

TONBRIDGE AND MALLING BOROUGH COUNCIL

FINANCE AND PROPERTY ADVISORY BOARD

Wednesday, 20th May, 2009

Present: Cllr Mrs F A Kemp (Chairman), Cllr P J Homewood (Vice-Chairman), Cllr J R H Clements, Cllr G Court, Cllr D W P Evans and Cllr H S Rogers.

Councillors Aikman, Mrs Anderson, Baldock, Balfour, Coffin, Mrs Holland and Worrall were also present pursuant to Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors Miss Moloney and C Smith.

PART 1 - PUBLIC

**FP
09/028 DECLARATIONS OF INTEREST**

There were no declarations of interest made.

**FP
09/029 MINUTES**

RESOLVED: That the notes of the meeting of the Finance and Property Advisory Board held on 4 March 2009 be approved as a correct record and signed by the Chairman.

MATTERS FOR RECOMMENDATION TO THE CABINET

**FP
09/030 APPLICATIONS FOR DISCRETIONARY RATE RELIEF**

Decision Notice D090071MEM

The joint report of the Director of Finance and the Cabinet Member for Finance gave an update on Community Amateur Sports Club (CASC) registrations together with new applications for discretionary rate relief and rural rate relief which were considered in relation to the amended policies which had been adopted at Decision No D090012CAB.

RECOMMENDED: That

(1) the position regarding Cobdown Sports and Social Club and Bluebell Hill Cricket Club, as set out at paragraph 1.1.2 of the report, be noted and 10% and 20% discretionary relief be granted respectively, time limited to 31 March 2012 in each case;

(2) the new applications for discretionary rate relief be determined as follows:

Global Hand, 20 Foxbush, Hildenborough: no discretionary relief be granted;

In Touch Support, 2 Kings Hill Avenue, Kings Hill: no discretionary relief be granted;

Heart of Kent Hospice Trading Ltd, 5 Malling Road, Snodland: no discretionary relief be granted;

Malling Society, The Twitch Inn, Douces Manor, St Leonards Street, West Malling: no discretionary relief be granted;

(3) the new application for rural rate relief in respect of The Queen's Head, 133 Butchers Lane, Mereworth be determined as follows:

50% relief be granted, time limited to 31 March 2012 and the applicant be recommended to appeal against the valuation of the property to seek to bring it within the range of eligibility for mandatory rate relief.

**FP
09/031**

FINANCIAL PLANNING AND CONTROL

Decision Notice D090072MEM

The report of the Director of Finance provided information on the Council's key budget areas of salaries, major income streams and investment income in 2008/09 together with any variations agreed to the revenue budget and identified through budgetary control. This was summarised to provide an indicative overall budget position and expected outturn for 2008/09. In addition the report gave details of variations identified in respect of 2009/10 and an update on capital expenditure and variations agreed in relation to the capital plan.

It was noted that future reports would contain an expanded section on treasury management in response to the national reviews arising from the banking and credit crisis.

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

**FP
09/032**

TREASURY MANAGEMENT - EFFECT OF AND RESPONSE TO THE BANKING AND CREDIT CRISIS

The report of the Director of Finance provided an update on the position in respect of the Council's investment with Landsbanki and highlighted advice on best practice in public sector treasury management raised by the Treasury Select Committee, the Audit Commission and CIPFA in response to the banking crisis. The Board was advised that although the Council's governance arrangements for treasury management were consistent with CIPFA advice, there was a need to develop a greater understanding of treasury risks within the organisation. Therefore as a first step a seminar on credit worthiness had been organised for officers and key Members on 28 May 2009. It was proposed to report on treasury management activities in more detail in the future and to include the Audit Committee in that reporting process. Details were also given of a number of changes to the investment process which had been introduced by the in-house Treasury Management Team.

RECOMMENDED: That 

(1) the findings of the Treasury Select Committee, the Audit Commission and CIPFA in relation to the effect of and response to the banking crisis be noted; and

(2) the measures taken in response to the banking crisis detailed in the report be noted and endorsed.

