

TONBRIDGE AND MALLING BOROUGH COUNCIL

FINANCE AND PROPERTY ADVISORY BOARD

Wednesday, 30th September, 2009

Present: Cllr Mrs F A Kemp (Chairman), Cllr P J Homewood (Vice-Chairman), Cllr A W Allison, Cllr J R H Clements, Cllr G Court, Cllr D Lettington, Cllr Miss A Moloney, Cllr H S Rogers and Cllr A K Sullivan.

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

Apologies for absence were received from Councillors Evans and C Smith.

PART 1 - PUBLIC

**FP
09/061**

DECLARATIONS OF INTEREST

Councillor Miss Moloney declared a personal and prejudicial interest in the item relating to Applications for Discretionary Rate Relief on the grounds of being Membership Secretary for Snodland Community Association. She withdrew from the meeting during consideration of the application concerned.

The following Members declared personal interests in relation to the item on Financial Arrangements with Parish Councils on the grounds of membership of the parish/town council indicated:

Councillor Balfour (Birling)
Councillor Mrs Kemp (Trottiscliffe)
Councillor Miss Moloney (Snodland)
Councillor Worrall (West Malling).

**FP
09/062**

MINUTES

RESOLVED: That the notes of the meeting of the Finance and Property Advisory Board held on 8 July 2009 be approved as a correct record and signed by the Chairman.

MATTERS FOR RECOMMENDATION TO THE CABINET

FP
09/063

APPLICATIONS FOR DISCRETIONARY RATE RELIEF

Decision Notice D090135MEM

The joint report of the Director of Finance and Cabinet Member for Finance gave details of applications received from current recipients of discretionary rate relief for renewal of relief from 2010. The position regarding nurseries was verbally updated at the meeting and the applications were considered in relation to the amended policies adopted at decision number D090012CAB.

RECOMMENDED: That

1) in respect of the organisations shown at Annex 2 to the report the applications be determined as follows:

The Oaks Nursery, Riding Lane, Hildenborough: no discretionary relief be granted;

Carers First, High Street, Tonbrige: 10% discretionary relief be granted, time limited to 31 March 2013;

Snodland Millennium Museum, Waghorn Road, Snodland: the applicant be advised to apply for charitable status in order to benefit from mandatory rate relief and in the meantime, while this is explored, 80% discretionary relief be granted, time limited to 31 March 2011; and

2) in accordance with the Council's policy, the applications in respect of village halls and community centres set out at Annex 3 to the report be refused with the exception of the Snodland Community Centre, Paddlesworth Road, Snodland in which case 20% discretionary relief be granted, time limited to 31 March 2013.

FP
09/064

RURAL RATE RELIEF - RURAL SETTLEMENT LIST

Decision Notice D090136MEM

The report of the Director of Finance referred to the requirement to review the Council's rural settlement list and recommended that the current list be retained unaltered for the financial year 2010/11.

RECOMMENDED: That the current rural settlement list remain in force for the year 2010/11.

FP
09/065

AMENDMENT TO THE TREASURY MANAGEMENT STRATEGY STATEMENT AND ANNUAL INVESTMENT STRATEGY FOR 2009/10

Consideration was given to the report of the Director of Finance which put forward proposed amendments to the Treasury Management Strategy Statement and Annual Investment Strategy for 2009/10 in response to changing market conditions in order to improve the robustness of the Council's treasury arrangements. The report made

reference to individual counter party, group and sovereign exposure limits, credit rating limits and liquidity. Endorsement was sought in the aftermath of the banking crisis of the decision not to recall those investments which fell below the minimum rating set out in the existing Strategy because the institutions retained the implicit support of the Government.

RECOMMENDED: That

(1) retrospective approval be granted in respect of investments made with UK banks which retained the implicit support of HM Government whilst their credit rating fell below the minimum stipulated in the Investment Strategy;

2) the counter party, group and sovereign ratings set out at Annex 1 to the report be adopted and incorporated in the Treasury Management and Investment Strategy for 2009/10; and

(3) the amendments to the Specified and Non-specified Investment schedules to that Strategy, as set out at Annexes 2 and 3 to the report, be adopted.

