

TONBRIDGE AND MALLING BOROUGH COUNCIL



COUNCIL MINUTE BOOK

1 APRIL – 30 JUNE 2025

VOLUME 3

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

VOLUME 3
1 APRIL – 20 JUNE 2025

Item		Page (s)
1.	1 April 2025: Cabinet	1 - 10
	• Minute Numbers: CB 25/43-55	
2.	2 April 2025: Area 2 Planning Committee	11 - 16
	• Minute Numbers: AP2 25/15-22	
3.	3 April 2025: Overview and Scrutiny Committee	17 - 22
	• Minute Numbers: OS 25/13-26	
4.	8 April 2025: Council	23 - 30
	• Minute Numbers: C25/28-38	
5.	10 April 2025: Area 3 Planning Committee	31 - 34
	• Minute Numbers: AP3 25/7-12	
6.	14 April 2025: Audit Committee	35 - 42
	• Minute Numbers: AU 25/12-25	
7.	12 May 2025: General Purposes Committee	43 - 44
	• Minute Numbers: GP 25/16-19	
8.	13 May 2025: Council (Annual)	45 - 54
	• Minute Numbers: C 25/39-60	

9.	20 May 2025: Housing and Planning Scrutiny Select Committee	55 - 60
	<ul style="list-style-type: none"> Minute Numbers: HP 25/17-26 	
10.	22 May 2025: Area 1 Planning Committee	61 - 62
	<ul style="list-style-type: none"> Minute Numbers: AP1 25/13-18 	
11.	27 May 2025: Finance, Regeneration and Property Scrutiny Select Committee	63 - 66
	<ul style="list-style-type: none"> Minute Numbers: FRP 25/8-14 	
12.	28 May 2025: Area 2 Planning Committee	67 - 70
	<ul style="list-style-type: none"> Minute Numbers: AP2 25/23-30 	
13.	2 June 2025: Joint Standards Committee	71 - 74
	<ul style="list-style-type: none"> Minute Numbers: ST 25/7-10 	
14.	3 June 2025: Cabinet	75 - 84
	<ul style="list-style-type: none"> Minute Numbers: CB 25/26-71 	
15.	5 June 2025: Area 3 Planning Committee	85 - 88
	<ul style="list-style-type: none"> Minute Numbers: AP3 25/13-18 	
16.	10 June 2025: Licensing and Appeals Committee	89 - 92
	<ul style="list-style-type: none"> Minute Numbers: LA 25/6-13 	
17.	11 June 2025: General Purposes Committee	93 - 96
	<ul style="list-style-type: none"> Minute Numbers: GP 25/20-24 	

18.	Decisions taken by the Executive (Cabinet,Cabinet Member and Urgent)	97 - 176
	<ul style="list-style-type: none"> • D250029MEM • D250030CAB – D250036CAB • D250037MEM – D250044MEM • D250045MEM – D250046MEM • D250047CAB – D250058CAB • D250059MEM – D250071MEM 	

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 online.

TONBRIDGE AND MALLING BOROUGH COUNCIL

CABINET

MINUTES

Tuesday, 1st April, 2025

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: Councillors B Banks, Mrs T Dean, R V Roud, Mrs S Bell*, T Bishop*, M A J Hood*, Mrs A S Oakley*, Stacey Pilgrim* and M R Rhodes* were also present pursuant to Access to Information Rule No 23.

(*participated via MS Teams)

PART 1 - PUBLIC

CB 25/43 DECLARATIONS OF INTEREST

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

CB 25/44 MINUTES

RESOLVED: That the Minutes of the ordinary and extraordinary meetings of the Cabinet held on 4 March 2025 and 19 March 2025 respectively be approved as a correct record and signed by the Chairman.

MATTERS IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION

EXECUTIVE NON-KEY DECISIONS

CB 25/45 PETITION - SAVE WEST MALLING FARMERS MARKET

(Decision Notice: D250030CAB)

Consideration was given to a petition received from Councillors T Dean, R Roud and M Tatton as joint sponsors asking that the four-hour parking restriction at Ryarsh Lane Car Park be lifted for traders at the West Malling Farmers Market so that a Farmers Market could continue to be provided on the fourth Sunday of each month in West Malling.

The petition organisers addressed the Cabinet in accordance with the Borough Council's Petition Scheme, as set out in the Constitution, and expressed concerns in respect of the impact that a four-hour parking limit had on the viability of the operation of the West Malling Farmers

Market for market operators and stall holders. It was clarified by the petitioners that they were seeking lifting of the four-hour maximum parking time restriction only rather than a waiver of parking charges, to allow market traders sufficient time of parking at the Ryarsh Lane Car Park to complete all the necessary tasks associated with the operation of the four-hour market.

Due regard was given to the views of the petition organisers and legal implications detailed in the report of the Director of Street Scene, Leisure and Technical Services.

Recognising the importance of the West Malling Farmers Market not only to the market traders and local residents but also to the development and vibrance of the area, the petition was supported by the Cabinet Member for Transformation and Infrastructure, who in addition suggested that consideration be given to allowing parents and/or carers of children in West Malling Church of England Primary School to park at the Ryarsh Lane Car Park for up to 15 minutes during school collection time, to be included within the same Notice of Variation that was to be issued to amend the parking time restriction in support of the petition regarding the West Malling Farmers Market.

The timing for this Notice of Variation would be dependent on the existing pipeline of parking review work but the Cabinet Member for Transformation and Infrastructure (Cllr M Coffin) endeavoured to progress this as soon as possible.

Cllr M Coffin proposed, seconded by Cllr M Boughton and Cabinet

RESOLVED: That

- (1) the Petition seeking lifting of a four-hour parking restriction at Ryarsh Lane Car Park for traders at West Malling Farmers Market, as set out in Annex 1, be received and noted;
- (2) a provision be made to enable parents and/or carers of children in West Malling Church of England Primary School to park at the Ryarsh Lane Car Park for up to 15 minutes during school collection time; and
- (3) an Amendment to the Off Street Parking Order be made to alter the charging period of Ryarsh Lane Car Park in West Malling, to reflect the changes agreed per above (1) and (2), by way of the issuing of a Notice of Variation with its display in the car park affected and in the local press for a period of not less than 21 days prior to the changes coming into effect, as set out in paragraph 1.2.2 of the report, subject to agreement of a suitable tariff as a linear extension of the current charging arrangement.

CB 25/46 CORPORATE KEY PERFORMANCE INDICATORS - Q3 2024/25

(Decision Notice: D250031CAB)

Consideration was given to a set of Key Performance Indicators covering Quarter 3 of 2024/25 (October to December 2024), attached at Annex 1, which were aligned to the Corporate Strategy 2023 – 2027 and monitored on a quarterly or annual basis.

Quarterly trends in respect of both positive direction of travel and areas of focus were identified and highlighted in paragraph 4.2 of the report, with particular reference made to the drop in reported Anti-Social Behaviour (ASB) cases thanks to the engagement of the Council's ASB Enforcement Team, drop in the 5 Year Housing Land Supply due to the higher housing need set out in the revised National Planning Policy Framework, ongoing challenge in addressing the Housing Register backlog given the higher than normal number of applications received in the last few months and the slight reduction in the recycling and composting rate although it was noted that a comprehensive programme of recycling promotion was scheduled for the next year to maximise performance.

Furthermore, it was noted that a long view for the Corporate Key Performance Indicators for the last six quarters was attached at Annex 2.

Cabinet had due regard to the risk assessment and consultation, communication and implementation considerations and noted that given the overlap between introduction of the new Annual Service Delivery Plan 2025/26 and the scheduled reporting of Q4 2024/25 Key Performance Indicators, there was advantage of circulating an end-of-year report via email and publishing on the Council website instead of reporting through the formal decision-making channels.

RESOLVED: That

- (1) the report and the Key Performance Indicators for Q3 2024/25, set out in Annexes 1 and 2, be noted; and
- (2) the arrangements for reporting Q4 2024/25 Key Performance Indicators, as set out in paragraph 4.4 of the report, be approved.

CB 25/47 50TH ANNIVERSARY COMMUNITY GRANT SCHEME

(Decision Notice: D250032CAB)

Consideration was given to proposals for the allocation of the 50th Anniversary Community Grant Scheme as detailed in Annex 2 of the report.

The proposed grant allocations focused on projects best meeting the priorities for the Scheme, as set out in paragraph 2.2 of the report, and were assessed against a set of scoring criteria and guidelines as outlined in Annex 1 of the report. While the scheme was welcomed by the community, the difficulty in agreeing a proposal for the allocations was acknowledged due to significant over-subscription. However, it was noted that another round of community grant scheme would be available later in the year to hopefully provide support to more community and voluntary groups within the borough.

Cabinet had due regard to the risk assessment, the financial and value for money considerations and the consultation and communication implications.

Cllr M Boughton proposed, seconded by Cllr D Keers and Cabinet

RESOLVED: That the grant allocations for the Tonbridge and Malling Borough Council 50th Anniversary Community Grant Scheme, as set out in Annex 2 of the report, be endorsed.

CB 25/48 CORPORATE POLICIES UPDATE

(Decision Notice: D250033CAB)

Consideration was given to proposals to update the Borough Council's policies regarding the administration of council tax and business rate discounts/reliefs and the recovery of unpaid debts.

First of all, the Empty Homes and Second Homes Premium Policy was updated to reflect the exceptions to the premium charges as introduced by the Council Tax (Prescribed Classes of Dwellings and Consequential Amendments) (England) Regulations 2024.

Secondly, in accordance with the 2024 Autumn Statement announced by the Government, the Discretionary Non-Domestic Rate Relief Policy was updated to reflect the changes in respect of Retail, Hospitality & Leisure Relief, and also the changes in respect of private schools which from April 2025 were no longer entitled to charitable relief.

Finally, a review of the existing Corporate Debt Recovery Policy had been undertaken as recommended by the Finance, Regeneration and Property Scrutiny Select Committee and identified no amendments required.

Cllr M Boughton proposed, seconded by Cllr K Tanner and Cabinet

RESOLVED: That

- (1) the Empty Homes and Second Homes Premium Policy for the 2025/26 financial year be amended as set out in Annex 1, with effect from 1 April 2025;
- (2) the Discretionary Non-Domestic Rate Relief Policy for the 2025/26 financial year be amended as set out in Annex 2, with effect from 1 April 2025; and
- (3) it be noted that the Corporate Debt Recovery Policy had been reviewed with no amendment required.

EXECUTIVE KEY DECISIONS

CB 25/49 WASTE, RECYCLING AND STREET CLEANSING CONTRACT

(Decision Notice: D250034CAB)

Consideration was given to the recommendations of the Communities and Environment Scrutiny Select Committee of 5 March 2025 in respect of a set of detailed specifications in relation to the procurement of the Borough Council's Waste Services Contract in partnership with Tunbridge Wells Borough Council.

Cabinet had due regard to the view of the Scrutiny Select Committee, the financial and value for money considerations, risk assessment and legal implications.

Cllr M Coffin proposed, seconded by Cllr M Boughton and Cabinet

RESOLVED: That

- (1) the Competitive Flexible Procedure procurement route and timeline as outlined in Section 5.1 of the report submitted to the Communities and Environment Scrutiny Select Committee of 5 March 2025, be agreed;
- (2) the proposed contract length of 12 years, as outlined in Section 5.2.1 of the aforementioned report, be agreed;
- (3) joint delegated authority be given to the Cabinet Member for Transformation and Infrastructure and the Director of Street Scene, Leisure and Technical Services to agree contract variations following dialogue and negotiation ahead of the contractors' final bids, as outlined in Section 5.1.5 of the aforementioned report;
- (4) the proposed Specification amendment, highlighted in Section 5.3 of the aforementioned report, be agreed and reflected in the tender pack;

- (5) the proposed areas of dialogue, as highlighted in Section 5.4 of the aforementioned report, be agreed;
- (6) the proposed contract options, as highlighted in Section 5.5 of the aforementioned report, be agreed;
- (7) the approach to vehicle finance options, as highlighted in Section 5.6 of the aforementioned report, be determined by the Partner Authorities' Finance lead officers and be reported to the appropriate Committee and Cabinet;
- (8) the proposed method of contract indexation, as highlighted in Section 5.7 of the aforementioned report, be agreed;
- (9) the proposed tender evaluation be progressed in accordance with Section 5.8 of the aforementioned report; and
- (10) the proposed approach to decarbonisation, as highlighted in Section 12.7 of the aforementioned report, be agreed.

CB 25/50 GREEN AND BLUE INFRASTRUCTURE STRATEGY

(Decision Notice: D250035CAB)

Consideration was given to the recommendations of the Communities and Environment Scrutiny Select Committee of 5 March 2025 in respect of an updated Green and Blue Infrastructure Strategy.

Following consideration by the Scrutiny Select Committee, the draft Strategy had been updated to take into account a number of suggestions made by Members and an updated Green and Blue Infrastructure Strategy was attached at Annex 1.

Cabinet had due regard to the views of the Scrutiny Select Committee, the risk assessment, the financial and value for money implications and the implementation considerations.

Cllr R Betts proposed, seconded by Cllr M Taylor and Cabinet

RESOLVED: That the updated Green and Blue Infrastructure Strategy, as set out in Annex 1, be endorsed for publication.

**MATTERS FOR RECOMMENDATION TO THE COUNCIL AND
EXECUTIVE KEY DECISION**

CB 25/51 REPLACEMENT ANGEL LEISURE CENTRE

(Decision Notice: D250036CAB)

Consideration was given to proposals in respect of replacement of the Angel Leisure Centre in Tonbridge with a new state-of-the-art leisure and community facility located in the town centre area.

When considering the recommendation from the Tonbridge Town Centre Programme Board on the selected location for the replacement leisure centre, Members recognised that the expertise of the Council's Leisure development partner and Masterplanning consultants and the views of Members to ensure the selected site fits into the broader objectives of the town centre masterplanning exercise had been taken into consideration.

Members further noted that the final design of the replacement leisure and community facility would be developed over the next 12 months and would be reported to the Tonbridge Town Centre Programme Board in due course, subject to public consultation and planning approval.

While noting from the capital plan evaluation attached at Annex 2 that the overall project cost to build a replacement leisure centre was estimated to be significant and would represent the largest investment in a project by the Borough Council, Members also acknowledged that there would be option for the Borough Council to discontinue with the project after each of the Royal Institute of British Architects (RIBA) Stages should such a need arise within the context of the Local Government Reorganisation programme and the approval being sought at this stage was for financial commitment to meet the cost for RIBA Stage 2 only.

Concern was raised by the Cabinet Member for Finance and Housing on the estimated cost for the project as identified by the feasibility study undertaken during RIBA Stage 1 and it was recognised that in order to fund the project, external borrowing would have to be considered alongside utilising reserves as part of the funding options, although efforts was being made and would continue to be made within the Borough Council to minimise the need for external borrowing and maximise the value for money to arise from the project. In addition, Members were advised that negotiation with the Tonbridge and Malling Leisure Trust, being the agreed operator of the new leisure centre, was underway in respect of a capital contribution and revised service fees in favour of the Borough Council as part of the wider discussion with regard to a potential contract extension, in anticipation of an uplift in projected net revenue based on forecasted increase in latent demand.

Cabinet had due regard to the financial and value for money considerations, risk assessment and legal implications and reinforced the necessity for additional and tight control to be put in place to enable Cabinet to monitor the entire process of the project to ensure best value for money was achieved with prudent spend of taxpayers' money.

Cllr M Boughton proposed, seconded by Cllr M Coffin and Cabinet

RESOLVED: That

- (1) the Sovereign Way Mid Car Park be selected as the site location for the new Leisure Centre;
- (2) the timeline for the project as shown in Annex 5, be noted, subject to the timeline being amended to reflect that following each Royal Institute of British Architects (RIBA) Stage the Cabinet Member for Climate Change, Regeneration and Property, in consultation with the Cabinet Member for Finance and Housing and the Cabinet Member for Community Services, be asked to confirm agreement to move on to the next RIBA stage;
- (3) subject to approval of the project by full Council, the appointment of Alliance Leisure Services Ltd as the Borough Council's leisure development partner to progress the project through the RIBA Stages, be approved;
- (4) negotiations with the Tonbridge and Malling Leisure Trust be commenced by the Chief Executive of the Borough Council regarding a capital contribution and an ongoing annual contribution to the project and draft Heads of Terms be brought forward by the Chief Executive; and
- (5) £400,000 be transferred from the Borough Council's Climate Change Reserve to the earmarked reserve for the Angel Leisure Centre replacement.

RECOMMENDED*: That

- (1) List C Capital Plan Evaluation for the replacement Angel Leisure Centre scheme, at set out in Annex 2, be transferred to List A of the Capital Plan.

***Recommended to Council**

MATTERS SUBMITTED FOR INFORMATION

CB 25/52 MINUTES OF PANELS, BOARDS AND OTHER GROUPS

The Minutes of the meetings of the following Advisory Panels and other Groups were received, any recommendations contained therein being

incorporated within the decisions of the Cabinet reproduced at the annex to these Minutes.

CB 25/53 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 25/54 NOTICE OF FORTHCOMING KEY DECISIONS

The Notice setting out the Key Decisions anticipated to be taken during May and June 2025 was noted.

CB 25/55 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 8.35 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

AREA 2 PLANNING COMMITTEE

MINUTES

Wednesday, 2nd April, 2025

Present: Cllr W E Palmer (Chair), Cllr B Banks, Cllr M D Boughton, Cllr P Boxall, Cllr M A Coffin, 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

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

PART 1 - PUBLIC

AP2 25/15 DECLARATIONS OF INTEREST

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

AP2 25/16 MINUTES

RESOLVED: That the Minutes of the meeting of the Area 2 Planning Committee held on 19 February 2025 be approved as a correct record and signed by the Chairman.

AP2 25/17 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.

MATTERS TAKEN UNDER DELEGATED POWERS (IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION)

AP2 25/18 TM/24/01620 - THE LONDON GOLF CLUB, SOUTH ASH MANOR, SOUTH ASH ROAD, ASH, SEVENOAKS

Proposals within the Tonbridge and Malling Borough Council area:

Erection of a hotel with spa and conference facilities, and visitor accommodation lodges, associated parking and landscaping located to the west of Ash Lane. An underpass under Ash Lane connecting the main golf club site with the eastern parcel. A sports pavilion (comprising a restaurant, gym and studios), racket courts and a swimming lake; visitor accommodation lodges and a new relocated driving range and Elite Performance Centre located to the east of Ash Lane along with associated parking and landscaping. Change of use of Grade II* listed South Ash Manor and adjacent stables block from office use to visitor accommodation. Refurbishment of Grade II* listed South Ash Manor including internal and external alterations and demolition of conservatory.

Proposals within the Sevenoaks District Council area:

Erection of visitor accommodation lodges and landscaping located to the west of Ash Lane. Demolition of the existing building within the southern parcel and redevelopment of land into a sports turf academy with associated surfaces and an artificial pitch. New equestrian facilities including an arena and replacement stables. Change of use of Grade II* listed South Ash Manor and adjacent stables block from office use to visitor accommodation. Refurbishment of Grade II* listed South Ash Manor including internal and external alterations and demolition of conservatory.

Due regard was given to the determining issues and conditions as detailed in the report of the Director of Planning, Housing and Environmental Health. During discussion, Members recognised that engagement had been undertaken with the local community and the Parish Council and that the concerns raised regarding traffic and noise had been addressed by the applicant. Furthermore, Members welcomed the employment benefits that the development would bring to the area.

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, subject to the following amendments:

- (1) An increase in the applicable monitoring fees to £460 per obligation, in line with the annual fee increase; and

(2) Condition (2), reference to existing plans to be deleted.

[Speakers: Mr J Skoniekj (member of the public) addressed the Committee via MS Teams and Mr S Follett (Applicant) addressed the Committee in person].

AP2 25/19 TM/24/00366/PA - LAND OPPOSITE THE PADDOCKS, BIRLING ROAD, LEYBOURNE, WEST MALLING

S73 Application for variation of conditions 3 and 4 submitted pursuant to Appeal ref: APP/H2265/C/21/3280661 to allow for the siting of an additional 2 static caravans and 2 utility rooms within existing pitches.

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.

