

TONBRIDGE AND MALLING BOROUGH COUNCIL

CABINET

MINUTES

Tuesday, 2nd September, 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

***Virtual:** Cllrs L Athwal, Mrs S Bell, S Crisp, D Harman, Mrs A S Oakley, M R Rhodes and K B Tanner were also present pursuant to Access to Information Rule No 23.

(*participated via MS Teams)

PART 1 - PUBLIC

CB 25/91 DECLARATIONS OF INTEREST

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

CB 25/92 MINUTES

RESOLVED: That the Minutes of the ordinary and extraordinary meetings of the Cabinet held on 30 June and 29 July 2025 respectively be approved as a correct record and signed by the Chairman.

MATTERS FOR RECOMMENDATION TO THE COUNCIL

CB 25/93 REPLACEMENT OF SHALLOWS BRIDGE, HAYSDEN COUNTRY PARK

Consideration was given to a List C Capital Plan Evaluation (attached at Annex 1) for the replacement of the Shallows Bridge in Haysden Country Park.

The proposal was to remove the existing Shallows Bridge, which had been condemned by a structural engineer, and to replace it with a new bridge that met the needs of park users and would be compliant with the Disability Discrimination Act.

Due regard was given to the financial and value for money considerations and it was estimated that the replacement of the bridge would be circa £265,000. The potential to utilise developer contributions to meet just over half of the costs was welcomed. As the works were

required for health and safety reasons the balance of £112,000 would need to be provided from the Revenue Reserve for Capital Schemes.

Attention was drawn to the potential risk of increased costs arising from an inspection and assessment of the existing abutments by a structural engineer once the existing bridge was removed. It was hoped that the existing abutments would be fit for purpose but if not a full reconstruction could cost in the region of £45,000. In this scenario, Cabinet would be asked to determine if the project was cost prohibitive.

Finally, it was confirmed that the replacement bridge would be stainless steel to increase longevity. It was also reported that the only other option would be not to replace the bridge as a repair was not possible and remove the existing structure.

On the grounds that the replacement bridge would maintain access for users of the Country Park, Cllr Keers proposed, Cllr Taylor seconded and Cabinet

***RECOMMENDED:** That

- (1) the scheme to replace the Shallows Bridge, Haysden Country Park be transferred to List A of the Capital Plan; and
- (2) subject to an assessment of the abutments, the replacement bridge be constructed in the current financial year.

***Recommended to Council**

CB 25/94 PROPOSAL FOR MONTHLY MEMBER BRIEFING SESSIONS ON PRE-APPLICATION DEVELOPMENT PROPOSALS

Consideration was given to the recommendations of the Housing and Planning Scrutiny Committee in respect of establishing regular, officer-chaired briefing sessions for Members on pre-application development proposals.

The aim was to enhance Member engagement whilst maintaining confidentiality and integrity of the planning process.

Due regard was given to the views of the Scrutiny Select Committee, the financial and value for money considerations, the assessment of risk and the legal implications. A new charge would be introduced as part of the pre-application charging schedule as detailed in Annex 1. This was reviewed annually to ensure that costs were recovered effectively.

Cabinet welcomed the introduction of early engagement giving Members an opportunity to raise key planning issues and highlight local sensitivities. It was also recognised that the effectiveness of these

sessions relied on Members participating and that low attendance could undermine the value of the service.

On the grounds of improving communication and engagement between Members and developers, Cllr Taylor proposed, Cllr Mehmet seconded and Cabinet

***RECOMMENDED:** That

- (1) the proposed approach be endorsed;
- (2) the establishment of monthly member briefing sessions be commended to Council; and
- (3) the introduction of the proposed fees, which would supplement the existing pre-application services (as set out in Annex 1) be endorsed.

***Recommended to Council**

MATTERS IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION

EXECUTIVE NON-KEY DECISIONS

CB 25/95 RIVERSIDE ROUTE LIGHTING PROJECT, TONBRIDGE

(Decision Notice D250098CAB)

Consideration was given to the proposal outlined in the external consultant's design report (attached at Annex 1) which was to progress the tendering and construction of a high-quality lighting scheme between Town Lock and Vale Road/Cannon Lane in Tonbridge.

Due regard was given to the financial and value for money considerations, the assessment of risk and the legal implications detailed in the report. Members noted a revised budget for the project due to improved accuracy following stage 4 design. It was also felt prudent to allow a contingency sum for any issues arising from an ecological appraisal and any further comments from external bodies including the Environment Agency and Kent Wildlife Trust.