***Referred to Cabinet**

**FP
09/066**

MEDIUM TERM FINANCIAL STRATEGY AND INITIAL BUDGETARY GUIDANCE

Decision Notice D090137MEM

Consideration was given to the joint report of the Director of Finance and Cabinet Member for Finance which gave details of factors that were likely to impact on the Council's finances for both the forthcoming budget cycle and Medium Term Financial Strategy. Endorsement was sought of the budgetary guidance issued to staff for the 2010/11 budget cycle. It was noted that due to the number of variables involved, particularly the effects of Government grant and capping levels, it was difficult to predict the exact funding gap that might be faced by the Council, although it was estimated that it could be of the order of £700,000 to £800,000.

RECOMMENDED: That

1) the broad objectives of the Medium Term Financial Strategy set out at paragraph 1.2.2 of the report be reaffirmed in principle at this stage but the objectives be revisited as the financial challenge faced by the Council is assessed and updated through the budget cycle; and

2) the budgetary guidance issued to Chief Officers preparing and considering estimates and fees and charges for 2010/11, as set out at paragraph 1.4.2 of the report, be endorsed.

**FP
09/067**

FINANCIAL PLANNING AND CONTROL

Decision Notice D090138MEM

The report of the Director of Finance provided information on the Council's key budget areas of salaries, major income streams, investment income and the trading position of the Leisure Services Business Unit. It also gave an update on the variations agreed in relation to the revenue budget and areas identified through budgetary control. This was summarised to provide an indicative overall budget position. An update was also given on capital expenditure and variations agreed in relation to the capital plan.

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

**FP
09/068**

FINANCIAL ARRANGEMENTS WITH PARISH COUNCILS

Decision Notice D090139MEM

The joint report of the Director of Finance and Cabinet Member for Finance referred to the amendments to the Scheme of Financial Arrangements with Parish Councils which had been approved in the light of the severe financial pressures facing the Council (decision numbers D080145CAB and D080193CAB refer). Consideration was given to the allocations to be applied to individual parish councils in 2010/11 and the position regarding capital grants.

RECOMMENDED: That

- 1) the allocations to individual parish councils under the Scheme of Financial Arrangements for 2010/11, as set out at Annex 1 to the report, be noted and endorsed; and
- 2) due to the continued financial pressures faced by the Council it is not practical at this time to reinstate the capital grant scheme but the Council will consider funding grants for any cases of exceptional need from the existing budget as and when they arise.

**FP
09/069**

BUDGET PRIORITISATION EXERCISE 2009/2010

Decision Notice D090140MEM

The report of the Management Team presented the results of the budget prioritisation exercise for the 2009/10 budget which demonstrated that the Council was continuing to target its resources to reflect its priorities.

RECOMMENDED: That the approach and outcome of the budget prioritisation exercise for the 2009/10 budget be noted and endorsed.

**FP
09/070**

**EFFICIENCY MONITORING STATEMENT AS AT JUNE 2009 AND
CONSULTATION PAPER ON FURTHER EFFICIENCY
INFORMATION TO BE INCLUDED ON AND WITH COUNCIL TAX
DEMAND NOTICES**

Decision Notice D090141MEM

The joint report of the Director of Finance and Cabinet Member for Innovation and Improvement provided details of the efficiency gains achieved and projected as at June 2009 and the Efficiency Statement due to be returned to the Department for Communities and Local Government (DCLG) in October. Reference was also made to a consultation paper issued by the DCLG setting out proposals for further efficiency information to be included on council tax bills and/or in the council tax leaflet.