During discussion, concern was raised regarding the harm to the Green Belt due to the encroachment from the development, following which Councillor Boxall proposed, seconded by Councillor Banks and supported by the Committee, that the application be refused by reason of the introduction of two additional static caravans and two day units would result in an incongruous form of development and would result in sprawl of the existing site which strongly contributes to green belt purposes paragraph 143 a) NPPF (2024) as such would be inappropriate development for which no very special circumstances have been demonstrated to outweigh the harm caused by the inappropriateness.

In accordance with Council Procedure Rule 15.25, Part 4 Rules of the Constitution, it was

RESOLVED: That the planning application be DEFERRED for a report from Legal Services on the risks arising from a decision contrary to the recommendation of the Director of Planning, Housing and Environmental Health (as set out in CPR 15.25, Part 4 (Rules) of the Constitution).

[Speakers: Representatives of Birling Residents addressed the Committee in person].

AP2 25/20 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.

Careful consideration was given to the points raised by the speakers and the submitted details and conditions set out in the report of the Director of Planning, Housing and Environmental Health.

RESOLVED: That the application 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 2024.
- (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 2024.
- (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 187 of the National Planning Policy Framework 2024.

[Speakers: Cllr B Biggs Platt (on behalf of Platt Parish Council) and Mr I Sayer (applicant) addressed the Committee in person].

AP2 25/21 PLANNING APPEALS, PUBLIC INQUIRIES AND HEARINGS

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

AP2 25/22 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 10.12 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

OVERVIEW AND SCRUTINY COMMITTEE

MINUTES

Thursday, 3rd April, 2025

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

Cllrs A G Bennison, Mrs T Dean, B Banks, R P Betts*, M D Boughton*, M A Coffin*, D Keers*, M R Rhodes*, K B Tanner* and M Taylor* were also present pursuant to Council Procedure Rule No 15.21.

(*participated via MS Teams)

PART 1 - PUBLIC

OS 25/13 NOTIFICATION OF SUBSTITUTE MEMBERS

There were no substitute members required.

OS 25/14 DECLARATIONS OF INTEREST

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

OS 25/15 MINUTES

RESOLVED: That the Minutes of the meeting of the Overview and Scrutiny Committee held on 23 January 2025 be approved as a correct record and signed by the Chair.

OS 25/16 OUTSIDE BODIES UPDATE - CITIZENS ADVICE BUREAU

Representatives from the Citizens Advice In North and West Kent (CANWK) provided an update on activities undertaken during January – December 2024 and advised that extremely high demand continued to be experienced as people struggled with the ongoing pressures of high costs of living.

The complexity of cases, time in supporting clients and Adviceline appointments had also increased. During 2025/26, the CANWK would focus on maximising the efficiency of the service to meet high demand,

aimed to increase specialist advice services and committed to explore how to be more accessible to the community.

Reference was made to Kent Advice Hub which was a video advice kiosk and was a way of ensuring that the Service connected with some of the most vulnerable residents. Options around extending the Kiosk provision in rural communities would be explored although the difficulties with funding and staffing were recognised.

The organisation recorded appreciation for the continued support of the Borough Council in enabling them to support residents within Tonbridge and Malling with the issues they faced.

Members were pleased to note that approximately 3,000 clients had been assisted in Tonbridge and Malling and welcomed the support and advice offered to some of the most vulnerable people in the Borough.

OS 25/17 REVIEW OF WATER INCIDENTS IN TONBRIDGE AND MALLING

Consideration was given to the events leading up to and during the recent loss of water supply in Tonbridge on 26 January and in West Kent on 23 March 2025.

The timelines of both incidents were set out by representatives of South East Water who were in attendance at the meeting. The Borough Council's response was also outlined.

Particular reference was made to the lack of communication and notification of any disruption to the water supply with the Borough Council and Kent County Council in respect of the earlier incident. The first awareness of an issue was via the office of Tom Tugendhat MP for Tonbridge.

Following this incident a full debrief was held on 12 February 2025 to build a shared understanding of areas of good practice and lessons learnt with a view to improving plans and resilience moving forward. The areas of good practice were set out in Annex 2 and included improved communication with multiagency partners, targeted and effective communication and better coordination.

Members were pleased to note that these areas of good practice had been implemented for the later incident. However, concern was also expressed around the operation and management of alternative water provision, the lack of co-ordination with county, borough and parish councils who had local geographical knowledge in respect of water stations, the lack of communication with those not on the internet or with mobile phones and the lack of water supply delivery for some residents on the priority service register and to livestock.

Representatives of South East Water responded to these concerns, noted potential areas of further improvement and indicated that in order to improve resilience of the water supply there needed to be investment.

Finally, it had been announced that South East Water had asked Ofwat to refer its PR24 Final Determination to the Competition and Markets Authority (CMA) for review as it was argued that the regulator's decision did not adequately support necessary investments and improvements. A public consultation would open mid-April in which feedback would be sought from customers and key stakeholders.

MATTERS FOR CORPORATE MONITORING

OS 25/18 CORPORATE KEY PERFORMANCE INDICATORS 2024/25

The report provided data on Key Performance Indicators for the period October to December 2024 (quarter 3) that were aligned to the Corporate Strategy 2023-2027 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 were performing well and areas that needed greater focus.

Members welcomed the reduction in reported anti-social behaviour, the reduction in reported fly tipping incidents and the good performance in respect of waste collection rates. Negative trends included a slight increase in reported victim based crime, reduced social media engagement and reduced recycling and composting.

The Chair of the Overview and Scrutiny Committee requested more meaningful data related to planning applications (KPI 100) and how many were outstanding, length of time they were outstanding and the numbers of case/applications rather than percentages.

It was also noted that, whilst progress was currently slow in addressing the housing register backlog, to maintain improvement additional staffing was being considered and it was hoped this would assist in accelerating the progress being made.

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

MATTERS FOR RECOMMENDATION TO THE CABINET

OS 25/19 REVIEW OF PARISH PARTNERSHIP PANEL

The report of the Chief Executive considered options for future meetings of the Parish Partnership Panel.

All members of the Panel had been invited to share their views on the current venue, style and format of meetings. The responses were set out in Annex 1. No significant issues had been raised other than the preference for in person meetings. However, it was also recognised that online meetings possibly achieved higher attendance and it was proposed that the option to join remotely be retained.

RECOMMENDED*: That meetings of the Parish Partnership Panel be held in the Council Chamber with the option for members to join remotely retained.

***Recommended to Cabinet**

MATTERS FOR INFORMATION

OS 25/20 AFFORDABLE HOUSING DELIVERY

Members were provided with an update on the current national issues with securing affordable housing in new developments. Local issues and the measures in place to mitigate these issues were also highlighted.

It was reported that there was a growing national issue with delivery of affordable housing via the standard route of a s106 agreement. The Local Government Association (LGA) had been convening roundtable discussions to look at issues and solutions in which Tonbridge and Malling Borough Council were actively involved.

In addition, the Borough Council continued to work closely with developers and Registered Providers and an action plan (detailed in 6.1) had been produced to ensure that this important issue was being closely managed.

The Committee recognised the challenges around the provision of affordable housing, welcomed the provision of more detail at future meetings of the Housing and Planning Scrutiny Select Committee and recognised the importance of benchmarking against neighbouring authorities.

OS 25/21 PRIMARY CARE CAPACITY IN TONBRIDGE AND MALLING

The report of the Director of Planning, Housing and Environmental Health provided an overview of current capacity and future requirements in respect of primary care in Tonbridge and Malling and had been prepared in collaboration with the Kent and Medway Integrated Care Board.

The role of the NHS Kent and Medway Integrated Care Boards (ICB) in planning and commissioning healthcare services to meet the needs of

residents in the county was outlined. In relation to the delivery of health and community facilities, the Borough Council's primary role was that of planning authority. Developer contributions were sought by the ICB to support the expansion of premises in response to individual planning locations. In some locations, new sites might be required to mitigate the impact on health services, including general practice. If the option of expanding provision to a proposed development site was not a viable option, then developer contributions towards the cost of new or enhanced premises at an alternative site could be sought in order to mitigate the demand created.

Members expressed concern regarding the pressures being placed upon GP practices especially in the North of the Borough arising from ongoing growth and development. Concern was also expressed in respect of the lack of access to GPs, the lack of consultation with GPs via the ICB, the risk of local doctor surgeries being overwhelmed by demand and whether the ICB provided meaningful engagement in respect of planning applications. In addition, disappointment was expressed at the lack of information around the number of residents registered with GP surgeries, those not registered locally and those not registered at all as this detail could inform the Infrastructure Delivery Plan.

It was recognised that whilst the Borough Council had no responsibility in respect of the provision of health services it would be challenging to address demand during the lifetime of this Local Plan especially if the ICB did not undertake effective engagement. With this in mind, the Leader of the Borough Council offered to write to the Kent and Medway Integrated Care Board expressing disappointment at their lack of engagement and invite them to address a future meeting of the Overview and Scrutiny Committee so that Cllrs concerns could be voiced.

OS 25/22 USE OF OVERVIEW AND SCRUTINY PROCEDURE RULE 15 (I) IN RESPECT OF CALL-IN AND URGENCY FOR DECISIONS

In accordance with the Council's Constitution the report advised of the recent use of Overview and Scrutiny Procedure Rule 15 (i) to 'suspend' the call-in procedure for decisions related to the Local Development Scheme, the Local Housing Authority Fund and the interim draft submission to MHCLG related to local government reorganisation.

The decision notices were attached at Annexes 1, 2 and 3 of the report.

Members noted that the need for the 'suspension' of the call-in procedures had arisen from a recent pattern of very short response timeframes being set by Government that were not easily accommodated within the normal pattern of meetings and arrangements.

OS 25/23 RECORD OF DECISIONS TAKEN BY THE EXECUTIVE

The decisions taken by Cabinet and Cabinet Members during March 2025 were presented for information and noted by the Committee.

OS 25/24 NOTICE OF FORTHCOMING KEY DECISIONS

The Notice setting Key Decisions anticipated to taken during May to June 2025 was presented for information. It was also noted that the Notice was subject to change if adjustments were necessary to the reporting timetable.

If there were any issues that the Committee wished to scrutinise, they were invited to raise these with the Chair.

OS 25/25 WORK PROGRAMME

The Work Programme setting out potential matters to be scrutinised during 2025/26 was noted. Members were invited to suggest future items by liaising with the Chair of the Committee.

Reference was made to the ongoing Independent Audit review of the Agile implementation project and it was expected that outcomes and lessons learnt would be presented to the next meeting of the Overview and Scrutiny Committee, subject to confirmation.

OS 25/26 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 10.30 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

COUNCIL MEETING

MINUTES

Tuesday, 8th April, 2025

At the meeting of the Tonbridge and Malling Borough Council held in the Civic Suite, Gibson Building, Kings Hill, West Malling on Tuesday, 8th April, 2025

Present: His Worship the Deputy Mayor (Councillor C Brown), Cllr L Athwal, Cllr B Banks, Cllr Mrs S Bell, Cllr A G Bennison, Cllr R P Betts, Cllr T Bishop, Cllr M D Boughton, Cllr R I B Cannon, Cllr J Clokey, Cllr M A Coffin, Cllr S Crisp, Cllr D A S Davis, Cllr D Harman, Cllr P M Hickmott, Cllr M A J Hood, Cllr F A Hoskins, Cllr S A Hudson, Cllr D Keers, Cllr J R S Lark, Cllr A McDermott, Cllr A Mehmet, Cllr D W King, Cllr Mrs A S Oakley, Cllr R W G Oliver, Cllr W E Palmer, Cllr Stacey Pilgrim, Cllr M R Rhodes, Cllr R V Roud, Cllr K B Tanner, Cllr Mrs M Tatton, Cllr M Taylor, Cllr D Thornevell, Cllr K S Tunstall and Cllr C J Williams

Apologies for absence were received from His Worship the Mayor (Cllr S M Hammond) and Councillors K Barton, P Boxall, G C Bridge, A Cope, R W Dalton, Mrs T Dean and B A Parry.

PART 1 - PUBLIC

C 25/28 DECLARATIONS OF INTEREST

Councillor Mehmet declared an Other Significant Interest in agenda item 11 (TM/22/01570/OA – Land North East and South of 161 Watringbury Road) on the grounds of having offered advice to other landowners in the application site area as part of his employment. He withdrew from the meeting and did not participate in any discussion or vote on this matter.

For reasons of transparency, Councillor Mrs M Tatton advised that at the time of the application, she was the Parish Clerk for Teston Parish Council who were one of the consultees on application TM/22/01570/OA (Land North East and South of 161 Watringbury Road). 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.

C 25/29 MINUTES

RESOLVED: That the Minutes of the proceedings of the Special and Ordinary meetings of the Council held on 18 February 2025 be approved as a correct record and signed by the Deputy Mayor.

C 25/30 MAYOR'S ANNOUNCEMENTS

The Deputy Mayor advised of a number of engagements attended since the last meeting of Council and made particular reference to the following civic and charity events:

- Retirement Villages Group Groundbreaking ceremony to mark construction starting for new Thrive Living on 6 March
- Handover of Minibus to Long Mead Community Primary School on 12 March
- West Malling Community Choir (WMCC) Joint Concert with the Invicta Jazz Orchestra on 15 March
- Communigrow Event Signing of the Armed Forces Covenant on 19 March
- Tonbridge Juddians RFC Sponsors and End of Season Lunch on 22 March
- Local Primary School debates

Arrangements were being finalised for future civic and charity events and the following were noted:

- Cheque Presentation to Mayor's Charity RBLI – date tbc
- Honorary Freeman Ceremony & Annual Council – 13 May 2025

Finally, the Deputy Mayor thanked former Mayors Cllrs S Bell, D Davis and J Lark for their support in attending a number of engagements on his behalf.

In closing, the Deputy Mayor was pleased to advise that following a period of ill health the Mayor was making good progress, was out of hospital and resting at home and wished him well for his continuing recovery.

C 25/31 QUESTIONS FROM THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO 5.6

No questions were received from members of the public pursuant to Council Procedure Rule No 5.6.

C 25/32 QUESTIONS FROM MEMBERS PURSUANT TO COUNCIL PROCEDURE RULE NO 5.5

No questions were received from Members pursuant to Council Procedure Rule No 5.5.

C 25/33 LEADER'S ANNOUNCEMENTS

The Leader confirmed that the Borough Council's response to local government reorganisation had been submitted to Government on 21

March 2025. Feedback on this initial proposal was anticipated in the next few weeks. There had also been a supplementary submission of the West Kent authorities around the importance of these organisations working together.

Reference was made to the successful West Kent Expo held with Sevenoaks District Council and Tunbridge Wells Borough Council in March 2025. The Leader recorded appreciation to the Economic Development Team and all involved in 'Invest in West Kent' for organising such an exceptional event.

There was also reference to the upcoming Recruitment Event being held on Wednesday 30 April 2025 at the Angel Centre in Tonbridge, which was also well subscribed.

The Leader of the Opposition, Kemi Badenoch MP, had been welcomed to the Borough during a recent visit to TPS in Ditton which was a global firm based in the local community for many years. There had also been opportunity to reflect on investment at Panattoni Park and this was recognised as an economic heartland of the borough benefitting local businesses in Aylesford, Larkfield and New Hythe.

Property and Climate Change Officers had successfully secured in the region of £210,000 grant funding from the Public Sector Decarbonisation Scheme. This would be used to install air source heat pumps at Poult Wood Golf Course during 2026.

The Borough Council had also been allocated circa £327,000 from the UK Shared Prosperity Fund for community initiatives for 2025/26 and this supported a further West Kent Business Support Programme, the purchase of more mobile CCTV cameras, the funding of more green business grants and helped contribute to the nationally recognised Community Enforcement Team. It also helped support a further round of the Community Development Grant Scheme. The additional funding was very welcome as the 50th Anniversary Community Development Grant Scheme had been oversubscribed.

Full Leaders announcements were available on the Borough Council's [YouTube channel](#).

MATTERS FOR DECISION

C 25/34 PROGRAMME OF MEETINGS 2025 - 2027

The proposed programme of meetings for the municipal years 2025-26 and 2026-27 were presented for consideration and were attached at Annexes 1 and 2 respectively. Management Team, Senior Officers and Cabinet Members had been consulted on the proposed dates. Subject to any amendments identified by Members the programmes would be presented to Annual Council for endorsement.

There had been a number of changes to the programme previously agreed in 2024 and these amendments were detailed in paragraph 5.1.2 of the report.

Members noted that the budget setting cycle for 2026 was subject to confirmation of dates for Kent County Council, Kent Police and Kent Fire and Rescue Service budget meetings. Currently, the provisional Borough Council programme allowed for Cabinet on 9 February 2026 and Council on 23 February 2026 and remained subject to change.

Since the publication of the main agenda a small number of amendments had been identified and these were detailed in the supplementary report of the Director of Central Services and Deputy Chief Executive and the revised Annexes 1 and 2. The annexes had been updated to reflect an Audit Committee on Monday 13 April 2026 and Monday 12 April 2027. It was also necessary to move the Housing and Planning Scrutiny Select Committee scheduled for Tuesday 30 September to Tuesday 7 October 2025 to accommodate the Local Plan timetable.

RESOLVED: That

- (1) the Programme of Meetings for 2025-26 (as set out in revised Annex 1) be approved and presented to Annual Council for formal endorsement; and
- (2) the draft Programme of Meetings for 2026-27 (as set out in revised Annex 2) be agreed, subject to final approval at Annual Council in May 2025.

C 25/35 REPLACEMENT ANGEL LEISURE CENTRE - CAPITAL PLAN EVALUATION

Consideration was given to the recommendations of the Cabinet of 1 April 2025 in respect of the Capital Plan evaluation (attached at Annex 2) for the replacement of the Angel Leisure Centre in Tonbridge.

Due regard was given to the financial and value for money considerations presented to Cabinet and it was noted that the estimated cost of the replacement facility, including build cost, fees, equipment, contingency and build inflation was £23m. As part of the next stages of the project, careful consideration would be given to achieving a reduction in the overall cost where possible. Whilst this was a substantial sum and represented the biggest investment in a project by the Borough Council, the £23m should not be considered in isolation as the cost to refurbish the existing Angel Centre, including the boilers and mechanical and electrical elements of the existing facility was estimated to be up to £15m if it was to include achieving carbon neutral status and energy efficiency enhancements.

RESOLVED: That the Angel Leisure Centre refurbishment scheme be transferred to List A of the Capital Plan.

C 25/36 TM/22/01570/OA - LAND NORTH EAST AND SOUTH OF 161 WATERINGBURY ROAD

Consideration was given to the report of the Director of Planning, Housing and Environmental Health in relation to outline planning permission for all matters reserved, except for access, for the erection of up to 52 residential dwellings, including affordable housing, open space and landscaping, roads, parking, drainage and earthworks at land northeast and south of 161 Wateringbury Road, East Malling.

The application had been adjourned for determination by the full Council in accordance with Council Procedure Rule No 15.25 following consideration by the Area 2 Planning Committee on 19 February 2025.

In order to facilitate the proper consideration of the application, the Council agreed to suspend its own procedure rules and resolved itself into a committee to which rules relating to a planning committee were applied.

In reaching its decision, the Council had regard to the reports considered by the Area 2 Planning Committee on 19 February 2025, 15 January 2025 and 18 September 2024, including the report of the Director of Central Services and Monitoring Officer which contained exempt information (LGA 1972 Sch 12A Paragraph 5 – Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings). Members of the public addressed the meeting where the required notice had been given and their comments were taken into account by the Council when determining the application (speakers listed below).

Local Members reiterated concerns in respect of the potential impact of the proposed development on the surrounding listed buildings and non-designated heritage assets, the harm to the landscape and the East Malling Conservation Area. There were also concerns raised regarding air quality, the loss of agricultural land, lack of infrastructure around public transport networks and risk to protected wildlife species.

Cllr Thornewell proposed, seconded by Cllr Roud that the recommendation of the Area 2 Planning Committee to refuse planning permission be supported and following a formal vote it was

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

- (1) The development would cause less than substantial harm to the setting of the Designated Heritage Assets of Huntley Cottage, Ivy

House Farm and Barn, and to the setting of the non-designated heritage asset of Belvedere Oast, contrary to policy CP1 of the Core Strategy and paragraph 215 and 216 of the NPPF.

