

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

VOLUME 2
FEBRUARY TO MARCH 2025

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NOTE: In the case of items containing exempt information, the report must remain confidential but details of the decisions need not remain confidential.

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TONBRIDGE AND MALLING BOROUGH COUNCIL

COMMUNITIES AND ENVIRONMENT SCRUTINY SELECT COMMITTEE

MINUTES

Wednesday, 5th February, 2025

Present: Cllr S A Hudson (Chair), Cllr K S Tunstall (Vice-Chair), Cllr A G Bennison, Cllr S Crisp, Cllr R W Dalton, Cllr Mrs T Dean, Cllr F A Hoskins, Cllr J R S Lark, Cllr A McDermott, Cllr W E Palmer, Cllr Stacey Pilgrim, Cllr M R Rhodes and Cllr Mrs M Tatton

Cllrs R P Betts, M D Boughton*, M A Coffin, D A S Davis*, D Harman*, P M Hickmott, M A J Hood, D Keers and K B Tanner* were also present pursuant to Council Procedure Rule No 15.21.

(*participated via MS Teams)

CE 25/1 NOTIFICATION OF SUBSTITUTE MEMBERS

There were no substitute members for this meeting.

CE 25/2 DECLARATIONS OF INTEREST

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

CE 25/3 MINUTES

RESOLVED: That the notes of the meeting of the Communities and Environment Scrutiny Select Committee held on 6 November 2024 be approved as a correct record and signed by the Chair.

MATTERS FOR RECOMMENDATION TO THE CABINET

CE 25/4 WASTE SERVICES CONTRACT - STRATEGIC APPROACH TO SERVICE PROVISION

Consideration was given to a number of commissioning options for the future delivery of the Borough Council's Waste Services Contract, which was currently delivered in partnership with Tunbridge Wells Borough Council and provided household waste and recycling collection services as well as street cleansing throughout Tonbridge and Malling.

An external industry consultant had provided a detailed costed report assessing the options and which considered changes in interest rates, reduction in CPI, current market conditions, pay rates and specifically the anticipated annual operating costs of each commissioning option and their relative strengths and weaknesses. A summary was provided

at paragraph 10.6 with the full detailed report attached as a restricted Annex 1 due to its commercial sensitivity.

Due regard was given to the commissioning options report, the partnership arrangement with Tunbridge Wells Borough Council, the financial and value for money considerations and the legal implications. The risks, advantages and disadvantages associated with contracting out, direct service ownership and LATco were given careful consideration.

The report also drew attention to the modelled financial figures within the restricted Annex 1 which highlighted that service costs, regardless of which commissioning option was selected, would be significantly higher than the current costs. An increase in such costs was factored into the Medium-Term Financial Strategy from 1 April 2027 onward with an increase of £2.4m. It was noted that even the lowest costs highlighted exceeded the financial allocation and would need to be considered through either service reductions, increased charges or an increase in the Borough Council's savings target (or a contribution of all three).

A further report on the contract specification, preferred procurement route, length of contract, timescale and the evaluation criteria for the contract award would be considered at the next meeting of the Communities and Environment Scrutiny Select Committee.

Particular reference was made to the uncertainty arising from the Government's intention to re-organise local government and drive devolution. However, it was important that the Borough Council continued to operate business as usual to ensure that there was no interruption to service. Members were assured that the Borough Council would continue to explore all options arising from any re-organisation and establishment of a unitary authority.

The strong and effective working relationship with Tunbridge Wells Borough Council was recognised and the continuation of the partnership arrangement was supported.

***RECOMMENDED:** That

- (1) the Borough Council remained in partnership with Tunbridge Wells Borough Council for the delivery of the provision of the household waste and recycling collection and street cleansing service;
- (2) the contracting out model remained the Borough Council's preferred commissioning model for the delivery of the provision of the household waste and recycling collection and street cleansing services; and

- (3) a further report be presented to this Committee to allow for the consideration of key service specification issues and the proposed procurement process for the delivery of the provision of the household waste and recycling collection and street cleansing services.

***Recommended to Cabinet**

CE 25/5 COMMUNITY ENERGY ASSESSMENT AND STRATEGY

Consideration was given to a proposal to engage Community Energy South (CES) to undertake an assessment of community energy potential and develop a strategy for Tonbridge and Malling.

Community energy referred to the delivery of community-led renewable energy, energy demand reduction and energy supply projects. From an energy section perspective, community energy helped to balance supply and demand at a local level, reduced transmission losses, increased resilience and helped tackle fuel poverty and high energy bills.

Members were advised that community energy projects were uniquely placed to engage local people, businesses and education in decarbonisation and energy efficiency, increasing skills and training and contributing to the changes in consumer behaviour required for the transition to Net Zero. Although there were active climate change and community groups across the Borough it was currently unknown what the potential might be for community energy or how opportunities could be developed. It was also reported that existing community energy project groups in the Borough had indicated that support earlier in identifying and delivering projects and understanding the process would have been extremely helpful.

CES had developed a five step multi-year Pathways Programme with Step 1 being the undertaking of an assessment to inform the development of a community energy strategy. This first step would cost in the region of £22,250 and could be funded using the revenue budget for climate change initiatives allocation from the Climate Change Reserve as detailed in 7.1 of the report. It was expected that there would not be any longer-term financial commitment from the Borough Council as community groups that initiated projects would be responsible for funding them.

There was in-depth discussion on the merits of supporting community energy, the engagement of an external provider to undertake an assessment and whether this proposal represented value for money. Members also queried whether other ways of communicating and promoting community energy should be considered.

On the grounds that there was confusion around community energy and the role of the Borough Council and an external assessor, Cllr Lark proposed that a decision on this matter be deferred so that Community Energy South could be invited to a meeting of the Communities and Environment Scrutiny Select Committee to explain what the Step 1 funding would provide and how this would benefit residents. This was seconded by Cllr Dalton and supported by the majority of the Committee.

DEFERRED: For the following reason

- (1) Community Energy South be invited to a meeting of the Communities and Environment Scrutiny Select Committee to explain what the Step 1 funding would provide and how this would benefit residents and community groups.

**CE 25/6 HAYSDEN COUNTRY PARK MANAGEMENT PLAN -
CONSULTATION DRAFT**

(Decision Notice D250006MEM)

The report presented a draft Management Plan for Haysden Country Park for the next five-year period and gave details of a proposed public consultation process.

A number of points were raised and noted by Officers in respect of signage, cycle routes, chemical usage and cultural controls and further detail would be provided outside of the meeting.

Finally, it was noted that whilst the Haysden Country Park Users Panel no longer had physical meetings the members received regular updates and information via newsletters which was their preferred method of communication.

Following consideration by the Communities and Environment Scrutiny Select Committee, the Cabinet Member for Community Services

RECOMMENDED*: That

- (1) the draft Haysden Country Park Management Plan 2025-29, (attached at Annex 1) be circulated for public consultation as outlined in the report; and
- (2) following public consultation, the final Plan be brought forward to a future meeting of the Scrutiny Select Committee for consideration.

***Decision taken by Cabinet Member for Community Services**

CE 25/7 CORPORATE COMPLAINTS POLICY REVIEW

The report proposed the adoption of a new Corporate Complaints Policy which had been updated to reflect changes to the recommended handling of complaints by the Local Government and Social Care Ombudsman.

Adopting a new Policy would ensure that the Borough Council was able to respond efficiently to the needs of local residents, enable complaints to be resolved promptly and to identify and drive service improvements. If the Policy was adopted training for staff on the new processes would be delivered during April and May 2025.

***RECOMMENDED:** That

- (1) the new Corporate Complaints Policy (attached at Annex 3) be adopted; and
- (2) the new Corporate Complaints Policy be implemented from June 2025.

***Recommended to Cabinet**

MATTERS SUBMITTED FOR INFORMATION

CE 25/8 WORK PROGRAMME 2025

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

A potential item in respect of older persons in the Borough would be discussed with the Scrutiny Officer.

MATTERS FOR CONSIDERATION IN PRIVATE

CE 25/9 EXCLUSION OF PRESS AND PUBLIC

There were no matters considered in private.

The meeting ended at 8.45 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

CABINET

MINUTES

Tuesday, 11th February, 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

L Athwal, Cllr S Crisp, S A Hudson, W E Palmer and M R Rhodes were also present pursuant to Access to Information Rule No 23 and participated via MS Teams.

PART 1 - PUBLIC

CB 25/10 DECLARATIONS OF INTEREST

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

CB 25/11 MINUTES

RESOLVED: That the Minutes of the meeting of the Cabinet held on 7 January 2025 be approved as a correct record and signed by the Chairman.

MATTERS FOR RECOMMENDATION TO THE COUNCIL

CB 25/12 SETTING THE BUDGET 2025/26

Further to the reports to the Overview and Scrutiny Committee earlier in the cycle the joint report of the Chief Executive and Director of Finance and Transformation, the Leader and Cabinet Member for Finance and Housing updated the Cabinet on issues relating to the Medium Term Financial Strategy (MTFS) and gave details of the necessary procedures to be followed in order to set the budget for 2025/26.

Members noted that at the time of publishing the report, the final settlement had not been confirmed, all figures contained in the report were based on the provisional local government settlement, which was better than anticipated, but saw an overall funding decrease on 2024/25 funding of £514,000 (8.5%).

The Director of Finance and Transformation advised that the final local government finance settlement figure was now confirmed as detailed in the supplementary report published in advance of the meeting. The final settlement was more than the provisional settlement by £157,550 due to the inclusion of a grant in relation to the increased cost of Employers'

National Insurance contributions, and it seemed appropriate to transfer the additional funding to the earmarked 'Transformation Reserve'.

As a result of increased NNDR receipts and the better-than-expected settlement the Borough Council had a balanced budget for 2025/26 and had been able to set aside funds in earmarked reserves for key priorities. In addition, an initial assessment of reserves had facilitated a recommendation to release additional funds for key priorities. Members noted that it was anticipated that changes to Local Government Funding affecting Grants and Business Rates would reduce grant funding to the Council. The latest projected funding gap was £2.8m over the medium term. In addition, commitment of saving £200,000 (release of office accommodation) and £625,000 (cost and client numbers within temporary accommodation).

***RECOMMENDED:** That

- (1) the sum of £1.25m held as a general fund (working) balance and a sum of £2.2m from the Budget Stabilisation Reserve, totalling £3.45m, are transferred to the Tonbridge Town Centre reserve, and specifically set aside for the funding of the redevelopment of the Angel Leisure Centre;
- (2) the Revenue Estimates, as presented to the Overview and Scrutiny Committee on 23 January 2025, together with the subsequent adjustments detailed at paragraph 9.5, be endorsed and adopted by Council;
- (3) the Capital Plan be updated, as set out at paragraph 11.10, and adopted by the Council;
- (4) the Capital Strategy as presented to the Overview and Scrutiny Committee on 23 January 2025, be endorsed and adopted by Council;
- (5) the prudential indicators listed in paragraph 12.7, including the liability benchmark indicator and 12.11, be endorsed and adopted by the Council;
- (6) for the financial year 2025/26, the Borough Council's annual minimum revenue provision be noted as 'nil'; subject to the comment at paragraph 12.8;
- (7) the updated MTFS, set out at Annex 10a be noted and endorsed;
- (8) the updated Savings Transformation Strategy, attached at Annex 10b, including the proposed scale and timing of each of the required savings and transformation contributions set out at paragraph 14.14, be noted and endorsed;

- (9) the special expenses calculated in accordance with the Special Expenses Scheme and set out at Annex 13b, be endorsed;
- (10) the Statement provided by the Director of Finance and Transformation as to the Robustness of the Estimates and the Adequacy of the Reserves, as set out at Annex 16a, be noted and endorsed;
- (11) the calculation of the Borough Council's council tax requirement at Annex 17 be noted;
- (12) the additional funding of £157,550 allocated through the Final Local Government Finance Settlement in respect of additional Employers' National Insurance contributions , be noted; and
- (13) the transfer of this additional funding to the earmarked Transformation Reserve, be endorsed.

***Recommended to Council**

CB 25/13 SETTING THE COUNCIL TAX 2025/26

The joint report of the Chief Executive, Director of Finance and Transformation, Leader of the Council and Cabinet Member for Housing and Finance set out the requirements under the Local Government Finance Act 1992 for a billing authority to set an amount of council tax for each category of dwelling in its area. Members were advised of the position concerning the determination of their respective precepts for 2025/26 by the major precepting authorities.

Consideration was given to a draft resolution (attached at Annex 2) identifying the process to be undertaken in arriving at the levels of council tax applicable to each part of the Borough. The resolution and further information regarding the precepts of the other authorities would be reported to Council on 18 February 2025.

***RECOMMENDED:** That

- (1) the draft resolution, which would be completed and presented to the Council, be noted; and
- (2) the Council be recommended to approve a 3% or £7.14 per annum increase in the Borough Council's element of the council tax for 2025/26, representing a notional 'average' charge at Band D of £245.30.

***Recommended to Council**

CB 25/14 LOCAL COUNCIL TAX REDUCTION SCHEME 2025/26

Consideration was given to the Draft Local Council Tax Reduction Scheme 2025/26 (attached at Annex 1 to the report) which had been revised to bring it in line with statutory prescribed requirements from Government national benefit rates. The scheme had also been uplifted in line with new rates of National Living Wage (NLW), where NLW was used as a factor in calculating income discount bands.

Members noted that for pension age households the separate Government Scheme prescribed maximum help to 100% of council tax liability, a minimum requirement of a pension age scheme.

***RECOMMENDED:** That the draft Local Council Tax Reduction Scheme 2025/26 (attached at Annex 1) be commended to Council for adoption.

***Recommended to Council**

CB 25/15 REVENUE ESTIMATES 2025/26

All budgetary matters were considered in detail in the substantive item on Setting the Budget 2025/26 (Minute Number CB 25/12). However, the recommendations from the meeting of the Overview and Scrutiny Committee of 23 January 2025 in relation to the formulation of the initial draft proposals in respect of the Budget, including Revenue Estimates (Minute Number OS 25/5) were given due consideration as part of the substantive discussion.

CB 25/16 CAPITAL PLAN REVIEW 2024/25

All budgetary matters were considered in detail in the substantive item on Setting the Budget 2025/26 (Minute Number CB 25/12). However, the recommendations from the meeting of the Overview and Scrutiny Committee of 23 January 2025 in relation to the formulation of initial draft proposals in respect of the Budget, including the Capital Plan (Minute Number OS 25/6) was given due consideration as part of the substantive discussion.

CB 25/17 RISK MANAGEMENT

Consideration was given to recommendation AU 25/4 of the Audit Committee in respect of risk management.

Cabinet had due regard to the views of the Committee, the review undertaken by Zurich Risk Management, the financial and value for money considerations and the legal implications.

***RECOMMENDED:** That

- (1) updates to the Strategic Risk Register since the last iteration with particular emphasis on those risks categorised as RED, be noted;
- (2) the progress towards the delivery of recommendations from the Zurich Risk Management Review, be noted; and
- (3) the objective to present an updated Risk Management Strategy to the September 2025 meeting of the Audit Committee, be noted and approved.

Recommended to Council*CB 25/18 TREASURY MANAGEMENT UPDATE AND TREASURY MANAGEMENT AND ANNUAL INVESTMENT STRATEGY FOR 2025/26**

Consideration was given to recommendation AU 25/5 of the Audit Committee of 13 January 2025 in respect of treasury management.

Due regard was given to the views of the Audit Committee, the details of investments undertaken and return achieved in the first eight months of the current financial year, the financial and value for money considerations and legal implications.

***RECOMMENDED:** That

- (1) the treasury management position as at 30 November 2024, be noted; and
- (2) the Treasury Management and Annual Investment Strategy for 2025/26 (attached at Annex 5), be adopted.

Recommended to Council*CB 25/19 ANNUAL AUDIT REPORT 2023/24**

Consideration was given to the recommendations of the Audit Committee meeting held on 13 January 2025 (AU 25/6).

***RECOMMENDED:** That

- (1) the Auditor's Annual report for 2023/24, attached at Annex 1, be approved;
- (2) the comments made in respect of the key recommendations from the Annual Audit Report for 2022/23, be noted; and

- (3) the management comments raised to the 2023/24 Value for Money recommendations, be noted and endorsed.

***Recommended to Council**

DECISIONS TAKEN IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION

EXECUTIVE NON-KEY DECISIONS

CB 25/20 ANNUAL SERVICE DELIVERY PLAN 2025/26

(Decision Notice D250010CAB)

The report introduced an Annual Service Delivery Plan to strengthen links between the Corporate Strategy 2023-27 and the activities of the Borough Council and which set out priority actions for the year. The Plan also provided the opportunity to realign the Key Performance Indicators, strengthened accountability and aligned priorities with budget setting.

A draft Annual Service Delivery Plan for 2025/26 setting out a wide range of activities, milestones and targets was provided at Annex 1. The draft Plan had been discussed and welcomed by the Overview and Scrutiny Committee at their meeting on 23 January 2025 and the draft Plan at Annex 1 included a number of amendments to reflect the discussion of the Committee.

It was recognised that there were still some gaps in information, predominately caused by external factors, and these should be addressed ahead of 2025/26.

RESOLVED: That

- (1) the report be noted;
- (2) the draft Annual Service Delivery Plan (attached at Annex 1), be approved;
- (3) any remaining drafting changes be delegated to the Chief Executive in discussion with the Leader of the Council; and
- (4) the proposed process for reporting updates on the Annual Service Delivery Plan, be approved.

CB 25/21 MHCLG CONSULTATION: LOCAL AUTHORITY FUNDING REFORM - OBJECTIVES AND PRINCIPLES

(Decision Notice D250011CAB)

Careful consideration was given to the proposed responses to the Ministry for Housing, Communities and Local Government consultation paper 'Local Authority Funding Reform: Objectives and Principle' which sought views on the approach to local authority funding reform through the local government finance settlement from 2026/27. The consultation also covered both Business Rate Retention, the cessation of New Homes Bonus and Sales, Fees and Charges reform.

Cabinet had due regard to the financial and value for money considerations and legal implications and recognised that the Council had not fared favourably on previous assessments of need and following the consultation in 2018, had anticipated a reduction in government funding within its Medium Term Financial Strategy.

RESOLVED: That the draft response to the Local Authority Funding Reform: Objectives and Principles' consultation, be endorsed and that the response be submitted by the deadline of 12 February 2025.

CB 25/22 WASTE SERVICES CONTRACT - STRATEGIC APPROACH TO SERVICE PROVISION

(Decision Notice D250012CAB)

Consideration was given to recommendation CE 25/4 of the Communities and Environment Scrutiny Select Committee of 5 February 2025 in respect of the future delivery of the Councils Waste Service Contract.

Cabinet had due regard to the views of the Scrutiny Select Committee, the commissioning options report, the partnership agreement with Tunbridge Wells Borough Council, the financial and value for money considerations and legal implications.

