

**TONBRIDGE AND MALLING BOROUGH COUNCIL**

**FINANCE AND PROPERTY ADVISORY BOARD**

**Wednesday, 7th January, 2009**

**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 Miss A Moloney, Cllr H S Rogers, Cllr Ms S V Spence and Cllr A K Sullivan.

Councillors Aikman, Mrs Anderson, Ms Atkinson, Baldock, Balfour, Ms Branson, Coffin, Court, Mrs English, Heslop, Lancaster, Luker, Mrs Murray, Sayer, Mrs Simpson and Worrall were also present pursuant to Council Procedure Rule No 15.21.

**PART 1 - PUBLIC**

**FP  
09/001**

**DECLARATIONS OF INTEREST**

Councillor Heslop declared a personal and prejudicial interest in relation to the Revenue Estimates (exceptional case requests for grant) on the grounds of membership of The Bridge Trust and withdrew from the meeting during consideration of the application concerned.

The following Members declared personal and prejudicial interests in relation to the Capital Plan Review (exceptional case requests for grant) on the grounds of membership of the parish council/organisation specified and withdrew from the meeting during consideration of the application concerned:

Councillor Mrs Kemp (Trottscliffe Parish Council)

Councillor Mrs Simpson (Chairman of Trustees of St James Centre, East Malling)

Councillor Worrall (West Malling Parish Council)

Personal interests were also declared in the item regarding Discretionary Rate Relief and Rural Rate Relief by Councillors Mrs Anderson and Mrs Luck on the grounds of membership of the Tonbridge and Malling Citizens Advice Bureaux respectively.

**FP  
09/002**

**MINUTES**

**RESOLVED:** That the notes of the meeting of the Finance and Property Advisory Board held on 1 October 2008 be approved as a correct record and signed by the Chairman.

## MATTERS FOR RECOMMENDATION TO THE CABINET

FP  
09/003

### REVENUE ESTIMATES 2009/2010

The report of the Director of Finance referred to the responsibility of the Cabinet under the Constitution for formulating initial draft proposals in respect of the budget. Reference was made to the role of the Advisory Board in assisting the Council and Cabinet in the preparation of the budget within the context of the Medium Term Financial Strategy and the Council's overall aims and priorities. An outline was given of the process for referring the Advisory Board's recommendations to the Policy Overview Committee prior to consideration by the Cabinet on 3 February and thereafter by the Council at its budget meeting.

The Director of Finance provided an overview of the unprecedented financial difficulties faced by the Council and highlighted the decisions affecting the estimates which had already been made by the Cabinet on 19 November 2008. The report set out the framework for consideration of the estimates in terms of the Medium Term Financial Strategy together with a number of service specific issues. A schedule of savings amounting to £672,850 which had been identified by the Management Team and incorporated within the estimates was presented at Annex 1 to the report. Reference was made to additional savings of £209,150 in respect of the cessation of plastics recycling and Saturday bulky waste collection and reduction of discretionary rate relief which were included in the Medium Term Financial Strategy but would be subject to further consideration. The report also outlined various initiatives to help offset the reducing capacity of the Council engendered by the savings exercise.

Members were reminded of the Cabinet's decision to withdraw funding for the 2009/10 scheme of grants to voluntary and community organisations subject to exceptional cases. Consideration was given to applications by The Bridge Trust and YWCA West Kent Young Women's Centre requesting exceptional treatment on the grounds that they would be delivering projects addressing debt issues and debt counselling. An additional request from Maidstone Cruse Bereavement Care was circulated at the meeting.

#### **RECOMMENDED:** That

- (1) the draft estimates contained in the Booklet be endorsed;
- (2) the savings identified in Annex 1 to the report and incorporated within the estimates be approved;
- (3) within the context of the financial pressures outlined in the report, the Policy Overview Committee be requested to consider the draft Revenue Estimates contained in the Booklet and make appropriate recommendations to the Cabinet for its special meeting on 3 February 2009; and

(4) the Bridge Trust and YWCA West Kent Young Women's Centre both be offered grants of £2,000 and Maidstone Cruse Bereavement Care a grant of £750 in 2009/10 and the budget be adjusted accordingly.

**\*Referred to Cabinet**

**FP  
09/004**

## **CAPITAL PLAN REVIEW 2008/09**

Consideration was given to the report of the Management Team which included details of a temporary suspension of the annual revenue contributions to the capital reserve, predicated on the deletion of existing approved budget provision, reintroduction of the contributions in the future and establishment of an annual capital allowance to fund new additions to the Capital Plan.

The current position of existing Capital Plan schemes (List A) was reviewed. The report also recommended new schemes to be added to List C, the deletion of some existing List C schemes, the evaluation of schemes from List C over the coming year and schemes for inclusion on List B from those List C schemes which were selected for evaluation in the 2007/08 review.

The report outlined the Capital Plan review process including the respective roles of the Advisory Board, the Policy Overview Committee and Cabinet. The Director of Finance emphasised that any aspirations in respect of capital schemes needed to be set within the context of the significant financial difficulties facing the Council and the Cabinet's earlier decision to re-engineer the Capital Plan to preserve the Council's capital reserves as long as possible.