It was recognised that the scheme addressed concerns raised by ward councillors over a number of years and on the grounds of improving safety along the footpath and that the project could be delivered in full via developer contributions with no funding needed from the Borough Council, Cllr Keers proposed, Cllr Mehmet seconded and Cabinet

RESOLVED: That

- (1) the project for riverside lighting between Vale Road and the northwest boundary of the former gasholder site be progressed through the tender and construction stages;
- (2) delegated authority be granted to the Director of Street Scene, Leisure and Technical Services, in consultation with the Cabinet Member for Communities and local Ward Members, to amend the design to take into account any findings from the ecological appraisal and any further comments from external bodies including the Environment Agency and Kent Wildlife Trust; and
- (3) a project budget as set out in the report and funded in full via developer contributions, be approved.

CB 25/96 LOCAL NATURE RECOVERY STRATEGY - PRE PUBLICATION REVIEW PERIOD

(Decision Notice D250099CAB)

The report of the Director of Planning, Housing and Environmental Health presented a Local Nature Recovery Strategy (LNRS) on behalf of the Responsible Authority (Kent County Council), which was now in its final stages at the pre-publication review period.

As a Supporting Authority, Tonbridge and Malling Borough Council had 28 days to consider the LNRS and to either lodge any publication advisory notice to Kent County Council (KCC) if it was considered that the final Strategy could not be justified and/or was materially deficient or confirm support for proceeding to publication.

Due regard was given to the details outlined in the report, together with the LNRS and on the grounds that the Strategy set priorities for biodiversity enhancements, mapped where nature recovery actions could be located for both habitats and species and delivered improvements for wildlife and other environmental benefits, Cllr Taylor proposed, Cllr Betts seconded and Cabinet

RESOLVED: That

- (1) the purpose and content of the Pre-Publication Kent and Medway Local Nature Recovery Strategy be noted;
- (2) the Borough Council's support to proceed to publication be confirmed; and
- (3) the Borough Council's response be delegated to the Director of Planning, Housing and Environmental Health, in consultation with the Cabinet Member for Planning.

CB 25/97 BUDGETARY CONTROL AND SAVINGS UPDATE - JULY 2025

(Decision Notice D250100CAB)

In accordance with the Borough Council's Financial Procedure Rules, the Head of Finance and s151 Officer's report provided an update on the financial position as of the end of July 2025. Members were also informed about the progress towards achieving the savings target for the 2026/27 budget

A number of areas had been identified as variations to the original estimate and included a reduced inflationary increase on the Refuse, Recycling and Street Cleansing Contract, an adjustment in respect of utility support payments to the Tonbridge and Malling Leisure Trust arising from falling energy prices and the implementation of energy saving measures at leisure facilities and an increased award in respect of 'Polluter Pays' grants. These had resulted in a net variable variance as at the end of July 2025.

Attention was also drawn to areas of overspend including temporary accommodation for homelessness clients, essential grounds work maintenance surrounding the rebutment at Tonbridge Castle and unexpected works to resolve a water leak at the Racecourse Ground.

Particular reference was made to base budget reviews undertaken by all Services to identify contributions towards the savings target. Whilst the areas of saving and/or income generation were short of the minimum £300,000 target, when the overprovision of inflation for the Refuse, Recycling and Street Cleansing Contract was reflected, the revised total met the savings target.

Finally, Members recognised the risks related to Business Rates and the lack of valuation on some properties and the ongoing Fair Funding Review, both of which could fundamentally impact the Borough Council's income streams.

Cllr Coffin proposed, Cllr Boughton seconded and Cabinet

RESOLVED: That

- (1) the net favourable variance of circa £730,000 as at the end of July 2025 when compared to the proportion of the 2025/26 budget (as set out in paragraph 4.9) be noted;
- (2) the current business rate pool position as at the end of July 2025 (as set out in paragraph 5.2) be noted; and
- (3) the progress towards the Savings Target to be achieved for the budget setting for 2026/27 (as set out in section 7) be noted.

CB 25/98 SPORTS FACILITIES EVIDENCE

(Decision Notice D250101CAB)

Consideration was given to the recommendations of the Housing and Planning Scrutiny Select Committee of 15 July 2025 in respect of the approach to maintaining and enhancing sports facilities in the Borough through the adoption of the Indoor Sports Facilities and the Playing Pitches and Outdoor Sports Facilities Strategies (Annexes 1 and 2 respectively).

These Strategies had been progressed as part of the evidence base for the Local Plan process to ensure delivery of sustainable development to support existing and new communities.