RECOMMENDED: That

- 1) the content of the Efficiency Monitoring Statement as at June 2009 be noted and the Chief Executive and Director of Finance, in conjunction with the Leader and Cabinet Member for Innovation and Improvement, be authorised to approve the submission due to be returned to the Department for Communities and Local Government in October 2009; and
- 2) the proposed response to the consultation paper on Consolidation of Council Tax Demand Notice Regulations including efficiency information, as set out at paragraph 1.4.4 of the report, be endorsed.

**FP
09/071**

CAPITAL GRANTS MONITORING

Decision Notice D090142MEM

As requested at the last meeting of the Advisory Board the Director of Finance presented a review of unclaimed capital grants as at 11 September 2009 including a proposed way forward in respect of each project. It was noted that Tonbridge Cricket Club was planning to make a reduced claim so the balance of the grant could be recovered immediately.

RECOMMENDED: That

- 1) the proposed actions in respect of each project, as set out in the final column of the list at Annex 1 to the report, be endorsed subject to the immediate recovery of the remaining balance of the grant to Tonbridge Cricket Club; and
- 2) the Director of Finance be authorised to write to each applicant advising them of the outcome of the review.

MATTERS SUBMITTED FOR INFORMATION

FP 09/072 BENEFITS UPDATE

The report provided information on current issues arising in the benefits field including the performance of the Benefits Service, workload, staffing and a change in legislation in respect of child benefit disregard.

FP 09/073 COUNCIL TAX AND BUSINESS RATES UPDATE REPORT

The report gave details of recent developments in respect of council tax and business rates including progress with the business rates deferral scheme. The Director of Finance updated the position concerning the forthcoming business rates revaluation which would take effect on 1 April 2010 together with information being made available to ratepayers.

MATTERS FOR CONSIDERATION IN PRIVATE

FP 09/074 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 09/075 DEBTS FOR WRITE OFF (Reason: LGA 1972 Sch 12A Para 2 - Information likely to reveal information about an individual)

Decision Notice D090143MEM

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 debts provision.

RECOMMENDED: That the 11 items shown in the schedule totalling £82,689.95 be written off for the reasons stated.

FP
09/076

**PROPOSED LEASE RENEWAL, TWISDEN ROAD, EAST MALLING
(Reason: LGA 1972 Sch 12A Para 3 - Financial or business affairs
of any particular person)**

Decision Notice D090144MEM

The report of the Central Services Director gave details of the proposed lease renewal of premises at Twisden Road, East Malling.

RECOMMENDED: That the proposed new lease as detailed in the report be approved.

The meeting ended at 2101 hours

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION

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

Decision No: **D090135MEM**

Date: **30th September 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)

(Annex 3)

(Annex 4)

The report gave details of applications received from current recipients of discretionary rate relief for renewal of relief from 2010. The position regarding nurseries was verbally updated at the meeting and the applications were considered in relation to the amended policies adopted at decision number D090012CAB.

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

1) in respect of the organisations shown at Annex 2 to the report the applications be determined as follows:

The Oaks Nursery, Riding Lane, Hildenborough: no discretionary relief be granted;

Carers First, High Street, Tonbrige: 10% discretionary relief be granted, time limited to 31 March 2013;

Snodland Millennium Museum, Waghorn Road, Snodland: the applicant be advised to apply for charitable status in order to benefit from mandatory rate relief and in the meantime, while this is explored, 80% discretionary relief be granted, time limited to 31 March 2011; and

2) in accordance with the Council's policy, the applications in respect of village halls and community centres set out at Annex 3 to the report be refused with the exception of the Snodland Community Centre, Paddlesworth Road, Snodland in which case 20% discretionary relief be granted, time limited to 31 March 2013.

Reasons: As set out in the report submitted to the Finance and Property Advisory Board of 30 September 2009 and due to the particular circumstances applying to the Snodland Community Centre.

