

**TONBRIDGE AND MALLING BOROUGH COUNCIL**

**FINANCE AND PROPERTY ADVISORY BOARD**

**Wednesday, 9th July, 2008**

**Present:** Cllr P F Bolt (Chairman), Cllr Mrs F A Kemp (Vice-Chairman), Cllr F R D Chartres, Cllr J R H Clements, Cllr Mrs C A F Grant, Cllr P J Homewood, Cllr D Lettington, Cllr Mrs S L Luck, Cllr H S Rogers, Cllr Ms S V Spence and Cllr A K Sullivan.

Councillors Aikman, Mrs Anderson, Baldock, Balfour, Court, Heslop, Miss Sergison and Worrall were also present pursuant to Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors Dobson and Miss Moloney.

**PART 1 - PUBLIC**

**FP  
08/038**

**DECLARATIONS OF INTEREST**

Personal interests were declared in relation to the item on Financial Arrangements with Parish Councils by the following Members on the grounds of membership of the parish councils specified:

Councillor Balfour (Birlinging)  
Councillor Chartres (Ightham)  
Councillor Homewood (Aylesford)  
Councillor Mrs Kemp (Trottiscliffe)  
Councillor Worrall (West Malling)

Councillor Balfour and Councillor Rogers declared personal interests in the item regarding Capital Grants Monitoring on the grounds respectively of being a member of Birling Village Hall Management Committee and owning a property the subject of a Historic Building Grant.

Councillor Balfour declared a personal interest in the item relating to the Proposed Lease of an Area at Leybourne Lakes Country Park for a Storage Container on the grounds of being a governor of Grange Park School.

Councillor Chartres declared a personal interest in the item relating to the Grant of a Licence for Access over Ightham Car Park on the grounds of being a member of Ightham Parish Council.

FP  
08/039

## MINUTES

**RESOLVED:** That the notes of the meeting of the Finance and Property Advisory Board held on 21 May 2008 be approved as a correct record and signed by the Chairman.

### MATTERS FOR RECOMMENDATION TO THE CABINET

FP  
08/040

#### **CAPITAL PLAN FAST TRACK EVALUATION: MAINTENANCE BUILDING AT POULT WOOD GOLF CENTRE AND CHILDREN'S PLAY FACILITIES AT LEYBOURNE LAKES COUNTRY PARK**

The joint report of the Director of Planning, Transport and Leisure and the Chief Leisure Officer brought forward 'fast track' Capital Plan evaluations for the maintenance building at Poulton Wood Golf Centre and children's play facilities at Leybourne Lakes Country Park for consideration in accordance with the agreed review procedure.

It was noted that in the case of the proposed refurbishment of the maintenance building at Poulton Wood Golf Course, additional capital expenditure beyond the provision within the 'fast track' contingency of the Capital Plan would be necessary. It was suggested that the possibility of consolidating equipment on the site be investigated together with a potential commercial use to offset some of the additional costs. The Board was advised in respect of the children's play facility scheme at Leybourne Lakes Country Park that full funding had been secured and received from developer contributions.

**RECOMMENDED:** That

- 1) the proposed refurbishment of the Maintenance Building at Poulton Wood Golf Centre (Option 1), as outlined in Annex 1 to the report, be noted and the scheme be deferred to enable the investigation of a potential commercial use of another piece of land on the site to offset some of the additional costs involved; and
- 2) the proposed installation of Children's Play Facilities at Leybourne Lakes Country Park, as outlined in Annex 2 to the report, be approved and the scheme be included in the Capital Plan List A.

**\*Referred to Cabinet**

FP  
08/041

#### **REVIEW OF LOCAL LAND CHARGES SEARCH FEES**

Decision Notice D080123MEM

Further to Decision No D080029CAB(7), the joint report of the Acting Chief Solicitor and Director of Finance brought forward a number of proposals in respect of Land Charges fees pending receipt of new statutory guidance. It was considered that the revised charges should be adopted as an interim measure and a comprehensive review of Local Land Charges activity be undertaken in due course.

**RECOMMENDED:** That the charges set out at paragraph 1.2.1 of the report be adopted with effect from 1 August 2008.

**FP  
08/042**

## **FINANCIAL ARRANGEMENTS WITH PARISH COUNCILS - POSSIBLE REVIEW**

The report of the Director of Finance gave details of the current Scheme of Financial Arrangements with Parish Councils. In accordance with Decision No D080061CAB, consideration was given to a possible review of the capital grants scheme and also whether there was an opportunity to restrict further increases in the revenue grants to the same percentage as central Government had applied to the Borough Council through the Rate Support Grant mechanism.