Due regard was given to the views of the Scrutiny Select Committee, the financial and value for money considerations, the assessment of risk and the legal implications. Particular reference was made to the Joint Parish Skate Park (a tri-parish agreement between Borough Green, Platt and Wrotham) and it was felt that this should be included in 14.5.3 (BMX and Skate Parks) of the Playing Pitches and Outdoors Sports Facilities Strategies (Annex 2). This was supported unanimously.

Concern was expressed regarding the accuracy of some of the detail provided in the Strategies. However, it was felt that a thorough review had been undertaken and there was no evidence to indicate that the assessment of need was not robust.

On the grounds of maximising the Borough Council's ability to support and deliver key facilities across the Borough and to inform the negotiation of s106 agreements where development would impact on facility use, Cllr Boughton proposed, Cllr Taylor seconded and Cabinet

RESOLVED: That

- (1) the Indoor Sports Facilities Strategy (attached at Annex 1) be endorsed and adopted as the Borough Council's current policy position on sports facilities, subject to careful consideration of comments received from local sports teams;
- (2) the Playing Pitches and Outdoor Sports Facilities Strategy (attached at Annex 2) be endorsed and adopted as the Borough Council's current policy position on sports facilities, subject to careful consideration of comments received from local sports teams and the inclusion of the Joint Parish (Borough Green, Platt and Wrotham) Skate Park in 14.5.3 (BMX and Skate Parks); and
- (3) delegated authority be given to the Director of Planning, Housing and Environmental Health, in consultation with the Cabinet Members for Community Services and Planning, to publish Stage

E reviews of these Strategies to update the position to help inform the Local Plan and other Borough Council workstreams.

CB 25/99 RISK MANAGEMENT

(Decision Notice D250102CAB)

Consideration was given to the recommendations of the Audit Committee of 21 July 2025 in respect of the risk management process and the Strategic Risk Register (SRR).

Due regard was given to the views of the Committee, the financial and value for money considerations and the legal implications and a number of changes made to the current Register, including the deletion of some risks that were no longer felt to be strategic risks, were noted. The number of 'red' risks on the SRR were 3 as set out below:

- Achievement of Savings and Transformation Strategy
- Failure to agree a Local Plan
- Managed exit from the Agile System.

Cllr Betts proposed, Cllr Boughton 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 as shown in Annexes 1 and 1a of the report be noted; and
- (2) the service risks identified in Annex 2 of the report be noted.

CB 25/100 ANNUAL SENIOR INFORMATION RISK OWNER REPORT 2024-25

(Decision Notice D250103CAB)

Consideration was given to the recommendations of the Finance, Regeneration and Property Scrutiny Select Committee in respect of the new Annual Senior Information Risk Officer (SIRO) report for 2024/25, which provided a comprehensive overview of the key activities, achievements and challenges faced by the Borough Council over the past year.

Due regard was given to the views of the Scrutiny Select Committee, the financial and value for money considerations, the assessment of risk and the legal implications outlined in the report. The proposals to enhance cyber resilience were welcomed as the importance of ensuring the Borough Council was adequately equipped to address current threats was recognised. Members also welcomed the detailed report of the SIRO and the in-dept discussion at the Scrutiny Select Committee.

Cllr proposed Boughton, Cllr Coffin seconded and Cabinet

RESOLVED: That

- (1) the annual report (attached at Annex 1) providing strategic oversight and assurance on organisational information risk and digital resilience be noted;
- (2) the proposed investment in enhanced cybersecurity services be supported and a procurement process be initiated;
- (3) the associated costs for incident response to be covered using available grant funding; and
- (4) the ongoing operational costs for security monitoring be funded from existing reserves initially and incorporated into the core budget in future financial years.

MATTERS SUBMITTED FOR INFORMATION

CB 25/101 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 25/102 NOTICE OF FORTHCOMING KEY DECISIONS

The Notice setting out the Key Decisions anticipated to be taken during October 2025 was noted. A Notice for the period October to December 2025 was to be published in due course.

CB 25/103 EXCLUSION OF PRESS AND PUBLIC

Cllr Coffin proposed, Cllr Boughton seconded and it was

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 25/104 BLUEBELL HILL TEMPORARY ACCOMMODATION PROJECT - TENDERS**

(Decision Notice D250104CAB)

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

The report of the Director of Planning, Housing and Environmental Health detailed the tenders received for the Bluebell Hill temporary accommodation project and sought approval to award the contract.

A supplementary report, published in advance of the meeting, provided more detail in respect of an assessment of an enhanced scheme and information on risks to the project.

Due regard was given to the financial and value for money considerations, the funding arrangements and the detailed proposals for a base or enhanced scheme as set out in the reports. Careful consideration was also given to the assessment of risks and a register for the project had been developed. This would continue to be reviewed throughout the scheme to ensure risks were identified and mitigated as far as reasonably possible.