Whilst the decision had already been taken to withdraw funding for the 2009/10 scheme of capital grants to parish councils and voluntary and community organisations, details were given of applications for exceptional consideration received from East Peckham, Trottiscliffe and West Malling Parish Councils and the St James Centre Trust, East Malling.

**RECOMMENDED:** That the following be endorsed for consideration by the Policy Overview Committee:



(1) the deletion of existing approved budget provision as detailed in paragraph 1.4.10 of the report;

(2) the transfer of those schemes listed in paragraph 1.4.10 from List A to List C;

(3) the Capital Plan (List A) position as shown in Annex 2 to the report;

(4) the inclusion in List C of the schemes listed in paragraph 1.5.1 of the report;

(5) the removal from List C of those schemes noted in paragraph 1.5.2 of the report;

(6) the merger of those schemes listed in paragraph 1.5.3 of the report;

(7) the selection of those schemes listed in paragraph 1.6.3 of the report for evaluation over the coming year;

(8) the transfer of the following schemes from List C to List B:

Parking Action Plan Phase 7  
Car Park Enhancement Programme Phase 4  
Tonbridge Town Lock  
Tonbridge Swimming Pool Pumping Station Refurbishment  
Tonbridge School All Weather Pitch

(9) the "exceptional case" applications from East Peckham, Trottiscliffe and West Malling Parish Councils and the St James Centre Trust be approved on the basis set out at Annex 6 to the report, subject to Kent County Council providing a grant of £50,000 in the case of the St James Centre, and the total funding of £45,012 for the exceptional cases be met from the capital allowance for new schemes.

**\*Referred to Cabinet**

**FP  
09/005**

## **DISCRETIONARY RATE RELIEF AND RURAL RATE RELIEF - REVIEW OF SCHEMES**

The report reviewed the current policy for the determination of grants of rural rate relief and the criteria used to determine grants of discretionary rate relief. In accordance with decision D080163MEM, consideration was given to proposed changes to the existing policies which might achieve an overall budget saving whilst maintaining relief for particular classes of organisation.

The report also updated the position concerning an application for discretionary rate relief by Cobdown Sports and Social Club which was pursuing community amateur sports club status.

**RECOMMENDED:** That

(1) the amended rural rate relief policy, as set out at Annex 3 to the report, be adopted with immediate effect;

(2) as a consequence of adoption of the amended rural rate relief policy, all awards of discretionary rural rate relief be terminated as at 31 March 2010 and the Director of Finance be instructed to write to the affected businesses inviting them to reapply for relief if they consider that they meet the criteria contained in the revised policy;

(3) the amended discretionary rate relief policy, as set out at Annex 6 to the report, be adopted with immediate effect; and

(4) in respect of the organisations identified at Annex 5 to the report scoring less than three in terms of the criteria set out at paragraph 1.4.5 of the report, discretionary rate relief be terminated as

at 31 March 2010 and the Director of Finance be instructed to write to the affected organisations to advise accordingly.

**\*Referred to Cabinet**

**FP  
09/006**

## **REVIEW OF FEES AND CHARGES 2009/10**

Consideration was given to the report of the Central Services Director on those fees and charges which fell within the remit of the Cabinet Member for Finance together with any others for which there was no appropriate Advisory Board.

**RECOMMENDED:** That

(1) the current photocopying charges be retained at £0.10 (inclusive of VAT) for each page of the same document or additional copies of the same page plus postage as appropriate;

(2) the annual charges for agendas and reports supplied via the post be increased to £45 (inclusive of VAT) for Area Planning Committees and £32 (inclusive of VAT) for all other meetings;

(3) in respect of concessionary travel:

(i) the price to be charged for the companion pass be retained at £10 in 2009/10 and the reciprocal arrangements for travel by companions throughout Kent be endorsed as indicated in paragraphs 1.4.3 and 1.4.4 of the report;

(ii) the charge for replacement of lost passes be maintained at £10;

(iii) a £10 contribution continue to be offered towards the Senior Rail Card, the Network Card or the Disabled Persons Rail Card as an alternative to the free bus travel pass;

(4) in respect of recovery of legal fees payable by third parties, the Council's charges continue to follow the rates published by the Secretary of State as set out in paragraph 1.5.1 of the report; and

(5) the table of proposed administrative charges for street naming and numbering services set out at paragraph 1.6.3 of the report be adopted with effect from 1 April 2009.

**\*Referred to Cabinet (February meeting)**

## **MATTERS SUBMITTED FOR INFORMATION**

**FP  
09/007**

### **ANNUAL EFFICIENCY GAINS**

The report gave details of the estimate of efficiency gains to be achieved in 2008/09 submitted to the Department for Communities and Local Government in October and identified on the efficiency monitoring statement to the end of September 2008.

**FP  
09/008**      **BENEFITS UPDATE**

The report provided information on current issues arising in the benefits field including performance of the Benefits Service and circumstances surrounding the increase in benefits workload.

**FP  
09/009**      **BENEFIT INVESTIGATION SECTION UPDATE**

The report updated the position on the work of the Benefit Investigation Section together with trial partnership arrangements with Gravesham Borough Council.