- (2) The development would cause less than substantial harm to the East Malling Conservation Area, contrary to policies CP6, CP24, SQ1 of the Core Strategy and paragraphs 215 and 220 of the NPPF, and contrary to the East Malling Village Conservation Area Appraisal.
- (3) The development would cause harm to the distinctive and historic landscape character and appearance of the area, contrary to policies CP1, CP6, CP24, SQ1 of the Core Strategy and paragraphs 187 of the NPPF.
- (4) The development was unsustainable, the site being outside the confines of East Malling with limited sustainable and active travel options that could reasonably meet the needs of all residents from the development which in turn would lead to an unacceptable reliance on the private motor car. As such the development was contrary to policies CP1, CP2, CP25 of the Core Strategy and paragraphs 115 and 117 of the NPPF.
- (5) The applicant has failed to demonstrate to the Local Planning Authority (LPA) that they have applied the sequential test relating to protected species, with the prioritisation of avoidance over mitigation and, lastly, compensation. As such, the LPA cannot be sufficiently confident that development in accordance with the submitted Parameter Plan would adequately protect protected species on the site and immediately adjacent to it. The proposal was therefore contrary to policies NE2 and NE3 of the MDE DPD 2010 and paragraph 193(a) of the NPPF.
- (6) The development, by virtue of the height of the access road and difference in land levels in proximity to the boundary of no. 51 Watringbury Road would result in overlooking and loss of amenity to the occupants of that property that cannot be satisfactorily ameliorated by landscape proposals. As such, the development was contrary to policies CP1 and CP24 of the Core Strategy and paragraph 135 of the NPPF.

(Speakers: Mr P Coulling (Teston Parish Council), Ms J Smith, Mr G Kenward, Mrs F Kenward, Mr M Steward, Ms K Moore, Ms E Peacock, Mrs N Allen, Mr J Allen, Ms F Saunders, Ms K Jordan, Mr S Lockett, Mr P Jordan, Mr M Crowcroft, Mr A Stevenson (statement read out Ms F Saunders), Ms Y Moss, Mrs S Page (statement read out by Mr M Bagley), Mr S Brett, Mr M Bagley, Mr M Page (statement read out by Mrs C Woodger), Mr G James, Dr B Prince and Mr A Wilford (agent)).

MATTERS FOR INFORMATION**C 25/37 MINUTES OF CABINET AND COMMITTEES**

The Minutes of meetings of the Cabinet and Committees for the period February to March 2025 set out in the Minute Book (Volume 2) attached as a supplement, were received and noted.

Any recommendations to the Council from Cabinet or Committees were resolved elsewhere on the agenda.

C 25/38 SEALING OF DOCUMENTS

RESOLVED: That authority be given for the Common Seal of the Council to be affixed to any instrument to give effect to a decision of the Council incorporated into these Minutes and proceedings.

The meeting ended at 11.42 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

AREA 3 PLANNING COMMITTEE

MINUTES

Thursday, 10th April, 2025

Present: Cllr D Thornevell (Chair), Cllr T Bishop, Cllr R I B Cannon, Cllr D A S Davis, Cllr D Keers, Cllr A McDermott and Cllr Mrs A S Oakley.

Councillor R V Roud were also present pursuant to Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors R W Dalton*, Mrs S Bell, A G Bennison, S M Hammond, P M Hickmott and C J Williams

(*Cllr Dalton submitted apologies for in-person attendance but participated via MS Teams when invited by the Chair to do so).

PART 1 - PUBLIC

AP3 25/7 DECLARATIONS OF INTEREST

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

AP3 25/8 MINUTES

RESOLVED: That the Minutes of the meeting of the Area 3 Planning Committee held on 13 March 2025 be approved as a correct record and signed by the Chairman.

AP3 25/9 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.

MATTERS FOR DECISION UNDER DELEGATED POWERS (IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION)

AP3 25/10 TM/23/03310 & TM/23/03311 - DEVELOPMENT SITE LAND AND BUILDINGS NORTH AND WEST OF ST MARY'S CHURCH, OLD CHURCH ROAD, BURHAM, ROCHESTER

Redevelopment of former agricultural site for a mixed used commercial (Class E) development together with listed building consent.

Careful consideration was given to the points raised by a number of speakers and the submitted details, conditions, reasons and informatives set out in the report of the Director of Planning, Housing and Environmental Health. Whilst Members welcomed the improvements to the historic buildings, significant concern was expressed in respect of the serious impacts on the local highway network which was rural in nature and the potential level of risk to public users. However, it was noted that Kent Highway Services had not raised any objection and were satisfied that the development would not result in unacceptable impact on the highway safety and the residual cumulative impacts on the road network would not be severe.

Whilst it was acknowledged that the proposal would result in increased impact over the existing situation currently in place, it was considered that the benefits of the proposed development would outweigh the limited harms as outlined in the report of the Director of Planning, Housing and Environmental Health. Cllr Oakley proposed, seconded by Cllr Bishop that Listed Building Consent and planning permission be approved.

RESOLVED: That Listed Building Consent be APPROVED in accordance with the conditions, reasons and informatives detailed in the report of the Director of Planning, Housing and Environmental Health.

RESOLVED: That Planning permission be APPROVED in accordance with the conditions, reasons and informatives set out in the report of the Director of Planning, Housing and Environmental Health, subject to

(1) Amended Condition 9:

Prior to the commencement of the development hereby approved, arrangements for the management of any and all demolition and construction works shall be submitted to and approved by the Local Planning Authority. The management arrangements to be submitted shall include (but not necessarily be limited to) the following:

- The days of the week and hours of the day when the construction works will be limited to and measured to ensure these are adhered to;

- Procedures for managing all traffic movements associated with the construction works including (but not limited to) the delivery of building materials to the site (including the times of the day when those deliveries will be permitted to take place and how/where materials will be offloaded into the site) and for the management of all other construction related traffic and measures to ensure these are adhered to;
- Procedures for notifying neighbouring properties as to the ongoing timetabling of works, the nature of the works and likely their duration, with particular reference to any such works which may give rise to noise and disturbance and any other regular liaison or information dissemination;
- The routing of construction and delivery vehicles to and from the site
- The provision of wheel washing facilities and road sweeping (if relevant)
- The specific arrangements for the parking of contractor's vehicles within or around the site during construction and any external storage of materials or plant throughout the construction phase.
- The controls on noise and dust arising from the site with reference to current guidance.
- **The design, layout and maintenance schedule of construction traffic signage along the access roads (Burham Court Road and Old Church Road).**

The development shall be undertaken in full compliance with the approved details.

Reason: In the interests of general amenity and highway safety.

(2) Amended Condition 18:

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking or re-enacting that Order with or without modification), no development or change of use (**outside of Class E (g)**) shall be carried out unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of protecting the character and amenities and highway safety.

[Speakers: Mr D Young (Burham Parish Council); Mr K Wood (member of the public) and Mr N Brown (applicant)]

AP3 25/11 PLANNING APPEALS, PUBLIC INQUIRIES AND HEARINGS

There had been no planning appeals, public inquiries or hearings held since the last meeting of the Planning Committee and therefore no updates were required.

AP3 25/12 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 9.06 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

AUDIT COMMITTEE

MINUTES

Monday, 14th April, 2025

Present: Cllr M R Rhodes (Vice-Chair, in the Chair), Cllr T Bishop, Cllr J Clokey, Cllr J R S Lark, Cllr B A Parry and Cllr K Barton (substitute)

Virtual: Councillors M A Coffin, W E Palmer and K B Tanner participated via MS Teams in accordance with Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors R I B Cannon (Chair) and M A J Hood.

PART 1 - PUBLIC

AU 25/12 NOTIFICATION OF SUBSTITUTE MEMBERS

Notification of substitute Members were recorded as set out below:

- Councillor K Barton substituted for Councillor M Hood

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

AU 25/13 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 8 (Treasury Management Performance Update) 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.

AU 25/14 MINUTES

RESOLVED: That the Minutes of the meeting of the Audit Committee held on 13 January 2025 be approved as a correct record and signed by the Chairman.

MATTERS FOR RECOMMENDATION TO THE COUNCIL**AU 25/15 ANNUAL REPORT OF THE CHAIRMAN OF THE AUDIT COMMITTEE**

The report of the Chairman of the Audit Committee aimed to inform the Council of the means by which the Committee had provided independent assurance to those charged with governance on the adequacy of the risk management framework, the internal control environment and the integrity of financial reporting and annual governance processes. The report summarised the work carried out by the Committee during 2024/25 and concluded that the required independent assurance, as defined in the Chartered Institute of Public Finance and Accountancy (CIPFA) Guidance, had been provided by the Audit Committee to those charged with governance.

RECOMMENDED*: That the Annual Report be presented to the Full Council to provide independent assurance on the adequacy of the risk management framework, the internal control environment and the integrity of the financial reporting and annual governance processes.

***Recommended to Council**

MATTERS FOR RECOMMENDATION TO THE CABINET**AU 25/16 RISK MANAGEMENT**

The report of the Management Team provided an update on the risk management process and the Strategic Risk Register. An update was also provided in respect of the work being undertaken within the Council to champion risk management.

An executive summary of the RED risks was provided at Annex 1 of the report and a full update on the current strategic risks and how they were being managed as at the time of writing were set out at Annex 1a. The risks that were categorised RED at the time of the January 2025 meeting were:

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

Following a decision taken by Cabinet on 4 March 2025 with a 'change of direction' given the strategic and operational issues relating to the implementation of the Agile software system, the risk associated with Agile implementation had been retitled 'Management exit from the Agile system' and due to the complex stage the Council was at, it was considered that the risk at the time should remain as RED pending further review.

The current RED risks were therefore as follows:

- Achievement of Savings and Transformation Strategy
- Failure to agree a Local Plan
- Management exit from the Agile system

Particular attention was drawn to a new risk added to the Strategic Risk Register in respect of 'Devolution and Reorganisation in Kent Local Government' which was currently classified as 'Amber', although it was recognised that the risk rating could change quickly pending release of further information from the Government.

In response to questions raised by Members with regard to the risks associated with service operations and the enhanced functionality of software systems, the Committee were advised that operational risks were monitored by services with prominent risks escalated to the Management Team for review as to whether they should be added to the Strategic Risk Register as and when required and that consideration would be given to including the potential non-delivery of the added functionality as a result of the exit from the Agile system within the relevant risk on the Strategic Risk Register.

A schedule of ongoing risks and risks identified by Service Management Teams and Management Team since the last report to the Committee were set out at Annex 2 of the report.

In addition, Members were reminded that the Chair of the Audit Committee was nominated as the Member Risk Champion and a description of the role agreed with the Chair was attached at Annex 3.

Following the appointment of Risk Champions at both Member and Officer levels, an officer Risk Management Group had been established with the objective of spreading the workload, and word, on the importance of risk management throughout the Council. The Group was leading on a review and update of the Risk Management Strategy and anticipated to present an updated Strategy to the Committee to review in September 2025.

RECOMMENDED*: 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 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.

***Recommended to Cabinet**

MATTERS FOR DECISION UNDER DELEGATED POWERS**AU 25/17 TREASURY MANAGEMENT PERFORMANCE UPDATE**

The report of the Director of Finance and Transformation provided details of the investments undertaken and return achieved in the first eleven months of the current financial year.

A full list of investments held on 28 February 2025 was attached at Annex 1 to the report and a copy of the lending list at Annex 2. In terms of cash flow and core cash investments, £2,808,970 was earned in interest to the end of February 2025, which had exceeded expectation when compared to the revised estimate for the same period. The positive variance was primarily driven by the slower-than-anticipated reduction in the Bank Rate, which had resulted in sustained higher interest yields on deposits. An extract from MUFG's (Mitsubishi UFJ Financial Group, formerly Link Asset Services) latest benchmarking data was provided in the form of a scatter graph at Annex 3, which showed that as at 31 December 2024 the Borough Council's return was 4.76%, in line with the local benchmarking group average of 4.75%.

With regard to long term investment, during the period 1 April 2024 to 31 December 2024, the £3.72m investment in property funds generated dividends of £118,040 which represented an annualised return of 4.21% compared to 3.65% in 2023/24. The overall income from all property funds was expected to exceed the revised budget for the 2024/25 financial year by circa £39k.

Following the termination of the Lothbury Property Trust, five payments had been received to-date totalling £1,276,520 of the initial investment. Taking into account the dividends received in the sum of £379,040 since the fund's inception up to February 2025, the breakeven point would be achieved with the recovery of £344,440 from the sale of outstanding assets which were expected to be finalised by June 2025.

In addition, being a small-value investment stakeholder in the Hermes Property Trust, the Council would have the shares realised and paid out upon successful completion of the merger of the Trust.

Under medium term investment, during the period April 2024 to February 2025, the £4.25m investment in multi asset funds generated dividends of £192,750, which represented an annualised return of 4.96%.

RESOLVED: That

- (1) the Treasury Management position as at 28 February 2025, be noted; and
- (2) the current positions in respect of the Lothbury and Hermes Property Investment Funds, be noted.

AU 25/18 INFORMING THE AUDIT RISK ASSESSMENT FOR TONBRIDGE AND MALLING BOROUGH COUNCIL 2024/25

The report of the Management Team contributed towards the effective two-way communication between Tonbridge and Malling Borough Council's external auditors and the Audit Committee, as 'those charged with governance' in respect of the audit of the financial statements.

As part of the risk assessment procedure, the external auditors were required to obtain an understanding of management processes and the Borough Council's oversight in a number of areas as set out in paragraph 5.1 of the report. A series of questions were asked of the Management and responses were detailed in Annex 1. It was noted that no major issues had been raised by the Management.

RESOLVED: That the responses to the questions set out at Annex 1 of the report, be endorsed.

AU 25/19 INTERNAL AUDIT STRATEGY, CHARTER AND MANDATE

The report of the Chief Audit Executive presented an Internal Audit Strategy, attached at Annex 1, together with an Internal Audit Charter and Mandate, attached at Annex 2, for Member consideration and approval in order to comply with the Global Internal Audit Standards.

Members noted that, once approved by the Committee, the draft Internal Audit Charter and Mandate would require signing off by the Chair of the Audit Committee, the Council's Chief Executive and the Chief Audit Executive.

RESOLVED: That

- (1) the Internal Audit Strategy, attached at Annex 1 of the report, be approved; and
- (2) the Internal Audit Charter and Mandate, attached at Annex 2 of the report, be approved.

AU 25/20 INTERNAL AUDIT AND COUNTER PLAN 2025/26

The report of the Chief Audit Executive presented the Internal Audit and Counter Fraud Plan for 2025/26, which had been developed using a risk-based approach to determine the priorities of the Internal Audit activity consistent with the organisation's goals.

Significant risk areas and priorities had been identified through a risk assessment which included a review of the Strategic and Service Risk Registers, analysis of the wider environment, use of organisational knowledge and discussions with Directors and Heads of Service, both

individually and collectively as part of Management Teams. The Plan had been reviewed and endorsed by the Management Team.

RESOLVED: That the Internal Audit and Counter Fraud Plan for the year 2025/26, as set out in Annex 1 of the report, be approved.

MATTERS SUBMITTED FOR INFORMATION

AU 25/21 INTERNAL AUDIT AND COUNTER FRAUD PROGRESS REPORT

Members were provided with an update on the work of both the Internal Audit and the Counter Fraud Teams. The progress report at Annex 1 provided an accumulative summary view of the work undertaken by Internal Audit and Counter Fraud for the period January 2025 to March 2025, together with the resulting conclusions where appropriate.

It was clarified that a supplementary report would be issued in respect of a summary of the advisory work for the Tonbridge Castle Project.

During discussion, particular reference was made to the introduction and the benefit of using AI (Artificial Intelligence) technology and Microsoft Copilot in identifying potential risks and developing audit planning programme moving forward.

RESOLVED: That the Internal Audit Progress Report for the period January 2025 to March 2025, attached at Annex 1 of the report, be noted.

AU 25/22 GRANT THORNTON'S INDICATIVE AUDIT PLAN FOR TONBRIDGE AND MALLING BOROUGH COUNCIL

Members were provided with an indicative audit plan from the external auditor, Grant Thornton, for the 2024/25 year, attached at Annex 1, which provided an overview and timing of the statutory audit for the 2024/25 accounts.

It was noted that the draft statement of accounts was expected to be available online from the end of May 2025, with the draft copy being presented to the Committee in July 2025. Furthermore, it was expected that the Audited Statement as well as the Audit Findings Report would be presented to the Committee in September 2025.

RESOLVED: That the Indicative Audit Plan for the Borough Council for 2024/25, attached at Annex 1 of the report, be noted.

AU 25/23 GRANT THORNTON AUDIT PROGRESS REPORT AND SECTOR UPDATE

Members were provided with an update on audit progress and emerging national issues and developments from the external auditor, Grant Thornton.

In addition, Members of the Audit Committee were invited to join a series of Value for Money webinars on 4 June 2025, with details set out under 'Value for money webinar for Audit Committee members' section of the Audit Progress Report and Sector Updates, attached at Annex 1.

RESOLVED: That the Audit Progress Report and Sector Updates, attached at Annex 1 of the report, be noted.

AU 25/24 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 SUBMITTED FOR INFORMATION****AU 25/25 INSURANCE CLAIMS HISTORY**

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

The report of the Director of Finance and Transformation informed Members as to the nature and volume of liability and property damage insurance claims submitted for the year ending 31 March 2025.

RESOLVED: That the report and the annexes be noted.

The meeting ended at 8.21 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

GENERAL PURPOSES COMMITTEE

MINUTES

Monday, 12th May, 2025

Present: Cllr M R Rhodes (Chair), Cllr A McDermott (Vice-Chair), Cllr B Banks, Cllr K Barton*, Cllr J Clokey, Cllr D A S Davis, Cllr K B Tanner, Cllr G C Bridge (substitute), Cllr D Keers (substitute) and Cllr Stacey Pilgrim (substitute)

(*arrived at 7.33 pm when presentation on 'Establishment Report' had commenced (Minute GP 25/19 refers))

In attendance: Councillors R P Betts, M D Boughton and M A Coffin** were also present pursuant to Council Procedure Rule No 15.21.

(**arrived at 7.33 pm)

Apologies for absence were received from Councillors B A Parry and R V Roud.

PART 1 - PUBLIC

GP 25/16 NOTIFICATION OF SUBSTITUTE MEMBERS

Notification of substitute members were recorded as set out below:

- Cllr D Keers substituted for Cllr M Coffin
- Cllr S Pilgrim substituted for Cllr B Parry
- Cllr G Bridge substituted for Cllr R Roud

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.

GP 25/17 DECLARATIONS OF INTEREST

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

MATTERS FOR CONSIDERATION IN PRIVATE

GP 25/18 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 DECISION UNDER DELEGATED POWERS

GP 25/19 ESTABLISHMENT REPORT

(Reason: LGA 1972 – Sch 12A Paragraph 1 – Information relating to an individual)

The report of the Chief Executive set out for Members' approval a number of changes to the Council's establishment following the announcement of the retirement of the Council's long-serving Director of Finance and Transformation.

Members noted that, in accordance with adopted conventions, all of the savings/costs referred to in the report reflected the salary at the top of the scale/grade plus associated on costs.

Finally, Members recorded their appreciation to the Director of Finance and Transformation for her over 42 years of outstanding service to the Borough Council and distinctive contribution to the Council's strong financial position.

RESOLVED: That

- (1) the post of Director of Finance and Transformation (Grade M2a) be deleted with effect from 1 September 2025;
- (2) a new post of Head of Finance and S151 Officer (Grade M3) be created with effect from 28 July 2025;
- (3) the Financial Services be transferred to the Chief Executive's directorate with effect from 28 July 2025; and
- (4) the Information Technology Services be transferred to the Central Services directorate with effect from 28 July 2025.