Considerable discussion ensued in which it was accepted that the way forward should involve identification of a solution that could be adopted to ease the Council's financial burden without jeopardising the ethos of the Parish Charter. Accordingly, rather than a wholesale review of the scheme at this stage, it was considered that the Capital Grant terms should be strengthened to ensure that monies allocated were spent on Council priorities with fully worked up schemes being brought forward in a timely manner. In terms of Revenue Grants, it was suggested that the annual increase should track the cash increase received by the Borough Council from the government in the previous year. Members also considered that a comprehensive guidance note should be prepared for parish councils and reported through the Parish Partnership Panel.

**RECOMMENDED:** That

1) in respect of the Capital Grants element of the Scheme of Financial Arrangements with Parish Councils, the grant terms and conditions be strengthened to ensure that grant monies allocated are spent on Council priorities and in a timely manner, in particular that parish councils submit applications for fully worked up schemes by 30 October each year; and

2) in respect of the Revenue Grants aspect of the Scheme, the annual uplift should track the cash increase received by the Borough Council in its Rate Support Grant settlement the previous year.

**\*Referred to Cabinet**

**FP  
08/043**

## **APPLICATIONS FOR DISCRETIONARY RATE RELIEF**

Decision Notice D080124MEM

The joint report of the Director of Finance and Cabinet Member for Finance gave details of existing grants of, and new applications for, discretionary rate relief including an update on Community Amateur Sports Club registrations.

**RECOMMENDED:** That

1) the position regarding Eccles Football Club and Aylesford Bulls Rugby Football Club, as set out at paragraphs 1.1.3 and 1.1.4 of the report, be noted and 20% discretionary relief be granted in each case, time limited to 31 March 2010;

2) in respect of the application for relief from Hugh Christie Sports Association for the tennis courts at Hugh Christie Technology College, Tonbridge 100% discretionary relief be granted, time limited to 31 March 2010;

3) the new applications for discretionary rate relief be determined as follows

Kings Hill Youth Centre, adjoining Kings Hill Community Centre, Gibson Drive, Kings Hill, West Malling: 20% discretionary relief be granted, time limited to 31 March 2010

Computers 4 Africa, Unit D18 Larkfield Trading Estate, New Hythe Lane, Larkfield: no discretionary relief be granted

Rochester Indoor Skatepark Club, Unit 1B, 1 Laker Road, Rochester Airport Industrial Estate: the matter be referred to the next meeting of the Cabinet with details of responses on funding from Medway Council and Kent County Council.

**FP  
08/044**

**FINANCIAL PLANNING AND CONTROL**

Decision Notice D080125MEM

The report of the Director of Finance provided information on the Council's key budget areas of salaries, major income streams and investment income together with variations agreed to the revenue budget and identified through budgetary control, summarised to provide an indicative overall budget position and used to provide an update to the Medium Term Financial Strategy. An update was also given on capital expenditure and variations agreed in relation to the approved capital plan.

**RECOMMENDED:** That the contents of the report be noted and endorsed.

**MATTERS SUBMITTED FOR INFORMATION**

**FP  
08/045**

**BENEFITS UPDATE**

The report provided information on current issues arising in the benefits field including performance of the benefits service and progress on the implementation of the e-benefits computer software.

**FP  
08/046**

**COUNCIL TAX AND BUSINESS RATES UPDATE REPORT**

The report updated the Advisory Board on recent developments in respect of council tax and business rates.

**FP  
08/047**

**CAPITAL GRANTS MONITORING**

Details were given of capital grants monitoring statements to 20 June 2008 in respect of capital grants to parish councils, voluntary organisations, village/community halls and historic buildings grants.

**MATTERS FOR CONSIDERATION IN PRIVATE**

**FP  
08/048**

**EXCLUSION OF PRESS AND PUBLIC**

The Chairman moved, it was seconded and

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

**PART 2 - PRIVATE**

**MATTERS FOR RECOMMENDATION TO THE CABINET**

**FP  
08/049**

**DEBTS FOR WRITE OFF**

**(Reason: LGA 1972 Sch 12A Para 2 – Information likely to reveal information about an individual)**

Decision Notice D080126MEM

Consideration was given to the writing off of debts considered to be irrecoverable. Details were also given of debts under £1,000 which had been written off in accordance with Financial Procedure Rule 17.2 together with cumulative totals of debts written off in the current and previous financial years and information on budgeted bad debt provision.