RESOLVED: That

- (1) the Borough Council remain in partnership with Tunbridge Wells Borough Council for the delivery of the provision of the household waste and recycling collection and street cleansing service;
- (2) the contracting out model remains the Borough Council's preferred commissioning model for the delivery of the provision of the household waste and recycling collection and street cleansing services; and

- (3) a further report be presented to the Communities and Environment Scrutiny and Select Committee to allow for the consideration of key service specification issues and the proposed procurement process for the delivery of the provision of the household waste and recycling collection and street cleansing services.

CB 25/23 CORPORATE COMPLAINTS POLICY REVIEW

(Decision Notice D250013CAB)

Consideration was given to recommendation CE 25/7 of the Communities and Environment Scrutiny Select Committee of 5 February 2025.

RESOLVED: That

- (1) the new Corporate Complaints Policy (attached at Annex 3), be adopted; and
- (2) the new Corporate Complaints Policy be implemented from June 2025.

MATTERS SUBMITTED FOR INFORMATION

CB 25/24 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 25/25 NOTICE OF FORTHCOMING KEY DECISIONS

The Notice setting out Key Decisions anticipated to be taken during March and April 2025 were noted.

CB 25/26 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 8.29 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

HOUSING AND PLANNING SCRUTINY SELECT COMMITTEE

MINUTES

Wednesday, 12th February, 2025

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

Councillors A G Bennison, Mrs T Dean, F A Hoskins, L Athwal*, R P Betts*, M D Boughton*, S Crisp*, D Keers*, Mrs A S Oakley*, K B Tanner*, Mrs M Tatton* 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 Mrs S Bell and S M Hammond.

HP 25/1 NOTIFICATION OF SUBSTITUTE MEMBERS

Notification of substitute Members were recorded as set out below:

- Cllr M Rhodes substituted for Cllr S Bell
- Cllr R Cannon substituted for Cllr S Hammond

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 25/2 DECLARATIONS OF INTEREST

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

HP 25/3 MINUTES

RESOLVED: That the notes of the meeting of the Housing and Planning Scrutiny Select Committee held on 3 December 2024 be approved as a correct record and signed by the Chair.

HP 25/4 OUTSIDE BODIES UPDATE - GATWICK AIRPORT NOISE MANAGEMENT BOARD COMMUNITY FORUM

The Borough Council's outside body appointee to the Gatwick Airport Noise Management Board Community Forum, Cllr M Boughton,

provided a brief verbal update on the involvement with the Board over the last year.

Unfortunately, there had not been much update mainly due to two reasons: (1) the Airport had been focusing on their expansion plans; and (2) the Borough Council was moving towards the periphery of the Board's work programme as a consequence of a structure change of the Board, which now covered a wider remit with less role for the Borough Council to play on aircraft noise issues that had an impact on the residents of the borough.

Now that the second term of the Board which the Borough Council joined in 2020 was coming to an end, Cllr Boughton indicated his desire to propose for the Borough Council to leave the membership of the Gatwick Airport Noise Management Board at the next meeting of the Annual Council in May 2025.

MATTERS SUBMITTED FOR INFORMATION

HP 25/5 WORK PROGRAMME 2025

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

HP 25/6 REVISED NPPF AND LOCAL PLAN UPDATE

Following the publication of a revised National Planning Policy Framework (NPPF) on 12 December 2024, the report of the Director of Planning, Housing and Environmental Health and the Cabinet Member for Planning confirmed that the majority of the amendments proposed in the NPPF consultation now formed the National Planning Policy.

Key changes in the revised NPPF were summarised and particular attention was drawn to: (1) a significant uplift in housing need requirement placed upon the Borough Council from 820 to 1096 dwellings per annum and, as a result of the Borough Council being significantly under delivery of housing within the last three years, a penalised buffer of an additional 20% housing need would also apply to the Borough Council; and (2) the introduction of a new 'Grey Belt' concept which, as explained to the Committee, was land that did not strongly contribute to Green Belt purposes (a), (b) and (d), and therefore could be utilised for development providing certain conditions were met, including a set of 'Golden Rules' with a 50% affordable housing target applicable to residential development applications by default. Further guidance on 'Green Belt' and 'Grey Belt' was anticipated to be published by Government in the next few weeks. A summary of the revisions made to the NPPF were detailed in Section 5 of the report.

Furthermore, a general update on the Local Plan work that had taken place since the last meeting of the Scrutiny Select Committee was provided, which mainly focused on procuring consultants to progress key evidence base for the Local Plan, including the Sustainability Appraisal, Green Belt review work and assessment of sites in the Green Belt, Landscape work, an update to the employment evidence base and work for a new Strategic Housing Needs Assessment. The Government had confirmed that to progress a local plan under the current planning system for those at the Regulation 18 stage, a submission deadline of 12 December 2026 would need to be met, which would apply to Tonbridge & Malling Borough Council. The Government had also been clear that plan-making must continue and had updated intervention procedures to ensure that plans were progressed to achieve universal coverage across the country. The Risk Assessment had been updated to reflect current risks associated with developing a Local Plan within the timeframe required and was attached at Annex 1.

During discussion, particular concern was expressed by Members in respect of the removal of the footnote relating to the consideration of availability of agricultural land, the significant increase in the housing delivery requirement on the Borough Council and the ability to secure delivery of 50% affordable housing under the 'Golden Rules' with the context of viability assessments.

In conclusion, Members noted:

- the revised NPPF and the implications for Tonbridge and Malling Borough Council's plan-making process and Local Plan timetable; and
- the update provided setting out Local Plan and evidence base progress.

MATTERS FOR RECOMMENDATION TO THE CABINET

HP 25/7 LOCAL DEVELOPMENT SCHEME

Careful consideration was given to a revised Local Development Scheme (LDS), which had been updated to account for the delay of the Regulation 18 Local Plan consultation as a result of the Government's 'Proposed reforms to the National Planning Policy Framework (NPPF) and other changes to the planning system' consultation and the implications of this for plan-making. It was noted that in accordance with the timeframe provided by the Government following the publication of the revised NPPF, local authorities were required to update their LDS and submit the timetable by 6 March 2025.

Key stages of the revised LDS were set out in a timetable included in Annex 1 to the report and particular reference was made to the proposed timescales to undertake the second stage of Regulation 18

Local Plan consultation in October 2025, to publish the Pre-Submission Local Plan at Regulation 19 in Quarter 2 of 2026/27 and to submit the Local Plan to the Secretary of State by 12 December 2026.

Risks associated with the delivery of a Local Plan by the deadline set by the Government were summarised in paragraph 9.5 of the report and detailed in the Risk Register attached at Annex 2.

RECOMMENDED:* That

- (1) the updated Local Development Scheme (February 2025), attached at Annex 1, be commended to Cabinet for approval.

***Recommended to Cabinet**

HP 25/8 LOCAL PLAN BUDGET PROPOSAL

Following the publication of the revised National Planning Policy Framework (NPPF) on 12 December 2024, work had been undertaken to understand the budget requirements to deliver a Local Plan. The report set out the estimated costs for local plan production up to Local Plan adoption (end of 2027/28).

After careful consideration of the evidence base studies, Members recognised the importance of progressing the green belt extension feasibility study at West Malling and the Green Gap study, and they also considered and supported undertaking an extended green belt extension feasibility study for an additional piece of land up to the railway line and Wateringbury Road, East Malling, while acknowledging a very high bar would need to be met for a green belt extension to be endorsed at Local Plan examinations.

In addition, while recognising that Design Code remained a requirement under the revised NPPF, Members supported not progressing a Borough wide Design Code requiring a budget of £260,000 within the current Local Plan budgetary period given that Design Code work was not programmed until post Local Plan submission and adoption, there was uncertainty as to what a design code would be required to entail and the uncertainty around devolution and local government reorganisation. It was also noted that the identification of parking standards for the borough was not due to progress until much later in the plan-making process. However, it was recognised that this was an important area of work and would be progressed alongside any future design-code work once the Local Plan was further developed. Therefore, the Committee was invited to note that the need for further financial provision, including that relating to a future Borough-wide Design Code / Parking standards, would need to be considered alongside other competing budget demands for the Council as part of the future budget setting process for the Council and Medium-Term Financial Strategy (MTFS).

RECOMMENDED:* That

- (1) the additional pressure on the Borough Council's overall budget as a result of the requirements to deliver a new Local Plan, in accordance with the revised National Planning Policy Framework, and a consequential shortfall in the Planning reserve from 2026/27, be noted;
- (2) the following evidence base studies be progressed:
 - Green Belt extension at West Malling (£30K)
 - Green Gap study (£15K)
- (3) the budget requirement of £260,000 to progress a Borough-wide Design Code not be progressed within the current Local Plan budgetary period; and
- (4) the additional budget requirements of the Local Plan as set out in Table 3, and in addition the budget requirements for a Green Gap Study (£15k) and a Green Belt Extension Study (£30k), as well as an additional budget to progress an additional piece of land in the Green Belt Extension Study up to the railway line and Watlingbury Road, East Malling at an additional estimated cost of approximately £50-£70k, be approved.

***Recommended to Cabinet**

MATTERS FOR CONSIDERATION IN PRIVATE

HP 25/9 EXCLUSION OF PRESS AND PUBLIC

There were no matters considered in private.

The meeting ended at 10.00 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

COUNCIL MEETING

MINUTES

Tuesday, 18th February, 2025

At the meeting of the Tonbridge and Malling Borough Council held in the Civic Suite, Gibson Building, Kings Hill, West Malling on Tuesday, 18th February, 2025

Present: His Worship the Deputy Mayor Cllr C Brown, Cllr L Athwal, 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 J Clokey, Cllr M A Coffin, Cllr A Cope, Cllr S Crisp, 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 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 K B Tanner, Cllr Mrs M Tatton, Cllr M Taylor, Cllr D Thornewell, Cllr K S Tunstall and Cllr C J Williams.

Apologies for absence were received from Councillors S M Hammond (Mayor), B Banks and K Barton

PART 1 - PUBLIC

MATTERS FOR DECISION

C 25/1 ADMITTANCE OF HONORARY FREEMAN

Consideration was given to a Notice of Motion (number 25/001) pursuant to Council Procedure Rule No. 5.18 submitted jointly by Councillors Davis, Boughton, Oakley, Athwal, Hickmott and Taylor that the title of Honorary Freeman be conferred on the Royal British Legion Industries, Aylesford in accordance with Section 249 (5) of the Local Government Act 1972.

In recognition of its eminent services in providing employment, welfare and accommodation support to military veterans, their families and dependants, people with disabilities and the long-term unemployed and for the shared values and the strong and historic relationship with the Borough Council it was proposed by Councillor Davis and seconded by Councillor Boughton and

RESOLVED: That

- (1) in recognition of their eminent services to the Borough of Tonbridge and Malling, the Royal British Legion Industries, Aylesford be admitted as an Honorary Freeman of the Borough pursuant to Section 249(5) of the Local Government Act 1972; and
- (2) in pursuance of Section 249(9) of the Local Government Act 1972, expenditure be authorised to enable an address to be presented to the Honorary Freemen of the Borough referred to in (1) above.

C 25/2 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 7.23 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

COUNCIL MEETING

MINUTES

Tuesday, 18th February, 2025

At the meeting of the Tonbridge and Malling Borough Council held in the Civic Suite, Gibson Building, Kings Hill, West Malling on Tuesday, 18th February, 2025

Present: His Worship the Mayor (Councillor S M Hammond), the Deputy Mayor (Councillor C Brown), Cllr L Athwal, 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 J Clokey, Cllr M A Coffin, Cllr A Cope, Cllr S Crisp, 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 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 Councillors B Banks and K Barton

PART 1 - PUBLIC

C 25/3 TRIBUTE TO BOROUGH COUNCILLOR MALLARD AND HONORARY ALDERMAN MATTHEW BALFOUR

At the beginning of the meeting the Council observed a minute's silence in memory of Borough Councillor Wayne Mallard, who had died on 4 February 2025 following a long illness and former Borough Councillor and Honorary Alderman, Matthew Balfour, who had died suddenly on 20 December 2024.

C 25/4 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 18 (Treasury Management) he was employed by one of the companies who managed the fund. With relation to agenda items 20 and 21 (Notice of Motions) he was an active member of the Tonbridge Town Centre campaign. As these did not represent either a Disclosable Pecuniary or Other Significant Interest there was no reason for Cllr Clokey to withdraw from the meeting.

C 25/5 MINUTES

RESOLVED: That the Minutes of the proceedings of the meeting of the Council held on 22 October 2024 be approved as a correct record and signed by the Mayor.

C 25/6 MAYOR'S ANNOUNCEMENTS

The 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:

- TMBC Aylesford Jobs Fair
- Launch of the Poppy Appeal
- Opening of Aylesford Christmas Market
- Snodland Town Council's Lantern Parade and Christmas Lights
- West Malling Community Choir Christmas Concert
- Tonbridge Philharmonic Society and Tonbridge Round Table's Carol Service
- Hilden Ladies Probus Lunch Club Event
- Remembrance Day Parades and Services in Tonbridge and the RBLI, Aylesford; and
- the Borough Council's Armistice Day Service at the Tonbridge War Memorial.

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

- Primary Schools Debates on 27 February and 6 March 2025
- Cheque Presentation to the Mayors Charity the Royal British Legion Industries on a date to be confirmed

Finally, the Mayor thanked the Deputy Mayor for attending a number of events on their behalf.

The Mayor concluded by thanking the Council for resolving to confer an Honorary Freeman on the Royal British Legion Industries in Aylesford, an organisation that had helped him during a difficult time in his life and which offered support to many people.

C 25/7 QUESTIONS FROM THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO 5.6

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

The answers given to each question by the Cabinet Member with responsibility for Planning Services are attached at Annex 1 to these Minutes and published to the 'library' area of the website (as the book

containing the permanent record of the question as set out in Council Procedure Rule No. 5.16).

C 25/8 MOTION WITHOUT NOTICE

In accordance with Council Procedure Rule 5.30 (c) Cllr Clokey proposed to change the order of the agenda and hear the Motions on Notice earlier in the meeting for reasons of public interest and engagement. This was seconded by Cllr Cope.

Following some discussion, it was agreed that Motions on Notice should be taken after all the 'matters for decision' had been heard to ensure that the Council met its legal duties in setting the annual budget and Council tax.

C 25/9 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 Hood in respect of Active Travel and the establishment of a cross-council Member/Officer working group.

A detailed response had been provided by the Cabinet Member for Transformation and Infrastructure (Cllr M Coffin) and the question and answer, attached as Annex 2 to the Minutes, were noted.

In response to a supplementary question, it was indicated that all Members would be invited to attend an Active Travel Workshop jointly hosted by the County and Borough Council to agree short and long-term priorities.

C 25/10 LEADER'S ANNOUNCEMENTS

The Leader thanked the Mayor for allowing a minute's silence in memory of Borough Cllr Wayne Mallard and Honorary Freeman Matthew Balfour and proposed that Council Procedure Rule 5.25 be suspended to enable all Members who wanted to pay tribute to former colleagues to do so. This was seconded by Cllr Coffin and agreed by the Council.

Members expressed sadness at the loss of Wayne Mallard and Matthew Balfour and sent condolences to their family and friends. A number of personal tributes and anecdotes were also shared

Particular reference was made to the Governments proposals for devolution and reorganisation of local government. Whilst Kent and Medway were not on the priority programme this still represented a significant challenge as indicative proposals for new unitary authorities had to be submitted by March 2025. The Leader was pleased to report on an excellent working relationship between the West Kent authorities

and the importance of building and strengthening these relationships with neighbouring authorities was emphasised.

There remained a lot of uncertainty in respect of transitional arrangements and debt as the latter had to be managed within the local area. Disappointment was expressed that the prudent financial planning of Tonbridge and Malling would be impacted by taking on others debt.

The Leader recorded appreciated to both Members and staff at Tonbridge and Malling Borough Council for their continued commitment and professionalism in maintaining services and supporting residents despite the uncertainty around reorganisation.

A number of regeneration projects within the Borough were due to be coming forward shortly including proposals for improved hospitality at the London Golf Club, improved facilities at Buckmore Park, the relocation of Larkfield and New Hythe Football Club, proposals for the London Lionesses (now based in Ditton) and new factory plans for the Royal British Legion Industries.

The Borough Council continued to make progress on its regeneration plans for Tonbridge Town Centre and there had been a good response to the recent resident's survey.

Other good news items included:

- the good progress made on returning empty homes to use with Tonbridge and Malling seeing the greatest reduction in Kent;
- the positive impact of the Anti-Social Behaviour Enforcement Team who were finalists in the iESE Public Sector Transformation Awards 2025 in the Working Together category; and
- the Borough Council being finalists for an Association for Public Service Excellence (APSE) Energy Award 2025 in the category for the Accessing and Managing Finance due to major successes in moving towards the 2030 carbon neutral aspiration with prudent use of finance to decarbonise leisure facilities that were the largest source of our emissions.

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

MATTERS FOR DECISION**C 25/11 SETTING THE BUDGET 2025/26**

Item CB 25/12 referred from the Cabinet of 11 February 2025.

The Cabinet Member for Finance and Housing proposed that Council Procedure Rule No 6.4 be suspended to allow the leading speakers from each Group to exceed the time limit on speeches when debating the budget proposals. This was seconded by Cllr Boughton and supported by the Council.

In presenting the budget proposals, which had been considered by the Overview and Scrutiny Committee and the Cabinet on 23 January and 11 February 2025 respectively, the Cabinet Member for Finance and Housing highlighted the areas of budget growth and pressure, outlined the support provided to vulnerable residents, businesses and community groups during the last financial year and welcomed the better than anticipated final Local Government Finance Settlement figure as well as better than anticipated business rates receipts.

The Cabinet Member for Finance and Housing was pleased to advise that the Borough Council had a balanced budget for 2025/26 and had been able to set aside funds in earmarked reserves for key priorities. In addition, as a result of the inclusion in the final settlement of a grant in relation to the increased cost of Employers' National Insurance contributions it seemed appropriate to transfer the additional funding to the earmarked 'Transformation Reserve'.

It was proposed by Councillor Tanner and seconded by Councillor Boughton that the recommendations at Minute CB 25/12 be adopted. In accordance with Council Procedure Rule No 8.5 voting was recorded as follows:

Members voting for the motion:

Cllrs Bell, Bennison, Betts, Bishop, Boughton, Boxall, Bridge, Brown, Cannon, Clokey, Coffin, Crisp, Dalton, Davis, Dean, Hammond, Harman, Hickmott, Hoskins, Hudson, Keers, King, Lark, McDermott, Mehmet, Oakley, Palmer, Rhodes, Roud, Tanner, Tatton, Taylor, Thornewell, Tunstall and Williams

Total: 35

Members voting against the motion: 0

Total: 0

Members abstaining:

Cllrs Athwal, Cope, Hood, Oliver, Parry and Pilgrim

Total: 6

(Total number of Members eligible to vote = 41)

RESOLVED: That the recommendations at Minute CB 25/12 be approved.