The meeting ended at 7.48 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

COUNCIL MEETING

MINUTES

Tuesday, 13th May, 2025

At the meeting of the Tonbridge and Malling Borough Council held in the Civic Suite, Gibson Building, Kings Hill, West Malling on Tuesday, 13th May, 2025

Present: His Worship the Deputy Mayor/Mayor (Cllr C Brown), the Deputy Mayor (Cllr K Tanner*), Cllr B Banks, Cllr K Barton, Cllr Mrs S Bell, Cllr A G Bennison, Cllr R P Betts, Cllr T Bishop, Cllr M D Boughton, Cllr P Boxall, Cllr G C Bridge, Cllr R I B Cannon, Cllr L Chapman, Cllr J Clokey, Cllr M A Coffin, Cllr A Cope, Cllr R W Dalton, Cllr D A S Davis, Cllr Mrs T Dean, Cllr D Harman, Cllr P M Hickmott, Cllr M A J Hood, Cllr F A Hoskins, Cllr S A Hudson, Cllr D Keers, Cllr J R S Lark, Cllr A McDermott, Cllr A Mehmet, Cllr D W King, Cllr Mrs A S Oakley, Cllr R W G Oliver, Cllr W E Palmer, Cllr Stacey Pilgrim, Cllr B A Parry, Cllr M R Rhodes, Cllr R V Roud, Cllr Mrs M Tatton, Cllr M Taylor, Cllr K S Tunstall and Cllr C J Williams

(*from item 3)

Apologies for absence were received from Councillors L Athwal, S Crisp, S M Hammond and D Thornewell

PART 1 - PUBLIC

C 25/39 ELECTION OF MAYOR

It was proposed by Councillor Harman and seconded by Councillor Boughton that Councillor Christopher Brown be elected Mayor for the municipal year 2025/26.

Following a formal vote there was majority support for the proposal.

RESOLVED: That Councillor Christopher Brown be elected Mayor for the municipal year 2025/26.

The Mayor having made the statutory declaration of acceptance of office assumed the Chair and thanked Members for their election.

C 25/40 ELECTION OF DEPUTY MAYOR

It was proposed by Councillor Harman and seconded by Councillor Boughton and following a formal vote

RESOLVED: That Councillor Kim Tanner be appointed Deputy Mayor for the municipal year 2025/26.

The Deputy Mayor made the statutory declaration of acceptance of office and thanked Members for the appointment.

C 25/41 VOTE OF THANKS TO RETIRING MAYOR

Members expressed appreciation to the retiring Mayor for dedicated and loyal service to the Borough and its residents and for his good humoured approach to the role and the way that he engaged with the community.

In the absence of the outgoing Mayor who had submitted apologies due to ill health, a pre-prepared statement was read out on his behalf by the Leader of the Borough Council:

‘Cllr Hammond would like to thank everyone for their generosity and support during his year as Mayor and especially Penny Dyson for being such a wonderful Mayoress, Cllr Chris Brown for his support as Deputy Mayor and to Cllrs Bell, Lark, Roud and Davis for attending engagements on his behalf as Past Mayors. The school debates hosted by Cllrs Brown and Lark were a huge success and have received positive feedback from all the local schools who participated.

He would also like to thank the Scouts and Guides, Schools, all the charities and businesses in the borough for their amazing work with their communities as well as the Tonbridge Lions, the Tonbridge Rotary Club and the Community Choirs.

Highlights from a memorable and enjoyable year include visiting local schools, care homes and the scouts and guides in the borough, the D - Day Beacon Lighting Ceremony at the RBLI, Spadework’s 40th Anniversary Celebration and many more.

Steve has raised over £1,000 for his charity Royal British Legion Industries (RBLI) and is especially pleased that the Borough Council conferred a Honorary Freeman on the organisation during his mayoral term.’

Members wished Cllr Hammond a good recovery and wished him well for the future.

It was proposed by Cllr Williams, seconded by Cllr Cannon and

RESOLVED: That the Borough Council’s sincere appreciation be recorded for the excellent manner in which the retiring Mayor, Cllr Steve Hammond, had performed the mayoral duties both in the Council Chamber and throughout the Borough during the preceding year.

C 25/42 DECLARATIONS OF INTEREST

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

C 25/43 MINUTES

RESOLVED: That the Minutes of the proceedings of the meeting of the Council held on 8 April 2025 be approved as a correct record and signed by the Mayor.

C 25/44 MAYOR'S ANNOUNCEMENTS

The Mayor thanked Members for the opportunity to represent the Borough Council and he looked forward to supporting the many organisations and individuals who made Tonbridge and Malling special.

He thanked Cllr Hammond for his tremendous work as Mayor over the last year, even while battling health issues and wished him a speedy recovery. Appreciation was also expressed for the support received from Cllrs James Lark, Sue Bell, Roger Roud and Dave Davis as past Mayors who had stepped in to assist in supporting events across the borough.

The Mayor's Charities for the year would be the British Heart Foundation and Hospice in the Weald. Details of future charity events would be shared in due course.

C 25/45 ELECTION OF MEMBER FOR SNODLAND EAST AND HAM HILL WARD

The report of the Returning Officer advised of the result of the recent by-election of a Borough Councillor for Snodland East and Ham Hill ward held on 1 May 2025.

The result of the election was as follows:

Chapman Luke	Conservative Party Candidate	543
Loader Shaun	Labour Party	346
Watts Nick	Independent	195
Winterbottom Kim	The Green Party	151

Luke Chapman was therefore elected to serve as a Borough Councillor and had duly made their declaration of acceptance of office.

MATTERS FOR DECISION**C 25/46 POLITICAL BALANCE ARRANGEMENTS**

The report of the Chief Executive set out details of political balance arrangements required to be applied to the Borough Council's committees, scrutiny select committees and advisory panels and boards. The outcome of the Snodland East and Ham Hill Ward by-election on 1 May 2025 was also reflected in the calculations.

It was proposed by the Mayor, seconded by Cllr Boughton and

RESOLVED: That the composition of all committees, scrutiny select committees and advisory panels and boards be approved in accordance with the table attached at Annex A of the report and the Monitoring Officer make any consequential amendments to the Borough Council's Constitution in respect of political balance.

C 25/47 APPOINTMENT OF CABINET

The Leader presented details of the composition of the Cabinet.

Having given the requisite notice to the Chief Executive and in accordance with paragraph 6 of the Rules for the Making of Decisions by Executive Members (set out in Part 4 of the Constitution), the Leader indicated the intention to amend the Scheme of Delegation relating to executive functions. The Chief Executive would present a report to the next ordinary meeting of the Council setting out the changes made by the Leader.

RESOLVED: That it be noted that the Cabinet would comprise 6 Members (including the Leader) with the portfolios set out at Annex 1 and duplicated below:

Councillor M Boughton	-	Leader
Councillor R Betts	-	Housing, Environment and Economy
Councillor M Coffin	-	Deputy Leader; and
		Finance, Waste and Technical
Councillor D Keers	-	Community Services
Councillor A Mehmet	-	Infrastructure and Tonbridge Regeneration
Councillor M Taylor	-	Planning

C 25/48 APPOINTMENT OF COMMITTEES

It was proposed by Cllr Boughton, seconded by Cllr Coffin and

RESOLVED: That appointments to the Committees of the Borough Council for 2025/26 be approved as set out in Annex 2.

C 25/49 APPOINTMENT OF SCRUTINY SELECT COMMITTEES, PANELS AND OTHER MEMBER GROUPS

It was proposed by Cllr Boughton, seconded by Cllr Coffin and

RESOLVED: That appointments to the Scrutiny Select Committees, Advisory Panels and other member groups of the Borough Council for 2025/26 be approved as set out in Annex 3.

C 25/50 APPOINTMENT OF CHAIR AND VICE-CHAIR

It was proposed by Cllr Boughton, seconded by Cllr Coffin and

RESOLVED: That appointments of Chair and Vice-Chair of each Committee, Scrutiny Select Committee, Panel and Group for 2025/26 be approved as set out in Annex 4.

(A clarification in respect of the second vice-chair role would be provided out of meeting)

C 25/51 APPOINTMENTS TO OUTSIDE BODIES

Consideration was given to the nominations for annual and non-annual appointments to Outside Bodies, as set out in Annex 5 to the report. A number of changes to the Outside Bodies schedule were also recommended as detailed in 5.3 to 5.6 of the report.

It was proposed by Cllr Boughton, seconded by Cllr Coffin and

RESOLVED: That

- (1) the annual appointments to serve on outside bodies for 2025/26 be approved as set out at Annex 5;
- (2) the non-annual appointments to serve on outside bodies for 2025/26 be approved as set out at Annex 5;
- (3) the Allington Community Liaison Group be removed from the Outside Bodies schedule due to the lack of engagement and communication;
- (4) the Gatwick Airport Noise Management Board Community Forum be removed from the Outside Bodies schedule as the majority of business no longer had any relevance to Tonbridge and Malling;
- (5) that Rochester Airport Delivery Board be removed from the Outside Bodies Schedule as the organisation no longer existed;

- (6) Mr Mark Davis be appointed as the Borough Council representative to serve on Tonbridge Town Lands and Richard Mylls Charity for a four-year period;
- (7) the appointments of Mrs Dianne Huntingford and Vivian Branson to serve as Borough Council representatives on the Tonbridge United Charity be extended until May 2027 in line with other non-annual appointments; and
- (8) the approach to the Haysden Country Park User panel adopted in 2021 be noted.

C 25/52 APPOINTMENT OF SUBSTITUTE MEMBERS

It was proposed by Cllr Boughton, seconded by Cllr Coffin and

RESOLVED: That appointments to serve as substitute members for 2025/26 be approved as set out in Annex 6.

C 25/53 SCHEME OF DELEGATIONS

Members were invited to confirm the Scheme of Delegation in compliance with the Constitution.

It was proposed by the Mayor, seconded by Cllr Boughton and

RESOLVED: That

- (1) those parts of the scheme of delegation set out in Part 3 of the Constitution which are for the Council to approve (Responsibility for Council Functions) be confirmed;
- (2) the Leader's recommendations concerning the arrangements for decision-making by individual executive Members set out in Part 3 of the Constitution (Responsibility for Executive Functions and Portfolios of Cabinet Members) be adopted; and
- (3) the current scheme of delegation to officers in respect of executive functions set out in Part 3 of the Constitution (Functions and Powers Delegated to Officers) be re-adopted.

C 25/54 PROGRAMME OF MEETINGS

Following approval of Full Council on 8 April 2025, the programme of meetings for 2025/26 was presented for adoption by Annual Council in accordance with Council Procedure Rule 1.2 (m) as set out in the Constitution.

It was proposed by Cllr Boughton, seconded by Cllr Coffin and

RESOLVED: That the programme of meetings for 2025/26 and the provisional programme of meetings for 2026/27 (as set out at Annexes 1 and 2 to the report) be adopted.

C 25/55 TONBRIDGE TOWN COUNCIL - COMMUNITY GOVERNANCE REVIEW

The report of the Chief Executive presented for consideration terms of reference, timetable and consultation plan for a Community Governance Review (CGR) to create a Town Council for Tonbridge.

Resources would also be required to publicise the review, undertake the formal consultation processes and analyse and report on responses.

It was proposed by Cllr Boughton, seconded by Cllr Coffin and

RESOLVED: That

- (1) a Community Governance Review be conducted in accordance with the Local Government and Public Involvement in Health Act 2007 and the Terms of Reference set out in Annex 1 to the report; and
- (2) a one-off budget of £12,000 be approved for the conduct of the Community Governance Review to be funded through a supplementary estimate from the General Revenue Reserve.

C 25/56 RECRUITMENT OF HEAD OF FINANCE AND SECTION 151 OFFICER

The report of the Chief Executive presented arrangements for the permanent appointment of a newly created Head of Finance and Section 151 Officer post following the retirement of the long-serving Director of Finance and Transformation.

As the post was a Statutory Chief Officer due to the requirement for the postholder to discharge the statutory function of being the Borough Council's Section 151 Officer and in accordance with the Officer Employment Procedure Rules, set out in Part 4 of the Constitution, it was necessary to establish a Member Panel to oversee the recruitment process.

It was also recommended that due to the specialist skillset and seniority of the post that a recruitment agency be engaged at a one-off cost of £25,000 to be funded through a supplementary estimate from the General Revenue Reserve.

Cllr Boughton proposed that the Member Panel be formed of the Leader, Deputy Leader (Cllr Coffin) and the Leader of the Opposition

(Cllr Oakley). This was seconded by Cllr Coffin and supported by the Council.

It was proposed by Cllr Boughton, seconded by Cllr Oakley and

RESOLVED: That

- (1) the formation of a Member Panel (comprising the Leader, Deputy Leader and the Leader of the Opposition) to make the permanent appointment to the post of Head of Finance and Section 151 Officer be agreed;
- (2) the appointment of a special recruitment search and selection partner to lead on the recruitment and selection of the Head of Finance and Section 151 Officer post be agreed; and
- (3) a one-off budget of £25,000 to be funded through a supplementary estimate from the General Revenue Reserve be approved for the costs of recruitment.

MATTERS RECOMMENDED FOR DECISION BY OTHER COMMITTEES

C 25/57 ANNUAL REPORT OF THE CHAIRMAN OF THE AUDIT COMMITTEE

Consideration was given to the recommendations of the Audit Committee of 14 April 2025 in respect of the Audit Committee Annual Report.

It was proposed by Cllr Cannon, seconded by Cllr Harman and

RESOLVED: That the Annual Report be approved as an independent assurance on the adequacy of the risk management framework, the internal control environment and the integrity of the financial reporting and annual governance processes.

MATTERS IN ACCORDANCE WITH COUNCIL PROCEDURE RULES 5.5 AND 5.6

C 25/58 QUESTIONS FROM MEMBERS PURSUANT TO COUNCIL PROCEDURE RULE NO 5.5

In accordance with Council Procedure Rule No 5.5 a question had been submitted by Cllr Lark in respect of planning enforcement at Dux Farm.

A detailed response was provided by the Cabinet Member for Planning (Cllr M Taylor) and the question and answer, attached as an annex to the Minutes were noted.

In response to a supplementary question, the importance of effective communication with residents, members and officers was recognised.

**C 25/59 QUESTIONS FROM THE PUBLIC PURSUANT TO COUNCIL
PROCEDURE RULE NO 5.6**

No questions were received from members of the public pursuant to Council Procedure Rule No 5.6.

MATTERS FOR INFORMATION

C 25/60 SEALING OF DOCUMENTS

RESOLVED: That authority be given for the Common Seal of the Council to be affixed to any instrument to give effect to a decision of the Council incorporated into these Minutes and proceedings.

The meeting ended at 8.11 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

HOUSING AND PLANNING SCRUTINY SELECT COMMITTEE

MINUTES

Tuesday, 20th May, 2025

Present: Cllr D W King (Chair), Cllr Mrs S Bell (Vice-Chair), Cllr G C Bridge, Cllr R W Dalton, Cllr D A S Davis, Cllr P M Hickmott, Cllr M A J Hood, Cllr R W G Oliver, Cllr W E Palmer, Cllr R V Roud, Cllr K B Tanner and Cllr Mrs M Tatton (substitute).

Cllrs A G Bennison, R P Betts, S Crisp*, D Keers*, Mrs A S Oakley*, M R Rhodes* and M Taylor* were also present pursuant to Council Procedure Rule No 15.21.

(*participated via MS Teams)

Apologies for absence were received from Councillors D Thornewell and C J Williams.

HP 25/17 NOTIFICATION OF SUBSTITUTE MEMBERS

Notification of substitute Members were recorded as set out below:

- Cllr M Tatton substitute for Cllr D Thornewell

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 25/18 DECLARATIONS OF INTEREST

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

HP 25/19 MINUTES

RESOLVED: That the notes of the meeting of the Housing and Planning Scrutiny Select Committee held on 18 March 2025 be approved as a correct record and signed by the Chair.

HP 25/20 PLANNING ADVISORY SERVICE (PAS) REVIEW

The presentation of the Head of Planning advised Members that the Annual Service Delivery Plan 2025/26 required an Independent Planning Advisory Service Review to be completed by September 2025, an Action Plan for improvement to be developed by October 2025 and fully delivered by March 2026.

The review, scheduled to start in early July and completed by the end of September to coincide with changes in planning fees, the Planning and Infrastructure Bill and updates to National Planning Policy Framework, aimed to assess the planning function against five key themes of vision and leadership, performance management, community engagement, stakeholder engagement and achieving outcomes.

Particular reference was made to the importance of engaging with a wide range of stakeholders, including developers, agents, resident groups, statutory consultees, parish/town councils and councillors. The plan for member engagement was outlined and included interviews with Group Leaders and Area Planning Committee Chairs with a focus on proportional representation across political parties.

Members welcomed the review as an opportunity to identify best practice and areas of improvement. However, concern was also expressed about the process including the potential for justifying a single planning committee, the need for individual member input and the need for a transparent and inclusive review process. At the suggestion of the Committee, consideration would be given to setting up an email address for the Peer Review team so that Members could provide comments if they were not on the interview list.

MATTERS FOR RECOMMENDATION TO THE CABINET

HP 25/21 HOUSING STRATEGY UPDATE AND DRAFT YEARS 4 AND 5 ACTION PLAN

(Decision Notice D250042MEM)

The report of the Director of Planning, Housing and Environmental Health presented a draft Action Plan for years 4 and 5 (2025-2027) of the Housing Strategy (attached at Annex A).

Members were reminded that the Housing Strategy 2022-2027 set out the Borough Council's priorities and strategic approach to housing in the borough. Objectives for each priority in the Strategy were delivered and monitored through annual action plans.

Attention was drawn to the key priorities for years 4 and 5 including the development of a Homelessness and Rough sleeper Action Plan, development and implementation of a pro-active approach to tackling Empty Homes and revising and improving the Private Landlord offer. Members welcomed proposals in respect of establishing a local housing company to look at council owned provision and the progress being made on empty homes.

It was proposed by Cllr King, seconded by Cllr Davis and

***RECOMMENDED:** That the draft Action Plan for years 4 and 5 be adopted.

***Decision taken by Cabinet Member**

HP 25/22 LOCAL LETTINGS PLAN (LLP) POLICY

A new Policy setting out an approach to Local Lettings Plans (LLPs) for affordable housing in partnership with Registered Providers was outlined and attached at Annex A. A Local Lettings Plan template was also attached at Annex B.

The implementation of the proposed Policy would deliver a consistent approach to the use of LLPs on new affordable housing delivery. The process for shortlisting was detailed in 5.2 of the report and priority would be given to households with a local connection and aimed for 50% of lettings to economically active households.

Due regard was given to the financial and value for money considerations, the assessed risk and legal implications outlined in the report. Members sought clarification on the 'economically active' criteria with particular reference made to single parent households. It was explained that economically active was defined by permanent paid employment or work-based training and there was no special exemption for single parent households.

It was proposed by Cllr King, seconded by Cllr Palmer and

***RECOMMENDED:** 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 developed further.

***Recommended to Cabinet**

MATTERS SUBMITTED FOR INFORMATION

HP 25/23 SECTION 106 PROCESS

The report explained the process of how Section 106 agreements were initiated, negotiated, implemented and monitored within Tonbridge and

Malling. It also looked at affordable housing definitions to provide clarity on what was sought within s106 agreements.

The Section 106 Protocol was attached at Annex 1 and set out best practice guidance on managing a s106 obligation.

Particular reference was made to the recent Hadlow Manor appeal which progressed to non-determination due to delays in drafting the section 106 agreement and resulted in the inspector allowing the appeal.

Members sought clarification on how s106 contributions were allocated and whether ward members/parish councils were consulted. The need for transparency and adherence to legal tests was emphasised. Measures to provide better evidence of requirements and ensure better distribution of funds were being introduced. The importance of Parish Instructure Statements was highlighted and parish/town councils would be reminded to submit one via the Parish Partnership Panel. In addition, there were regular meetings with outside bodies, such as the Integrated Care Board, to discuss potential projects. Unfortunately, if s106 money was not utilised it was refunded to the developer.

There was in-depth discussion on social and affordable rents and concern was expressed that affordable rent did not meet the social need. The challenges for Registered Providers around social rent were discussed and noted.

HP 25/24 WORK PROGRAMME 2025/26

The Work Programme setting out matters to be scrutinised during the next year was attached for information. Members were invited to suggest future matters for the 2025/26 Programme and the following was identified:

(1) Service Management Plans and Resident Management Companies

Proposed by Cllr Davis, seconded by Cllr Oliver and supported by the Committee as service management fees could become a burden on homeowners. Consideration to be given as to whether this matter could be scrutinised effectively by the Housing and Planning Scrutiny Select Committee given the lack of expertise on this area within the Borough Council.