***Referred to Cabinet**

**FP
09/033**

BENEFITS INVESTIGATION OUTTURN REPORT 2008/09

Decision Notice D090073MEM

The Director of Finance reported on the work undertaken by the Benefits Investigation Section during 2008/09 and referred to significant staffing changes and involvement in a partnership arrangement with Gravesham Borough Council. The Business Plan for 2009/10 was also presented for consideration.

RECOMMENDED: That

(1) the contents of the outturn report for 2008/09 be noted; and

(2) the Business Plan for 2009/10, as set out at Annex 1 to the report, be adopted.

**FP
09/034**

REQUEST FOR CAPITAL GRANT - BOROUGH GREEN VILLAGE HALL MANAGEMENT COMMITTEE

The joint report of the Director of Finance and Chief Leisure Officer gave details of an application received from Borough Green Village Hall Management Committee for a capital grant to help finance an urgent project to replace the central heating system at the village hall. Members were invited to consider the application in the light of the withdrawal of the capital grant scheme other than where there were exceptional circumstances.

RECOMMENDED: That 

(1) subject to the applicant obtaining a further quotation for the works, a maximum grant of £6,949.70 be made available until the end of October 2009; and

(2) it be a condition of the grant that the applicant enter into a formal maintenance agreement for the replacement central heating system.

***Referred to Cabinet**

**FP
09/035**

TONBRIDGE GATEWAY - CAPITAL FUNDING

Decision Notice D090074MEM

The report of the Central Services Director recommended a virement

from a capital budget for Disability Discrimination Act Improvement Works to the Tonbridge Gateway Project in order to fund additional works to improve facilities for the disabled.

RECOMMENDED: That approval be given to a virement of £34,000 from the capital provision for DDA Improvements to Council Offices to the capital scheme for Tonbridge Castle Reception Enhancement.

MATTERS SUBMITTED FOR INFORMATION

**FP
09/036** **PUBLICATION OF ALLOWANCES PAID TO MEMBERS DURING
THE FINANCIAL YEAR 2008/09**

The Board received a copy of the statement of the actual allowances paid to Members during the course of the financial year 2008/09 which had been published in accordance with regulation 15 (3) of the Local Authorities (Member Allowance) (England) Regulations 2003.

**FP
09/037** **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 reduction in collection rate for 2008/09 was attributable to the recession although it was expected that the Council's figures would be among the highest in Kent and Members' congratulations to the staff involved were recorded. Details were also given of a fact sheet sent to all businesses in connection with the Government's announcement concerning the business rates deferral scheme.

**FP
09/038** **BENEFITS UPDATE**

The report provided information on current issues arising in the benefits field including performance of the benefit service, the continued increase in workload and details of a further benefit administration grant from the Department for Work and Pensions which was being used to fund temporary staff.

MATTERS FOR CONSIDERATION IN PRIVATE

**FP
09/039** **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
09/040** **DEBTS FOR WRITE OFF**
(Reason: LGA 1972 Sch 12A Para 2 - Information likely to reveal information about an individual)

Decision Notice D090075MEM

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 14 items shown in the schedule, totalling £52,096.25, be written off for the reasons stated.

**FP
09/041** **PROPOSED TRANSFER OF LAND AT WINTERFIELD, EAST MALLING**
(Reason: LGA 1972 Sch 12A Para 3 - Financial or business affairs of any particular person)

Decision Notice D090076MEM

The report of the Central Services Director gave details of the proposed transfer of an area of land at Winterfield, East Malling to Russet Homes for construction of a pedestrian pathway.

RECOMMENDED: That the proposed transfer of the area of land required for a footpath be approved as detailed in the report subject to the provision of safety barriers at the London Road end of the route and arrangements to ensure removal of any alternative informal route.

**FP
09/042** **PROPOSED NEW LEASE OF PREMISES AT TWISDEN ROAD, EAST MALLING**
(Reason: LGA 1972 Sch 12A Para 3 - Financial or business affairs of any particular person)

Decision Notice D090077MEM

The Central Services Director gave details of the proposed new lease of a shop unit at Twisden Road, East Malling for use as a hairdressers.