C 25/12 SETTING THE COUNCIL TAX 2025/26

Item CB 25/13 referred from the Cabinet of 11 February 2025 recommended that a 3% or £7.14 per annum increase in the Borough Council's element of the Council Tax for 2024/25, representing a notional 'average' charge at Band D of £245.30 be approved.

As the billing authority, the Council was required to resolve the levels of council tax for each Band and for each area within the borough consolidating the requirements from all precepting authorities. A Council Tax Resolution incorporating all this information was presented to Members as a supplement to the agenda (attached at Annex 3).

It was proposed by Councillor Tanner and seconded by Councillor Boughton that the recommendations at Minute CB 25/13 be adopted. In accordance with Council Procedure Rule No 8.5 voting was recorded as follows:

Members voting for the motion:

Cllrs Athwal, Bell, Bennison, Betts, Bishop, Boughton, Boxall, Bridge, Brown, Cannon, Clokey, Coffin, Cope, Crisp, Dalton, Davis, Hammond, Harman, Hickmott, Hines, Hood, Hoskins, Hudson, Keers, King, Lark, McDermott, Mehmet, Oakley, Oliver, Palmer, Parry, Rhodes, Roud, Tanner, Tatton, Taylor, Thornewell, Tunstall and Williams.

Total: 40

Members voting against the motion: Cllr Dean

Total: 1

Members abstaining: 0

Total: 0

(Total number of Members eligible to vote = 41)

RESOLVED: That the recommendations at Minute CB 25/13 be approved and the Council Tax Resolution 2025/26, as set out as an Annex to these Minutes, be adopted.

C 25/13 LOCAL COUNCIL TAX REDUCTION SCHEME 2025/26

Item CB 25/14 referred from Cabinet of 11 February 2025. It was proposed by Cllr Boughton and seconded by Cllr Tanner that the recommendation of Cabinet be approved.

RESOLVED: That the draft Local Council Tax Reduction Scheme 2025/26 (attached as Annex 1) be approved.

C 25/14 CHANGES TO THE CONSTITUTION

Consideration was given to a number of changes proposed to be made to Part 3 (Responsibilities) for the Council's Constitution in respect of the Terms of Reference for Area Planning Committees and the General Purposes Committee.

The proposal related to Area Planning Committees corrected an inconsistency between the terms of reference and Committee Procedure Rule 15.25 as amended by the Council on 24 October 2023. The terms of reference to be corrected to read 'a risk of significant costs'. Members were reassured that the way that Planning Committees operated would not be affected by this correction as the committee procedure rules took precedence over terms of reference.

Given the significant financial implications flowing from the staff pay award and its specific link to any increase in the rate of Member Allowances it was recommended that the annual determination of this award should be a matter for all Members via full Council following initial consideration by the General Purposes Committee.

Cllr Clokey proposed, seconded by Cllr Hoskins that the terms of reference be amended to 'save for any determination of the annual staff pay where the cost exceeds that for which provision has been made' which would enable the General Purposes Committee to make the decision under delegated powers except in circumstances where there were significant financial implications.

Concern was expressed that at the time the General Purposes Committee considered any staff pay award, budget decisions for the forthcoming year would not yet have been made. As a result, the Borough Council could be faced with a set of circumstances where a decision was taken that was not factored into the organisations long-term financial planning. Following this clarification, Cllr Clokey withdrew his motion with the consent of Cllr Hoskins and the meeting. However, he proposed a further minor amendment to the Terms of Reference and

that reference to 'European elections' be removed from (1). This was seconded by Cllr Boughton and supported by the Council.

The Mayor proposed, seconded by Cllr Coffin that the recommendations set out in the report and the minor amendment summarised above, be approved.

RESOLVED: That

- (1) the Terms of Reference for Area Planning Committees be amended to reflect Committee Procedure Rule 15.25 as set out in the report and summarised above;
- (2) the Terms of Reference for the General Purposes Committee be amended to remove responsibility for the annual determination of the staff pay award; and
- (3) the Terms of Reference (1) for the General Purposes Committee be amended to delete 'European' elections.

C 25/15 APPOINTMENT OF INDEPENDENT PERSON

The report of the Monitoring Officer recommended the appointment of a second Independent Person under the Localism Act 2011.

Applicants for the post were interviewed by a Panel comprising the Chair and Vice-Chair of the Joint Standards Committee and the Group Leaders on 9 January 2025. Details of the applicant to whom the Panel propose to offer the position were set out in the report.

In order to create resilience in the Independent Person role, alongside the current incumbent Mr David Mercier, and to uphold high standards of conduct, Cllr Bell proposed that Mr Paul Cummins be appointed as an Independent Person for a five-year period expiring on 17 February 2030. This was seconded by Cllr Davis and supported by the Council.

RESOLVED: That Mr Paul Cummins be appointed as an Independent Person under s28 of the Localism Act 2011 for a five-year term expiring on 17 February 2030.

C 25/16 APPOINTMENT TO OUTSIDE BODY

Following a request from the Secretary to the Berry Housing Trust, consideration was given to the non-annual appointment of Mr Mathew Crisp as the Borough Council's representative to serve an indefinite term.

The Trust felt that Mr Crisp would be a valuable asset to the Trustee Board due to his overall knowledge of the area and organisation. There was no requirement for the appointment to be a member of the Borough

Council and the Trust had emphasised the value of having a person with experience of their aims and role and the local area.

The Mayor proposed, seconded by Cllr Harman and the Council

RESOLVED: That

- (1) Mr Mathew Crisp be appointed as the Borough Council representative to serve on The Berry Housing Trust for an indefinite term;
- (2) The Outside Bodies Schedule be updated for reflect the new appointment; and
- (3) Consideration be given as to whether the Berry Housing Trust fitted the Borough Council's criteria for outside body representation.

MOTIONS SUBMITTED UNDER COUNCIL PROCEDURE RULE 5.27

C 25/17 25/002 - ENGLISH DEVOLUTION WHITE PAPER

Consideration was given to a Notice of Motion (25/002) pursuant to Council Procedure Rule No. 5.7 submitted by Cllr King in relation to local government reorganisation and the English Devolution White Paper published in December 2024 (as set out on page 471).

As set out in the Notice, Cllr King proposed, seconded by Cllr Mehmet that the Council:

- (1) Expressed its deep disappointment with the top-down approach to Local Government reorganisation that the Government has taken;
- (2) Continued to work constructively with all other affected authorities across Kent and Medway to secure the best outcome for residents across Tonbridge and Malling; and
- (3) Started the process of a Community Governance Review, with the intention of creating a Town Council in Tonbridge, by establishing a politically proportionate Member working group to oversee the development of an initial Terms of Reference and timetable for this review.

RESOLVED: That actions requested by the Notice of Motion (25/002) be agreed.

C 25/18 25/003 - ESTABLISHMENT OF A TOWN COUNCIL FOR TONBRIDGE

Consideration was given to a Notice of Motion (25/003) pursuant to Council Procedure Rule No. 5.7 submitted by Cllr Bridge in relation to the establishment of a Tonbridge Town Council to avoid a democratic deficit arising as a result of local government reorganisation (as set out on page 472).

As set out in the Notice, Cllr Bridge proposed, seconded by Cllr Hood that the Council should agree, in principle the following:

- (1) Tonbridge should have a town council if that is the wish of the people of Tonbridge.

On the grounds that Notice of Motion (25/002) had agreed the principle of undertaking a community governance review into the establishment of a town council for Tonbridge, Cllr Boughton raised a point of order, in accordance with Council Procedure Rule 6.25 and asked that consideration be given to withdrawing Motion 25/003 to avoid the risk of negating the action agreed under Motion 25/002 if a different decision was reached.

However, Cllr Bridge remained of the view that this Motion should proceed and be given due consideration.

Members were also advised that a Petition seeking a community governance review had been received at the Borough Council offices on Monday 16 February 2025 and was pending verification.

Following in-depth discussion there was majority support for this Motion.

RESOLVED: That the action requested by Motion 25/003 be agreed.

C 25/19 25/004 - VILLAGE GREEN STATUS FOR RIVER LAWN, TONBRIDGE

Consideration was given to a Notice of Motion (25/004) pursuant to Council Procedure Rule No. 5.7 submitted by Cllr Hood in relation to granting River Lawn, Tonbridge village green status (as set out on page 475).

As set out in the Notice, Cllr Hood proposed, seconded by Cllr Pilgrim that the Council should resolve that:

- (1) In accordance with section 15(8) of the Commons Act 2006, as the landowner it will voluntarily apply for the land known as River Lawn, River Lawn Road, Tonbridge to be registered as a village green; and

- (2) A review is undertaken of the policy of rewilding to River Lawn to assess its success and whether this is the most appropriate management of this open space and that the review is considered by the Communities and Environment Scrutiny Select Committee.

RESOLVED: That the action requested by Motion 25/004 be agreed.

C 25/20 25/005 - WAIVER OF LOSS OF EARNINGS FEE FOR TONBRIDGE PRIDE

Consideration was given to a Notice of Motion (25/005) pursuant to Council Procedure Rule No. 5.7 submitted by Cllr Cope in relation to fees for the use of Cannon Lawn, Tonbridge for Tonbridge Pride (as set out on page 477).

Cllr Cope advised that a compromise had been reached in advance of the meeting and in accordance with Council Procedure Rule 6.17 withdrew Motion 25/005. The seconder of the Motion (Cllr Pilgrim) and the Council signified consent to withdraw the Motion.

RESOLVED: That Motion 25/005 be withdrawn

MATTERS RECOMMENDED FOR DECISION BY OTHER COMMITTEES

C 25/21 LOCALISM ACT - PAY POLICY

Consideration was given to the recommendations of the General Purposes Committee of 22 January 2025 in respect of the requirements of the Localism Act 2011 and an updated Pay Policy Statement for 2025/26 as set out in Annex 1.

As there had not been many significant changes in the Borough Council's remuneration policy, the substantive content of the updated Policy was nearly identical to the Borough Council's Pay Policy Statement 2024/25. The key updates related to the actual pay received by staff, the pay multiple data and the number of officers in specific graded posts.

RESOLVED: That the Pay Policy Statement set out in Annex 1 be endorsed and adopted.

C 25/22 ESTABLISHMENT REPORT

Consideration was given to the recommendations of the General Purposes Committee of 22 January 2025 in respect of a number of establishment changes. In accordance with LGA 1972 Sch 12A, the content considered by the General Purposes Committee was exempt for reason 1 – information relating to an individual.

Due regard was given to the views of the General Purposes Committee and the financial and value for money considerations set out in the restricted report.

RESOLVED: That

- (1) the fixed term post DC0107, Climate Change Officer, 37 hours, be permanently established with effect from 19 February 2025;
- (2) post DJ0318, Principal Planning Officer, be permanently increased from 24 to 32 hours per week;
- (3) post DJ0319, Senior Planning Officer, be permanently increased from 20 to 30 hours per week;
- (4) the vacant post DJ0315, Principal Planning Officer, 37 hours per week, M8, be deleted;
- (5) a new full time, permanent Planning Policy Team Leader post at grade M7, be created;
- (6) post DR0014, Contracts, Procurement and Property Lawyer, be deleted;
- (7) two new part time posts, a Contracts and Procurement Lawyer and a Property Lawyer at 21 hours per week each, be created; and
- (8) the additional costs arising from the report as set out in paragraph 7, be included in the budget for 2025/26.

C 25/23 RISK MANAGEMENT

Consideration was given to the recommendation of the Cabinet of 11 February 2025 in respect of risk management. Due regard had been given to the views of the Audit Committee of 13 January 2024, the review undertaken by Zurich Risk Management, the financial and value for money considerations and the legal implications.

RESOLVED: That

- (1) the updates to the Strategic Risk Register since the last iteration with particular emphasis on those risks categorised as RED, be noted;
- (2) the progress towards the delivery of recommendations from the Zurich Risk Management Review be noted; and
- (3) the objective to present an updated Risk Management Strategy to the Audit Committee in September 2025 be noted and approved.

C 25/24 TREASURY MANAGEMENT UPDATE AND TREASURY MANAGEMENT AND ANNUAL INVESTMENT STRATEGY FOR 2025/26

Consideration was given to the recommendations of Cabinet of 11 February 2025 in respect of treasury management. Due regard had been given to the views of the Audit Committee of 13 January 2025, the details of investments undertaken and return achieved in the first eight months of the current financial year, the financial and value for money considerations and the legal implications.

RESOLVED: That

- (1) the treasury management position as at 30 November 2024 be noted; and
- (2) the Treasury Management and Annual Investment Strategy for 2025/26 (presented to the Audit Committee at Annex 5) be adopted.

C 25/25 ANNUAL AUDIT REPORT 2023/24

Consideration was given to the recommendations of Cabinet of 11 February 2025 in respect of the Annual Audit Report 2023/24. Due regard was also given to the views of the Audit Committee of 13 January 2025, the financial and value for considerations and the legal implications.

The Chair of the Audit Committee recorded appreciation to the Finance Team for their significant achievement in 'signing-off' the Audit Report by mid-January whilst in the middle of the budget setting process.

RESOLVED: That

- (1) the Auditors Annual report for 2023/24 (attached at Annex 1) be approved;
- (2) the comments made in respect of the key recommendations from the Annual Audit Report for 2022/23 be noted; and
- (3) the management comments raised to the 2023/24 value for Money recommendations be noted and endorsed.

MATTERS FOR INFORMATION**C 25/26 MINUTES OF CABINET AND COMMITTEES**

The Minutes of meetings of the Cabinet and Committees for the period November to December 2024 and January 2025 set out in the Minute

Books (Volume 5 and Volume 1) attached as a supplement, were received and noted.

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

C 25/27 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 11.40 pm

COUNCIL

MEETING OF 18 FEBRUARY 2025

AGENDA ITEM 6 - QUESTIONS FROM THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO 5.6

The following question has been asked pursuant to Council Procedure Rule No 5.6 by Sharon Page:

- **Question Subject: Costs of Appeal**

At the last Area 2 Planning Committee, Chief Planning Officer James Bailey's reasoning for not accepting the 8;2 majority vote against the application, was on the ground of the cost implication to the council, should the developer appeal any of the grounds for refusal.

It is my understanding that 'costs' must not be a factor in planning decisions. In addition, Mike Taylor council member, stated the significantly substantial cost , running into hundreds of thousands of pounds. The Housing & Planning Scrutiny Select Committee doc of March 2024, highlights the Planning appeal cost to be significantly less than stated.

Therefore, the question is, why is this being used as an excuse for refusal ?

The response of the Cabinet Member of Planning (Cllr M Taylor) provided at the meeting is set out below:

Case law confirms that whilst costs risks and reputational harm are not material planning considerations, Officers giving Councillors advice on potential cost and reputational implications of refusing planning permission is acceptable.

Part 4, Paragraph 15.25 of the constitution states that a Committee decision will stand adjourned until the next meeting where the Officer present feels there is a risk of significant costs against the Council from any potential planning appeal.

However, I did not say we should refuse on the grounds of cost, what I said was if we refused without the support of Statutory Consultees and sound planning reasons we could be taken to appeal, deemed unreasonable and have costs awarded against us - that can run into hundred's of thousands of pounds. I actually proposed another deferral.

COUNCIL

MEETING OF 18 FEBRUARY 2025

AGENDA ITEM 6 - QUESTIONS FROM THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO 5.6

The following question has been asked pursuant to Council Procedure Rule No 5.6 by Marc Page

- **Question Subject: Sustainability and Safety**

The TMBC's 2020-2030 Climate Change Strategy states that it "has a key role in ensuring that new developments are as sustainable as possible", specifically referencing "reducing travel needs", "maximising opportunities for sustainable travel" and "including walking and cycling routes". The KCC's 2021-2026 'Vision Zero – Road Safety Strategy states a target to "increase levels of safety for walking and cycling" and "to make walking and cycling an attractive and realistic choice for short journeys" and 'improved safety for all road users'.

East Malling currently has NO Cycle paths, NO local amenities, NO regular bus services, inaccessible train platforms (for disabled/infirm/those with small children) and dangerous and often impassable very narrow footpaths.

As such, any new local housing residents (be they in affordable houses or not), like existing residents, would be almost entirely car dependant.

Therefore, how can the Ivy Farm Development, which is estimated to house c. 210 residents, be considered to be even remotely logical or compliant and not exacerbate the existing issues?

The response of the Cabinet Member of Planning (Cllr M Taylor) provided at the meeting is set out below:

I should start by stating that the planning application referred to in the question is still under consideration by this Council, and it due to be considered at the next Area 2 Planning Committee meeting tomorrow. I therefore answer this question in my capacity as Cabinet Member for Planning and deliberately offer no view about whether the application should be approved or rejected, on the basis I am required to approach that meeting with an open mind.

Individual applications are subject to a detailed assessment of sustainability under Paragraphs 8, 9 and 11d of the National Planning Policy Framework. This assessment would cover the location of a proposed development in relation to existing settlements to ensure that a proposal would not be isolated but also have to consider facilities available and the benefits a development might bring. As East Malling benefits from both primary and secondary schools, a railway station and community facilities, Planning Officers recommended to Area 2 Planning

Committee that East Malling would be considered to have facilities that would count towards the sustainability considerations of the area. But Borough Councillors may disagree.

Whilst there may not be a cycle network in the East Malling area, an application would have to consider the overall impacts, both positive and negative, and make a judgement on that basis. This takes into account all of the matters previously referred to as well as important other factors including housing need, and especially the huge uplift in Housing numbers the Government are requiring Tonbridge and Malling Borough Council to find sites for.

COUNCIL**MEETING OF 18 FEBRUARY 2025****AGENDA ITEM 6 - QUESTIONS FROM THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO 5.6**

The following question has been asked pursuant to Council Procedure Rule No 5.6 by Frances Saunders:

Local Authorities have a statutory duty under the 1990 Planning Conservation Area Act to publish proposals for the enhancement and preservation of their conservation areas. In total, TMBC has 61 designated conservation areas within the borough's boundaries, all of which are greatly valued by the public as special, much-loved and irreplaceable places.

Please could this Council explain why they are not complying with UK legislation, with Conservation Area Appraisals being woefully out of date (25 years in many cases), no management proposals ever published as required under UK law and many of these important heritage assets under extreme pressures from inappropriate developments and unsustainable traffic levels.

The response of the Cabinet Member of Planning (Cllr M Taylor) provided at the meeting is set out below:

As the Housing and Planning Scrutiny Select Committee considered last week, the Local Plan timetable is ambitious and costly. We have significant pressure on our Planning team, as has been the case for many years. Updating and preparing conservation area appraisals is a significant task.

Like Ms Saunders, I would have liked us to have done more. However, we have just secured some grant funding from Government and will start with 3 conservation area appraisals which will include a 6 week public consultation. The new Heritage Strategy will be prepared as part of our Local Plan work too.

Ms Saunders is right, we need to protect our important heritage assets from inappropriate development, we will do as many as we can and I will action and progress this issue.

COUNCIL

MEETING OF 18 FEBRUARY 2025

AGENDA ITEM 6 - QUESTIONS FROM THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO 5.6

The following question has been asked pursuant to Council Procedure Rule No 5.6 by Tasha Allen:

Please can you kindly confirm the following - members are using a need for Section 106 funds and affordable housing as reasons for approving planning applications?