Other matters could be raised by liaising with the Chair of the Committee and the Scrutiny Officer.

MATTERS FOR CONSIDERATION IN PRIVATE

HP 25/25 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.

PART 2 - PRIVATE

MATTERS FOR RECOMMENDATION TO THE CABINET

HP 25/26 TEMPORARY ACCOMMODATION PROJECT

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

The report set out proposals for a temporary accommodation project to help meet the Borough Council's requirements to mitigate and manage homelessness.

Due regard was given to the proposal presented, the financial and value for money considerations, including the use of external funding and the assessed risk and legal implications detailed in the report.

Members supported the proposal in principle as the importance of improving housing options for local people, whilst protecting outdoor areas, was recognised. Delivering a temporary accommodation scheme on previously utilised land allowed the Borough Council to mitigate costs, have management control and did not require the development of a greenfield site. Whilst there was some concern that the preferred site might not be the most suitable location due to lack of public transport and amenities, the feasibility study indicated that these were available.

It was noted that any Capital Plan Evaluation for the proposals would be presented to Council for consideration.

Cllr King proposed, seconded by Cllr Tanner and

***RECOMMENDED:** 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 by the Cabinet; and

- (3) the proposals for a temporary accommodation scheme within the Borough, as detailed in the report, be approved by the Cabinet.

***Recommended to Cabinet**

The meeting ended at 10.21 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

AREA 1 PLANNING COMMITTEE

MINUTES

Thursday, 22nd May, 2025

Present: Cllr M A J Hood (Chair), Cllr D W King (Vice-Chair), Cllr L Athwal, Cllr K Barton, Cllr G C Bridge, Cllr J Clokey, Cllr A Cope, Cllr F A Hoskins, Cllr A Mehmet, Cllr R W G Oliver, Cllr B A Parry, Cllr Stacey Pilgrim, Cllr M R Rhodes and Cllr K S Tunstall

PART 1 - PUBLIC

AP1 25/13 DECLARATIONS OF INTEREST

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

AP1 25/14 MINUTES

RESOLVED: That the Minutes of the meeting of the Area 1 Planning Committee held on 27 March 2025 be approved as a correct record and signed by the Chairman.

AP1 25/15 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.

MATTERS FOR DECISION UNDER DELEGATED POWERS (IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION)

AP1 25/16 TM/25/00424/PA - 100 HIGH STREET, TONBRIDGE

Proposed roof extension to accommodate one residential unit and external alteration to ground floor window to provide access to the flats previously approved under Prior Approval 24/01856/PA and the proposed additional flat on the roof.

Due regard was given to the determining issues, conditions, reasons and informatives as detailed in the report of the Director of Planning, Housing and Environmental Health, with particular attention drawn to the significant concerns expressed by Members in respect of the materials proposed to be used for the roof extension and its suitability for the Tonbridge Conservation Area.

Councillor Mehmet proposed, seconded by Councillor Hoskins that consideration of the planning application be deferred to enable officers to engage with the Applicant to explore the possibility of amending the proposed materials to red brick, to ensure consistency with the existing building, and to incorporate white timber fenestration. It was also clarified that the scale and setback of the extension were considered acceptable. Following a formal vote, this proposal was supported with 10 Committee Members voting in favour and 4 voting against.

RESOLVED: That consideration of the planning application be DEFERRED to enable officers to engage with the Applicant to explore the possibility of amending the proposed materials to red brick, to ensure consistency with the existing building, and to incorporate white timber fenestration.

MATTERS FOR INFORMATION

AP1 25/17 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.

AP1 25/18 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, 27th May, 2025

Present: Cllr D Harman (Chair), Cllr M R Rhodes (Vice-Chair), Cllr A G Bennison, Cllr T Bishop, Cllr P Boxall, Cllr R I B Cannon, Cllr L Chapman, Cllr J Clokey, Cllr S A Hudson, Cllr W E Palmer, Cllr B A Parry, Cllr S Pilgrim and Cllr C J Williams

Councillors R P Betts, P M Hickmott, M A J Hood, Mrs S Bell*, M D Boughton* and Mrs A S Oakley* were also present pursuant to Council Procedure Rule No 15.21.

(*participated via MS Teams)

An apology for absence were received from Councillors K B Tanner

PART 1 - PUBLIC

FRP 25/8 NOTIFICATION OF SUBSTITUTE MEMBERS

Notification of substitute members were recorded as set out below:

- Cllr S Hudson substitute for Cllr K Tanner

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 25/9 DECLARATIONS OF INTEREST

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

FRP 25/10 MINUTES

RESOLVED: That the notes of the meeting of the Finance, Regeneration and Property Scrutiny Select Committee held on 25 February 2025 be approved as a correct record and signed by the Chair.

MATTERS FOR RECOMMENDATION TO THE CABINET

FRP 25/11 RIVERSIDE ROUTE LIGHTING PROJECT, TONBRIDGE

The report brought forward a List C Capital Plan Evaluation for riverside lighting between Town Lock and Vale Road in Tonbridge and sought

approval to move the project forward for construction later in the calendar year.

Members considered the feasibility study report (Annex 2) and the Capital Plan Evaluation (Annex 1) and welcomed the provision of high-quality lighting for pedestrians and 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 area and there had been a long-term aspiration from successive Ward Members to improve safety along this section of the riverside route.

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

The Committee was assured that lighting levels would be consistent but would be low to protect and maintain the environment for wildlife, such as bats. The feasibility study provided a guide that developers should follow. In addition, comments from Kent Police would be reflected in the scheme.

On the grounds of understanding whether the introduction of a lighting scheme would impact local residents, Cllr Rhodes proposed that Members should have physical sight of the likely intended lighting columns by means of a demonstration in a low light at a future meeting of the Committee. This was seconded by Cllr Cannon and supported by the majority of Members.

Subsequent to the vote and for reasons of practicality it was agreed that a future meeting of the Committee could mean a visit to the project site.

***RECOMMENDED:** 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 scheme be transferred to List A of the Capital Plan;
- (3) the use of the Borough Council's powers under s161 of the Public Health Act 175 for the delivery of the project, with agreement from Kent County Councils Public Rights of Way Team, be authorised; and
- (4) Members had 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 to Cabinet – Council Decision**

MATTERS SUBMITTED FOR INFORMATION

FRP 25/12 WORK PROGRAMME 2025/26

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

MATTERS FOR CONSIDERATION IN PRIVATE

FRP 25/13 EXCLUSION OF PRESS AND PUBLIC

The Chairman moved, it was seconded by Cllr Rhodes 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 25/14 GIBSON BUILDING WEST FUTURE

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

The report of the Director of Central Services set out potential options for the Gibson West building at Kings Hill as part of the Borough Council's office accommodation consolidation project.

Careful consideration was given to the options presented and due regard was given to the financial and value for money considerations and the assessed risk, especially in respect of Local Government reorganisation. There was also detailed discussion on the advantages and disadvantages of leasehold and freehold, the value of applying for planning consent before disposal, the significant annual costs related to the maintenance of the listed building and a general recognition that the layout of the building was an inefficient use of space and freehold disposal removed the ongoing financial concerns.

***RECOMMENDED:** That

- (1) the freehold option to dispose of Gibson West building be progressed; and

- (2) any offers received presented to the Finance, Regeneration and Property Scrutiny Committee for ratification and recommendation to Cabinet for a final decision.

***Recommended to Cabinet**

The meeting ended at 8.14 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

AREA 2 PLANNING COMMITTEE

Wednesday, 28th May, 2025

Present: Cllr W E Palmer (Chair), Cllr B Banks, Cllr R P Betts, Cllr M D Boughton, Cllr P Boxall, Cllr M A Coffin, Cllr S A Hudson, Cllr R V Roud, Cllr Mrs M Tatton and Cllr M Taylor.

In attendance: Councillor Mrs A S Oakley participated via MS Teams in accordance with Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors C Brown, Mrs T Dean, D Harman, J R S Lark and K B Tanner.

PART 1 - PUBLIC

AP2 25/23 DECLARATIONS OF INTEREST

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

AP2 25/24 MINUTES

RESOLVED: That the Minutes of the meeting of the Area 2 Planning Committee held on 2 April 2025 be approved as a correct record and signed by the Chairman.

AP2 25/25 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.

MATTERS FOR DECISION UNDER DELEGATED POWERS (IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION)**AP2 25/26 TM/24/00366/PA - LAND OPPOSITE THE PADDOCKS, BIRLING ROAD, LEYBOURNE, WEST MALLING**

S73 Application for variation of conditions 3 and 4 submitted pursuant to Appeal ref: APP/H2265/C/21/3280661 to allow for the siting of an additional 2 static caravans and 2 utility rooms within existing pitches.

Further to minute AP2 25/19 of the meeting held on 2 April 2025, the Committee considered the above application with the report of the Director of Central Services and Monitoring Officer set out in Part 2 of the agenda (Minute No AP2 25/30 refers). Members continued to express concern regarding the harm to the Green Belt due to the encroachment from the development.

During discussion, Councillors B Banks, P Boxall, R Roud and M Tatton invoked Council Procedure 15.24, Part 4 Rules of the Constitution, which required that the item be deferred direct to the Council for decision.

RESOLVED*: That the application stand DEFERRED for determination by Full Council in accordance with Rule 15.24 of the Council and Committee Procedure Rules.

[Speakers: Representatives of Birling Residents address the Committee in person].

***Deferred to Council**

AP2 25/27 TM/24/01900/PA - STOCKETTS, ALDON LANE, OFFHAM, WEST MALLING

Demolition of existing dwelling, garage and former stables and erection of a new self build replacement detached dwelling (for the owners own personal use – custom built).

Due regard was given to the determining issues and conditions as detailed in the report of the Director of Planning, Housing and Environmental Health. During discussion concern was raised regarding the design and positioning of the new self build replacement detached dwelling, the adverse environmental impact of the development activities and the prevention of inappropriate development in the Green Belt if the existing dwelling were not removed.

RESOLVED: That the application be GRANTED subject to the submitted details, conditions, reasons and informatives set out in the report of the Director of Planning, Housing and Environment Health and subject to the following new and amended conditions:

(1) Amended condition 10:

Prior to the first occupation of the new dwelling, the existing dwelling, garage/coach house, stables, both static mobile homes, and all associated hardstanding on the site shall be permanently demolished, and all resulting materials removed from the site, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the removal of the existing dwelling in the interests of openness and to prevent inappropriate development in the Green Belt, in accordance with the National Planning Policy Framework

(2) New Condition 13:

No development shall take place (including ground works or vegetation clearance) until a construction management plan (CMP) has been submitted to and approved in writing by Tonbridge and Malling Borough Council. The CMP shall include (but not necessarily be limited to) the following:

- The days of the week and hours of the day when the construction works will be limited to and measured to ensure these are adhered to;
- Procedures for managing all traffic movements associated with the construction works including (but not limited to) the delivery of building materials to the site (including the times of the day when those deliveries will be permitted to take place and how/where materials will be offloaded into the site) and for the management of all other construction related traffic and measures to ensure these are adhered to;
- Procedures for notifying properties identified as likely to be affected as to the ongoing timetabling of works, the nature of the works and their likely duration, with particular reference to any such works which may give rise to noise and disturbance and any other regular liaison or information dissemination;
- The specific arrangements for the parking of contractor's vehicles within or around the site during construction and any external storage of materials or plant throughout the construction phase;
- The controls on noise and dust arising from the site with reference to current guidance;

The approved CMP shall be adhered to and implemented throughout the construction period in accordance with the approved details.

Reason: To ensure that any adverse environmental impacts of development activities are mitigated.

[Speaker: Mr M Porter, agent on behalf of the applicant].

AP2 25/28 PLANNING APPEALS, PUBLIC INQUIRIES AND HEARINGS

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

AP2 25/29 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

However, Members had regard to the report of the Director of Central Services and Monitoring Officer set out in Part 2 of the agenda

AP2 25/30 TM/24/00366/PA - LAND OPPOSITE THE PADDOCKS, BIRLING ROAD, LEYBOURNE, WEST MALLING

(Reasons: LGA 1972 – Sch 12A Paragraph 5 – Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings).

At the meeting of the Area 2 Planning Committee held on 2 April 2025 consideration of the application was deferred for a report from Legal Services on the risks arising from a decision contrary to the recommendation of the Director of Planning, Housing and Environmental Health (as set out in CPR 15.25, Part 4 (Rules) of the Constitution) (Minute AP2 25/19 refers). The report of the Director of Central Services and Monitoring Officer provided an assessment of the risks arising from a resolution to refuse planning permission and advised that any such resolution would be recommendation only and the matter would stand deferred to be considered and determined by Full Council (Minute AP2 25/26 refers).

The meeting ended at 8.29 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

JOINT STANDARDS COMMITTEE

MINUTES

Monday, 2nd June, 2025

Present: Cllr D A S Davis (Chair), Cllr K Barton, Cllr R P Betts (substitute), Cllr G C Bridge, Cllr J Clokey (substitute), Cllr J R S Lark, Cllr B A Parry, Cllr M R Rhodes, Cllr K B Tanner.

Together with parish/town council representatives Mr O Baldock (Hadlow Parish Council) and Mr A Sullivan* (Aylesford Parish Council)

*participated via MS Teams

Cllr L Chapman were also present pursuant to Council Procedure Rule No 15.21.

Apologies for absence were received from Borough Councillors Mrs S Bell, Mrs T Dean, S Hammond and R Roud and Parish/Town Councillors J Reading (Borough Green), W Steam (Burham), W Palmer (Platt) and M Carboni (Plaxtol).

PART 1 - PUBLIC

ST 25/7 NOTIFICATION OF SUBSTITUTE MEMBERS

Notification of substitute Members were recorded as set out below:

- Cllr Betts substituted for Cllr Bell
- Cllr Clokey substituted for Cllr Dean

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

ST 25/8 DECLARATIONS OF INTEREST

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

ST 25/9 MINUTES

RESOLVED: That the Minutes of the meeting of the Joint Standards Committee held on 20 January 2025 be approved as a correct record and signed by the Chairman.

MATTERS FOR DECISION UNDER DELEGATED POWERS**ST 25/10 DEBATE NOT HATE**

The report of the Monitoring Officer invited Members to consider the Local Government Association's publication on how councils could better support councillors to prevent and handle abuse.

In August 2024 the Local Government Association (LGA) published the results of an online survey sent to all councillors in England and Wales to investigate the extent to which they had experienced abuse or intimidation due to their councillor role. A copy of the survey outcome was attached at Annex 1 to the report and the key findings were set out in paragraph 4.6 of the report. Also attached to the report was a copy of the LGA publication 'Debate Note Hate: Ending abuse in public life for Councillors' (Annex 2), a copy of the LGA toolkit 'Ending abuse in public life self-assessment' (Annex 3) with a summary of the improvement steps (Annex 4) and a copy of the survey questions used by the LGA, modified to allow for use by Tonbridge and Malling Borough Council (Annex 5).

Of the 10% who responded to the survey, several councillors reported abuse and intimidation. It was crucial to distinguish between acceptable political debate and harassment or intimidation and knowing where to draw the line was essential. It was proposed that the Council conduct its own survey to see if its councillors experienced similar to those reported in the survey.

Issues arising from the LGA survey included the reporting of only 2% of physical violence incidents to the police, highlighting the need for more scrutiny, especially in the digital age. Whilst there were statistical concerns, Members did not consider the low response rate to invalidate the concerns and felt that it was essential that councillors receive appropriate support.

Members felt that the digital age had exacerbated the problem and empowered individuals to broadcast their views more widely; and recognised that the majority of councillors were committed to upholding ethical standards.

In order to be proactive rather than reactive to abuse, Members felt that it was important to identify where and how intimidation and abuse was happening and determine how best Members could be supported in the future. Members supported a survey of Borough Council Members to establish a baseline so improvement could be monitored and activities tracked to alleviate problems. Furthermore, it was felt that a working group, comprising individuals with experience in these issues, be established to review the survey responses.

RESOLVED: That

- (1) the contents of the report and accompanying annexes, be noted;
- (2) the progress made in completion of the self-assessment toolkit at Annex 3, be noted;
- (3) the improvement steps to address the gaps in the self-assessment toolkit set out in the summary at Annex 4, be agreed;
- (4) a panel of Members to oversee the delivery of the improvement steps at Annex 5, be agreed;
- (5) a survey as set out at Annex 4, be undertaken, to gain a better understanding of the extent to which all Tonbridge and Malling Borough Councillors have suffered abuse and intimidation; and
- (6) the Borough Council monitors any reports of abusive and threatening behaviour to determine whether any protected characteristic group is affected more or less than any other.

MATTERS FOR CONSIDERATION IN PRIVATE**ST 25/11 EXCLUSION OF PRESS AND PUBLIC**

There were no items considered in private.

The meeting ended at 8.19 pm

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

TONBRIDGE AND MALLING BOROUGH COUNCIL

AREA 3 PLANNING COMMITTEE

MINUTES

Thursday, 5th June, 2025

Present: Cllr D Thornewell (Chair), Cllr R W Dalton (Vice-Chair),
Cllr Mrs S Bell, Cllr A G Bennison, Cllr R I B Cannon,
Cllr D A S Davis, Cllr P M Hickmott, Cllr D Keers and
Cllr C J Williams

In attendance: Councillor Mrs T Dean was also present pursuant to Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors T Bishop, L Chapman, S M Hammond, A McDermott* and Mrs A S Oakley*

(*submitted apologies for in-person attendance and joined the meeting remotely)

PART 1 - PUBLIC

AP3 25/13 DECLARATIONS OF INTEREST

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

AP3 25/14 MINUTES

RESOLVED: That the Minutes of the meeting of the Area 3 Planning Committee held on 10 April 2025 be approved as a correct record and signed by the Chairman.

AP3 25/15 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.

**MATTERS FOR DECISION UNDER DELEGATED POWERS (IN
ACCORDANCE WITH PART 3 OF THE CONSTITUTION)**

**AP3 25/16 TM/24/00769/PA - LAND & BUILDING EAST OF ROSE COTTAGE,
440 LUNSFORD LANE, LARKFIELD, AYLESFORD**

Demolition of existing building and the erection of a new building comprising a mixed use office and workshop space (Class E(g)) and detached garage to rear.

Following a Members' Site Inspection undertaken as a result of the deferral of the application arising from the Committee meeting on 13 March 2025, careful consideration was given to the points raised by the speakers and the submitted details, conditions and informatives set out in the report of the Director of Planning, Housing and Environmental Health. Members continued to express significant concerns in respect of the potential impact of the proposed commercial development on the residential amenity of the neighbourhood area, with particular reference made to the increased level of vehicular movements and environmental disturbance.

It was proposed by Councillor D Thornewell, seconded by Councillor R Dalton, that the application be refused, which was supported by the Committee with eight Members voting in favour and one member voting against the motion.

RESOLVED: that planning permission be REFUSED for the following reason:

The vehicular movements, alongside the commercial activities associated with the development proposal, would result in a material change in the noise climate and level of disturbance, which would be unduly detrimental to the residential amenity of the occupiers of the neighbouring houses. To permit the development in its current form would be contrary to Policy CP24 of the Tonbridge and Malling Borough Core Strategy (2007) and Chapter 12 of the National Planning Policy Framework (2024).

[Speakers: Ms M Conyers, Mrs D Hart (on behalf of Mr D Carslaw), Ms L Wheeldon (on behalf of Mrs D Eden-Green), Ms L Wheeldon (on behalf of Mr J Eden-Green), Mr C Twyman, Mrs D Hart (on behalf of Mr J Humphries), Mr C Green, Mr C Twyman (on behalf of Ms T Allingham), Mr C Twyman (on behalf of Mr G Hart), Ms F Ray and Mrs D Hart (members of the public) and Mr P Hadley (Agent on behalf of the Applicant) addressed the Committee in person.]

MATTERS FOR INFORMATION**AP3 25/17 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.