RECOMMENDED: That the proposed new lease be granted under the terms and conditions outlined in the report.

**FP
09/043**

**PROPOSED RENT REVIEW OF SHOP PREMISES AT TWISDEN ROAD, EAST MALLING
(Reason: LGA 1972 Sch 12A Para 3 - Financial or business affairs of any particular person)**

Decision Notice D090078MEM

The report of the Central Services Director gave details of the proposed rent review of two shop premises at Twisden Road, East Malling.

RECOMMENDED: That the proposed rent review as detailed in the report be endorsed.

**FP
09/044**

**PROPOSED LEASE RENEWAL OF LAND ADJACENT TO VALE ROAD, TONBRIDGE
(Reason: LGA 1972 Sch 12A Para 3 - Financial or business affairs of any particular person)**

Decision Notice D090079MEM

Consideration was given to the report of the Central Services Director regarding the proposed lease renewal of a small area of land adjacent to residential premises in Vale Road, Tonbridge.

RECOMMENDED: That the proposed new lease of land be granted under the terms and conditions outlined in the report.

The meeting ended at 2045 hours

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION

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

Decision No: **D090071MEM**

Date: **20th May 2009**

Decision(s) and Reason(s)

Applications for Discretionary Rate Relief

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

(Annex 1)

(Annex 2)

**The report gave an update on Community Amateur Sports Club
(CASC) registrations together with new applications for
discretionary rate relief and rural rate relief which were considered
in relation to the amended policies which had been adopted at
Decision No D090012CAB.**

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

- 1) the position regarding Cobdown Sports and Social Club and Bluebell Hill Cricket Club, as set out at paragraph 1.1.2 of the report, be noted and 10% and 20% discretionary relief be granted respectively, time limited to 31 March 2012 in each case;
- 2) the new applications for discretionary rate relief be determined as follows:
Global Hand, 20 Foxbush, Hildenborough: no discretionary relief be granted;
In Touch Support, 2 Kings Hill Avenue, Kings Hill: no discretionary relief be granted;
Heart of Kent Hospice Trading Ltd, 5 Malling Road, Snodland: no discretionary relief be granted;
Malling Society, The Twitch Inn, Douces Manor, St Leonards Street, West Malling: no discretionary relief be granted;
- 3) the new application for rural rate relief in respect of The Queen's Head, 133 Butchers Lane, Mereworth be determined as follows:
50% relief be granted, time limited to 31 March 2012 and the applicant be recommended to appeal against the valuation of the property to seek to bring it within the range of eligibility for mandatory rate relief.

Reasons: As set out in the report submitted to the Finance and Property Advisory Board of 20 May 2009.

Signed Cabinet Member for D Aikman
Finance:

Signed Leader: M Worrall

Signed Chief Executive: D Hughes

Date of publication: 22 May 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: D090072MEM

Date: 20th May 2009

Decision(s) and Reason(s)

Financial Planning and Control

(Report of Director of Finance)

(Annex 1)

(Annex 2)

(Annex 3)

The report provided information on the Council's key budget areas of salaries, major income streams and investment income in 2008/09 together with any variations agreed to the revenue budget and identified through budgetary control. This was summarised to provide an indicative overall budget position and expected outturn for 2008/09. In addition the report gave details of variations identified in respect of 2009/10 and an update on capital expenditure and variations agreed in relation to the capital plan.

It was noted that future reports would contain an expanded section on treasury management in response to the national reviews arising from the banking and credit crisis.

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 20 May 2009.

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: D090073MEM

Date: 20th May 2009

Decision(s) and Reason(s)

Benefits Investigation Outturn Report 2008/09

**(Report of Director of Finance)
(Annex)**

The report gave details of the work undertaken by the Benefits Investigation Section during 2008/09 including reference to significant staffing changes and involvement in a partnership arrangement with Gravesham Borough Council. The Business Plan for 2009/10 was also presented for consideration.