However, we are seeing developers, once granted planning permission submitting applications to vary the terms of their 106 Agreements and being approved by the Planning Department. See Esquire Bluebells on Hermitage Lane site. Affordable housing reduced by 25% after permission granted.

Can you confirm how many affordable housing units have been lost in the TMBC areas over the past 3 years by what appears to be a legal loophole that developers are making use of and explain how these are overriding material planning considerations when they are not even guaranteed to stay the same

The response of the Cabinet Member of Planning (Cllr M Taylor) provided at the meeting is set out below:

The National Planning Practice Guidance (NPPG) confirms that viability assessment is a process of assessing whether a site is financially viable, by looking at whether the value generated by a development is more than the cost of developing it.

Viability Assessments follow the guidance set out in the NPPG and are prepared with professional integrity by a suitably qualified practitioner.

The Council uses independent experts to assess all viability appraisals submitted by applicants to ensure a rigorous assessment of the information.

If a lower amount of developer contributions is accepted by the Council, this would be on the basis of evidence supplied by the applicant and verified by the Council through its appointed consultants.

This is a recognised process for assessing a scheme's viability both through the planning process and post decision. Market conditions at the time play a fundamental factor in this process.

According to the Council's records and with a number of Deed of Variation applications remaining un-determined (and therefore not part of my response)

there have been no affordable housing units lost due to viability considerations post decision in the last three years.

There has however been a number of cases where the affordable housing mix (that is the types of affordable housing and the numbers of each type) has been re-negotiated which has improved the overall viability of the scheme.

COUNCIL

MEETING OF 18 FEBRUARY 2025

**AGENDA ITEM 7 – QUESTION ASKED PURSUANT TO COUNCIL PROCEDURE
RULE NO 5.5**

The following question (25/001) has been asked pursuant to Council Procedure Rule No 5.5 by Councillor Mark Hood:

‘Will the council work with colleagues at Kent County Council to establish a cross-council Member/Officer Active Travel Working Group?’

Responsibility for Active Travel falls to both of our councils and in preparation for Local Government Reorganisation it is important that plans for improving infrastructure for walking, wheeling and cycling are prepared in unison so that the Tonbridge and Malling Local Cycling and Walking Infrastructure Plan complements the Kent Cycling and Walking Infrastructure Plan and that we bring forward the most coherent plans to take full advantage of external funding. This process is best achieved working together and it is essential that members are able to contribute and represent the views of residents so we have an end result which will work best for our communities.’

**Response of the Cabinet Member for Transformation and Infrastructure
(Councillor Martin Coffin):**

Coherent plans for Active Travel are absolutely essential and that is why officers from both the county and the borough continue to work closely together to ensure that proposals meet policy requirements and are deliverable. They must also take account of the strategic planning framework and ensure that our cycling and walking infrastructure is delivered both for existing communities, despite the challenges that entails, and enables sustainable growth in identified areas.

Supplementary response:

All Members will shortly be invited to attend an Active Travel workshop to agree short and long term priorities and I look forward to discussing this important agenda at that meeting, which will be jointly hosted by KCC and TMBC officers.

COUNCIL TAX**DRAFT RESOLUTION**

1. It be noted that on 18th February 2025 the Council calculated:

- (a) the Council Tax Base 2025/26 for the whole Council area as 53,849.82 [Item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended (the "Act")] and,
- (b) for dwellings in those parts of its area to which one or more special items (Special expenses and or a Parish precept) relates as follows:

Tonbridge	14,018.22
Addington	440.53
Aylesford	4,593.21
Birling	201.77
Borough Green	1,736.49
Burham	477.01
Ditton	1,824.19
East Malling & Larkfield	5,250.09
East Peckham	1,349.45
Hadlow	1,587.91
Hildenborough	2,344.16
Ightham	1,154.46
Kings Hill	4,751.81
Leybourne	1,919.03
Mereworth	465.49
Offham	412.45
Platt	917.17
Plaxtol	613.30
Ryarsh	375.74
Shipbourne	297.57
Snodland	3,944.90
Stansted	296.64
Trottiscliffe	284.81
Wateringbury	961.34
West Malling	1,302.42
West Peckham	183.15
Wouldham	1,301.65
Wrotham	844.86

2. £13,209,360 being the Council Tax requirement for the Council's own purposes for 2025/26 (excluding Parish Precepts).

3. That the following amounts be calculated for the year 2025/26 in accordance with Sections 31 to 36 of the Act:

- (a) £107,935,011 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils.
- (b) £90,780,044 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
- (c) £17,154,967 being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act).
- (d) £318.57 being the amount at 3(c) above (Item R), all divided by Item T (1(a) above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year including Parish precepts.
- (e) £5,182,902 being the aggregate amount of all special items (Special expenses and Parish precepts) referred to in Section 34(1) of the Act.
- (f) £222.32 being the amount at 3(d) above less the result given by dividing the amount at 3(e) above by Item T (1(a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no special items relate (this is the Council Tax for General Expenses to which Special expenses and Parish precepts are added as applicable).

(g) <u>Part of the Council's area</u>	£
Tonbridge	299.97
Addington	304.32
Aylesford	298.26
Birling	288.09
Borough Green	382.97
Burham	286.84
Ditton	385.36
East Malling & Larkfield	325.14
East Peckham	351.87
Hadlow	336.57
Hildenborough	281.61
Ightham	336.79
Kings Hill	327.54
Leybourne	323.81
Mereworth	324.79
Offham	289.55
Platt	313.13
Plaxtol	320.29
Ryarsh	300.12
Shipbourne	281.18
Snodland	315.38
Stansted	282.26
Trottiscliffe	345.21
Wateringbury	379.46
West Malling	350.10
West Peckham	262.34
Wouldham	282.55
Wrotham	386.06

being the amounts given by adding to the amount at 3(f) above the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned above divided in each case by the amount at 1(b) above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its council tax for the year for dwellings in those parts of its area to which one or more special items (Special expenses and Parish precepts) relate.

(h)

Valuation Bands

<u>Part of the Council's area</u>	A £	B £	C £	D £	E £	F £	G £	H £
Tonbridge	199.98	233.31	266.64	299.97	366.63	433.29	499.95	599.94
Addington	202.88	236.69	270.51	304.32	371.95	439.57	507.20	608.64
Aylesford	198.83	231.99	265.12	298.26	364.53	430.82	497.09	596.52
Birling	192.06	224.07	256.08	288.09	352.11	416.13	480.15	576.18
Borough Green	255.31	297.87	340.42	382.97	468.07	553.18	638.28	765.94
Burham	191.22	223.10	254.97	286.84	350.58	414.33	478.06	573.68
Ditton	256.91	299.72	342.54	385.36	471.00	556.63	642.27	770.72
East Malling & Larkfield	216.76	252.89	289.01	325.14	397.39	469.65	541.90	650.28
East Peckham	234.58	273.68	312.78	351.87	430.06	508.26	586.45	703.74
Hadlow	224.38	261.78	299.18	336.57	411.36	486.16	560.95	673.14
Hildenborough	187.74	219.03	250.32	281.61	344.19	406.77	469.35	563.22
Ightham	224.52	261.95	299.37	336.79	411.63	486.48	561.31	673.58
Kings Hill	218.36	254.76	291.15	327.54	400.32	473.11	545.90	655.08
Leybourne	215.87	251.85	287.83	323.81	395.77	467.73	539.68	647.62
Mereworth	216.52	252.62	288.70	324.79	396.96	469.15	541.31	649.58
Offham	193.03	225.21	257.38	289.55	353.89	418.24	482.58	579.10
Platt	208.75	243.55	278.34	313.13	382.71	452.30	521.88	626.26
Plaxtol	213.52	249.12	284.70	320.29	391.46	462.64	533.81	640.58
Ryarsh	200.08	233.43	266.78	300.12	366.81	433.51	500.20	600.24
Shipbourne	187.45	218.70	249.94	281.18	343.66	406.15	468.63	562.36
Snodland	210.25	245.30	280.34	315.38	385.46	455.55	525.63	630.76
Stansted	188.17	219.54	250.90	282.26	344.98	407.71	470.43	564.52
Trottiscliffe	230.14	268.50	306.86	345.21	421.92	498.64	575.35	690.42
Watlingbury	252.97	295.14	337.30	379.46	463.78	548.11	632.43	758.92
West Malling	233.40	272.30	311.21	350.10	427.90	505.70	583.50	700.20
West Peckham	174.89	204.05	233.19	262.34	320.63	378.94	437.23	524.68
Wouldham	188.36	219.77	251.16	282.55	345.33	408.13	470.91	565.10
Wrotham	257.37	300.27	343.17	386.06	471.85	557.64	643.43	772.12

being the amounts given by multiplying the amounts at 3(g) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

4. That it be noted that for the year 2025/26 The Police & Crime Commissioner for Kent, the Kent & Medway Fire & Rescue Authority and the Kent County Council have stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:

<u>Precepting Authority</u>	<u>Valuation Bands</u>							
	A £	B £	C £	D £	E £	F £	G £	H £
The Police & Crime Commissioner for Kent	180.10	210.12	240.13	270.15	330.18	390.22	450.25	540.30
Kent & Medway Fire & Rescue Authority	63.24	73.78	84.32	94.86	115.94	137.02	158.10	189.72
Kent County Council	1,127.46	1,315.37	1,503.28	1,691.19	2,067.01	2,442.83	2,818.65	3,382.38

5. That, having calculated the aggregate in each case of the amounts at 3(h) and 4. above, the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the following amounts as the amounts of council tax for the year 2025/26, for each of the categories of dwellings shown below:

<u>Part of the Council's area</u>	<u>Valuation Bands</u>							
	A £	B £	C £	D £	E £	F £	G £	H £
Tonbridge	1,570.78	1,832.58	2,094.37	2,356.17	2,879.76	3,403.36	3,926.95	4,712.34
Addington	1,573.68	1,835.96	2,098.24	2,360.52	2,885.08	3,409.64	3,934.20	4,721.04
Aylesford	1,569.63	1,831.26	2,092.85	2,354.46	2,877.66	3,400.89	3,924.09	4,708.92
Birling	1,562.86	1,823.34	2,083.81	2,344.29	2,865.24	3,386.20	3,907.15	4,688.58
Borough Green	1,626.11	1,897.14	2,168.15	2,439.17	2,981.20	3,523.25	4,065.28	4,878.34
Burham	1,562.02	1,822.37	2,082.70	2,343.04	2,863.71	3,384.40	3,905.06	4,686.08
Ditton	1,627.71	1,898.99	2,170.27	2,441.56	2,984.13	3,526.70	4,069.27	4,883.12
East Malling & Larkfield	1,587.56	1,852.16	2,116.74	2,381.34	2,910.52	3,439.72	3,968.90	4,762.68
East Peckham	1,605.38	1,872.95	2,140.51	2,408.07	2,943.19	3,478.33	4,013.45	4,816.14
Hadlow	1,595.18	1,861.05	2,126.91	2,392.77	2,924.49	3,456.23	3,987.95	4,785.54
Hildenborough	1,558.54	1,818.30	2,078.05	2,337.81	2,857.32	3,376.84	3,896.35	4,675.62
Ightham	1,595.32	1,861.22	2,127.10	2,392.99	2,924.76	3,456.55	3,988.31	4,785.98
Kings Hill	1,589.16	1,854.03	2,118.88	2,383.74	2,913.45	3,443.18	3,972.90	4,767.48
Leybourne	1,586.67	1,851.12	2,115.56	2,380.01	2,908.90	3,437.80	3,966.68	4,760.02
Mereworth	1,587.32	1,851.89	2,116.43	2,380.99	2,910.09	3,439.22	3,968.31	4,761.98
Offham	1,563.83	1,824.48	2,085.11	2,345.75	2,867.02	3,388.31	3,909.58	4,691.50
Platt	1,579.55	1,842.82	2,106.07	2,369.33	2,895.84	3,422.37	3,948.88	4,738.66
Plaxtol	1,584.32	1,848.39	2,112.43	2,376.49	2,904.59	3,432.71	3,960.81	4,752.98
Ryarsh	1,570.88	1,832.70	2,094.51	2,356.32	2,879.94	3,403.58	3,927.20	4,712.64
Shipbourne	1,558.25	1,817.97	2,077.67	2,337.38	2,856.79	3,376.22	3,895.63	4,674.76
Snodland	1,581.05	1,844.57	2,108.07	2,371.58	2,898.59	3,425.62	3,952.63	4,743.16
Stansted	1,558.97	1,818.81	2,078.63	2,338.46	2,858.11	3,377.78	3,897.43	4,676.92
Trottscliffe	1,600.94	1,867.77	2,134.59	2,401.41	2,935.05	3,468.71	4,002.35	4,802.82
Watlingbury	1,623.77	1,894.41	2,165.03	2,435.66	2,976.91	3,518.18	4,059.43	4,871.32
West Malling	1,604.20	1,871.57	2,138.94	2,406.30	2,941.03	3,475.77	4,010.50	4,812.60
West Peckham	1,545.69	1,803.32	2,060.92	2,318.54	2,833.76	3,349.01	3,864.23	4,637.08
Wouldham	1,559.16	1,819.04	2,078.89	2,338.75	2,858.46	3,378.20	3,897.91	4,677.50
Wrotham	1,628.17	1,899.54	2,170.90	2,442.26	2,984.98	3,527.71	4,070.43	4,884.52

TONBRIDGE AND MALLING BOROUGH COUNCIL

AREA 2 PLANNING COMMITTEE

MINUTES

Wednesday, 19th February, 2025

Present: Cllr W E Palmer (Chair), Cllr B Banks, Cllr S Crisp, Cllr Mrs T Dean, Cllr R V Roud and Cllr Mrs M Tatton

Councillors Mrs A S Oakley* and D Thornewell were also present pursuant to Council Procedure Rule No 15.21.

(*participated via MS Teams)

Apologies for absence were received from Councillors C Brown, P Boxall, D Harman, S A Hudson, J R S Lark and K B Tanner. Apologies for in-person attendance were received from Councillors R P Betts, M D Boughton, M A Coffin and M Taylor who participated via MS Teams in accordance with Council Procedure Rule No 15.21.

PART 1 - PUBLIC

AP2 25/8 DECLARATIONS OF INTEREST

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 Wateringbury 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.

Councillor Mrs M Tatton and Councillor R Roud advised that they were members of East Malling and Larkfield Parish Council.

AP2 25/9 MINUTES

RESOLVED: That the Minutes of the meeting of the Area 2 Planning Committee held on 15 January 2025 be approved as a correct record and signed by the Chairman subject to the following amendments to Minute No AP2 25/4:

- The proposal would result in less than substantial harm to the Designated Heritage Assets of Huntley Cottage, 122 Waterbury Road, East Malling ***and adjacent barn***, Ivy House Farm and the East Malling Conservation Area especially in relation to the landscape harm and less than substantial harm to the non-

designated heritage asset of Belevede Oast Farm. These adverse impacts would significantly and demonstrably outweigh the public benefits proposed by the application. The proposal would therefore be contrary to paragraphs 215 and 216 of the National Planning Policy Framework (NPPF), Policy CP1 of the TMBCS and Policy SQ1 of the MDE DPD **2010**.

- The ecological mitigation measures proposed would not adequately protect the protected species on the site sufficiently to give confidence to the Local Planning Authority that the sequential tests for mitigation had adequately been applied sufficiently that a conclusion cannot be reached to assess the direct impact. The proposal was therefore contrary to paragraph 193(a) of the NPPF and Policy NE3 of the MDE DPD **2010**.

AP2 25/10 GLOSSARY AND SUPPLEMENTARY MATTERS

Decisions were taken on the following applications subject to the pre-requisites, informatives, conditions or reasons for refusal set out in the report of the Director of Planning, Housing and Environmental Health or in the variations indicated below. Any supplementary reports were tabled at the meeting.

Members of the public addressed the meeting where the required notice had been given and their comments were taken into account by the Committee when determining the application. Speakers are listed under the relevant planning application shown below.

DECISIONS TAKEN UNDER DELEGATED POWERS IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION (RESPONSIBILITY FOR COUNCIL FUNCTIONS)

AP2 25/11 TM/22/01570/OA - LAND NORTH EAST AND SOUTH OF 161 WATERINGBURY ROAD

Outline Application: 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. New access to be formed from Wateringbury Road.

Further to Minute AP2 25/4 of the meeting held on 15 January 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 25/14 refers). Members continued to express significant concern 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.

Councillor M Tatton proposed, seconded by Councillor R Roud that the application 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 213 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 Watlingbury 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.

RESOLVED*: That the application stand DEFERRED for determination by Full Council in accordance with Rule 15.25 of the Council and Committee Procedure Rules.

[Speakers: Cllr P Coulling (on behalf of Teston Parish Council), Mr G Kenward, Mr M Crowcroft, Ms F Saunders, Mrs N Allen, Mr J Allen, Ms K Moore, Mr M Bagely (on behalf of Mrs S Page), Ms Y Moss, Mr S Lockett, Mr S Brett and Mr M Page (members of the public) and Mr A Wilford (on behalf of the Applicant) addressed the Committee in person. Ms R Calderwood (member of the public) addressed the Committee via MS Teams.]

***Recommended to Council**

AP2 25/12 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 25/13 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 25/14 TM/22/01570/0A - LAND NORTH EAST AND SOUTH OF 161 WATERINGBURY ROAD

(Reason: 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 15 January 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 25/4 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 a recommendation only and the matter would stand deferred to be considered and determined by Full Council (Minute AP2 25/11 refers).

RESOLVED: That the report be received and noted.

The meeting ended at 9.09 pm
having commenced at 6.30 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

FINANCE, REGENERATION AND PROPERTY SCRUTINY SELECT COMMITTEE

MINUTES

Tuesday, 25th February, 2025

Present: Cllr D Harman (Chair), Cllr A Mehmet (Vice-Chair), Cllr L Athwal, Cllr T Bishop, Cllr P Boxall, Cllr C Brown, Cllr R I B Cannon, Cllr J Clokey, Cllr B A Parry, Cllr M R Rhodes and Cllr S A Hudson (substitute)

Cllrs Mrs S Bell*, A G Bennison, R P Betts*, M D Boughton*, M A Coffin*, D A S Davis*, P M Hickmott and K B Tanner were also present pursuant to Council Procedure Rule No 15.21.

(*participated via MS Teams)

Apologies for absence were received from Councillors W E Palmer and C J Williams.

PART 1 - PUBLIC

FRP 25/1 NOTIFICATION OF SUBSTITUTE MEMBERS

Notification of substitute members were recorded as set out below:

- Cllr S Hudson substitute for Cllr C Williams

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 25/2 DECLARATIONS OF INTEREST

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

FRP 25/3 MINUTES

RESOLVED: That the notes of the meeting of the Finance, Regeneration and Property Scrutiny Select Committee held on 19 November 2025 be approved as a correct record and signed by the Chair.

