

REPORT TO WOULDHAM PARISH COUNCIL 1st March 2022

**By the Tonbridge and Malling Borough Councillors for
Burham and Wouldham Ward Councillors Dave Davis and Roger Dalton**

TM/20/02749/OAEA - LAND SOUTH OF BARMING STATION AND EAST OF HERMITAGE LANE

1. Back in September Area 3 refused the application TM/20/02749/OAEA - Land South of Barming Station and East of Hermitage Lane. In the report to Committee, the officers recommended approval but, on the night, did indicate that the Committee had sufficient grounds for refusal and that was the Committees decision.
2. The applicant appealed that decision and asked for it to go to a public enquiry for adjudication. In situations where the Committee goes against the officers' recommendation in the report to committee, it is TMBC's practice, to employ outside law firms to present our case, rather than it being presented by officers. They do this to avoid answering the show stopping question, "Why did the Committee vote against your professional decision?". In this case the officers went out to all the law firms we deal with and not one of them were prepared to take the case on and advised against going into the appeal process.
3. Given this unequivocal lack of support for our case, TMBC have now reversed the Committee decision which could only have led to the Council having to pay the applicants legal costs.
4. This case demonstrates that although the Council is the planning authority, its actual powers are very tightly constrained by planning law. It is also limited, in that though it is the controller of the Local Plan it is only the focal point for outside statutory authorities such as KCC (for schools, roads archaeology and mineral extraction), the EA, the Care Commissioning Group and many others who have powers TMBC do not have but are reflected in planning decisions.

TMBC BUDGET AND COUNCIL TAX UPDATE

5. TMBC's budget for the coming years was discussed at the full Council meeting on 22 February and unanimously approved by all councillors.
6. TMBC's own share of the Council tax was again unanimously approved at the Council meeting.
7. As at the time of writing this report there is not a full statement of the Council Tax payments by bands for collection by TMBC including KCC, Police, Fire and your own parish precepts on the website. However, an extract of the full Council Agenda reports is attached with the information most people need.