AP3 25/18 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 8.45 pm
with a break between 8.27 pm and 8.37 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

LICENSING AND APPEALS COMMITTEE

MINUTES

Tuesday, 10th June, 2025

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

In attendance: Cllrs L Chapman* and M A J Hood* 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, C Brown and D Keers.

PART 1 - PUBLIC

LA 25/6 DECLARATIONS OF INTEREST

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

LA 25/7 MINUTES

RESOLVED: That the Minutes of the meeting of the Licensing and Appeals Committee held on 25 March 2025 be approved as a correct record and signed by the Chairman.

LA 25/8 MINUTES OF PANELS

RESOLVED: That the Minutes of the meetings of the Licensing and Appeals Committee sitting as a Panel held on 14 March 2025, 24 March 2025 and 28 April 2025 be received and noted.

MATTERS FOR DECISION UNDER DELEGATED POWERS

LA 25/9 REVIEW OF HACKNEY CARRIAGE FARES

Following a formal request for a review of current hackney carriage fares received from licensed drivers on 28 April 2025 (attached at Annex 1), Members considered the maximum fare that could be charged.

During discussion, due regard was given to the views of Hackney Carriage Drivers, Dual Drivers and Hackney Carriage Proprietors. Concern was expressed about the impact on vulnerable passengers,

especially the elderly, of the proposed fare increase. However, the need for a balance between driver's needs and user affordability was recognised. It was also understood that the proposals related to the maximum charges and drivers could charge less if they chose.

After careful consideration, Cllr Coffin proposed that the fares be increased as set out in the report on the grounds of supporting drivers in maintaining a sustainable business. This was seconded by Cllr Tunstall and supported by the majority of the Committee.

RESOLVED: That, subject to no objection being received during the statutory public consultation period, the table of Hackney Carriage fares, as set out in 7.1 of the report, be agreed with effect from 1 August 2025.

LA 25/10 SPIKING AWARENESS - 'ASK FOR ANGELA'

The report of the Director of Central Services proposed that all licensees within Tonbridge and Malling should train their staff on the 'Ask for Angela' Scheme. The initiative was intended to keep people safe from vulnerable situations by using a codeword to identify when they felt unsafe or threatened.

Attention was drawn to the proposed text to be included in the Statement of Licensing Policy 2025-2030 (attached at Annex 1). This outlined the safety measures to be put in place by licensees.

Members recognised the importance of ensuring licensed premises staff were adequately trained so that they could respond appropriately and for posters to be visible and accessible.

Subject to a few minor points around ensuring posters were visibly displayed and changing emphasis from 'should' to 'will', Cllr Williams proposed that on the grounds of improving safety in pubs and bars the Scheme be included in the licensing policy. This was seconded by Cllr Tunstall and supported unanimously.

RESOLVED: That

- (1) subject to a few minor points summarised above, the draft text to be included in the Statement of Licensing Policy 2025-2030(attached at Annex 1) be approved; and
- (2) the poster (attached at Annex 2) be distributed to holders of premises licences and club premises certificate under the Licensing Act 2023.

MATTERS FOR RECOMMENDATION TO COUNCIL**LA 25/11 STATEMENT OF LICENSING POLICY 2025-2030 CONSULTATION**

Further to Minute LA 25/4, the report of the Director of Central Services indicated that the Statement of Licensing Policy 2025 – 2030 had been issued for public consultation from 1 April to 25 May 2025. As a result of which 1 response had been received asking for details of the 'Ask Angela' Scheme to be included.

A copy of the proposed Statement of Licensing Policy was attached at Annex 1 to the report. A copy of the consultation response was shown at Annex 2.

Cllr Williams proposed that the Licensing Policy be adopted as set out in Annex 1 and to include the Ask for Angela Scheme. This was seconded by Cllr Coffin and supported by the Committee.

***RECOMMENDED:** That the draft Statement of Licensing Policy set out at Annex 1 to the report be adopted by the Council.

***Recommended to Council**

MATTERS SUBMITTED FOR INFORMATION**LA 25/12 HEAD OF LICENSING, COMMUNITY SAFETY AND CUSTOMER SERVICES**

Whilst not an urgent item of business, Members acknowledged the upcoming retirement of Anthony Garnett (Head of Licensing, Community Safety and Customer Services) and expressed gratitude for his contribution and support over the years.

LA 25/13 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 8.25pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

GENERAL PURPOSES COMMITTEE

MINUTES

Wednesday, 11th June, 2025

Present: Cllr M R Rhodes (Chair), Cllr A McDermott (Vice-Chair), Cllr B Banks, Cllr K Barton, Cllr L Chapman, Cllr M A Coffin, Cllr J Clokey, Cllr D A S Davis, Cllr B A Parry, Cllr R V Roud and Cllr K B Tanner

PART 1 - PUBLIC

GP 25/20 NOTIFICATION OF SUBSTITUTE MEMBERS

There were no substitute members.

GP 25/21 DECLARATIONS OF INTEREST

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

GP 25/22 MINUTES

RESOLVED: That the Minutes of the ordinary and extraordinary meetings of the General Purposes Committee held on 12 March 2025 and 12 May 2025 respectively be approved as a correct record and signed by the Chairman.

MATTERS FOR CONSIDERATION IN PRIVATE

GP 25/23 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 DECISION UNDER DELEGATED POWERS

GP 25/24 ESTABLISHMENT REPORT

(Reason: LGA 1972 – Sch 12A Paragraph 1 – Information relating to an individual)

The report set out for Members' approval a number of establishment changes recommended by Management Team. Members noted that, in

accordance with adopted conventions, all of the savings/costs referred to in the report reflected the salary at the top of the scale/grade plus associated on costs.

RESOLVED: That

- (1) Post DF1101, Benefits & Welfare Manager, be deleted with effect from 12 June 2025;
- (2) Post DF1102, Revenues Manager, be deleted with effect from 12 June 2025;
- (3) a new permanent Revenues and Benefits Manager post, 37 hours per week, Grade M5, be established with effect from 12 June 2025;
- (4) a new permanent Deputy Revenues and Benefits Manager post, 37 hours per week, Grade M8/M7, be established with effect from 12 June 2025;
- (5) the reduction of 7 hours per week from the established hours for Post DF1109, Revenues and Benefits Officer, and the reallocation of the hours to increase the established hours for Post DF1199, Overpayment Recovery Assistant, from 30 to 37 hours per week, be noted;
- (6) the increase of the established hours for Post DJ0167, Senior Planning Officer, from 30 to 37 hours per week and the reduction of the established hours for Post DJ0184, Senior Planning Officer, from 29.5 to 22.5 hours per week with effect from 4 August 2025, be noted;
- (7) the deletion of Post DV0915, Housing Technical Officer, and the redistribution of its hours to increase the established hours for Posts DV0904 and DV0908, Housing Technical Officers, from 22.2 and 29.6 hours per week respectively to full-time 37 hours per week, be noted; and
- (8) it be noted that following the transfer of call handling responsibilities to the Contact Centre, as agreed by this Committee in January 2025 and implemented from 1 May 2025, 1.7 FTE had been transferred from the Environmental Health/Waste Admin Team to the Contact Centre with 3.9 FTE retained in the Team to provide back-office support across Environmental Health, Leisure, and Waste Services, per the revised establishment as set out in Annex 1.

RECOMMENDED*: That

- (1) Post DV0723, Housing Solutions Manager, be regraded from Grade M7 to M6 with effect from 9 July 2025;
- (2) Post DV0731, Housing Allocations Team Leader, be regraded from Scale 5/6 to SO with effect from 9 July 2025;
- (3) Posts DV0726 and DV0745, Housing Allocations Officers, be regraded from Scale 3 and 3/4 respectively to Scale 5/6 with effect from 9 July 2025;
- (4) the hours of post DR0016, Contracts and Procurement Lawyer, be increased from 21 to 37 hours per week with effect from 9 July 2025; and
- (5) Post DE0107, Resilience Officer, be regraded from Scale SO to Grade M9 and the hours of the post be increased from 15 to 29.6 hours per week with effect from 9 July 2025.

***Recommended to Council**

The meeting ended at 7.50 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

RECORD OF EXECUTIVE NON-KEY DECISION

Decision Taken By: Cabinet Member for Climate Change, Regeneration and Property	Decision Number: D250029MEM
--	--

Date: 31 March 2025

Decision(s) and Reason(s)
People and Skills Fund – Round 2
Following consideration of the proposal, the Cabinet Member for Climate Change, Regeneration and Property RESOLVED that: (1) The amendments to the People and Skills Fund criteria, as set out in Section 3.1 of the report attached as an Annex, be agreed.
Reasons for decision: In March 2025, Cabinet approved the UK Shared Prosperity Fund (UKSPF) Programme for 2025/26. Within this programme, £35,000 has been allocated under the ‘employability’ theme to deliver another round (Round 2) of our People and Skills Fund, which aims to support our most disadvantaged residents to gain life skills that help them on their journey towards employment. This funding will be supplemented with an allocation from the Panattoni Park Aylesford Section 106 pot, which was also used to deliver Round 1 of the fund, and supported projects from Oaks Specialist College, Runway Training, Compaid and Communigrow. These projects were awarded funding in December 2024 and have until December 2025 to complete. Whilst Round 1 has been successful, it is important to review and amend the criteria to ensure that it meets the needs of local residents and aligns with the requirements set out by external funders.

Signed Cabinet Member for Climate Change, Regeneration and Property:	R Betts
Signed Leader:	M Boughton
Signed Chief Executive:	D Roberts
Date of publication:	3 April 2025

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: D250030CAB

Decision Type: Non Key

Date: 01 April 2025

Decision(s) and Reason(s)

Petition - Save West Malling Farmers Market

Consideration was given to a petition received from Councillors T Dean, R Roud and M Tatton as joint sponsors asking that the four-hour parking restriction at Ryarsh Lane Car Park be lifted for traders at the West Malling Farmers Market so that a Farmers Market could continue to be provided on the fourth Sunday of each month in West Malling.

The petition organisers addressed the Cabinet in accordance with the Borough Council's Petition Scheme, as set out in the Constitution, and expressed concerns in respect of the impact that a four-hour parking limit had on the viability of the operation of the West Malling Farmers Market for market operators and stall holders. It was clarified by the petitioners that they were seeking lifting of the four-hour maximum parking time restriction only rather than a waiver of parking charges, to allow market traders sufficient time of parking at the Ryarsh Lane Car Park to complete all the necessary tasks associated with the operation of the four-hour market.

Due regard was given to the views of the petition organisers and legal implications detailed in the report of the Director of Street Scene, Leisure and Technical Services.

Recognising the importance of the West Malling Farmers Market not only to the market traders and local residents but also to the development and vibrance of the area, the petition was supported by the Cabinet Member for Transformation and Infrastructure, who in addition suggested that consideration be given to allowing parents and/or carers of children in West Malling Church of England Primary School to park at the Ryarsh Lane Car Park for up to 15 minutes during school collection time, to be included within the same Notice of Variation that was to be issued to amend the parking time restriction in support of the petition regarding the West Malling Farmers Market.

Cllr M Coffin proposed, seconded by Cllr M Boughton and Cabinet

RESOLVED: That

(1) the Petition seeking lifting of a four-hour parking restriction at Ryarsh Lane

	<p>Car Park for traders at West Malling Farmers Market, as set out in Annex 1, be received and noted;</p> <p>(2) a provision be made to enable parents and/or carers of children in West Malling Church of England Primary School to park at the Ryarsh Lane Car Park for up to 15 minutes during school collection time; and</p> <p>(3) an Amendment to the Off Street Parking Order be made to alter the charging period of Ryarsh Lane Car Park in West Malling, to reflect the changes agreed per above (1) and (2), by way of the issuing of a Notice of Variation with its display in the car park affected and in the local press for a period of not less than 21 days prior to the changes coming into effect, as set out in paragraph 1.2.2 of the report, subject to agreement of a suitable tariff as a linear extension of the current charging arrangement.</p>
	<p>Reasons: As set out in the report submitted to Cabinet on 1 April 2025.</p>

Signed Leader: M Boughton

Signed Chief Executive: D Roberts

Date of publication: 3 April 2025

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: D250031CAB
Decision Type: Non Key
Date: 01 April 2025

Decision(s) and Reason(s)

Corporate Key Performance Indicators - Q3 2024/25

Consideration was given to a set of Key Performance Indicators covering Quarter 3 of 2024/25 (October to December 2024), attached at Annex 1, which were aligned to the Corporate Strategy 2023 – 2027 and monitored on a quarterly or annual basis.

Quarterly trends in respect of both positive direction of travel and areas of focus were identified and highlighted in paragraph 4.2 of the report, with particular reference made to the drop in reported Anti-Social Behaviour (ASB) cases thanks to the engagement of the Council's ASB Enforcement Team, drop in the 5 Year Housing Land Supply due to the higher housing need set out in the revised National Planning Policy Framework, ongoing challenge in addressing the Housing Register backlog given the higher than normal number of applications received in the last few months and the slight reduction in the recycling and composting rate although it was noted that a comprehensive programme of recycling promotion was scheduled for the next year to maximise performance.

Furthermore, it was noted that a long view for the Corporate Key Performance Indicators for the last six quarters was attached at Annex 2.

Cabinet had due regard to the risk assessment and consultation, communication and implementation considerations and noted that given the overlap between introduction of the new Annual Service Delivery Plan 2025/26 and the scheduled reporting of Q4 2024/25 Key Performance Indicators, there was advantage of circulating an end-of-year report via email and publishing on the Council website instead of reporting through the formal decision-making channels.

RESOLVED: That

- (1) the report and the Key Performance Indicators for Q3 2024/25, set out in Annexes 1 and 2, be noted; and
- (2) the arrangements for reporting Q4 2024/25 Key Performance Indicators, as set out in paragraph 4.4 of the report, be approved.

Reasons: As set out in the report submitted to Cabinet on 1 April 2025.

Signed Leader:

M Boughton

Signed Chief Executive:

D Roberts

Date of publication:

3 April 2025

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: D250032CAB
Decision Type: Non Key
Date: 01 April 2025

Decision(s) and Reason(s)

50th Anniversary Community Grant Scheme

Consideration was given to proposals for the allocation of the 50th Anniversary Community Grant Scheme as detailed in Annex 2 of the report.

The proposed grant allocations focused on projects best meeting the priorities for the Scheme, as set out in paragraph 2.2 of the report, and were assessed against a set of scoring criteria and guidelines as outlined in Annex 1 of the report. While the scheme was welcomed by the community, the difficulty in agreeing a proposal for the allocations was acknowledged due to significant over-subscription. However, it was noted that another round of community grant scheme would be available later in the year to hopefully provide support to more community and voluntary groups within the borough.

Cabinet had due regard to the risk assessment, the financial and value for money considerations and the consultation and communication implications.

Cllr M Boughton proposed, seconded by Cllr D Keers and Cabinet

RESOLVED: That the grant allocations for the Tonbridge and Malling Borough Council 50th Anniversary Community Grant Scheme, as set out in Annex 2 of the report, be endorsed.

Reasons: As set out in the report submitted to Cabinet on 1 April 2025.

Signed Leader: M Boughton

Signed Chief Executive: D Roberts

Date of publication: 3 April 2025

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: D250033CAB
Decision Type: Non Key
Date: 01 April 2025

Decision(s) and Reason(s)

Corporate Policies Update

Consideration was given to proposals to update the Borough Council's policies regarding the administration of council tax and business rate discounts/reliefs and the recovery of unpaid debts.

First of all, the Empty Homes and Second Homes Premium Policy was updated to reflect the exceptions to the premium charges as introduced by the Council Tax (Prescribed Classes of Dwellings and Consequential Amendments) (England) Regulations 2024.

Secondly, in accordance with the 2024 Autumn Statement announced by the Government, the Discretionary Non-Domestic Rate Relief Policy was updated to reflect the changes in respect of Retail, Hospitality & Leisure Relief, and also the changes in respect of private schools which from April 2025 were no longer entitled to charitable relief.

Finally, a review of the existing Corporate Debt Recovery Policy had been undertaken as recommended by the Finance, Regeneration and Property Scrutiny Select Committee and identified no amendments required.

Cllr M Boughton proposed, seconded by Cllr K Tanner and Cabinet

RESOLVED: That

- (1) the Empty Homes and Second Homes Premium Policy for the 2025/26 financial year be amended as set out in Annex 1, with effect from 1 April 2025;
- (2) the Discretionary Non-Domestic Rate Relief Policy for the 2025/26 financial year be amended as set out in Annex 2, with effect from 1 April 2025; and
- (3) it be noted that the Corporate Debt Recovery Policy had been reviewed with no amendment required.

Reasons: As set out in the report submitted to Cabinet on 1 April 2025.

Signed Leader:

M Boughton

Signed Chief Executive:

D Roberts

Date of publication:

3 April 2025

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: D250034CAB
Decision Type: Key
Date: 01 April 2025

Decision(s) and Reason(s)

Waste, Recycling and Street Cleansing Contract

Consideration was given to the recommendations of the Communities and Environment Scrutiny Select Committee of 5 March 2025 in respect of a set of detailed specifications in relation to the procurement of the Borough Council's Waste Services Contract in partnership with Tunbridge Wells Borough Council.

Cabinet had due regard to the view of the Scrutiny Select Committee, the financial and value for money considerations, risk assessment and legal implications.

Cllr M Coffin proposed, seconded by Cllr M Boughton and Cabinet

RESOLVED: That

- (1) the Competitive Flexible Procedure procurement route and timeline as outlined in Section 5.1 of the report submitted to the Communities and Environment Scrutiny Select Committee of 5 March 2025, be agreed;
- (2) the proposed contract length of 12 years, as outlined in Section 5.2.1 of the aforementioned report, be agreed;
- (3) joint delegated authority be given to the Cabinet Member for Transformation and Infrastructure and the Director of Street Scene, Leisure and Technical Services to agree contract variations following dialogue and negotiation ahead of the contractors' final bids, as outlined in Section 5.1.5 of the aforementioned report;
- (4) the proposed Specification amendment, highlighted in Section 5.3 of the aforementioned report, be agreed and reflected in the tender pack;
- (5) the proposed areas of dialogue, as highlighted in Section 5.4 of the aforementioned report, be agreed;
- (6) the proposed contract options, as highlighted in Section 5.5 of the aforementioned report, be agreed;
- (7) the approach to vehicle finance options, as highlighted in Section 5.6 of the aforementioned report, be determined by the Partner Authorities' Finance lead officers and be reported to the appropriate Committee and Cabinet;

(8)	the proposed method of contract indexation, as highlighted in Section 5.7 of the aforementioned report, be agreed;
(9)	the proposed tender evaluation be progressed in accordance with Section 5.8 of the aforementioned report; and
(10)	the proposed approach to decarbonisation, as highlighted in Section 12.7 of the aforementioned report, be agreed.
Reasons: As set out in the report submitted to Communities and Environment Scrutiny Select Committee on 5 March 2025.	

Signed Leader: M Boughton

Signed Chief Executive: D Roberts

Date of publication: 3 April 2025

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: D250035CAB
Decision Type: Key
Date: 01 April 2025

Decision(s) and Reason(s)

Green and Blue Infrastructure Strategy

Consideration was given to the recommendations of the Communities and Environment Scrutiny Select Committee of 5 March 2025 in respect of an updated Green and Blue Infrastructure Strategy.

Following consideration by the Scrutiny Select Committee, the draft Strategy had been updated to take into account a number of suggestions made by Members and an updated Green and Blue Infrastructure Strategy was attached at Annex 1.

Cabinet had due regard to the views of the Scrutiny Select Committee, the risk assessment, the financial and value for money implications and the implementation considerations.

Cllr R Betts proposed, seconded by Cllr M Taylor and Cabinet

RESOLVED: That the updated Green and Blue Infrastructure Strategy, as set out in Annex 1, be endorsed for publication.

Reasons: As set out in the report submitted to Cabinet on 1 April 2025.

Signed Leader: M Boughton

Signed Chief Executive: D Roberts

Date of publication: 3 April 2025

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: D250036CAB
Decision Type: Key
Date: 01 April 2025

Decision(s) and Reason(s)

Replacement Angel Leisure Centre

Consideration was given to proposals in respect of replacement of the Angel Leisure Centre in Tonbridge with a new state-of-the-art leisure and community facility located in the town centre area.