FRP 25/4 OUTSIDE BODIES UPDATE - LOWER MEDWAY AND UPPER MEDWAY INTERNAL DRAINAGE BOARDS

The report of the Clerks to the Lower and Upper Medway Internal Drainage Boards (IDBs) provided an overview of the activities undertaken in relation to the Special Levy contribution from Tonbridge and Malling Borough Council. It outlined the key work areas including maintenance, flood risk management and biodiversity initiatives.

Both IDBs remained committed to effective land drainage and flood risk management across Tonbridge and Malling. Whilst the Special Levy funded a broad range of activities, the benefits contributed significantly to the boroughs' resilience.

The IDBs valued engagement with the Borough Council, welcomed constructive dialogue through its Board structure and appointed representatives, looked forward to continued collaboration through established governance channels and welcomed discussions on shared priorities.

Members sought clarification on how regularly routine inspections were carried out and the meaning of routine 'pioneering'. A response to these points would be sought from the IDBs and circulated to Members once received.

At the request of the Chair the report was attached as an Annex to the Minutes.

MATTERS FOR RECOMMENDATION TO THE CABINET

FRP 25/5 UK SHARED PROSPERITY FUND 2025/26

Following an announcement by Government in December 2024, the report of the Chief Executive and Cabinet Member for Climate Change, Regeneration and Property set out proposals for the allocation of UK Shared Prosperity Fund (UKSPF) for 2025/26.

Based on a total budget of £327,146, a proposal for a programme of activity in 2025/26 was outlined in Table 1 at 5.4 of the report. It aimed to take a balanced approach, aspiring to deliver under each of the three UKSPF priorities, whilst at the same time allocating funding towards the authority's own strategic priorities, such as Tonbridge Town Centre regeneration and Carbon Descent plans and delivering considerable tangible benefits to communities.

A background to each of the proposed projects in the programme was provided in 5.5 of the report. It was also noted that there were limited financial and value for money implications for the Borough Council as the proposal related to external funding. However, the use of UKSPF

funding to support corporate priorities had a positive impact on Borough Council budgets.

Members attention was drawn to the Rural England Prosperity Fund which had helped to support rural communities and businesses. At the current time the Department for the Environment, Food and Rural Affairs (DEFRA) had not made any announcement on whether there would be another allocation of grant funding for 2025/26. However, it was proposed that if Rural England Prosperity Funding became available that it be used for further rounds of the West Kent Rural Grant Scheme.

Reference was made to the Riverside Walk Lighting Scheme plans and Members were advised that whilst s106 developer contributions would be used to fund the project, an allocation of UKSPF funding would strengthen the available funding. It was also indicated that alternative funding streams would be explored for projects once the UKSPF funding stopped.

Finally, it was indicated that due to high demand consideration was being given to purchasing a second thermal imaging camera for leasing to residents using the Climate Change reserve.

***RECOMMENDED:** That

- (1) the proposed UKSPF Programme for 2025/26, as set out in Table 1, be commended to Cabinet for approval;
- (2) Cabinet approve delegated authority be given to the Strategic Economic Regeneration Manager, in liaison with the Cabinet Member for Climate Change, Regeneration and Property, to make minor amendments to the programme that may be needed in the event of project underspend; and
- (3) the use of any additional Rural England Prosperity Fund for 2025/26 (to be confirmed) for further rounds of the West Kent Rural Grants scheme be commended to Cabinet for approval.

***Recommended to Cabinet**

MATTERS SUBMITTED FOR INFORMATION

FRP 25/6 WORK PROGRAMME 2025

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

MATTERS FOR CONSIDERATION IN PRIVATE

FRP 25/7 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 8.21 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

CABINET

MINUTES

Tuesday, 4th March, 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

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

(*participated via MS Teams)

PART 1 - PUBLIC

CB 25/27 DECLARATIONS OF INTEREST

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

CB 25/28 MINUTES

RESOLVED: That the Minutes of the meeting of the Cabinet held on 11 February 2025 be approved as a correct record and signed by the Chairman.

DECISIONS TAKEN IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION

EXECUTIVE KEY DECISIONS

CB 25/29 UK SHARED PROSPERITY FUND 2025/26

(Decision Notice: D250016CAB)

Consideration was given to proposals for the allocation of the UK Shared Prosperity Fund (UKSPF) for 2025/26 as detailed in Table 1 at 5.4 of the report.

The programme took a balanced approach, aimed to deliver under each of the three UKSPF priorities, allocated funding towards strategic priorities and delivered considerable tangible benefits to communities.

Particular reference was made to the Rural England Prosperity Fund which had helped to support rural communities and businesses. Whilst the Department for the Environment, Food and Rural Affairs (DEFRA)

had recently announced further funding for 2025/26, there was uncertainty around the amount to be received. It was proposed that when the Rural England Prosperity Funding became available it be used for further rounds of the West Kent Rural Grant Scheme.

Cabinet had due regard to the views of the Finance, Regeneration and Property Scrutiny Select Committee, the financial and value for money considerations and noted that there should be minimal delays in progressing the programme at the start of the financial year.

Cllr Coffin proposed, seconded by Cllr Betts and Cabinet

RESOLVED: That

- (1) the proposed UKSPF Programme for 2025/26, as set out in Table 1 be approved;
- (2) delegated authority be given to the Strategic Economic Regeneration Manager, in liaison with the Cabinet Member for Climate Change, Regeneration and Property, to make minor amendments to the programme that might be needed in the event of project underspend; and
- (3) the use of any additional Rural England Prosperity Fund for 2025/26 (allocation amount to be confirmed) for further rounds of the West Kent Rural Grants Scheme be approved.

CB 25/30 LOCAL DEVELOPMENT SCHEME

(Decision Notice:D250017CAB)

Consideration was given to the recommendations of the Housing and Planning Scrutiny Select of 12 February 2025 in respect of a revised Local Development Scheme (LDS) which had been updated to account for the delay of the Regulation 18 Local Plan consultation.

In accordance with the timeframe provided by Government following the publication of the revised National Planning Policy Framework, local authorities were required to update their LDS and submit the timetable by 6 March 2025.

Cabinet had due regard to the views of the Scrutiny Select Committee, the financial and value for money implications, gave careful consideration to the risks associated with the delivery of the Local Plan and welcomed the proposed timescales to undertake the second stage of Regulation 18 Local Plan consultation in October 2025.

In accordance with Overview and Scrutiny Procedure Rule and given the requirement to submit the LDS by 6 March 2025, the Chair of Overview and Scrutiny Committee and the Group Leaders had consented to the

‘suspension’ of the call-in procedure to prevent any delay seriously prejudicing the Council’s or the public’s interest. This collaborative approach was welcomed by Cabinet.

Cllr Taylor proposed, seconded by Cllr Boughton and Cabinet

RESOLVED: That the updated Local Development Scheme (February 2025) attached at Annex 1, be approved.

CB 25/31 LOCAL PLAN BUDGET PROPOSAL

(Decision Notice: D250018CAB)

Consideration was given to the recommendations of the Housing and Planning Scrutiny Select Committee of 12 February 2025 in respect of estimated costs for local plan production up to Local Plan adoption (end of 2027/28).

Cabinet had due regard to the views of the Scrutiny Select Committee, the financial and value for money considerations and supported progressing the green belt extension feasibility study at West Malling, the Green Gap study and an extended green belt extension feasibility study for an additional piece of land up to the railway line and Wateringbury Road, East Malling.

In addition, Cabinet supported not progressing a Borough wide Design Code requiring a budget of £260,000 within the current Local Plan budgetary period given that Design Code work was not programmed until post Local Plan submission and adoption, there was uncertainty as to what a design code would be required to entail and the uncertainty around devolution and local government reorganisation.

It was also noted that the identification of parking standards for the Borough was not due to progress until much later in the plan making process. However, it was recognised that this was an important area of work and would be progressed alongside any future design-code work once the Local Plan was further developed. As a result, it was noted that further financial provision, including that related to a future Borough-wide Design Code/Parking Standards, would need to be considered alongside other competing budget demands for the authority as part of the future budget setting process for the Borough Council and Medium-Term Financial Strategy.

Particular reference was made to the Borough Council’s successful bid to Government for funding to support green belt studies which had resulted in a £70,000 grant allocation. Further government funding to support Local Plan work would continue to be bid for.

Cllr Boughton proposed, seconded by Cllr Coffin and Cabinet

RESOLVED: That

- (1) the additional pressure on the Borough Council's overall budget as a result of the requirements to deliver a new Local Plan, in accordance with the revised National Planning Policy Framework, and a consequential shortfall in the Planning reserve from 2026/27, be noted:
- (2) the following evidence base studies be progressed:
 - a. Green Belt extension at West Malling (£30K)
 - b. Green Gap study (£15K)
- (3) the budget requirement of £260,000 to progress a Borough-wide Design Code not be progressed within the current Local Plan budgetary period; and
- (4) the additional budget requirements of the Local Plan as set out in Table 3, and in addition the budget requirements for a Green Gap Study (£15k) and a Green Belt Extension Study (£30k), as well as an additional budget to progress an additional piece of land in the Green Belt Extension Study up to the railway line and Wateringbury Road, East Malling at an additional estimated cost of approximately £50-£70k, be approved.

EXECUTIVE NON-KEY DECISIONS**CB 25/32 TEMPORARY ACCOMMODATION CHARGING POLICY**

(Decision Notice: D250019CAB)

Consideration was given to the new Policy (attached at Annex 1) setting out the principles to be used when charging rent for Temporary Accommodation.

The Policy would apply to all temporary accommodation provided by the Borough Council in connection to discharging a homelessness function or to prevent a person from becoming homeless. It also aimed to ensure that government legislation was adhered to when setting rents, that rents were fair and affordable and, where appropriate, set in line with regulatory or statutory guidance and that all information was set out in a clean and transparent way.

Cabinet had due regard to the financial and value for money considerations, legal implications and noted that the proposed Policy sought to partly offset the significant cost of temporary accommodation for the Borough Council by maximising the income from Housing Benefit subsidy, ensuring that the rental charge for each type of accommodation reflected the correct principles for the amount of subsidy that could be claimed in each case. It was also noted that the proposed Policy set out

a rental level with regard to Housing Benefit subsidy regulations, ensuring that subsidy could be correctly and lawfully claimed where appropriate.

Cllr Tanner proposed, Cllr Boughton seconded and Cabinet

RESOLVED: That the new Temporary Accommodation charging policy (attached at Annex 1) be approved with effect from 1 April 2025.

CB 25/33 ANTI-SOCIAL BEHAVIOUR ENFORCEMENT TEAM REVIEW

(Decision Notice: D250020CAB)

The report of the Director of Central Services and Cabinet Member for Community Services invited Cabinet to consider the outcome of the Anti-Social Behaviour (ASB) Enforcement team trial during April to September 2024 and whether the Team should be recommissioned for 2025.

Details of the 2024 operation, including incidents reported, were set out at 4.1 to 4.8 of the report.

Cabinet welcomed the positive impact of the ASB Enforcement Team which had resulted in a high-profile, visible and reassuring presence to residents, local businesses, interested parties and visitors to the Borough.

Members were also pleased that the work of the ASB Enforcement Team had been recognised and resulted in them being finalists in the iESE Public Sector Transformation Awards 2025 in the Working Together category.

Due regard was given to the financial and value for money implications with particular attention given to the estimated cost of £83,000 of recommissioning the Team for 2025 as detailed in 6.2 of the report. Responses from parish/town councils to an invitation to contribute to funding the initiative were noted, as detailed in 6.6 of the report. A minor amendment to the proposed period of operation during 2025 was noted and the end date would be 2 November 2025.

On the grounds of improving coverage across the Borough, Cllr Keers proposed that any operation during 2025 should be comprised of 4 officers. This was seconded by Cllr Boughton and supported by Cabinet.

RESOLVED: That

- (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.

MATTERS SUBMITTED FOR INFORMATION

CB 25/34 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 25/35 NOTICE OF FORTHCOMING KEY DECISIONS

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

CB 25/36 EXCLUSION OF PRESS AND PUBLIC

The Chair moved, it was seconded by Cllr Coffin and

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

PART 2 - PRIVATE**DECISIONS TAKEN IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION****EXECUTIVE KEY DECISIONS****CB 25/37 BUILT ENVIRONMENT AND PUBLIC PROTECTION SOFTWARE SYSTEM**

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

(Decision Notice: D250021CAB)

The report of the Director of Planning, Housing and Environmental Health, Director of Finance and Transformation and the Cabinet Member for Finance and Housing provided an update on the strategic and operational issues related to the implementation of the Agile software and set out proposals for addressing the further delays and growing concerns with the project.

After careful consideration of the detailed risk assessment and analysis of a number of options set out in the report, the financial and value for money considerations and the legal implications, Cabinet supported the proposals presented.

Cabinet and the Chief Executive recorded appreciation to the Business Change Project Manager and the Director of Planning, Housing and Environmental Health for their significant effort in addressing problems, supporting staff and managing the project. The significant contribution of all staff involved in the implementation project was also recognised and their views had been taken into consideration.

Finally, Cabinet welcomed the commissioning of a further independent review which would be delivered by the Borough Council's audit function at Kent County Council. This would engage with all project stakeholders, consider lessons learnt and key outcomes and provide a detailed report to the Overview and Scrutiny Committee.

Cllr Tanner proposed, Cllr Coffin seconded and Cabinet

RESOLVED: That

- (1) the detailed assessment of the financial, technical, operational and strategic issues associated with the implementation of an updated software system for the Built Environment and Public Protection teams be noted;

- (2) authority be delegated to the Director of Finance and Transformation, in consultation with the Cabinet Member for Finance and Housing, to manage the contractual changes agreed and as summarised in the report;
- (3) authority be delegated to the Director of Finance and Transformation, in consultation with the Cabinet Member for Finance and Housing and the Management Team, to manage the future delivery of a Built Environment and Public Protection software system to best deliver services to residents and customers as detailed in the report;
- (4) other contractual, procurement and funding matters be agreed as detailed in the report; and
- (5) it be noted that an independent review of the Agile project had been commissioned through the Kent County Council Internal Audit team and that the results of this review would be reported to the Overview and Scrutiny Committee with any recommendations being considered by Cabinet.

CB 25/38 LOCAL AUTHORITY HOUSING FUND

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

(Decision Notice D250022CAB)

Member approval was sought to sign an addendum to the Memorandum of Understanding with the MHCLG to accept additional funding under the Local Authority Housing Fund (LAHF) and to agree the approach to provision of the large resettlement property. In addition, it was recommended that to meet the LAHF requirement for a large resettlement property to be provided in 2024/25 one of the four bedroom properties owned by the Borough Council in Pembury Road be utilised.

In accordance with Overview and Scrutiny Procedure Rule and given the requirement to meet the deadlines set by Government, the Chair of Overview and Scrutiny Committee and the Group Leaders had consented to the 'suspension' of the call-in procedure to prevent any delay seriously prejudicing the Council's or the public's interest. This collaborative approach was welcomed by Cabinet.

Cabinet had due regard to the financial and value for money considerations, the legal implications and on the grounds of improving housing options for local people whilst protecting outdoor areas of importance and supporting delivery of temporary accommodation and reducing revenue expenditure on provision, Cllr Tanner proposed, Cllr Boughton seconded and Cabinet

RESOLVED: That

- (1) the acceptance of the additional Local Authority Housing Fund Round 3 funding be approved;
- (2) the signing of the addendum to the Memorandum of Understanding be delegated to the Director of Planning, Housing and Environmental Health, in consultation with the Director of Finance and Transformation; and
- (3) the transfer/change of use of one of the Pembury Road properties as a large resettlement property under the LAHF Scheme be approved.

EXECUTIVE NON-KEY DECISIONS**CB 25/39 TONBRIDGE TOWN CENTRE PROGRAMME BOARD - MINUTES OF 24 JANUARY 2025**

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

(Decision Notice: D250023CAB)

The report of the Director of Central Services and Cabinet Member for Climate Change, Regeneration and Property presented the recommendations of the Tonbridge Town Centre Programme Board of 24 January 2025 (attached at Annex 1).

Cabinet had due regard to the recommendations of the Programme Board, the financial and value for money considerations and the legal implications and recognised that in order to progress the Angel Centre project an appointment was needed so that the subsequent RIBA stages, including design and construction, could be delivered.

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

RESOLVED: That

- (1) the Tonbridge Town Centre Programme Board minutes of 24 January 2025 be noted; and
- (2) the UK Leisure Framework procurement route, with additional measures in place for supplier selection, be used in connection with the replacement Angel Centre as recommended by the Programme Board.

The meeting ended at 8.26 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL
COMMUNITIES AND ENVIRONMENT SCRUTINY SELECT COMMITTEE

MINUTES

Wednesday, 5th March, 2025

Present: Cllr S A Hudson (Chair), Cllr K S Tunstall (Vice-Chair),
Cllr R W Dalton, Cllr Mrs T Dean, Cllr F A Hoskins,
Cllr J R S Lark, Cllr A McDermott, Cllr M R Rhodes,
Cllr Mrs M Tatton and Cllr M A J Hood (substitute)

In attendance: Cllrs M A Coffin and M D Boughton* were also present pursuant to Council Procedure Rule No 15.21.

(*participated via MS Teams)

Apologies for absence were received from Councillor S Crisp, who participated via MS Teams in accordance with Council Procedure Rule No. 15.21, and Councillor Stacey Pilgrim.

PART 1 - PUBLIC

CE 25/10 NOTIFICATION OF SUBSTITUTE MEMBERS

Notification of substitute member was recorded as set out below:

- Cllr M Hood substituted for Cllr S Pilgrim

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.

CE 25/11 DECLARATIONS OF INTEREST

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

CE 25/12 MINUTES

RESOLVED: That the notes of the meeting of the Communities and Environment Scrutiny Select Committee held on 5 February 2025 be approved as a correct record and signed by the Chair.

MATTERS FOR RECOMMENDATION TO THE CABINET

CE 25/13 WASTE, RECYCLING AND STREET CLEANSING CONTRACT

Following approval of the strategic approach to the re-commissioning of the Borough Council's Waste Services Contract in partnership with Tunbridge Wells Borough Council by Cabinet on 11 February 2025, consideration was given to a set of detailed specifications in relation to the procurement of the joint contract.

As highlighted in the report, when proposing future service provision, consideration had been given to current and pending government legislation, specially related to Simpler Recycling, Extended Producer Responsibility and the Deposit Return Scheme.

During discussion, Members made particular reference to the proposed contract duration, suspension of one collection of garden waste during Christmas period, improvement of street cleansing methodology as part of the areas identified for 'dialogue', inclusion of discretionary contract options and vehicle financing options. The grounds behind the specific proposals were explained and understood, and supported by Members in principle while it was acknowledged that all final tender submissions would still be subject to further consideration by the Scrutiny Select Committee before being presented to Cabinet for approval.

Furthermore, it was noted that the introduction of a 'dialogue' mechanism was regarded vital for the tender process in establishing viability, impact on service provision and the potential scale of contract cost reductions.