**RECOMMENDED:** That the seven items shown in the schedule totalling £9,796.08 be written off for the reasons stated.

**FP  
08/050**

**PROPOSED RENT REVIEW OF LAND LEASED TO HAPPY FACES  
PRE-SCHOOL, TONBRIDGE**

**(Reason: LGA 1972 Sch 12A Para 3 - Financial or business affairs of any particular person)**

Decision Notice D080127MEM

The report of the Central Services Director gave details of a proposed rent review of land in Hecorage Road/Brionne Gardens leased to Happy Faces Pre-School.

**RECOMMENDED:** That approval be given to implement the rent increase as detailed in the report.

FP  
08/051

**PROPOSED LEASE OF AREA AT LEYBOURNE LAKES COUNTRY  
PARK FOR STORAGE CONTAINER**

**(Reason: LGA 1972 Sch 12A Para 3 - Financial or business affairs  
of any particular person)**

Decision Notice D080128MEM

The Central Services Director's report gave details of a proposed lease of an area of land at Leybourne Lakes Country Park to Grange Park School for the siting of a storage container for specially adapted bicycles.

**RECOMMENDED:** That approval be given to the grant of a new lease for siting of a storage container as outlined in the report.

FP  
08/052

**PROPOSED TRANSFER OF LAND AT SOVEREIGN WAY,  
TONBRIDGE**

**(Reason: LGA 1972 Sch 12A Para 3 - Financial or business affairs  
of any particular person)**

Decision Notice D080129MEM

The report of the Central Services Director gave details of a proposal to transfer an area of land at Sovereign Way to an adjacent site owner for the purpose of a pedestrian access.

**RECOMMENDED:** That approval be given to the proposed transfer as outlined in the report.

FP  
08/053

**GRANT OF LICENCE FOR ACCESS OVER IGHTHAM CAR PARK**

**(Reason: LGA 1972 Sch 12A Para 3 - Financial or business affairs  
of any particular person)**

Decision Notice D080130MEM

Consideration was given to the report of the Central Services Director which outlined proposed arrangements for the grant of a licence for access over the public car park to the rear of Ightham Village Hall to a new garage being constructed on adjacent land.

**RECOMMENDED:** That approval be given to the grant of a licence on the basis outlined in the report subject to clarification that the licence shall not apply to any change of use of the garage and construction should be started within six months.

The meeting ended at 2121 hours

**TONBRIDGE & MALLING BOROUGH COUNCIL**

**RECORD OF DECISION**

**Decision Taken By: CABINET MEMBER FOR  
Finance**

**Decision No: D080123MEM**

**Date: 9th July 2008**

**Decision(s) and Reason(s)**

**Review of Local Land Charges Search Fees**

**(Joint report of Acting Chief Solicitor and Director of Finance)  
(Annex)**

**Further to decision number D080029CAB (7), the report brought forward a number of proposals in respect of Land Charges fees pending receipt of new statutory guidance. It was considered that the revised charges should be adopted as an interim measure and a comprehensive review of Local Land Charges activity be undertaken in due course.**

Following consideration by the Finance and Property Advisory Board, the Cabinet Member for Finance resolved that the charges set out at paragraph 1.2.1 of the report be adopted with effect from 1 August 2008.

Reasons: As set out in the report submitted to the Finance and Property Advisory Board of 9 July 2008.

Signed Cabinet Member for D Aikman  
Finance:

Signed Leader: M Worrall

Signed Chief Executive: D Hughes

**Date of publication: 11 July 2008**

This decision will come into force and may then be implemented on the expiry of 5 working days after publication unless it is called in.