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

- 1) the contents of the outturn report for 2008/09 be noted; and
- 2) the Business Plan for 2009/10, as set out at Annex 1 to the report, be adopted.

Reasons: As set out in the report submitted to the Finance and Property Advisory Board of 20 May 2009.

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RECORD OF DECISION

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

Decision No: D090074MEM

Date: 20th May 2009

Decision(s) and Reason(s)

Tonbridge Gateway - Capital Funding

(Report of Central Services Director)

The report recommended a virement from a capital budget for Disability Discrimination Act Improvement Works to the Tonbridge Gateway Project in order to fund additional works to improve facilities for the disabled.

Following consideration by the Finance and Property Advisory Board, the Cabinet Member for Finance resolved that approval be given to a virement of £34,000 from the capital provision for DDA Improvements to Council Offices to the capital scheme for Tonbridge Castle Reception Enhancement.

Reasons: As set out in the report submitted to the Finance and Property Advisory Board of 20 May 2009.

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TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION

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

Decision No: D090075MEM

Date: 20th May 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.

Following consideration by the Finance and Property Advisory Board, the Cabinet Member for Finance resolved that the 14 items shown in the schedule totalling £52,096.25 be written-off for the reasons stated.

Reasons: As set out in the report submitted to the Finance and Property Advisory Board of 20 May 2009 (contains exempt information).

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RECORD OF DECISION

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

Decision No: D090076MEM

Date: 20th May 2009

Decision(s) and Reason(s)

**Proposed Transfer of Land at Winterfield, East Malling
(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 transfer of an area of land
at Winterfield, East Malling to Russet Homes for construction of a
pedestrian pathway.**

Following consideration by the Finance and Property Advisory Board,
the Cabinet Member for Finance resolved that the proposed transfer of
the area of land required for a footpath be approved as detailed in the
report subject to the provision of safety barriers at the London Road end
of the route and arrangements to ensure removal of any alternative
informal routes.

Reasons: As set out in the report submitted to the Finance and Property
Advisory Board of 20 May 2009 (contains exempt information).

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RECORD OF DECISION

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

Decision No: D090077MEM

Date: 20th May 2009

Decision(s) and Reason(s)

**Proposed New Lease of Premises at Twisden Road, East Malling
(Reason: LGA 1972 Sch 12A Para 3 - Financial or business affairs
of any particular person)**

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

**Details were given of the proposed new lease of a shop unit at
Twisden Road, East Malling for use as a hairdressers.**

Following consideration by the Finance and Property Advisory Board,
the Cabinet Member for Finance resolved that the proposed new lease
be granted under the terms and conditions outlined in the report.

Reasons: As set out in the report submitted to the Finance and Property
Advisory Board of 20 May 2009 (contains exempt information).

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RECORD OF DECISION

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

Decision No: D090078MEM

Date: 20th May 2009

Decision(s) and Reason(s)

**Proposed Rent Review of Shop Premises at Twisden Road, East Malling
(Reason: LGA 1972 Sch 12A Para 3 - Financial or business affairs of any particular person)**

(Report of Central Services Director)

The report gave details of the proposed rent review of two shop premises at Twisden Road, East Malling.

Following consideration by the Finance and Property Advisory Board, the Cabinet Member for Finance resolved that the proposed rent review as detailed in the report be endorsed.

Reasons: As set out in the report submitted to the Finance and Property Advisory Board of 20 May 2009 (contains exempt information).

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RECORD OF DECISION

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

Decision No: D090079MEM

Date: 20th May 2009

Decision(s) and Reason(s)

**Proposed Lease Renewal of Land Adjacent to Vale Road,
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 the proposed lease renewal of a small
area of land adjacent to residential premises in Vale Road,
Tonbridge.**

Following consideration by the Finance and Property Advisory Board,
the Cabinet Member for Finance resolved that the proposed new lease
of land be granted under the terms and conditions outlined in the report.

Reasons: As set out in the report submitted to the Finance and Property
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