Finally, the option to utilise Hydrotreated Vegetable Oil (HVO) in the Refuse Collection Vehicles (RCV) to achieve emission reductions was highly supported by Members, although the logistical challenge in respect of installation of or access to an HVO tank and the potential risk associated with the fluctuation in price were recognised. Members also noted that there would be opportunity within the proposed new contract to explore the introduction of electric vehicles when the majority of the fleet would be due for replacement in 2031, when the electric RCV market was anticipated to be more mature.

It was proposed by Cllr M Hood, seconded by Cllr F Hoskins that a joint working group of Officers and Members be established to consider contract variations following dialogue and negotiation ahead of the contractors' final bids on the grounds of the significance of the contract. This motion was defeated.

***RECOMMENDED:** That

- (1) the Competitive Flexible Procedure procurement route and timeline as outlined in Section 5.1 of the report, be agreed;
- (2) the proposed contract length of 12 years, as outlined in Section 5.2.1 of the 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 report;
- (4) the proposed Specification amendment, highlighted in Section 5.3 of the report, be agreed and reflected in the tender pack;
- (5) the proposed areas of dialogue, as highlighted in Section 5.4 of the report, be agreed;
- (6) the proposed contract options, as highlighted in Section 5.5 of the report, be agreed;
- (7) the approach to vehicle finance options, as highlighted in Section 5.6 of the 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 report, be agreed;
- (9) the proposed tender evaluation be progressed in accordance with Section 5.8 of the report; and
- (10) the proposed approach to decarbonisation, as highlighted in Section 12.7 of the report, be agreed.

***Recommended to Cabinet**

In accordance with Council Procedure Rule 8.6, Part 4 (Rules) of the Constitution, Councillor M Hood requested that it be recorded in the Minutes that he had voted against Recommendation (3) as set out above.

CE 25/14 GREEN AND BLUE INFRASTRUCTURE STRATEGY

Consideration was given to a draft Green and Blue Infrastructure Strategy, attached at Annex 1, which provided evidence for the Local Plan and a strategic framework for protecting, enhancing and connecting the borough's natural infrastructure and assets, as well as identifying

potential mechanisms for delivery through a range of council activities, in order to achieve benefits for communities and local places.

As highlighted, the Strategy supported delivery of the Borough Council's Corporate Strategy priorities and was important in supporting the Kent and Medway Nature Recovery Strategy. Beginning by setting out the context and a baseline assessment of existing assets in the borough and mapping the borough's Green and Blue Infrastructure network, the Strategy concluded with a set of recommendations/actions that covered four inter-connected areas of council activity: the Local Plan, Climate Change, Infrastructure, and Council-owned Land.

It was anticipated that the Green and Blue Infrastructure Strategy would help demonstrate how the Borough Council was meeting its Biodiversity Duty as required under the Environment Act 2021, alongside any subsequent Action Plan that would be developed to support implementation of the recommendations arising from the Strategy as outlined in Section 5 of the report.

Introduction of the Green and Blue Infrastructure Strategy was welcomed by Members, who recognised the significance for the Borough Council to adopt such an important strategy in order to meet the legislative requirements in respect of fulfilling its Biodiversity Duty as well as the vital role of such a strategy in conserving and enhancing existing green and blue infrastructure assets, improving natural and urban environment's resilience to climate change, reducing carbon emissions, managing flood risks and ensuring communities had access to green spaces and nature to promote health and wellbeing opportunities.

As suggested by Members, consideration would be given to including performance data relating to the Strategy as part of a future Action Plan for monitoring, which would be reported to the Scrutiny Select Committee in due course.

Meanwhile, a clarification was made to explain the difference between the 'Local Green Space' as defined in the National Planning Policy Framework within the Local Plan context and the 'greenspaces' as referenced in the Green and Blue Infrastructure Strategy and it was supported that the definition be clarified in the Strategy. In addition, Officers also committed to investigate a number of discrepancies identified in some maps within the draft Strategy.

Furthermore, Members noted that while 12 large Council owned sites had been identified in the Strategy to be prioritised for intervention work, based on the multiple opportunity they presented to deliver multifunctional benefits, this would not preclude projects taking place at other sites where management opportunities were identified. Finally, Members were encouraged to refer to the Local Nature Recovery Strategy which was out for consultation at present for further context.

***RECOMMENDED:** That the Green and Blue Infrastructure Strategy, as set out in Annex 1, be endorsed by Cabinet for publication.

***Recommended to Cabinet**

MATTERS SUBMITTED FOR INFORMATION

CE 25/15 WORK PROGRAMME 2025-26

The Work Programme setting out matters 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.

MATTERS FOR CONSIDERATION IN PRIVATE

CE 25/16 EXCLUSION OF PRESS AND PUBLIC

There were no matters considered in private.

The meeting ended at 8.25 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

GENERAL PURPOSES COMMITTEE

MINUTES

Wednesday, 12th March, 2025

Present: Cllr M R Rhodes (Chair), Cllr A McDermott (Vice-Chair), Cllr A G Bennison, Cllr J Clokey, Cllr D A S Davis, Cllr B A Parry, Cllr R V Roud, Cllr K B Tanner, Cllr R P Betts, Cllr M A J Hood and Cllr Mrs M Tatton (substitute).

Cllrs M D Boughton, P M Hickmott and W E Palmer* were also present pursuant to Council Procedure Rule No 15.21.

(*participated via MS Teams)

Apologies for absence were received from Councillors B Banks, K Barton and M A Coffin.

PART 1 - PUBLIC

GP 25/9 NOTIFICATION OF SUBSTITUTE MEMBERS

Notification of substitute members were recorded as set out below:

- Cllr R Betts substitute for Cllr M Coffin
- Cllr M Tatton substitute for Cllr Banks

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 25/10 DECLARATIONS OF INTEREST

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

GP 25/11 MINUTES

RESOLVED: That the Minutes of the meeting of the General Purposes Committee held on 22 January 2025 be approved as a correct record and signed by the Chairman.

MATTERS FOR DECISION UNDER DELEGATED POWERS

GP 25/12 NEW WORKFORCE DEVELOPMENT STRATEGY 2025/2028

The report of the Director of Central Services and Deputy Chief Executive introduced the new Workforce Development Strategy 2025-

2028 which set out how the Council would support, develop and manage its workforce to ensure the successful delivery of its strategic priorities.

The Workforce Strategy was updated last in June 2022, and a significant number of new workforce initiatives had occurred since, leading to a requirement to comprehensively overview the Strategy. The adoption of a new well-defined Workforce Development Strategy was crucial in creating a motivated, skilled and engaged workforce that could meet the challenges of the future and the Strategy reflected the Council's commitment to investing in its employees, ensuring that they were equipped to meet current and future challenges, including Local Devolution and the evolving demands on services.

RESOLVED: That

- (1) the new draft Workforce Development Strategy 2025-28, at Annex 1, be approved for consultation; and
- (2) in the event that no substantive changes were proposed to the Strategy following consultation with staff, that authority be delegated to the Director of Central Service and Deputy Chief Executive to approve a final version of the Strategy and, if substantive changes were proposed, that the Strategy be brought back to the Committee for further consideration and final approval.

MATTERS SUBMITTED FOR INFORMATION

GP 25/13 GENDER PAY GAP REPORT 2023/24

The report of the Director of Central Services and Deputy Chief Executive summarised the legislative context of gender pay gap reporting and incorporated the outcomes of the Borough Council's gender pay gap analysis for 2023-24.

Overall, during the most recent twelve month period the mean and median gender pay gap increased by 3.31% and 6.62% respectively compared to the previous year. It was noted that the Council's gender pay gap increase was partly due to an increase in the overall number of females joining the organisation during the reporting period, with more females than male staff joining in roles in both the lower quartile and lower middle quartile. It was noted that the percentage of female employees in both the upper quartile and upper middle quartile had increased compared to the previous year.

MATTERS FOR CONSIDERATION IN PRIVATE

GP 25/14 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

GP 25/15 ESTABLISHMENT REPORT

(Reasons: LGA 1972 – Sch 12A Paragraph 2 – Information which is likely to reveal the identity of 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) a new Temporary Accommodation Welfare Officer (22.2 hours) post on scale 5/6, be permanently established; and
- (2) the Planning Enforcement Manager (DJ0182) post be regraded from M8 to M7, with immediate effect.

The meeting ended at 8.23 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

AREA 3 PLANNING COMMITTEE

MINUTES

Thursday, 13th March, 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, Cllr
A McDermott and Cllr C J Williams

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

Virtual: Councillors R V Roud* and Mrs M Tatton* participated via MS
Teams in accordance with Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors T Bishop,
S M Hammond and Mrs A S Oakley.

PART 1 - PUBLIC

AP3 25/1 DECLARATIONS OF INTEREST

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

AP3 25/2 MINUTES

RESOLVED: That the Minutes of the meeting of the Area 3 Planning
Committee held on 8 June 2023 be approved as a correct record and
signed by the Chairman.

AP3 25/3 GLOSSARY AND SUPPLEMENTARY MATTERS

Decisions were taken on the following applications subject to the pre-
requisites, informatives, conditions or reasons for refusal set out in the
report of the Director of Planning, Housing and Environmental Health or
in the variations indicated below. Any supplementary reports were
tabled at the meeting.

Members of the public addressed the meeting where the required notice
had been given and their comments were taken into account by the
Committee when determining the application. Speakers are listed under
the relevant planning application shown below.

**DECISIONS TAKEN UNDER DELEGATED POWERS IN
ACCORDANCE WITH PART 3 OF THE CONSTITUTION
(RESPONSIBILITY FOR COUNCIL FUNCTIONS)**

**AP3 25/4 TM/24/00769/PA - LAND & BUILDING EAST OF ROSE COTTAGE,
440 LUNSFORD LANE, LARKFIELD, AYLESFORD**

Demolition of existing workshop and office space and replacement with new mixed use office and workshop space (Class E) and detached garage to rear.

After careful consideration of 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 expressed significant concerns in respect of the potential impact of the proposed mixed use property on the settings of the nearby listed buildings and the neighbouring residential area and potential implications relating to highway safety, including parking provision and vehicle turning facilities.

It was proposed by Cllr P Hickmott, seconded by Cllr S Bell, that a Members' Site inspection be undertaken, on the grounds that:

- (1) particular site factors were so significant in terms of weight attached to them, relative to other factors, and that a site inspection would be the only way to assess those factors;
- (2) it was essential in order to reach a view on an application that the specific and particular characteristics of the site needed to be viewed on the ground in order to assess the broader material impact of the proposal; and
- (3) the proposal raised specific matters in respect of site characteristics, the importance of which could only be established by means of a site inspection.

This motion was supported by the Committee unanimously. Members further requested that an officer from Kent County Council Highways be invited to attend the Members' Site Inspection.

RESOLVED: That the application be DEFERRED for a Members' Site Inspection in accordance with Paragraphs E6.3 (a), (b) and (c) of the Borough Council's Constitution, Protocol E – Members' Planning Code of Good Practice.

[Speakers: Ms M Douglas, Mrs D Hart, Mr C Twyman, Mr C Green, Ms L Wheeldon, Mr C Twyman (on behalf of Ms E Hills), Mrs D Hart (on behalf of Mr D Carslaw), Ms F Ray, Mrs D Hart (on behalf of Mr J Humphries), Mrs D Eden-Green, Mrs D Hart (on behalf of Mr G Hart), Ms M Douglas (on behalf of Ms J Newman), Mr J Eden-Green, Mr J

Eden-Green (on behalf of Ms T Allingham) and Mrs D Eden-Green (on behalf of Ms E Lewis) (members of the public) and Mr P Hadley (Agent on behalf of the Applicant) addressed the Committee in person.]

AP3 25/5 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.

Particular reference was made to Planning Application Ref 22/00698/FL (1 Heron Place Wouldham ME1 3FG) in relation to implementation of the new Parking Standards adopted by Kent County Council as part of the Kent Design Guide. More information about the new Parking Standards would be reported to the Housing and Planning Scrutiny Select Committee on 18 March 2025.

AP3 25/6 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 9.02 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

HOUSING AND PLANNING SCRUTINY SELECT COMMITTEE

MINUTES

Tuesday, 18th March, 2025

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

Cllrs A G Bennison, M A Coffin, S Crisp, M R Rhodes, Mrs M Tatton and M Taylor* were also present pursuant to Council Procedure Rule No 15.21.

(*participated via MS Teams)

An apology for absence was received from Councillor S M Hammond.

HP 25/10 NOTIFICATION OF SUBSTITUTE MEMBERS

Notification of substitute Members were recorded as set out below:

- Cllr S Hudson substitute for Cllr S Hammond

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 25/11 DECLARATIONS OF INTEREST

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

HP 25/12 MINUTES

RESOLVED: That the notes of the meeting of the Housing and Planning Scrutiny Select Committee held on 12 February 2025 be approved as a correct record and signed by the Chair.

MATTERS SUBMITTED FOR INFORMATION

HP 25/13 EXPLORING THE REMIT OF PLANNING AND BUILDING CONTROL DEPARTMENTS

The report of the Director of Planning, Housing and Environmental Health and the Cabinet Member for Planning provided an overview of the Planning and Building Control Services; detailed who was

responsible for providing the planning and building control functions and explored who was responsible for drainage matters.

In summary, planning was about what wanted to be built and where, whilst building control was about how it was built to ensure it met safety and quality standards.

Detailed information in respect of drainage matters was set out in section 4.16 – 4.30 of the report. Members were advised that the condition, capacity and suitability of the public sewer network was the responsibility of the sewerage undertaker and not the Local Planning or Building Control Authorities; and that a Section 106 under the planning regime differed from a Section 106 under the Water Industry Act.

Under Section 94 of the Water Industry Act 1991 all water and sewerage companies had a legal obligation to provide, improve, extend and make provision for effectually dealing, by means of sewage disposal works or otherwise, with the contents of the public sewerage system. This, together with Section 106 (1) of the Act meant that the Water and Sewerage Companies could not object to planning permission for development on the grounds that no improvement works were planned for a particular area. This also meant that the Borough Council could not refuse to grant planning permission for development on the grounds that no improvement works were planned for a particular area.

At the request of the Chair, information on sustainable drainage systems (SuDs) and surface water was set out in a supplementary report and circulated in advance of the meeting.

There was in-depth discussion on a number of issues including concerns about the impact of new development on the water and sewerage systems, concerns about conservation and protection of older and listed buildings, concerns around insufficient capacity and the disposal of surface water. Members were reminded that the Local Planning Authority/Borough Council could use powers under the Listed Building and Conservation Act 1990 or Compulsory Purchase Orders when considered appropriate or necessary.

Finally, Members were provided with an update on the ongoing recruitment process within planning enforcement and it was hoped that a number of vacancies would be filled in the near future.

HP 25/14 KENT VEHICLE PARKING STANDARDS

The report of the Director of Planning, Housing and Environmental Health and the Cabinet Member for Planning advised that the previous Kent County Council (KCC) Vehicle Parking Standards adopted by Tonbridge and Malling Borough Council for decision making purposes had been replaced.

These new standards were to be used as guidance and in recommendations on planning application consultation responses by KCC as local highway authority. The new policy documents had been developed based on surveys, data, best practice and Government policy changes and provided a clear approach as to how KCC expected parking matters to be addressed by those applying for planning permission.

It was noted that the new Vehicle Parking Standards replaced the Kent and Medway Structure Plan: Supplementary Planning Guidance 4 (2006) in respect of non-residential developments and the Kent Design Guide: Interim Guidance Note 3(IGN3) (2008) in respect of residential developments.

Members welcomed the adoption of the new parking standards and felt these were a significant improvement on IGN3. In addition, Members were pleased to see that the parking provision for 1, 2 and 3 bed houses had increased to 2 spaces per unit and in suburban and rural locations garages would not count as formal car parking spaces. Car ports and car barns would count towards the parking requirement in full where they were of a good design and met the minimum standard.

If the new KCC Vehicle Parking Standards proved unsuitable, and as previously recommended to Cabinet in December 2022, the Council could either include a high-level parking standards policy within the emerging Local Plan or include the design and layout of parking (including standards) within a comprehensive design guide/code modelled on the National Model Design Code, which could also cover other matters on place making/shaping. This work could be progressed once a Local Plan was adopted.

HP 25/15 WORK PROGRAMME - MAY 2025

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

(1) Review of Planning Service capacity and pressures

The Planning Advisory Service (PAS) were undertaking a review of planning services in the summer, in accordance with the commitment set out in the Annual Service Delivery Plan 2025/26. Once this had been completed a detailed report would be presented to the Housing and Planning Scrutiny Select Committee later in the year. In the meantime, Officers committed to providing a factual update of the current staffing position in a briefing note that would be circulated to All Members.

(2) Conservation

As a result of Tunbridge Wells Borough Council no longer having the capacity to support Tonbridge and Malling Borough Council on conservation matters, options were being explored with Sevenoaks District Council. As an interim measure, it had been agreed that Sevenoaks would provide 7 hours of conservation advice per week on a cost recovery basis.

Members expressed concern at the lack of a dedicated conservation position within Tonbridge and Malling and asked that all options be considered when reviewing future arrangements and as a result of the Planning Advisory Service review. A detailed report would be presented to the Housing and Planning Scrutiny Select Committee later in the year once the options had been identified.

The Cabinet Member for Planning referred to Conversation Area Appraisals and indicated that these would be listed, triaged for action and presented to Cllrs in due course.

(3) Enforcement Matters – Habitat and Tree Protection

Finally, the Chair sought clarification on the requested 'enforcement matters in respect of habitat and tree protection' shown on the Work Programme. Details of the request would be shared out of meeting with relevant Officers, Chair and Vice-Chair as soon as possible to enable a report to be prepared for the next meeting.

MATTERS FOR CONSIDERATION IN PRIVATE

HP 25/16 EXCLUSION OF PRESS AND PUBLIC

There were no matters considered in private.

The meeting ended at 9.00 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

CABINET

MINUTES

Wednesday, 19th March, 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 L Athwal, S Crisp, M A J Hood, Mrs A S Oakley and M R Rhodes were also present pursuant to Access to Information Rule No 23 and participated via MS Teams.

PART 1 - PUBLIC

CB 25/40 DECLARATIONS OF INTEREST

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

DECISIONS TAKEN IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION

EXECUTIVE NON-KEY DECISIONS

CB 25/41 THE GOVERNMENT'S LOCAL GOVERNMENT REORGANISATION PROGRAMME

(Decision Notice: D250027CAB)

The report of the Chief Executive sought approval of the Cabinet for the initial submission by the Borough Council in respect of a proposal for new Unitary Councils across Kent and Medway, as part of the Government's Local Government Reorganisation Programme.

As set out in a letter from the Minister of State for Local Government and English Devolution, attached at Annex 1, interim proposals for new Unitary Councils across Kent and Medway were invited to be submitted by 21 March 2025 with full proposals to follow by 28 November 2025.

