the occurrence of the earliest of the following conditions being met:
  - (i) the cost falls within the project budget of £3.0m; or



- (ii) Full Council approves the transfer of £125,000 from the Decarbonising the Council's Estate Capital Plan Scheme to the Gibson East Refurbishment Scheme.

**\*RECOMMENDED:** That

- (2) the transfer of £125,000 from the Decarbonising the Council's Estate Capital Plan Scheme to the Gibson East Refurbishment Scheme be recommended to Full Council.

**\*Recommended to Council**

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

#### **CB 25/70 GIBSON BUILDING WEST FUTURE**

(Decision Notice D250057CAB)

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

Consideration was given to the recommendations of the Finance, Regeneration and Property Scrutiny Select Committee in respect of options for Gibson Building West at Kings Hill.

Cabinet had due regard to the views of the Scrutiny Select Committee, the financial and value for money considerations and supported the freehold disposal of the building.

Cllr Boughton proposed, Cllr Coffin seconded and Cabinet

**RESOLVED:** That

- (1) the freehold option to dispose of Gibson West be progressed; and
- (2) any offers received be presented to the Finance, Regeneration and Property Scrutiny Select Committee for ratification and recommendation to Cabinet for a final decision.

#### **CB 25/71 TEMPORARY ACCOMMODATION PROJECT**

(Decision Notice D250058CAB)

(Reason: Part 2 – Private – LGA 1982 Sch 12A Paragraph 3 – Financial or business affairs of any particular person).

Consideration was given to the recommendations of the Housing and Planning Scrutiny Select Committee in respect of proposals for a temporary accommodation project to help meet the Borough Council's requirements to mitigate and manage homelessness.

Cabinet had due regard to the views of the Scrutiny Select Committee, the proposal presented and the financial and value for money considerations, including the use of external funding and recognised the importance of improving housing options for local people, whilst protecting outdoor areas.

Members were reassured that opportunities for the provision of temporary accommodation in the borough continued to be explored and that families would not be placed in accommodation that was not suitable for their needs.

On the grounds that delivering a temporary accommodation scheme on previously utilised land allowed the Borough Council to mitigate costs, have management control and did not require development on a greenfield site, Cllr Boughton proposed, Cllr Taylor seconded and Cabinet

**RESOLVED:** That

- (1) the feasibility study attached at Annex 2 to the report be endorsed;
- (2) the procurement approach and timetable detailed in the report be approved; and
- (3) the proposals for a temporary accommodation within the Borough, as detailed in the report, be approved.

The meeting ended at 8.25 pm