# TONBRIDGE & MALLING BOROUGH COUNCIL

## RECORD OF DECISION

**Decision Taken By: CABINET MEMBER FOR  
Finance**

**Decision No: D080124MEM**

**Date: 9th July 2008**

### **Decision(s) and Reason(s)**

#### **Applications for Discretionary Rate Relief**

**(Joint report of Director of Finance and Cabinet Member for  
Finance)  
(Annex )**

**The report gave details of existing grants of, and new applications  
for, discretionary rate relief including an update on Community  
Amateur Sports Club (CASC) registrations.**

Following consideration by the Finance and Property Advisory Board,  
the Cabinet Member for Finance resolved that:

- 1) the position regarding Eccles Football Club and Aylesford Bulls Rugby Football Club, as set out at paragraphs 1.1.3 and 1.1.4 of the report, be noted and 20% discretionary relief be granted in each case, time limited to 31 March 2010;
- 2) in respect of the application for relief from Hugh Christie Sports Association for the tennis courts at Hugh Christie Technology College, Tonbridge 100% discretionary relief be granted, time limited to 31 March 2010;
- 3) the new applications for discretionary rate relief be determined as follows  
Kings Hill Youth Centre, adjoining Kings Hill Community Centre, Gibson Drive, Kings Hill, West Malling: 20% discretionary relief be granted, time limited to 31 March 2010  
Computers 4 Africa, Unit D18 Larkfield Trading Estate, New Hythe Lane, Larkfield: no discretionary relief be granted  
Rochester Indoor Skatepark Club, Unit 1B, 1 Laker Road, Rochester Airport Industrial Estate: the matter be referred to the next meeting of the Cabinet with details of responses on funding from Medway Council and Kent County Council.

**Reasons: As set out in the report submitted to the Finance and Property  
Advisory Board of 9 July 2008.**



Signed Cabinet Member for D Aikman  
Finance:

Signed Leader: M Worrall

Signed Chief Executive: D Hughes

**Date of publication:** 11 July 2008

This decision will come into force and may then be implemented on the expiry of 5 working days after publication unless it is called in.

**TONBRIDGE & MALLING BOROUGH COUNCIL**

**RECORD OF DECISION**

**Decision Taken By: CABINET MEMBER FOR  
Finance**

**Decision No: D080125MEM**

**Date: 9th July 2008**

**Decision(s) and Reason(s)**

**Financial Planning and Control**

**(Report of Director of Finance)**

**(Annex 1)**

**(Annex 2)**

**(Annex 3)**

**(Annex 4)**

**The report provided information on the Council's key budget areas of salaries, major income streams and investment income together with variations agreed to the revenue budget and identified through budgetary control, summarised to provide an indicative overall budget position and used to provide an update to the Medium Term Financial Strategy. An update was also given on capital expenditure and variations agreed in relation to the approved capital plan.**

Following consideration by the Finance and Property Advisory Board, the Cabinet Member for Finance resolved that the contents of the report be noted and endorsed.

Reasons: As set out in the report submitted to the Finance and Property Advisory Board of 9 July 2008.

Signed Cabinet Member for D Aikman  
Finance:

Signed Leader: M Worrall

Signed Chief Executive: D Hughes

**Date of publication: 11 July 2008**

This decision will come into force and may then be implemented on the expiry of 5 working days after publication unless it is called in.

**TONBRIDGE & MALLING BOROUGH COUNCIL**

**RECORD OF DECISION**

**Decision Taken By: CABINET MEMBER FOR  
Finance**

**Decision No: D080126MEM**

**Date: 9th July 2008**

**Decision(s) and Reason(s)**

**Debts for Write Off**

**(Reason: LGA 1972 Sch 12A Para 2 – Information likely to reveal information about an individual)**

**(Report of Director of Finance)**

**(Annex )**

**Approval of the writing-off of debts considered to be irrecoverable. Details were also given of debts under £1,000 which had been written-off in accordance with Financial Procedure Rule 17.2 together with cumulative totals of debts written-off in the current and previous financial years and information on budgeted bad debt provision.**

Following consideration by the Finance and Property Advisory Board, the Cabinet Member for Finance resolved that the seven items shown in the schedule totalling £9,796.08 be written off for the reasons stated.

Reasons: As set out in the report submitted to the Finance and Property Advisory Board of 9 July 2008 (contains exempt information).

Signed Cabinet Member for D Aikman  
Finance:

Signed Leader: M Worrall

Signed Chief Executive: D Hughes

**Date of publication: 11 July 2008**

This decision will come into force and may then be implemented on the expiry of 5 working days after publication unless it is called in.

**TONBRIDGE & MALLING BOROUGH COUNCIL**

**RECORD OF DECISION**

**Decision Taken By: CABINET MEMBER FOR  
Finance**

**Decision No: D080127MEM**

**Date: 9th July 2008**

**Decision(s) and Reason(s)**

**Proposed Rent Review of Land Leased to Happy Faces Pre-School,  
Tonbridge**

**(Reason: LGA 1972 Sch 12A Para 3 - Financial or business affairs  
of any particular person)**

**(Report of Central Services Director)  
(Annex)**

**Consideration was given to a proposed rent review of land in  
Hectorage Road/Brionne Gardens leased to Happy Faces Pre-  
School.**

Following consideration by the Finance and Property Advisory Board,  
the Cabinet Member for Finance resolved that approval be given to  
implement the rent increase as detailed in the report.