**FP  
09/010**      **LOCAL AUTHORITY BUSINESS GROWTH INCENTIVE SCHEME**

The report gave details of a response to the Government's recently published consultation paper on changes to the Local Authority Business Growth Incentive Scheme.

**FP  
09/011**      **COUNCIL TAX AND BUSINESS RATES UPDATE REPORT**

The report gave details of recent developments in respect of council tax and business rates. It was noted that the Director of Finance had calculated the Council Tax base for 2009/10 under delegated authority.

**MATTERS FOR CONSIDERATION IN PRIVATE**

**FP  
09/012**      **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  
09/013**      **DEBTS FOR WRITE OFF  
(Reason: LGA 1972 Sch 12A Para 2 - Information likely to reveal  
information about an individual)**

Decision Notice D090005MEM

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. Attention was drawn to a potential increase in debts in respect of the rent deposit and rent in advance loan scheme which was currently being reviewed.

**RECOMMENDED:** That the 28 items shown in the schedule totalling £155,962.83 be written-off for the reasons stated.

**FP  
09/014**

**PROPOSED RENT REVIEW NEGOTIATIONS FOR UNITS AT  
MARTIN SQUARE, LARKFIELD  
(Reason: LGA 1972 Sch 12A Para 3 - Financial or business affairs  
of any particular person)**

Decision Notice D090006MEM

The report of the Central Services Director gave details of proposed rent reviews of shop and maisonette units at Martin Square, Larkfield.

**RECOMMENDED:** That the proposed rent reviews as outlined in the report be approved together with the deferral of the rent increase for the unit identified in section 1.3 of the report.

**FP  
09/015**

**PROPOSED TRANSFER OF CEMETERY LODGE, SHIPBOURNE  
ROAD, TONBRIDGE  
(Reason: LGA 1972 Sch 12A Para 3 - Financial or business affairs  
of any particular person)**

Decision Notice D090007MEM

The report of the Central Services Director gave details of the proposed disposal of Cemetery Lodge together with arrangements for possible future provision of alternative office accommodation.

**RECOMMENDED:** That approval be given for the disposal of Cemetery Lodge to Russet Homes, as outlined in the report, together with the specified provision from the capital receipt in the event that alternative office accommodation needs to be provided in the ground maintenance staff mess room.

#### **MATTERS SUBMITTED FOR INFORMATION**

**FP  
09/016**

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

The Director of Finance reported on an exemption from tendering which had been approved under the Council's Contracts Procedure Rules in respect of the provision of banking services.

The meeting ended at 2200 hours

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION

Decision Taken By: CABINET MEMBER FOR  
Finance

Decision No: D090005MEM

Date: 7th January 2009

**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. Attention was drawn to a potential increase in debts in respect of the rent deposit and rent in advance loan scheme which was currently being reviewed.**

Following consideration by the Finance and Property Advisory Board, the Cabinet Member for Finance resolved that the 28 items shown in the schedule totalling £155,962.83 be written-off for the reasons stated.

Reasons: As set out in the report submitted to the Finance and Property Advisory Board of 7 January 2009 (contains exempt information).

Signed Cabinet Member for D Aikman  
Finance:

Signed Leader: M Worrall

Signed Chief Executive: D Hughes

**Date of publication:** 09 January 2009

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: D090006MEM**

**Date: 7th January 2009**

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

**Proposed Rent Review Negotiations for Units at Martin Square,  
Larkfield  
(Reason: LGA 1972 Sch 12A Para 3 - Financial or business affairs  
of any particular person)**

**(Report of Central Services Director)**

**Details were given of proposed rent reviews of shop and  
maisonette units at Martin Square, Larkfield.**

Following consideration by the Finance and Property Advisory Board,  
the Cabinet Member for Finance resolved that the proposed rent reviews  
as outlined in the report be approved together with the deferral of the  
rent increase for the unit identified in section 1.3 of the report.

Reasons: As set out in the report submitted to the Finance and Property  
Advisory Board of 7 January 2009 (contains exempt information).

Signed Cabinet Member for D Aikman  
Finance:

Signed Leader: M Worrall

Signed Chief Executive: D Hughes

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**TONBRIDGE & MALLING BOROUGH COUNCIL**

**RECORD OF DECISION**

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

**Decision No: D090007MEM**

**Date: 7th January 2009**

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

**Proposed Transfer of Cemetery Lodge, Shipbourne Road,  
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 the proposed disposal of Cemetery  
Lodge together with arrangements for possible future provision of  
alternative office accommodation.**

Following consideration by the Finance and Property Advisory Board,  
the Cabinet Member for Finance resolved that approval be given for the  
disposal of Cemetery Lodge to Russet Homes, as outlined in the report,  
together with the specified provision from the capital receipt in the event  
that alternative office accommodation needs to be provided in the  
ground maintenance staff mess room.

Reasons: As set out in the report submitted to the Finance and Property  
Advisory Board of 7 January 2009 (contains exempt information).

Signed Cabinet Member for D Aikman  
Finance:

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