When considering the recommendation from the Tonbridge Town Centre Programme Board on the selected location for the replacement leisure centre, Members recognised that the expertise of the Council's Leisure development partner and Masterplanning consultants and the views of Members to ensure the selected site fit into the broader objectives of the town centre masterplanning exercise had been taken into consideration.

Members further noted that the final design of the replacement leisure and community facility would be developed over the next 12 months and reported to the Tonbridge Town Centre Programme Board in due course, subject to public consultation and planning approval.

While noting from the capital plan evaluation attached at Annex 2 that the overall project cost to build a replacement leisure centre was estimated to be significant and would represent the largest investment in a project by the Borough Council, Members also acknowledged that there would be option for the Borough Council to discontinue with the project after each of the Royal Institute of British Architects (RIBA) Stages should such a need arise within the context of the Local Government Reorganisation programme and the approval being sought at this stage was for financial commitment to meet the cost for RIBA Stage 2 only.

Concern was raised by the Cabinet Member for Finance and Housing on the estimated cost for the project as identified by the feasibility study undertaken during RIBA Stage 1 and it was recognised that in order to fund the project, external borrowing would have to be considered alongside utilising reserves as part of the funding options, although efforts was being made and would continue to be made within the Borough Council to minimise the need for external borrowing and maximise the value for money to arise from the project. In addition, Members were advised that negotiation with the Tonbridge and Malling Leisure Trust, being the agreed operator of the new leisure centre, was underway in respect of a capital contribution and revised service fees in favour of the Borough Council as part of the wider discussion with regard to a potential contract extension, in anticipation of an uplift in projected net revenue based on forecasted increase in latent demand.

Cabinet had due regard to the financial and value for money considerations, risk assessment and legal implications and reinforced the necessity for additional and tight control to be put in place to enable Cabinet to monitor the entire process of the project to ensure best value for money was achieved with prudent spend of taxpayers' money.

Cllr M Boughton proposed, seconded by Cllr M Coffin and Cabinet

RESOLVED: That

- (1) the Sovereign Way Mid Car Park be selected as the site location for the new Leisure Centre;
- (2) the timeline for the project as shown in Annex 5, be noted, subject to the timeline being amended to reflect that following each Royal Institute of British Architects (RIBA) Stage the Cabinet Member for Climate Change, Regeneration and Property, in consultation with the Cabinet Member for Finance and Housing and the Cabinet Member for Community Services, be asked to confirm agreement to move on to the next RIBA stage;
- (3) subject to approval of the project by full Council, the appointment of Alliance Leisure Services Ltd as the Borough Council's leisure development partner to progress the project through the RIBA Stages, be approved;
- (4) negotiations with the Tonbridge and Malling Leisure Trust be commenced by the Chief Executive of the Borough Council regarding a capital contribution and an ongoing annual contribution to the project and draft Heads of Terms be brought forward by the Chief Executive; and
- (5) £400,000 be transferred from the Borough Council's Climate Change Reserve to the earmarked reserve for the Angel Leisure Centre replacement.

RECOMMENDED*: That

- (1) List C Capital Plan Evaluation for the replacement Angel Leisure Centre scheme, at set out in Annex 2, be transferred to List A of the Capital Plan.

***Recommended to Council**

Reasons: As set out in the report submitted to Cabinet on 1 April 2025 (contains exempt information).

Signed Leader:

M Boughton

Signed Chief Executive:

D Roberts

Date of publication:

3 April 2025

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

Decision Taken By: Cabinet Member for Finance and Housing	Decision Number: D250037MEM
--	--

Date: 1 April 2025

Decision(s) and Reason(s)
Business Rates Write Off
<p>A ratepayer was charged business rates in accordance with the rating list as compiled by the Valuation Office Agency (VOA). Following an appeal, the VOA confirmed that the rateable value was set at the wrong level but because it relates to an old, closed rating list, it cannot make any amendments. This balance is, therefore, not recoverable.</p> <p>Following consideration of the policy, the Cabinet Member for Finance and Housing RESOLVED that:</p> <p>(1) the balance of £84,202.26 on business rates account 7207648, be written off.</p>
<p>Reasons for decision:</p> <p>The VOA has admitted that it got the rating assessment for this premises wrong, leading to an incorrect business rates charge, which the Council was obliged to demand. The VOA was not able to correct this error as it was made in the 2017 rating list (running from April 2017 to March 2023) and this list is now closed for amendments. Following specialist legal advice received, it has become clear that none of this balance is recoverable and, therefore, the only course of action available is to write it off.</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:	4 April 2025

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

Decision Taken By: Cabinet Member for Finance and Housing	Decision Number: D250038MEM
--	--

Date: 1 April 2025

Decision(s) and Reason(s)
Business Rates Discretionary Relief Awards
<p>A number of applications have been received after the two-yearly review of business rates discretionary relief awards. These applications have been reviewed and a list passed to the Cabinet Member for approval.</p> <p>Following consideration of the policy, the Cabinet Member for Finance and Housing RESOLVED that:</p> <p>(1) the awards of discretionary relief on the 41 cases presented for a period from 1 April 2025 to 31 March 2027, be continued.</p>
<p>Reasons for decision:</p> <p>Business ratepayers receiving discretionary relief awards are required to reapply for their awards every two years. The latest tranche of applications received were reviewed by officers and a list of awards that should be continued were passed to the Cabinet Member for approval. These awards will run for two years from 1 April 2025 to 31 March 2027, at which time an application to continue the awards will be needed, if still applicable.</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:	4 April 2025

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

Decision Taken By: Cabinet Member for Finance and Housing	Decision Number: D250039MEM
--	--

Date: 1 April 2025

Decision(s) and Reason(s)
Application for Section 13A 1(C) Council Tax Discount
<p>A taxpayer has applied for a S13A 1(C) discount for council tax where the property is uninhabitable due to flood damage. This is to allow time to carry out the work required to bring the property back into a habitable state.</p> <p>Following consideration of the policy, the Cabinet Member for Finance and Housing RESOLVED that:</p> <p>(1) 100% discount for council tax be awarded under S13A 1(C) of the Local Government Finance Act 1992 for the period 5 January 2025 to 30 September 2025.</p>
<p>Reasons for decision:</p> <p>Following the change to reduce the uninhabitable discount to 0%, the council will consider the discretionary s13a 1(c) discount in cases where there is clear unavoidable damage to the property rendering it uninhabitable. In this case it is serious flood damage, supported by photographic evidence and the award of the discount covers the period from when the taxpayer became responsible for the property up to a point 6 months from this decision.</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:	4 April 2025

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

Decision Taken By: Cabinet Member for Community Services	Decision Number: D250040MEM
---	--

Date: 14 April 2025

Decision(s) and Reason(s)
Anti-Social Behaviour Enforcement Team
<p>Following consideration of the tender submissions, the Cabinet Member for Community Services RESOLVED that:</p> <ol style="list-style-type: none">(1) the lead bidder “Kingdom” be awarded the contract to run the anti-social behaviour enforcement team for the Council to work across the borough from Wednesday 7 May 2025 until Sunday 2 November 2025, at a cost of £84,809.92;(2) it be noted that the cost of £84,809.92 will be for four Officers, working in two pairs across the borough from Wednesday 7 May 2025 until Sunday 2 November 2025;(3) it be noted that £82,000 funding is made up from £37,000 to support further community initiatives in 2025/26, as agreed by Cabinet on 10 December 2024, and £45,000 from the UK Shared Prosperity Fund 2025/26, as agreed by Cabinet on 4 March 2025; and(4) it be noted that as of 14 April 2025, the funding committed from the Parish and Town Councils is £12,235, with a further £5,000 to be agreed.
<p>Reasons for decision:</p> <p>Background</p> <p>At the Cabinet Meeting on 4 March 2025, it was RESOLVED that:</p> <ol style="list-style-type: none">(1) the Anti-Social Behaviour Enforcement Team be recommissioned to operate across the Borough for six months from Wednesday 7 May until Sunday 2 November 2025.(2) the Anti-Social Behaviour Enforcement Team should be comprised of 4 Officers.

- (3) the appropriate funding arrangements for recommissioning the team be approved from:
- I. £37,000 to support further community initiatives in 2025/26, as agreed by Cabinet on 10 December 2024.
 - II. £45,000 from the UK Shared Prosperity Fund 2025/26.
 - III. Any funding received from Parish or Town Councils to be deducted from the proposed allocation from the UK Shared Prosperity Fund 2025/26.
- (4) the Head of Service for Licensing, Customer Services and Community Safety undertake the required invitation to quote in accordance with the Contract Procedure Rules, with any final decision to appoint the successful contractor made by the Cabinet Member for Community Services.

Procurement

Tonbridge & Malling Borough Council (TMBC) used the Kent Business Portal eProcurement system to find an organisation to run an anti-social behaviour enforcement team to work across the borough from Wednesday 7 May 2025 until Sunday 2 November 2025. The four members of staff and will be tasked through TMBC working in two pairs at different locations and different shifts.

The Kent Business Portal eProcurement system was used to facilitate the Invitation to Quote enabling secure interchange of documents.

As part of the procurement, companies were asked if they have accreditation Under the Community Safety Accreditation Scheme (CSAS) by Kent Police to enable their officers to have the power to request name and address, Power to seize alcohol, Power to deal with begging, and Power to stop a moving vehicle.

The Tender release was 19 March 2025, with the deadline for submission of completed tenders on 4 April 2025.

Response

Evaluation took place on 8 April 2025. A further clarification from all tenders was undertaken to consider that all costs of training and travelling was captured and included in their submitted bid shown in the scoring matrix, the company "Kingdom" was the lead bidder with a cost of £84,809.92.

Costs

The cost will be **£84,809.92** for four Officers, working in two pairs across the borough from Wednesday 7 May 2025 until Sunday 2 November 2025.

£82,000 funding is made up from £37,000 to support further community initiatives in 2025/26, as agreed by Cabinet on 10 December 2024 and £45,000 from the UK Shared Prosperity Fund 2025/26.

As of 14 April 2025 the funding committed from the Parish and Town Council is £12,235, with a further £5,000 to be agreed.

Signed Cabinet Member for Community Services:	D Keers
Signed Leader:	M Boughton
Signed Deputy Chief Executive:	A Stanfield
Date of publication:	16 April 2025

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

Decision Taken By: Cabinet Member for Transformation and Infrastructure	Decision Number: D250041MEM
--	--

Date: 15 April 2025

Decision(s) and Reason(s)
Active Travel Capability Fund Grant 2024
Following consideration of the options, the Cabinet Member for Transformation and Infrastructure RESOLVED that: (1) The Active Travel Capability Fund grant from Kent County Council of £15,000 be accepted. (2) The authority to agree the detailed project delivery approaches is delegated to the Director for Planning, Housing and Environmental Health in consultation with the Cabinet Member for Infrastructure.
Reasons for decision: Kent County Council has awarded Tonbridge and Malling Borough Council £15,000 revenue grant from the Active Travel Capability Fund 2024, to assist with the completion of a borough wide Local Cycling and Walking Infrastructure Plan (LCWIP). It is required that the funding is committed, spent, and delivered within 12 months of being awarded to KCC, therefore by September 2025. Payments will be made in a phased approach aligned with the stages of your project once commissioned. It is recommended that the funding is accepted by the council to progress the Borough Active Travel Strategy (LCWIP) in line with the new Local Plan. The strategy will be published subject to member agreement alongside the next stage of formal consultation on the Local Plan.

Signed Cabinet Member for Transformation and Infrastructure:	<i>M Coffin</i>
Signed Leader:	<i>M Boughton</i>
Signed Deputy Chief Executive:	<i>A Stanfield</i>

Date of publication:	16 April 2025
----------------------	---------------

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 Housing, Environment and Economy	Decision No: D250042MEM
---	------------------------------------

Date: 20 May 2025

Decision(s) and Reason(s)

Housing Strategy Update and Draft Years 4 and 5 Action Plan

The report of the Director of Planning, Housing and Environmental Health presented a draft Action Plan for years 4 and 5 (2025-2027) of the Housing Strategy (attached at Annex A).

Members were reminded that the Housing Strategy 2022-2027 set out the Borough Council's priorities and strategic approach to housing in the borough. Objectives for each priority in the Strategy were delivered and monitored through annual action plans.

Attention was drawn to the key priorities for years 4 and 5 including the development of a Homelessness and Rough sleeper Action Plan, development and implementation of a pro-active approach to tackling Empty Homes and revising and improving the Private Landlord offer. Members welcomed proposals in respect of establishing a local housing company to look at council owned provision and the progress being made on empty homes.

Following consideration by the Housing and Planning Scrutiny Select Committee, the Cabinet Member for Housing, Environment and Economy

RESOLVED: That

(1) the draft Action Plan for years 4 and 5 be adopted.

Reasons: As set out in the report submitted to the Housing and Planning Scrutiny Select Committee of 20 May 2025.

Signed Cabinet Member for Housing, Environment and Economy:	R Betts
Signed Leader:	M Boughton
Signed Chief Executive:	D Roberts

Date of publication:	22 May 2025
----------------------	-------------

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

Decision Taken By: Cabinet Member for Housing, Environment and Economy	Decision Number: D250043MEM
---	--

Date: 22 May 2025

Decision(s) and Reason(s)
MHCLG Funding to Support the Remediation of High-rise and Mid-rise Private Sector Residential Buildings with Unsafe Cladding
<p>The Ministry of Housing, Communities & Local Government (MHCLG) has allocated Tonbridge and Malling Borough Council (TMBC) £50,000 for 2025/26 to support building safety enforcement in our area.</p> <p>TMBC must implement a scheme to use this funding to support the remediation of high-rise and mid-rise private sector residential buildings with unsafe cladding.</p> <p>In partnership with Tunbridge Wells Borough Council (TWBC), TMBC will engage the services of a specialised consultant building safety officer for a period of up to 30 weeks using this MHCLG funding.</p> <p>Following consideration of the options, the Cabinet Member for Housing, Environment and Economy RESOLVED that:</p> <p>(1) The Council will engage a full-time building safety officer using MHCLG funding in partnership with Tunbridge Wells Borough Council (TWBC) for a period of up to 30 weeks, working in both districts.</p>
Reasons for decision: See attached Reasons Report (Annex 1).

Signed Cabinet Member for Housing, Environment and Economy:	R Betts
Signed Leader:	M Boughton
Signed Chief Executive:	D Roberts
Date of publication:	23 May 2025

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

Decision Taken By: Cabinet Member for Housing, Environment and Economy	Decision Number: D250044MEM
---	--

Date: 23 May 2025

Decision(s) and Reason(s)
Variation to Lease Terms for Residential Apartments in the High Street, Tonbridge for Use as Temporary Accommodation
<p>(Reasons – Private: LGA 1972 Sch 12A Paragraph 3 - Financial or business affairs of any particular person)</p> <p>Subsequent to Decision Notice D240137CAB taken by Cabinet on 10 December 2024, it had become necessary to revisit the terms of the lease for residential apartments in the High Street, Tonbridge. Due regard was given to exempt information and following consideration of the options the Cabinet Member for Housing, Environment and Economy</p> <p>RESOLVED: That</p> <p>(1) the proposed lease terms for residential apartments in the High Street, Tonbridge for use as temporary accommodation be varied</p>
<p>Reasons for decision:</p> <p>As set out in the options considered by the Cabinet Member (contains exempt information).</p>

Signed Cabinet Member for	R Betts
Signed Leader:	M Boughton
Signed Chief Executive:	D Roberts
Date of publication:	27 May 2025

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

Decision Taken By: The Leader	Decision Number: D250045MEM
---	---------------------------------------

Date: 3 June 2025

Decision(s) and Reason(s)
CHANGE TO CABINET PORTFOLIOS
<p>In accordance with paragraph 6 of the Rules for the Making of Decisions by Executive Members (set out in Part 4 of the Constitution) the Leader may amend the Scheme of Delegation relating to executive functions at any time during the year.</p> <p>Following Annual Council in May 2025 and a revised Cabinet, portfolio responsibilities were reviewed to ensure effective decision making continued.</p> <p>Notice of this change has been given to the Chief Executive and to members of the Executive.</p> <p>RESOLVED: That the revised Cabinet Member portfolios, (attached at Annex 1) be approved with immediate effect.</p>
Reasons for decision:
To ensure the effective management of decisions delegated to the executive.

Signed Leader:	M Boughton
Signed Chief Executive:	D Roberts
Date of publication:	4 June 2025

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

Decision Taken By: Cabinet Member for Housing, Environment and Economy	Decision Number: D250046MEM
---	--

Date: 2 June 2025

Decision(s) and Reason(s)
Transfer of Land to Leybourne Parish Council
Following consideration of the options the Cabinet Member for Housing, Environment and Economy RESOLVED that: (1) the land known as the 'Bombhole' at Oxley Shaw Lane in Leybourne be transferred to Leybourne Parish Council.
Reasons for decision: The transfer of land is in accordance with the Council's Community Asset Transfer Policy. The land is already subject to a long lease to the Parish Council and the transfer will remove any ongoing liability to the Borough Council. Detailed reasons are set out in the attached Briefing Note (Annex).

Signed Cabinet Member for Housing, Environment and Economy:	R Betts
Signed Leader:	M Boughton
Signed Chief Executive:	D Roberts
Date of publication:	4 June 2025

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: D250047CAB

Decision Type: Key

Date: 03 June 2025

Decision(s) and Reason(s)

River Lawn, Tonbridge - Voluntary Application for Registration as a Village Green

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

- (1) 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.

Reasons: As set out in the report submitted to Cabinet on 3 June 2025.

Signed Leader: M Boughton

Signed Chief Executive: D Roberts

Date of publication: 5 June 2025

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: D250048CAB
Decision Type: Key
Date: 03 June 2025

Decision(s) and Reason(s)

Housing Services Staffing

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

- (1) 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.

Reasons: As set out in the report to Cabinet on 3 June 2025.

Signed Leader: M Boughton

Signed Chief Executive: D Roberts

Date of publication: 5 June 2025

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: D250049CAB
Decision Type: Non-Key
Date: 03 June 2025

Decision(s) and Reason(s)

Tonbridge Town Centre Programme Board - Change of Membership

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

- (1) the change of membership within the Tonbridge Town Centre Programme Board be approved as follows:
 - (i) the Cabinet Member for Housing, Environment and Economy (formerly Cabinet Member for Climate Change, Regeneration and Property) be removed;
 - (ii) the Cabinet Member for Infrastructure and Tonbridge Regeneration be confirmed as Chair; and
 - (iii) Cllr D King fill the vacant post.

Reasons: As set out in the report submitted to Cabinet on 3 June 2025.

Signed Leader: M Boughton

Signed Chief Executive: D Roberts

Date of publication: 5 June 2025

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: D250050CAB
Decision Type: Non-Key
Date: 03 June 2025

Decision(s) and Reason(s)

Policy on Managing Unreasonable Actions by Complaints

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

- (1) the revised Managing Unreasonable Actions by Complainants Policy (attached at Annex 3) be approved.

Reasons: As set out in the report submitted to Cabinet on 3 June 2025.

Signed Leader: M Boughton

Signed Chief Executive: D Roberts

Date of publication: 5 June 2025

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: D250051CAB
Decision Type: Non-Key
Date: 03 June 2025

Decision(s) and Reason(s)

Review of Parish Partnership Panel

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.

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.

Reasons: As set out in the report submitted to the Overview and Scrutiny Committee of 3 April 2025.

Signed Leader: M Boughton

Signed Chief Executive: D Roberts

Date of publication: 5 June 2025

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: D250052CAB
Decision Type: Non-Key
Date: 03 June 2025

Decision(s) and Reason(s)

Risk Management

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.

Reasons: As set out in the report submitted to the Audit Committee of 14 April 2025.

Signed Leader: M Boughton

Signed Chief Executive: D Roberts

Date of publication: 5 June 2025

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: D250053CAB
Decision Type: Non-Key
Date: 03 June 2025

Decision(s) and Reason(s)

Local Lettings Plan (LLP) Policy

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.

Reasons: As set out in the report submitted to the Housing and Planning Scrutiny Select Committee on 20 May 2025.