Reasons: As set out in the report submitted to the Finance and Property  
Advisory Board of 9 July 2008 (contains exempt information).

Signed Cabinet Member for D Aikman  
Finance:

Signed Leader: M Worrall

Signed Chief Executive: D Hughes

**Date of publication: 11 July 2008**

This decision will come into force and may then be implemented on the expiry of 5  
working days after publication unless it is called in.

**TONBRIDGE & MALLING BOROUGH COUNCIL**

**RECORD OF DECISION**

**Decision Taken By: CABINET MEMBER FOR  
Finance**

**Decision No: D080128MEM**

**Date: 9th July 2008**

**Decision(s) and Reason(s)**

**Proposed Lease of Area at Leybourne Lakes Country Park for  
Storage Container**

**(Reason: LGA 1972 Sch 12A Para 3 - Financial or business affairs  
of any particular person)**

**(Report of Central Services Director)  
(Annex)**

**The report gave details of a proposed lease of an area of land at  
Leybourne Lakes Country Park to Grange Park School for the siting  
of a storage container for specially adapted bicycles.**

Following consideration by the Finance and Property Advisory Board,  
the Cabinet Member for Finance resolved that approval be given to the  
grant of a new lease for siting of a storage container as outlined in the  
report.

Reasons: As set out in the report submitted to the Finance and Property  
Advisory Board of 9 July 2008 (contains exempt information).

Signed Cabinet Member for D Aikman  
Finance:

Signed Leader: M Worrall

Signed Chief Executive: D Hughes

**Date of publication: 11 July 2008**

This decision will come into force and may then be implemented on the expiry of 5  
working days after publication unless it is called in.

**TONBRIDGE & MALLING BOROUGH COUNCIL**

**RECORD OF DECISION**

**Decision Taken By: CABINET MEMBER FOR  
Finance**

**Decision No: D080129MEM**

**Date: 9th July 2008**

**Decision(s) and Reason(s)**

**Proposed Transfer of Land at Sovereign Way, Tonbridge  
(Reason: LGA 1972 Sch 12A Para 3 - Financial or business affairs  
of any particular person)**

**(Report of Central Services Director)  
(Annex)**

**The report gave details of a proposal to transfer an area of land at  
Sovereign Way to an adjacent site owner for the purpose of a  
pedestrian access.**

Following consideration by the Finance and Property Advisory Board,  
the Cabinet Member for Finance resolved that approval be given to the  
proposed transfer as outlined in the report.

Reasons: As set out in the report submitted to the Finance and Property  
Advisory Board of 9 July 2008 (contains exempt information).

Signed Cabinet Member for D Aikman  
Finance:

Signed Leader: M Worrall

Signed Chief Executive: D Hughes

**Date of publication: 11 July 2008**

This decision will come into force and may then be implemented on the expiry of 5  
working days after publication unless it is called in.

**TONBRIDGE & MALLING BOROUGH COUNCIL**

**RECORD OF DECISION**

**Decision Taken By: CABINET MEMBER FOR  
Finance**

**Decision No: D080130MEM**

**Date: 9th July 2008**

**Decision(s) and Reason(s)**

**Grant of Licence for Access Over Ightham Car Park  
(Reason: LGA 1972 Sch 12A Para 3 - Financial or business affairs  
of any particular person)**

**(Report of Central Services Director)  
(Annex)**

**Consideration was given to proposed arrangements for the grant of  
a licence for access over the public car park to the rear of Ightham  
Village Hall to a new garage being constructed on adjacent land.**

Following consideration by the Finance and Property Advisory Board,  
the Cabinet Member for Finance resolved that approval be given to the  
grant of a licence on the basis outlined in the report subject to  
clarification that the licence shall not apply to any change of use of the  
garage and construction should be started within six months.

Reasons: As set out in the report submitted to the Finance and Property  
Advisory Board of 9 July 2008 (contains exempt information).

Signed Cabinet Member for D Aikman  
Finance:

Signed Leader: M Worrall

Signed Chief Executive: D Hughes

**Date of publication: 11 July 2008**

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.