A draft county-wide response had since been prepared with the input of all Council Leaders, which made it clear that there was consensus amongst Kent Council Leaders that there should be either three or four Unitary Councils within the geographic area currently covered by Kent County Council and Medway Unitary Council and the 12 Borough and District Councils contained therein. It was noted that the interim submission attached at Annex 2a to the report had received agreement

of all the Councils across Kent and Medway with Annex 2b having been agreed by many of those Councils too.

Members noted that following the interim submission, work would commence on a more detailed and systematic evaluation of potential unitary geographies ahead of the submission deadline for full proposals by 28 November 2025, with support to be procured via external partners to ensure that the evaluation of options was robust and the submission was independently evaluated.

Cabinet had due regard to the financial and value for money considerations, risk assessment and legal implications and noted that a budget needed to be agreed to commence the preliminary financial and technical work in order to prepare the evidence base. Other risks associated with financial resilience of the new Unitary Councils, challenge faced by the Government in delivering the programme within the ambitious timetable, uncertainty presented to staff, partners and contractors by these changes, and potential consequences for recruitment and retention during the transition were also noted by Members.

Finally, Members expressed their appreciation to the Chief Executive and the Deputy Chief Executive for the great efforts they made in progressing the Interim Plan in collaboration with colleagues across the Councils in Kent and Medway and in keeping all Members informed and engaged throughout the process. Efforts would continue to be focused on reaching a new structure aiming to secure delivery of high-quality services at the best value for money for residents across the borough.

Cllr Matt Boughton proposed, Cllr Martin Coffin seconded and the Cabinet

RESOLVED: That

- (1) the invitation from the Minister of State for Local Government and English Devolution to work with other councils in Kent to submit initial proposals for local government reorganisation by 21 March 2025 and final proposals by 28 November 2025, as set out in Annex 1, be noted;
- (2) the draft interim submission prepared in response to the Government's invitation, as set out in Annex 2a and Annex 2b, be agreed;
- (3) any final drafting changes that might be needed ahead of the submission deadline, be delegated to the Leader of the Borough Council;
- (4) an initial budget of up to £10,000 funded from the Transformation Reserve to help fund the preliminary financial and technical data

analysis and evidence base that had been necessary to inform this work, be agreed; and

- (5) the receipt of a further report to establish a budget to meet the costs associated with the transition to a new Unitary Council once this was known, including the cost of the work that would be required to meet the Government's 28 November 2025 deadline, be agreed.

CB 25/42 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 7.44 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

LICENSING AND APPEALS COMMITTEE

MINUTES

Tuesday, 25th March, 2025

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

Apologies for absence were received from Councillors B Banks and A Cope.

PART 1 - PUBLIC

LA 25/1 DECLARATIONS OF INTEREST

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

LA 25/2 MINUTES

RESOLVED: That the Minutes of the meeting of the Licensing and Appeals Committee held on 27 November 2024 be approved as a correct record and signed by the Chairman.

LA 25/3 MINUTES OF PANEL

RESOLVED: That the Minutes of the meetings of the Licensing and Appeals Committee sitting as a Panel held on 26 February 2025 and 28 February 2025 be received and noted.

MATTERS FOR DECISION UNDER DELEGATED POWERS

LA 25/4 STATEMENT OF LICENSING POLICY 2025 - 2030 CONSULTATION

The report of the Director of Central Services and Deputy Chief Executive gave details of the process for the five yearly review of the Council's Statement of Licensing Policy and presented a draft Statement for the period 2025-2030 for public consultation.

RESOLVED: That the draft Statement of Licensing Policy 2025-2030 set out at Annex 1 to the report, be approved for public consultation.

LA 25/5 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 7.36 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

AREA 1 PLANNING COMMITTEE

MINUTES

Thursday, 27th March, 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 B A Parry, Cllr Stacey Pilgrim, Cllr M R Rhodes and Cllr K S Tunstall

An apology for absence was received from Councillor R W G Oliver.

PART 1 - PUBLIC

AP1 25/7 DECLARATIONS OF INTEREST

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

AP1 25/8 MINUTES

RESOLVED: That the Minutes of the meeting of the Area 1 Planning Committee held on 9 January 2025 be approved as a correct record and signed by the Chairman.

AP1 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.

DECISIONS TAKEN UNDER DELEGATED POWERS IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION (RESPONSIBILITY FOR COUNCIL FUNCTIONS)

AP1 25/10 24/00029/TP - RUSSETTINGS AND LYTTLEWOOD RIDING LANE, HILDENBOROUGH, TONBRIDGE

To seek authority for confirmation of Tree Preservation Order, without modification.

After careful consideration of the points raised by the speaker and the submitted details and reasons set out in the report of the Director of Planning, Housing and Environmental Health, Members acknowledged the long-term protection the specified woodland under the Tree Preservation Order would benefit from and noted that procedural measures were in place to address the concerns raised in respect of regular maintenance works and emergency situations, with particular reference made to the advantage of agreeing a Woodland Management Plan.

RESOLVED: That

- (1) the Council, under Regulation 7 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012 confirm the Tonbridge and Malling Borough Council Russettings, Riding Lane, Hildenborough, Tree Preservation Order 2024 without modification; and
- (2) persons interested in the land affected by the Order be notified of the decision in accordance with Regulation 8.

[Speaker: Mr P Ashby (member of the public) addressed the Committee in person.]

MATTERS FOR INFORMATION

AP1 25/11 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 25/12 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 8.17 pm

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION

Decision Taken By: Cabinet Member for Community Services	Decision No: D250006MEM
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Date: 05 February 2025

Decision(s) and Reason(s)

Haysden Country Park Management Plan - Consultation Draft

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

The report presented a draft Management Plan for Haysden Country Park for the next five-year period and gave details of a proposed public consultation process.

A number of points were raised and noted by Officers in respect of signage, cycle routes, chemical usage and cultural controls and further detail would be provided outside of the meeting.

Finally, it was noted that whilst the Haysden Country Park Users Panel no longer had physical meetings the members received regular updates and information via newsletters which was their preferred method of communication.

Following consideration by the Communities and Environment Scrutiny Select Committee, the Cabinet Member for Community Services

RESOLVED: That

- (1) the draft Haysden Country Park Management Plan 2025-29, (attached at Annex 1) be circulated for public consultation as outlined in the report; and
- (2) following public consultation, the final Plan be brought forward to a future meeting of the Scrutiny Select Committee for consideration.

Reasons: As set out in the report submitted to the Communities and Environment Scrutiny Select Committee of 5 February 2025.

Signed Cabinet Member for Community Services:	<i>D Keers</i>
Signed Leader:	<i>M Boughton</i>

Signed Chief Executive:	D Roberts
Date of publication:	7 February 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: D250007MEM
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Date: 10 February 2025

Decision(s) and Reason(s)
Application for Reduction of Council Tax Liability
<p>(Reason: LGA 1972 Sch 12A Paragraph 3 Information relating to the financial or business affairs of any particular person (including the authority holding that information))</p> <p>Following consideration of a taxpayer request to reduce a council tax debt, the Cabinet Member for Finance and Housing RESOLVED that:</p> <p>(1) in accordance with discretionary powers under Section 13A(1)(c) Local Government Finance Act 1992, council tax liability be reduced by £3,955.07.</p>
<p>Reasons for decision:</p> <p>The taxpayer approached Citizen Advice Bureau for help with his financial matters following the death of his wife. The taxpayer's finances are sufficient to pay ongoing debts but there is no capacity to pay off these substantial arrears as the taxpayer is only in receipt of a pension and also has a sizeable debt with Clarion Housing (£10,000).</p> <p>It was considered, therefore, that the taxpayer did not have the ability to pay the arrears of £3,955.07 and that the debt should be written off in accordance with discretionary powers.</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:	13 February 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: D250008MEM
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Date: 10 February 2025

Decision(s) and Reason(s)
Application for Reduction of Council Tax Liability
<p>(Reason: LGA 1972 Sch 12A Paragraph 3 Information relating to the financial or business affairs of any particular person (including the authority holding that information))</p> <p>Following consideration of an application for discretionary relief, the Cabinet Member for Finance and Housing RESOLVED that:</p> <p>(1) in accordance with discretionary powers under Section 13A(1)(c) Local Government Finance Act 1992, the application to reduce council tax liability be REFUSED.</p>
<p>Reasons for decision:</p> <p>Consideration had been given to the taxpayer's circumstances - however, it was felt that they did not warrant a reduction in their council tax liability totalling £2,380.02.</p> <p>The Council received a request via the Citizen Advice Bureau to consider reducing the taxpayer's debt. The taxpayer has advised they received a lump sum payment from their pension; however, they have refused to provide evidence of their savings account to the CAB.</p> <p>It was felt a reduction in liability was not warranted due to the taxpayer's failure to disclose all information relating to their finances.</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:	13 February 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: D250009MEM
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Date: 10 February 2025

Decision(s) and Reason(s)
Application for Reduction of Council Tax Liability
<p>(Reason: LGA 1972 Sch 12A Paragraph 3 Information relating to the financial or business affairs of any particular person (including the authority holding that information))</p> <p>Following consideration of an application for discretionary relief, the Cabinet Member for Finance and Housing RESOLVED that:</p> <p>(1) in accordance with discretionary powers under Section 13A(1)(c) Local Government Finance Act 1992, the application to reduce council tax liability be REFUSED.</p>
<p>Reasons for decision:</p> <p>Consideration had been given to the taxpayer's circumstances - however, it was felt that they did not warrant a reduction in their council tax liability totalling £9,545.71.</p> <p>The Council received notification in 2023 via the NFI checking service that the taxpayer was working. The taxpayer had failed to disclose these earnings, which resulted in a council tax reduction overpayment of £5,340.83. The taxpayer has been unable to clear this overpayment along with ongoing debts and previous year arrears.</p> <p>The taxpayer is not entitled to any other reductions due to their earnings.</p> <p>It was felt a reduction in liability was not warranted due to the taxpayer's failure to comply with the council tax reduction rules that clearly state changes of circumstances need to be reported within 14 days.</p>

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

Signed Chief Executive:	D Roberts
Date of publication:	13 February 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: D250010CAB

Decision Type: Non Key

Date: 11 February 2025

Decision(s) and Reason(s)

Annual Service Delivery Plan 2025/26

Consideration was given to the draft Annual Service Delivery Plan, a performance management tool that set out the priority actions for the year, along with key milestones and targets that could be used to monitor whether the council was on track with delivery. The Plan also provided the opportunity to realign the Key Performance Indicators, strengthened accountability and aligned priorities with budget setting.

The draft Plan had been discussed and welcomed by the Overview and Scrutiny Committee at their meeting on 23 January 2025. Cabinet had due regard to the suggested amendments put forward by the Committee, as set out at paragraph 6.2 of the report.

RESOLVED: That

- (1) the report be noted;
- (2) the draft Annual Service Delivery Plan (attached at Annex 1), be approved;
- (3) any remaining drafting changes be delegated to the Chief Executive in discussion with the Leader of the Council; and
- (4) the proposed process for reporting updates on the Annual Service Delivery Plan, set out in paragraphs 7.1 to 7.3, be approved.

Reasons: As set out in the report submitted to Cabinet on 11 February 2025.

Signed Leader:

M Boughton

Signed Chief Executive:

D Roberts

Date of publication:

13 February 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: D250011CAB
Decision Type: Non Key
Date: 11 February 2025

Decision(s) and Reason(s)

MHCLG Consultation: Local Authority Funding Reform - Objectives and Principles

Careful consideration was given to the proposed responses to the Ministry for Housing, Communities and Local Government consultation paper 'Local Authority Funding Reform: Objectives and Principle' which sought views on the approach to local authority funding reform through the local government finance settlement from 2026/27. The consultation also covered both Business Rate Retention, the cessation of New Homes Bonus and Sales, Fees and Charges reform.

Cabinet had due regard to the financial and value for money considerations and legal implications and recognised that the Council had not fared favourably on previous assessments of need and following the consultation in 2018, had anticipated a reduction in government funding within its Medium Term Financial Strategy.

RESOLVED: That the draft response to the Local Authority Funding Reform: Objectives and Principles' consultation, be endorsed and that the response be submitted by the deadline of 12 February 2025.

Reasons: As set out in the report to Cabinet on 11 February 2025.

Signed Leader:

M Boughton

Signed Chief Executive:

D Roberts

Date of publication:

13 February 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: D250012CAB
Decision Type: Non Key
Date: 11 February 2025

Decision(s) and Reason(s)

Waste Services Contract - Strategic Approach to Service Provision

Consideration was given to recommendation CE 25/4 of the Communities and Environment Scrutiny Select Committee of 5 February 2025 in respect of the future delivery of the Councils Waste Service Contract.

Cabinet had due regard to the views of the Scrutiny Select Committee, the commissioning options report, the partnership agreement with Tunbridge Wells Borough Council, the financial and value for money considerations and legal implications.

RESOLVED: That

- (1) the Borough Council remain in partnership with Tunbridge Wells Borough Council for the delivery of the provision of the household waste and recycling collection and street cleansing service;
- (2) the contracting out model remains the Borough Council's preferred commissioning model for the delivery of the provision of the household waste and recycling collection and street cleansing services; and
- (3) a further report be presented to the Communities and Environment Scrutiny and Select Committee to allow for the consideration of key service specification issues and the proposed procurement process for the delivery of the provision of the household waste and recycling collection and street cleansing services.

Reasons: As set out in the report submitted to Communities and Environment Scrutiny Select Committee of 5 February 2025.

Signed Leader:

M Boughton

Signed Chief Executive:

D Roberts

Date of publication:

13 February 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: D250013CAB
Decision Type: Non Key
Date: 11 February 2025

Decision(s) and Reason(s)

Corporate Complaints Policy Review

Consideration was given to recommendation CE 25/7 of the Communities and Environment Scrutiny Select Committee of 5 February 2025.

RESOLVED: That

- (1) the new Corporate Complaints Policy (attached at Annex 3), be adopted; and
- (2) the new Corporate Complaints Policy be implemented from June 2025.

Reasons: As set out in the report submitted to Communities and Environment Scrutiny Select Committee of 5 February 2025.

Signed Leader: M Boughton

Signed Chief Executive: D Roberts

Date of publication: 13 February 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 Climate Change, Regeneration and Property	Decision Number: D250014MEM
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Date: 17 February 2025

Decision(s) and Reason(s)
New Lease Arrangements at 47 High Street, Tonbridge
(Private: Reasons LGA 1972 Sch 12A Paragraph 3 - Financial or business affairs of any particular person) Following consideration of the options, the Cabinet Member for Climate Change, Regeneration and Property RESOLVED that: (1) a new lease be granted to New co trading as a Franchise of Cake Box Limited for the ground floor retail space at 47 High Street, Tonbridge.
Reasons for decision: The new lease arrangements will ensure continuity of income for the Council at an increased level. We are not aware of any details of any conflict of interest declared by any executive member consulted in relation to the decision.

Signed Cabinet Member for Climate Change, Regeneration and Property	R Betts
Signed Leader:	M Boughton
Signed Chief Executive:	D Roberts
Date of publication:	17 February 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 Transformation and Infrastructure	Decision No: D250015MEM
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Date: 03 March 2025

Decision(s) and Reason(s)

Parking Update Report

(Report of Cabinet Member for Transformation and Infrastructure)

Members were provided an update on the progress of the current Phase (Phase 15), the larger area Parking Reviews and Phase 14 of the Parking Action Plan.

Concern was raised regarding the restrictions installed at Common Road, Blue Bell Hill, in particular the negative impact of the restrictions on the village, residents and local businesses.

Following consideration by the Joint Transportation Board, the Cabinet Member for Transformation and Infrastructure **RESOLVED** that:

- (1) the request to review the restrictions installed at Common Road, Blue Bell Hill be considered following a request from Local Members; and
- (2) the current progress and approach to the Parking Team's work programme, be noted.

Reasons: As set out in the report submitted to the Joint Transportation Board of 3 March 2025.

Signed Cabinet Member for Transformation and Infrastructure:	<i>M Coffin</i>
Signed Leader:	<i>M Boughton</i>
Signed Chief Executive:	<i>D Roberts</i>
Date of publication:	6 March 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: D250016CAB

Decision Type: Key

Date: 04 March 2025

Decision(s) and Reason(s)

UK Shared Prosperity Fund 2025/26

Consideration was given to proposals for the allocation of the UK Shared Prosperity Fund (UKSPF) for 2025/26 as detailed in Table 1 at 5.4 of the report.

The programme took a balanced approach, aimed to deliver under each of the three UKSPF priorities, allocated funding towards strategic priorities and delivered considerable tangible benefits to communities.

Particular reference was made to the Rural England Prosperity Fund which had helped to support rural communities and businesses. Whilst the Department for the Environment, Food and Rural Affairs (DEFRA) had recently announced further funding for 2025/26, there was uncertainty around the amount to be received. It was proposed that when the Rural England Prosperity Funding became available it be used for further rounds of the West Kent Rural Grant Scheme.

Cabinet had due regard to the views of the Finance, Regeneration and Property Scrutiny Select Committee, the financial and value for money considerations and noted that there should be minimal delays in progressing the programme at the start of the financial year.

Cllr Coffin proposed, seconded by Cllr Betts and Cabinet

RESOLVED: That

- (1) the proposed UKSPF Programme for 2025/26, as set out in Table 1 be approved;
- (2) delegated authority be given to the Strategic Economic Regeneration Manager, in liaison with the Cabinet Member for Climate Change, Regeneration and Property, to make minor amendments to the programme that might be needed in the event of project underspend; and
- (3) the use of any additional Rural England Prosperity Fund for 2025/26 (allocation amount to be confirmed) for further rounds of the West Kent Rural Grants Scheme be approved.

Reasons: As set out in the report submitted to Cabinet on 4 March 2025.

Signed Leader: M Boughton

Signed Chief Executive: D Roberts

Date of publication: 6 March 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: D250017CAB
Decision Type: Key
Date: 04 March 2025

Decision(s) and Reason(s)

Local Development Scheme

Consideration was given to the recommendations of the Housing and Planning Scrutiny Select of 12 February 2025 in respect of a revised Local Development Scheme (LDS) which had been updated to account for the delay of the Regulation 18 Local Plan consultation.

In accordance with the timeframe provided by Government following the publication of the revised National Planning Policy Framework, local authorities were required to update their LDS and submit the timetable by 6 March 2025.

Cabinet had due regard to the views of the Scrutiny Select Committee, the financial and value for money implications, gave careful consideration to the risks associated with the delivery of the Local Plan and welcomed the proposed timescales to undertake the second stage of Regulation 19 Local Plan consultation in October 2025.

Cllr Taylor proposed, seconded by Cllr Boughton and Cabinet

RESOLVED: That

- (1) the updated Local Development Scheme (February 2025) attached at Annex 1, be approved.

Reasons: As set out in the report submitted to Cabinet of 4 March 2025.

Signed Leader: M Boughton

Signed Chief Executive: D Roberts

Date of publication: 6 March 2025

In accordance with Overview and Scrutiny Procedure Rule 15 (i) and given the requirement to submit the LDS by 6 March 2025, the Chair of Overview and Scrutiny Committee and the Group Leaders had consented to the 'suspension' of the call-in procedure to prevent any delay seriously prejudicing the Council's or the public's interest.