Members observed that the units were good quality and built off site rather than the true definition of modular. These units also had a life span of circa 100 years and were not considered a temporary solution. The importance of retaining flexibility around opportunities to grow the site if further funding became available was also recognised.

On the grounds of demonstrating best value for money and accessing Local Authority Housing Fund grant, providing an alternative to nightly paid temporary accommodation, making best use of land assets and helping households to secure suitable accommodation, Cllr Betts proposed, Cllr Keers seconded and Cabinet

RESOLVED: That

- (1) delegated authority be granted to the Director of Planning, Housing and Environmental Health and the Director of Central Services and Deputy Chief Executive to enter into a Design and Build contract for the enhanced scheme for the construction of modular housing at Bluebell Hill former commuter car park with the lead tenderer (as detailed in the report);

- (2) it be noted that the amount tendered was within the original budget proposal;
- (3) it be noted that the design phase only would be committed to initially;
- (4) delegated authority be granted to the Cabinet Member for Finance, Waste and Technical Services and Deputy Leader, in consultation with the Director of Planning, Housing and Environmental Health and the Director of Central Services and Deputy Chief Executive, to agree the gateway approval to move to the build stage of the contract; and
- (5) delegated authority be granted to the Cabinet Member for Finance, Waste and Technical Services and Deputy Leader, in consultation with the Director of Planning, Housing and Environmental Health and the Director of Central Services and Deputy Chief Executive, to use the Local Authority Housing Fund grant to purchase street properties for use as temporary accommodation should the enhanced scheme for Bluebell Hill project become undeliverable.

CB 25/105 LARKFIELD LEISURE CENTRE - WET CHANGE REFURBISHMENT

(Decision Notice D250105CAB)

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

The report of the Director of Street Scene, Leisure and Technical Services set out the tender process for the refurbishment of the Wet Change area at Larkfield Leisure Centre and sought approval for the award of the contract.

Due regard was given to the financial and value for money considerations, the assessment of risk and the legal implications detailed in the report. A risk register had been developed for the project and would be reviewed throughout the scheme to ensure risks were identified and mitigated as far as reasonably possible.

On the grounds that best value had been demonstrated and of ensuring that the Borough Council's leisure facilities were maintained in a safe, working state for the enjoyment of customers, Cllr Keers proposed, Cllr Betts seconded and Cabinet

RESOLVED: That delegated authority be granted to the Director of Street Scene, Leisure and Technical Services, in consultation with the Cabinet Member for Community Services, to award the contract to the

lead tenderer for the refurbishment of the Wet Change area at Larkfield Leisure Centre on the basis that the costs fall within the project budget of £270,000 (excluding locker replacement and internal redecoration).

EXECUTIVE NON-KEY DECISIONS

CB 25/106 TONBRIDGE TOWN CENTRE PROGRAMME BOARD - MINUTES AND RECOMMENDATIONS

(Decision Notice D250106CAB)

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

Members reviewed the Notes of the Tonbridge Town Centre Programme Board for the meetings of 16 May 2025 and 20 June 2025 (attached at Annexes 1 and 2 respectively). Recommendations in respect of a number of Tonbridge projects were also presented for consideration.

Cabinet had due regard to the recommendations of the Programme Board, the financial and value for money considerations and the legal implications and recognised that de-coupling the Tonbridge Farm Sportsground project from the Tonbridge Town Centre Programme Board enabled the project to be managed independently and provided greater scrutiny.

Members were assured that project spend would be carefully monitored and reviewed and on the grounds of supporting the regeneration of Tonbridge Town Centre, Cllr Mehmet proposed, Cllr Keers seconded and Cabinet

RESOLVED: That

- (1) the notes of the Tonbridge Town Centre Programme Board of 16 May 2025 and 20 June 2025 (attached at Annexes 1 and 2) be noted;
- (2) a Feasibility Study/Business case analysis for a full-size all-weather pitch and pavilion refurbishment, including future operational and management arrangements, at Tonbridge Farm Sportsground be undertaken;
- (3) discussions with Tonbridge Angels Football Club to consider partnership opportunities for the Tonbridge Farm Sportsground site be continued;
- (4) the Tonbridge Farm Sportsground project be de-coupled from the Tonbridge Town Centre Programme Board; and

- (5) work with RIBA Stage 2 design process, as outlined in the Angel Centre Replacement Tonbridge Town Centre Programme Board report (attached at Annex 3) be continued.

The meeting ended at 8.21 pm