Signed Leader: M Boughton

Signed Chief Executive: D Roberts

Date of publication: 5 June 2025

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: D250054CAB
Decision Type: Non-Key
Date: 03 June 2025

Decision(s) and Reason(s)

Riverside Route Lighting Project, Tonbridge

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 Manager 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**

Reasons: As set out in the report submitted to the Finance, Regeneration and Property Scrutiny Select Committee of 27 May 2025.

Signed Leader: M Boughton

Signed Chief Executive: D Roberts

Date of publication: 5 June 2025

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: D250055CAB
Decision Type: Key
Date: 03 June 2025

Decision(s) and Reason(s)

Proposed Lease Renewal - Residential Apartments in Maidstone - Temporary Accommodation

(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.

Reasons: As set out in the report submitted to Cabinet of 3 June 2025 (contains exempt information).

Signed Leader: M Boughton

Signed Chief Executive: D Roberts

Date of publication: 5 June 2025

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: D250056CAB
Decision Type: Key
Date: 03 June 2025

Decision(s) and Reason(s)

Gibson East Refurbishment Tender

(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**

Reasons: As set out in the report submitted to Cabinet of 3 June 2025 (contains exempt information).

Signed Leader: M Boughton

Signed Chief Executive: D Roberts

Date of publication: 5 June 2025

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: D250057CAB
Decision Type: Non-Key
Date: 03 June 2025

Decision(s) and Reason(s)

Gibson Building West Future

(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.

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

Signed Leader: M Boughton

Signed Chief Executive: D Roberts

Date of publication: 5 June 2025

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: D250058CAB
Decision Type: Non-Key
Date: 03 June 2025

Decision(s) and Reason(s)

Temporary Accommodation Project

(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.

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.

Reasons: As set out in the report submitted to the Finance, Regeneration and Property Scrutiny Select Committee of 27 May 2025 (contains exempt information).

Signed Leader: M Boughton

Signed Chief Executive: D Roberts

Date of publication: 5 June 2025

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

Decision Taken By: Cabinet Member for Housing, Environment and Economy	Decision Number: D250059MEM
---	------------------------------------

Date: 10 June 2025

Decision(s) and Reason(s)
LICENCES TO UNDERLET – TONBRIDGE ANGELS FOOTBALL CLUB
<p>(Private: Reasons LGA 1972 Sch 12A Paragraph 3 - Financial or business affairs of any particular person)</p> <p>Following consideration of the options, the Cabinet Member for Housing, Environment and Economy resolved that:</p> <ol style="list-style-type: none">1) A licence to underlet be granted to Tonbridge Angels Football Club enabling them to grant a sub-lease to Upz and Downz on the terms proposed2) A licence to underlet be granted to Upz and Downz enabling them to grant sub-leases of part of their premises on the terms proposed
<p>Reasons for decision:</p> <p>The licences to underlet will allow Tonbridge Angels Football Club and Upz and Downz to sub-let part of their premises and ensure continuity of income for the Council.</p> <p>The local ward members had been consulted on the proposals.</p> <p>We are not aware of any details of any conflict of interest declared by any executive member consulted in relation to the decision.</p>

Signed Cabinet Member for Housing, Environment and Economy:	R Betts
Signed Leader:	M Boughton
Signed Chief Executive:	D Roberts
Date of publication:	12 June 2025

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

Decision Taken By: Cabinet Member for Finance, Waste and Technical Services	Decision Number: D250060MEM
--	--

Date: 27 May 2025

Decision(s) and Reason(s)
Business Rates Discretionary Relief Awards
<p>Three applications have been received after the two-yearly review of business rates discretionary relief awards. These applications have been reviewed and a list passed to the Cabinet Member for approval.</p> <p>Following consideration of the policy, the Cabinet Member for Finance, Waste and Technical Services RESOLVED that:</p> <p>(1) the awards of discretionary relief on the 3 cases presented for a period from 1 April 2025 to 31 March 2027 be continued.</p>
Reasons for decision:
<p>Business ratepayers receiving discretionary relief awards are required to reapply for their awards every two years. The latest tranche of applications received were reviewed by officers and a list of awards that should be continued were passed to the Cabinet Member for approval. These awards will run for two years from 1 April 2025 to 31 March 2027, at which time an application to continue the awards will be needed, if still applicable.</p>

Signed Cabinet Member for Finance, Waste and Technical Services:	<i>M Coffin</i>
Signed Leader:	<i>M Boughton</i>
Signed Chief Executive:	<i>D Roberts</i>
Date of publication:	16 June 2025

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

Decision Taken By: Cabinet Member for Finance, Waste and Technical Services	Decision Number: D250061MEM
--	--

Date: 27 May 2025

Decision(s) and Reason(s)
Business Rates Discretionary Relief Award
<p>Application received from Paws Cat Café, Tonbridge on the basis that retail rate relief had been reduced from 75% to 40% for the 2025/26 year. The application is on the basis that it is a unique place and they have many regular customers. Business accounts show some months the business makes a small profit and other months a loss.</p> <p>Following consideration of the policy, the Cabinet Member for Finance, Waste and Technical Services RESOLVED that:</p> <p>(1) the application for the award of discretionary relief be refused.</p>
Reasons for decision:
<p>It was central government policy to reduce the percentage of retail rate relief for 2025/26 and not the responsibility of local government to bridge this gap. This is consistent with other decisions of a similar nature.</p>

Signed Cabinet Member for Finance, Waste and Technical Services:	<i>M Coffin</i>
Signed Leader:	<i>M Boughton</i>
Signed Chief Executive:	<i>D Roberts</i>
Date of publication:	16 June 2025

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

Decision Taken By: Cabinet Member for Finance, Waste and Technical Services	Decision Number: D250062MEM
--	--

Date: 27 May 2025

Decision(s) and Reason(s)
Business Rates Discretionary Relief Award
<p>Application received from Kent Quality Car Centre, Watlingbury on the basis that retail rate relief had been reduced from 75% to 40% for the 2025/26 year. The application outlines their rising operational costs and tight margins. They state they play a key role in the local community by offering their service to local residents.</p> <p>Following consideration of the policy, the Cabinet Member for Finance, Waste and Technical Services RESOLVED that:</p> <p>(1) the application for the award of discretionary relief be refused.</p>
Reasons for decision:
<p>It was central government policy to reduce the percentage of retail rate relief for 2025/26 and not the responsibility of local government to bridge this gap. This is consistent with other decisions of a similar nature.</p>

Signed Cabinet Member for Finance, Waste and Technical Services:	<i>M Coffin</i>
Signed Leader:	<i>M Boughton</i>
Signed Chief Executive:	<i>D Roberts</i>
Date of publication:	16 June 2025

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

Decision Taken By: Cabinet Member for Finance, Waste and Technical Services	Decision Number: D250063MEM
--	--

Date: 27 May 2025

Decision(s) and Reason(s)
Application for Section 13A 1(C) Council Tax Discount
<p>Reason: A taxpayer has applied for a S13A 1(C) discount via Crosslight Advice for council tax between 5 September 2024 and 29 September 2024 where he held two tenancies simultaneously having fled domestic violence. On the council tax account in question, he has arrears for every year since he became liable and these are being collected via deductions from his universal credit.</p> <p>Following consideration of the policy, the Cabinet Member for Finance, Waste and Technical Services RESOLVED that:</p> <p>(1) the application for discount under S13A 1(C) of the Local Government Finance Act 1992 for the period 5 September 2024 and 29 September 2024 be refused.</p>
Reasons for decision:
<p>Because of the level of Council Tax arrears, awarding a discount for a short period will have no material benefit to the taxpayer. He is currently paying the arrears at a standard rate via deductions from Universal credit and were the debt to be slightly reduced, the rate of the deductions would not change.</p>

Signed Cabinet Member for Finance, Waste and Technical Services:	<i>M Coffin</i>
Signed Leader:	<i>M Boughton</i>
Signed Chief Executive:	<i>D Roberts</i>
Date of publication:	16 June 2025

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

Decision Taken By: Cabinet Member for Finance, Waste and Technical Services	Decision Number: D250064MEM
--	--

Date: 27 May 2025

Decision(s) and Reason(s)
Application for Section 13A 1(C) Council Tax Discount
<p>A taxpayer has applied for a S13A 1(C) where the previous owner of the property has died and she is acting as executor of the estate. The property has been subject to 100% premium since 20 August 2024. The application is to waive the premium charged.</p> <p>Following consideration of the policy, the Cabinet Member for Finance, Waste and Technical Services RESOLVED that:</p> <p>(1) the application for discount under S13A 1(C) of the Local Government Finance Act 1992 be refused.</p>
Reasons for decision:
<p>The cabinet member for Finance & Housing previously refused an application for a discount under section 13A 1(C) in December 2024. The normal procedure is that the estate becomes liable for any council tax charge due. The revenue & benefits team will also assess whether any of the newly introduced (from 1 April 2025) exceptions to the premium can apply from that date.</p>

Signed Cabinet Member for Finance, Waste and Technical Services:	<i>M Coffin</i>
Signed Leader:	<i>M Boughton</i>
Signed Chief Executive:	<i>D Roberts</i>
Date of publication:	16 June 2025

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

Decision Taken By: Cabinet Member for Finance, Waste and Technical Services	Decision Number: D250065MEM
--	--

Date: 27 May 2025

Decision(s) and Reason(s)
Application for Section 13A 1(C) Council Tax Discount
<p>Reason: A taxpayer has applied for a S13A 1(C) for a property for which she was liable for council tax from 25 July 2023 to 30 December 2024. The property was considered uninhabitable when she became responsible. From 25 July 2024, the 100% premium was charged. The application is to waive the premium charged.</p> <p>Following consideration of the policy, the Cabinet Member for Finance, Waste and Technical Services RESOLVED that:</p> <p>(1) the discount under S13A 1(C) of the Local Government Finance Act 1992 to the value of £887.75 (the value of the premium charged) be awarded.</p>
<p>Reasons for decision:</p> <p>The taxpayer had intended to complete the work required to bring the property into a habitable state within a year (i.e. before the premium was charged). In order to afford this, she had intended to do overtime but her father had a serious medical condition meaning that the taxpayer became the primary carer for him, hampering her ability to earn the money required for the work. These were unforeseen circumstances and beyond the taxpayer's control.</p>

Signed Cabinet Member for Finance, Waste and Technical Services:	<i>M Coffin</i>
Signed Leader:	<i>M Boughton</i>
Signed Chief Executive:	<i>D Roberts</i>
Date of publication:	16 June 2025

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

Decision Taken By: Cabinet Member for Finance, Waste and Technical Services	Decision Number: D250066MEM
--	--

Date: 27 May 2025

Decision(s) and Reason(s)
Application for Section 13A 1(C) Council Tax Discount
<p>Reason: A taxpayer has applied for a S13A 1(C) for a property which suffered serious flood damage on 6 November 2024. The taxpayer has been placed into temporary accommodation while work is carried out to bring the property back into a habitable condition.</p> <p>Following consideration of the policy, the Cabinet Member for Finance, Waste and Technical Services RESOLVED that:</p> <p>(1) the discount under S13A 1(C) of the Local Government Finance Act 1992 for 100% of the council tax for one year, starting 6 November 2024, be awarded.</p>
<p>Reasons for decision:</p> <p>The applicant is not currently permitted to enter the property on safety grounds. The year's award is in place of what used to be the 100% uninhabitable discount. The level of uninhabitable discount is now zero but it is consistent with previous decisions to award a discount under s13A 1(c) in exceptional circumstances such as these.</p>

Signed Cabinet Member for Finance, Waste and Technical Services:	<i>M Coffin</i>
Signed Leader:	<i>M Boughton</i>
Signed Chief Executive:	<i>D Roberts</i>
Date of publication:	16 June 2025

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

Decision Taken By: Cabinet Member for Finance, Waste and Technical Services	Decision Number: D250067MEM
--	--

Date: 27 May 2025

Decision(s) and Reason(s)
Application for Section 13A 1(C) Council Tax Discount
<p>Reason: A taxpayer has applied for a S13A 1(C) for a property which is a listed building and requires substantial work in order to bring it into a state where it is suitable for occupation. Because it is a listed building planning permission is required before any work can commence. The Council's own planning section took 6 months to provide pre-planning advice and following the planning application made in December 2024, no decision has yet been made, meaning work cannot commence. 100% Council tax premium has been charged from 29 September 2024 following the various delays.</p> <p>Following consideration of the policy, the Cabinet Member for Finance, Waste and Technical Services RESOLVED that:</p> <p>(1) the discount under S13A 1(C) of the Local Government Finance Act 1992 to waive the 100% premium charge, starting 29 September 2024, be awarded.</p>
Reasons for decision:
<p>It is not reasonable to charge a council tax premium on a property that is only still empty because of delays caused by one of the Council's own departments. It would be difficult to justify charging this if challenged.</p>

Signed Cabinet Member for Finance, Waste and Technical Services:	<i>M Coffin</i>
Signed Leader:	<i>M Boughton</i>
Signed Chief Executive:	<i>D Roberts</i>
Date of publication:	16 June 2025

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

Decision Taken By: Cabinet Member for Finance, Waste and Technical Services	Decision Number: D250068MEM
--	--

Date: 27 May 2025

Decision(s) and Reason(s)
Application for Section 13A 1(C) Council Tax Discount
<p>A taxpayer has applied for a S13A 1(C) for a property (and the basement flat below) where a fire broke out and caused significant damage. The taxpayer has been moved to temporary accommodation by his insurance company while the work is done to bring the property back into a habitable state.</p> <p>Following consideration of the policy, the Cabinet Member for Finance, Waste and Technical Services RESOLVED that:</p> <p>(1) the discount under S13A 1(C) of the Local Government Finance Act 1992 for one year for 100% of the council tax in respect of both the main house and the basement flat, be awarded.</p>
Reasons for decision:
<p>The fire damage to the property is significant. The year's award is in place of what used to be the 100% uninhabitable discount. The level of uninhabitable discount is now zero but it is consistent with previous decisions to award a discount under s13A 1(c) in exceptional circumstances such as these.</p>

Signed Cabinet Member for Finance, Waste and Technical Services:	<i>M Coffin</i>
Signed Leader:	<i>M Boughton</i>
Signed Chief Executive:	<i>D Roberts</i>
Date of publication:	16 June 2025

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, Waste and Technical Services / Deputy Executive Leader	Decision No: D250069MEM
--	------------------------------------

Date: 16 June 2025

Decision(s) and Reason(s)

Parking Action Plan - Phase 15 (Informal Consultation)

(Report of Director of Street Scene, Leisure and Technical Services)

The report provided an update on the progress of Phase 15 of the Borough Council's Parking Action Plan and detailed the outcomes arising from the informal consultation, undertaken between 18 February and 16 March 2025.

A list of all the locations, the issues raised and a summary of the responses received were attached at Annex 1 and the plans for each location were attached at Annex 2. A location summary and a more detailed response rate and analysis, and recommendation for each location were attached at Annex 3.

The views of local members were sought and where appropriate and/or practical these would be reflected in the final proposals.

Following consideration by the Joint Transportation Board, the Deputy Leader (also the Cabinet Member for Finance, Waste and Technical Services) resolved that:

- (1) the recommendations in respect of locations Phase 15-01, 15-03, 15-06, 15-07, 15-09, 15-10, 15-14, 15-15, 15-16, 15-21 & 22, 15-24 and 15-30 for Phase 15 (as set out in Annex 1) be taken forward for investigation and formal consultation;
- (2) the views of local Members having been sought, the following revised recommendations be taken forward for investigation and formal consultation:
 - (i) location Phase 15-08 (The Rocks Road (near Paris House), East Malling) introduction of 'No waiting at any time' parking restrictions (double yellow lines) based on a revised plan in order that small gaps could be retained for residents parking and parking at access locations could be restricted;
 - (ii) location Phase 15-18 (Charles Close, Snodland) extension of the proposed double yellow lines to one end of the road, taking into account any highway boundary issues;

<p>(iii) location Phase 15-27 (Robin Hood Lane, Walderslade) amendment of the proposed restriction to single yellow line, extended to the far cul-de-sac end of the road; and</p> <p>(iv) location Phase 15-29 (Worrall Drive, Wouldham) restrictions to manage parking at Peters Village, subject to further discussion between Officers and the local Members to agree a revised plan for formal consultation, taking into account proposals for restriction in the area by Kent County Council and highway boundary issues;</p> <p>(3) the recommendations in respect of locations Phase 15-02, 15-04, 15-05, 15-11, 15-12, 15-13, 15-17, 15-19, 15-20, 15-23, 15-26 and 15-28 for Phase 15 (as set out in Annex 1) be abandoned; and</p> <p>(4) it be noted that the parking restriction proposed for location Phase 15-25 had already been completed in Phase 14.</p>	
Reasons: As set out in the report submitted to the Joint Transportation Board of 16 June 2025.	

Signed Cabinet Member for Finance, Waste and Technical Services / Deputy Executive Leader:	M Coffin
Signed Chief Executive:	D Roberts
Date of publication:	19 June 2025

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, Waste and Technical Services / Deputy Executive Leader

Decision No:
D250070MEM

Date: 16 June 2025

Decision(s) and Reason(s)

Hildenborough Parking Review

(Report of Director of Street Scene, Leisure and Technical Services)

Members received an update on the outcome of the formal consultation on the Hildenborough Parking Review and considered whether proposals should be implemented or abandoned.

Due regard was given to the responses received and it was noted that whilst there might have been a need for a wide scale parking review prior to the coronavirus pandemic, the need for intervention had significantly diminished as working from home arrangements and the desire to commute by train had altered. As a result the proposals had been revised significantly at informal consultation stage in respect of reducing residential parking permits and elements of on-street pay parking, prior to a formal consultation was undertaken in January 2025.

Following consideration by the Joint Transportation Board, the Deputy Leader (also the Cabinet Member for Finance, Waste and Technical Services) resolved that:

- (1) the objections received for proposals shown for Riding Lane (North) (Location 2), Stocks Green Road (East) (Location 9) and Watts Cross Road and B245 London Road (Location 12) be set aside and parking restrictions at these locations proceed for implementation, subject to the effect of the agreed reduced restrictions set out as follows:
 - (i) Riding Lane / Riding Park junction – new “junction protection” double yellow lines for 15m in each direction;
 - (ii) Leigh Road (opposite Stocks Green Road) – replacing existing single yellow lines with double yellow lines; and
 - (iii) Watts Cross Road and B245 London Road – new double yellow lines at the junction of Watts Cross Road and B245 London Road, extending southeastwards to the northwestern side of Foxbush (on the northeast side) and to the northern side of Noble Tree Road (on the southwest side).
- (2) the objections at all other locations be upheld and those parking restriction proposals be abandoned, including Ashley Road (Location 3) which was originally recommended for implementation by Officers.

Reasons: As set out in the report submitted to the Joint Transportation Board of 16 June 2025.

Signed Cabinet Member for Finance, Waste and Technical Services / Deputy Executive Leader:	<i>M Coffin</i>
Signed Chief Executive:	<i>D Roberts</i>
Date of publication:	19 June 2025

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

Decision Taken By: Cabinet Member for Finance, Waste and Technical Services / Deputy Executive Leader	Decision Number: D250071MEM
--	--

Date: 18 June 2025

Decision(s) and Reason(s)
Common Road, Blue Bell Hill
Following consideration of the options, the Deputy Leader (also the Cabinet Member for Cabinet Member for Finance, Waste and Technical Services) RESOLVED that: (1) a Traffic Regulation Order be made as proposed in THE KENT COUNTY COUNCIL, (VARIOUS ROADS, TONBRIDGE AND MALLING) (WAITING RESTRICTIONS AND STREET PARKING PLACES) (CONSOLIDATION) ORDER (AMENDMENT No.4) ORDER 2025 and plan DD/611/1.
Reasons for decision: Residents of Common Road have requested that pre-existing single yellow line parking restrictions that apply Noon until 1pm, Monday to Friday to be re-introduced to deter commuter parking but maintain facilities for residents. Following a full public consultation on the proposals, no objections have been received.

Signed Cabinet Member for Finance, Waste and Technical Services / Deputy Executive Leader:	<i>M Coffin</i>
Signed Chief Executive:	<i>D Roberts</i>
Date of publication:	19 June 2025

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.