Decision Taken By: Cabinet
Decision No: D250018CAB
Decision Type: Key
Date: 04 March 2025

Decision(s) and Reason(s)

Local Plan Budget Proposal

Consideration was given to the recommendations of the Housing and Planning Scrutiny Select Committee of 12 February 2025 in respect of estimated costs for local plan production up to Local Plan adoption (end of 2027/28).

Cabinet had due regard to the views of the Scrutiny Select Committee, the financial and value for money considerations and supported progressing the green belt extension feasibility study at West Malling, the Green Gap study and an extended green belt extension feasibility study for an additional piece of land up to the railway line and Watlington Road, East Malling.

In addition, Cabinet supported not progressing a Borough wide Design Code requiring a budget of £260,000 within the current Local Plan budgetary period given that Design Code work was not programmed until post Local Plan submission and adoption, there was uncertainty as to what a design code would be required to entail and the uncertainty around devolution and local government reorganisation.

It was also noted that the identification of parking standards for the Borough was not due to progress until much later in the plan making process. However, it was recognised that this was an important area of work and would be progressed alongside any future design-code work once the Local Plan was further developed. As a result, it was noted that further financial provision, including that related to a future Borough-wide Design Code/Parking Standards, would need to be considered alongside other competing budget demands for the authority as part of the future budget setting process for the Borough Council and Medium-Term Financial Strategy.

Particular reference was made to the Borough Council's successful bid to Government for funding to support green belt studies which had resulted in a £70,000 grant allocation. Further government funding to support Local Plan work would continue to be bid for.

Cllr Boughton proposed, seconded by Cllr Coffin and Cabinet

RESOLVED: That

- (1) the additional pressure on the Borough Council's overall budget as a result of the requirements to deliver a new Local Plan, in accordance with the revised National Planning Policy Framework, and a consequential shortfall in the Planning reserve from 2026/27, be noted:

<p>(2) the following evidence base studies be progressed:</p> <ul style="list-style-type: none"> a. Green Belt extension at West Malling (£30K) b. Green Gap study (£15K) <p>(3) the budget requirement of £260,000 to progress a Borough-wide Design Code not be progressed within the current Local Plan budgetary period; and</p> <p>(4) the additional budget requirements of the Local Plan as set out in Table 3, and in addition the budget requirements for a Green Gap Study (£15k) and a Green Belt Extension Study (£30k), as well as an additional budget to progress an additional piece of land in the Green Belt Extension Study up to the railway line and Watlingbury Road, East Malling at an additional estimated cost of approximately £50-£70k, be approved.</p>	<p>Reasons: As set out in the report submitted to Cabinet of 4 March 2025.</p>
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Signed Leader: M Boughton

Signed Chief Executive: D Roberts

Date of publication: 6 March 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: D250019CAB
Decision Type: Non Key
Date: 04 March 2025

Decision(s) and Reason(s)

Temporary Accommodation Charging Policy

Consideration was given to the new Policy (attached at Annex 1) setting out the principles to be used when charging rent for Temporary Accommodation.

The Policy would apply to all temporary accommodation provided by the Borough Council in connection to discharging a homelessness function or to prevent a person from becoming homeless. It also aimed to ensure that government legislation was adhered to when setting rents, that rents were fair and affordable and, where appropriate, set in line with regulatory or statutory guidance and that all information was set out in a clean and transparent way.

Cabinet had due regard to the financial and value for money considerations, legal implications and noted that the proposed Policy sought to maximise the Borough Council's income from Housing Benefit subsidy, ensuring that the rental charge for each type of accommodation reflected the correct principles for the amount of subsidy that could be claimed in each case. It was also noted that the proposed Policy set out a rental level with regard to Housing Benefit subsidy regulations, ensuring that subsidy could be correctly and lawfully claimed where appropriate.

Cllr Tanner proposed, Cllr Boughton seconded and Cabinet

RESOLVED: That

- (1) the new Temporary Accommodation charging policy (attached at Annex 1) be approved with effect from 1 April 2025.

Reasons: As set out in the report submitted to Cabinet on 4 March 2025.

Signed Leader: M Boughton

Signed Chief Executive: D Roberts

Date of publication: 6 March 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: D250020CAB
Decision Type: Non Key
Date: 04 March 2025

Decision(s) and Reason(s)

Anti-Social Behaviour Enforcement Team Review

The report of the Director of Central Services and Cabinet Member for Community Services invited Cabinet to consider the outcome of the Anti-Social Behaviour (ASB) Enforcement team trial during April to September 2024 and whether the Team should be recommissioned for 2025.

Details of the 2024 operation, including incidents reported, were set out at 4.1 to 4.8 of the report.

Cabinet welcomed the positive impact of the ASB Enforcement Team which had resulted in a high-profile, visible and reassuring presence to residents, local businesses, interested parties and visitors to the Borough.

Due regard was given to the financial and value for money implications with particular attention given to the estimated cost of £83,000 of recommissioning the Team for 2025 as detailed in 6.2 of the report. Responses from parish/town councils to an invitation to contribute to funding the initiative were noted, as detailed in 6.6 of the report. A minor amendment to the proposed period of operation during 2025 was noted and the end date would be 2 November 2025.

On the grounds of improving coverage across the Borough, Cllr Keers proposed that any operation during 2025 should be comprised of 4 officers. This was seconded by Cllr Boughton and supported by Cabinet.

RESOLVED: That

- (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. |
| Reasons: As set out in the report submitted to Cabinet of 4 March 2025. |

Signed Leader: M Boughton

Signed Chief Executive: D Roberts

Date of publication: 6 March 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: D250021CAB
Decision Type: Key
Date: 04 March 2025

Decision(s) and Reason(s)

Built Environment and Public Protection Software System

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

The report of the Director of Planning, Housing and Environmental Health, Director of Finance and Transformation and the Cabinet Member for Finance and Housing provided an update on the strategic and operational issues related to the implementation of the Agile software and set out proposals for addressing the further delays and growing concerns with the project.

After careful consideration of the detailed risk assessment and analysis of a number of options set out in the report, the financial and value for money considerations and the legal implications, Cabinet supported the proposals presented.

Cllr Tanner proposed, Cllr Coffin seconded and Cabinet

RESOLVED: That

- (1) the detailed assessment of the financial, technical, operational and strategic issues associated with the implementation of an updated software system for the Built Environment and Public Protection teams be noted;
- (2) authority be delegated to the Director of Finance and Transformation, in consultation with the Cabinet Member for Finance and Housing, to manage the contractual changes agreed and as summarised in the report;
- (3) authority be delegated to the Director of Finance and Transformation, in consultation with the Cabinet Member for Finance and Housing and the Management Team, to manage the future delivery of a Built Environment and Public Protection software system to best deliver services to residents and customers as detailed in the report;
- (4) other contractual, procurement and funding matters be agreed as detailed in the report; and
- (5) it be noted that an independent review of the Agile project had been commissioned through the Kent County Council Internal Audit team and that the results of this review would be reported to the Overview and Scrutiny Committee with any recommendations being considered by Cabinet.

Reasons: As set out in the report submitted to Cabinet of 4 March 2025 (contains exempt information).

Signed Leader: M Boughton

Signed Chief Executive: D Roberts

Date of publication: 6 March 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: D250022CAB
Decision Type: Key
Date: 04 March 2025

Decision(s) and Reason(s)

Local Authority Housing Fund

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

Member approval was sought to sign an addendum to the Memorandum of Understanding with the MHCLG to accept additional funding under the Local Authority Housing Fund (LAHF) and to agree the approach to provision of the large resettlement property. In addition, it was recommended that to meet the LAHF requirement for a large resettlement property to be provided in 2024/25 one of the four bedroom properties owned by the Borough Council in Pembury Road be utilised.

Cabinet had due regard to the financial and value for money considerations, the legal implications and on the grounds of improving housing options for local people whilst protecting outdoor areas of importance and supporting delivery of temporary accommodation and reducing revenue expenditure on provision, Cllr Tanner proposed, Cllr Boughton seconded and Cabinet

RESOLVED: That

- (1) the acceptance of the additional Local Authority Housing Fund Round 3 funding be approved;
- (2) the signing of the addendum to the Memorandum of Understanding be delegated to the Director of Planning, Housing and Environmental Health, in consultation with the Director of Finance and Transformation;
- (3) the transfer/change of use of one of the Pembury Road properties as a large resettlement property under the LAHF Scheme be approved.

Reasons: As set out in the report submitted to Cabinet of 4 March 2025 (contains exempt information).

Signed Leader: M Boughton

Signed Chief Executive: D Roberts

Date of publication: 6 March 2025

In accordance with Overview and Scrutiny Procedure Rule 15 (i) and given the requirement to meet the deadline set by Government, the Chair of Overview and

Scrutiny Committee and the Group Leaders had consented to the 'suspension' of the call-in procedure to prevent any delay seriously prejudicing the Council's or the public's interest.

Decision Taken By: Cabinet
Decision No: D250023CAB
Decision Type: Non Key
Date: 04 March 2025

Decision(s) and Reason(s)

Tonbridge Town Centre Programme Board - Minutes of 24 January 2025

(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 climate Change, Regeneration and Property presented the recommendations of the Tonbridge Town Centre Programme Board of 24 January 2025 (attached at Annex 1).

Cabinet had due regard to the recommendations of the Programme Board, the financial and value for money considerations and the legal implications and recognised that in order to progress the Angel Centre project an appointment was needed so that the subsequent RIBA stages, including design and construction, could be delivered.

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

RESOLVED: That

- (1) the Tonbridge Town Centre Programme Board minutes of 24 January 2025 be noted; and
- (2) the UK Leisure Framework procurement route, with additional measures in place for supplier selection, be used in connection with the replacement Angel Centre as recommended by the Programme Board.

Reasons: As set out in the report submitted to Cabinet of 4 March 2025 (contains exempt information).

Signed Leader: M Boughton

Signed Chief Executive: D Roberts

Date of publication: 6 March 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: D250024MEM
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Date: 7 March 2025

Decision(s) and Reason(s)
Debts for Write Off
(Reason: LGA 1972 Sch 12A Paragraph 3 Information relating to the financial or business affairs of any particular person (including the authority holding that information)) Following a review of irrecoverable debts over £5,000, the Cabinet Member for Finance and Housing RESOLVED that the items shown below be written off: (1) 3 council tax debts to the value of £17,664.62; and (2) 2 business rate debts to the value of £49,443.41.
Reasons for decision: (1) All options to recover the debts have been exhausted.

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:	10 March 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 Finance and Housing	Decision Number: D250025MEM
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Date: 13 March 2025

Decision(s) and Reason(s)
Housing Solutions – Extension of Contracts
<p>The Housing Solutions team currently has 4 Housing Allocations Assistant fixed term posts expiring on 31 March 2025. These posts are assessing incoming Housing Register applications and assisting in ensuring that the existing backlog is managed, which continues to be high following the June 2023 move to a new Allocation Scheme and an ongoing issue with higher than anticipated numbers of incoming applications. Medium term funding and grading decisions will be made on these posts via Cabinet and General Purposes in June 2025 and Council in July 2025.</p> <p>If agreed, the extension retains the resource until those decisions and HR processes are concluded, with a date set at the end of July 2025 to allow for all stages to be completed. The funding required for this extension is £49,934.</p> <p>The Housing Solutions team currently has a Move-On Officer fixed term post expiring on 31 March 2025. This post focuses on identifying and managing move on opportunities for households in Temporary Accommodation. Recruitment activity is due to be undertaken on this post and in order to ensure continuity of delivery, a short-term extension to this contract is proposed until May 2025 and requires funding of £7,652</p> <p>The funding for these extensions, as well as for the wider proposals that require Cabinet, General Purposes or Council approval is able to be funded from the Homelessness Reserve alongside existing budget commitments.</p>
<p>Following consideration of the options the Cabinet Member for Finance and Housing, RESOLVED that:</p> <p>(1) to ensure continuity of provision, and whilst medium-term funding and grading decisions are considered by Members, the short-term extensions of Housing Solutions posts be funded at a cost of £57,586 to be met from the Homelessness Reserve.</p>

Reasons for decision: To ensure continued service delivery and manage contractual arrangements whilst other decision-making processes take place.

Signed Cabinet Member for Finance and Housing:	K Tanner
Signed Leader:	M Boughton
Signed Deputy Chief Executive:	A Stanfield
Date of publication:	14 March 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 Planning	Decision Number: D250026MEM
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Date: 14 March 2025

Decision(s) and Reason(s)
Recruitment of a Six-month Temporary Contractor Senior Planning Officer
<p>To seek Cabinet Member authority for the recruitment of a contractor Senior Planning Officer position for a period of six months at a cost of up to £55,944 with funding agreed by Management Team from the Budget Stabilisation Reserve.</p> <p>Following consideration of the proposal, the Cabinet Member for Planning RESOLVED that:</p> <p>(1) a Six-month contractor Senior Planning Officer position post be approved; and</p> <p>(2) an estimated cost of up to £55,944 for a temporary six-month contractor post be funded from the Budget Stabilisation Reserve.</p>
<p>Reasons for decision:</p> <p>The Development Management Team are currently facing high officer caseloads together with staff sickness and a number of vacant planning officer positions. Whilst recruitment has been successful in part, there are still vacant planning officer positions to fill with on-going recruitment and lead in times before staff fill the vacant positions. There is also some medium-term staff sickness within the team which is also impacting the progression of certain application types.</p> <p>A need has been identified to provide cover for staff sickness and vacant positions to progress applications in a targeted way. This need is required over a six-month period whilst the vacant positions are filled and staff return to work.</p> <p>A budget has been identified to fund this position which was agreed by the Management Team.</p>

Signed Cabinet Member for Planning:	<i>M Taylor</i>
Signed Leader:	<i>M Boughton</i>

Signed Chief Executive:	D Roberts
Date of publication:	17 March 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: D250027CAB

Decision Type: Non Key

Date: 19 March 2025

Decision(s) and Reason(s)

The Government's Local Government Reorganisation Programme

The report of the Chief Executive sought approval of the Cabinet for the initial submission by the Borough Council in respect of a proposal for new Unitary Councils across Kent and Medway, as part of the Government's Local Government Reorganisation Programme.

As set out in a letter from the Minister of State for Local Government and English Devolution, attached at Annex 1, interim proposals for new Unitary Councils across Kent and Medway were invited to be submitted by 21 March 2025 with full proposals to follow by 28 November 2025.

A draft county-wide response had since been prepared with the input of all Council Leaders, which made it clear that there was consensus amongst Kent Council Leaders that there should be either three or four Unitary Councils within the geographic area currently covered by Kent County Council and Medway Unitary Council and the 12 Borough and District Councils contained therein. It was noted that the interim submission attached at Annex 2a to the report had received agreement of all the Councils across Kent and Medway with Annex 2b having been agreed by many of those Councils too.

Members noted that following the interim submission, work would commence on a more detailed and systematic evaluation of potential unitary geographies ahead of the submission deadline for full proposals by 28 November 2025, with support to be procured via external partners to ensure that the evaluation of options was robust and the submission was independently evaluated.

Cabinet had due regard to the financial and value for money considerations, risk assessment and legal implications and noted that a budget needed to be agreed to commence the preliminary financial and technical work in order to prepare the evidence base. Other risks associated with financial resilience of the new Unitary Councils, challenge faced by the Government in delivering the programme within the ambitious timetable, uncertainty presented to staff, partners and contractors by these changes, and potential consequences for recruitment and retention during the transition were also noted by Members.

Cllr Matt Boughton proposed, Cllr Martin Coffin seconded and the Cabinet

RESOLVED: That

- (1) the invitation from the Minister of State for Local Government and English Devolution to work with other councils in Kent to submit initial proposals for local government reorganisation by 21 March 2025 and final proposals by 28 November 2025, as set out in Annex 1, be noted;
- (2) the draft interim submission prepared in response to the Government's invitation, as set out in Annex 2a and Annex 2b, be agreed;
- (3) any final drafting changes that might be needed ahead of the submission deadline, be delegated to the Leader of the Borough Council;
- (4) an initial budget of up to £10,000 funded from the Transformation Reserve to help fund the preliminary financial and technical data analysis and evidence base that had been necessary to inform this work, be agreed; and
- (5) the receipt of a further report to establish a budget to meet the costs associated with the transition to a new Unitary Council once this was known, including the cost of the work that would be required to meet the Government's 28 November 2025 deadline, be agreed.

Reasons: As set out in the report submitted to Cabinet of 19 March 2025.

Signed Leader: M Boughton

Signed Chief Executive: D Roberts

Date of publication: 21 March 2025

In accordance with Overview and Scrutiny Procedure Rule 15 (i) and given the requirement to submit an Interim Plan for new Unitary Councils in respect of the Local Government Reorganisation Programme by 21 March 2025, the Chair of Overview and Scrutiny Committee and the Group Leaders had consented to the 'suspension' of the call-in procedure to prevent any delay seriously prejudicing the Council's or the public's interest.

TONBRIDGE AND MALLING BOROUGH COUNCIL

RECORD OF EXECUTIVE NON-KEY DECISION

Decision Taken By: Cabinet Member Finance and Housing	Decision Number: D250028MEM
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Date: 20 March 2025

Decision(s) and Reason(s)
Housing Improvement Team – Extension of Temporary Resource
<p>The Housing Improvement Team currently has on establishment 2FTE Housing Technical Officer (HTO) roles. The team have been carrying a vacancy of 0.4FTE HTO, had a recent resignation from a 0.6FTE HTO postholder and a flexible working request from a 1.0FTE HTO postholder. The flexible working request has now been agreed which has allowed Management Team to approve the recruitment of a 1.0 FTE post (combining the 0.4 and 0.6FTE posts) and this process will commence imminently.</p> <p>In the meantime, to cover the vacancies within a team that manages an increasing focus on property conditions e.g. damp and mould complaints, Renters Rights Bill preparation along with statutory functions related to housing enforcement, HMOs, Disabled Facilities Grant and Public Health, we have had agreement to fund a temporary resource within the team through management savings until the end of March 2025.</p> <p>It is proposed to continue with this resource in place from 01 April until 30 June 2025 to allow for the above-mentioned recruitment process to take place. The cost of this is a maximum of £10,500 (agency cost minus existing establishment cost) and this can be funded from the Housing Assistance reserve.</p> <p>Following consideration of the options, the Cabinet Member for Finance and Housing, RESOLVED that:</p> <p>(1) to ensure continuity of statutory services within the Housing Improvement Team, the temporary staffing resource be continued from 1 April until 30 June 2025 and be funded, at a maximum cost of £10,500, from the Housing Assistance Reserve.</p>
Reasons for decision:
<p>To ensure continued service delivery and manage contractual arrangements whilst other decision-making processes take place.</p>

Signed Cabinet Member for Finance and Housing:	K Tanner
Signed Leader:	M Boughton
Signed Chief Executive:	D Roberts
Date of publication:	26 March 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.