Signed Cabinet Member for D Aikman
Finance:

Signed Leader: M Worrall

Signed Chief Executive: D Hughes

Date of publication: 02 October 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: D090136MEM

Date: 30th September 2009

Decision(s) and Reason(s)

Rural Rate Relief - Rural Settlement List

(Report of Director of Finance)

The report referred to the requirement to review the Council's rural settlement list and recommended that the current list be retained unaltered for the financial year 2010/11.

Following consideration by the Finance and Property Advisory Board, the Cabinet Member for Finance resolved that the current rural settlement list remain in force for the year 2010/11.

Reasons: As set out in the report submitted to the Finance and Property Advisory Board of 30 September 2009.

Signed Cabinet Member for D Aikman
Finance:

Signed Leader: M Worrall

Signed Chief Executive: D Hughes

Date of publication: 02 October 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: D090137MEM

Date: 30th September 2009

Decision(s) and Reason(s)

Medium Term Financial Strategy and Initial Budgetary Guidance

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

Consideration was given to factors that were likely to impact on the Council's finances for both the forthcoming budget cycle and Medium Term Financial Strategy. Endorsement was sought of the budgetary guidance issued to staff for the 2010/11 budget cycle. It was noted that due to the number of variables involved, particularly the effects of Government grant and capping levels, it was difficult to predict the exact funding gap that might be faced by the Council although it was estimated that it could be of the order of £700,000 to £800,000.

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

- 1) the broad objectives of the Medium Term Financial Strategy set out at paragraph 1.2.2 of the report be reaffirmed in principle at this stage but the objectives be revisited as the financial challenge faced by the Council is assessed and updated through the budget cycle; and
- 2) the budgetary guidance issued to Chief Officers preparing and considering estimates and fees and charges for 2010/11, as set out at paragraph 1.4.2 of the report, be endorsed.

Reasons: As set out in the report submitted to the Finance and Property Advisory Board of 30 September 2009.

Signed Cabinet Member for D Aikman
Finance:

Signed Leader: M Worrall

Signed Chief Executive: D Hughes

Date of publication: 02 October 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: D090138MEM

Date: 30th September 2009

Decision(s) and Reason(s)

Financial Planning and Control

(Report of Director of Finance)

(Annex 1)

(Annex 2)

(Annex 3)

(Annex 4)

(Annex 5)

(Annex 6)

(Annex 7)

The report provided information on the Council's key budget areas of salaries, major income streams, investment income and the trading position of the Leisure Services Business Unit. It also gave an update on the variations agreed in relation to the revenue budget and areas identified through budgetary control. This was summarised to provide an indicative overall budget position. An update was also given on capital expenditure and variations agreed in relation to the 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 30 September 2009.

Signed Cabinet Member for D Aikman
Finance:

Signed Leader: M Worrall

Signed Chief Executive: D Hughes

Date of publication: 02 October 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: D090139MEM

Date: 30th September 2009

Decision(s) and Reason(s)

Financial Arrangements with Parish Councils

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

Reference was made to the amendments to the Scheme of Financial Arrangements with Parish Councils which had been approved in the light of the severe financial pressures facing the Council (decision numbers D080145CAB and D080193CAB refer). Consideration was given to the allocations to be applied to individual parish councils in 2010/11 and the position regarding capital grants.

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

- 1) the allocations to individual parish councils under the Scheme of Financial Arrangements for 2010/11, as set out at Annex 1 to the report, be noted and endorsed; and
- 2) due to the continued financial pressures faced by the Council it is not practical at this time to reinstate the capital grant scheme but the Council will consider funding grants for any cases of exceptional need from the existing budget as and when they arise.

Reasons: As set out in the report submitted to the Finance and Property Advisory Board of 30 September 2009.

[Councillor Worrall declared a personal interest in this item on the grounds of membership of West Malling Parish Council.]

Signed Cabinet Member for D Aikman
Finance:

Signed Leader: M Worrall

Signed Chief Executive: D Hughes

Date of publication: 02 October 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: D090140MEM

Date: 30th September 2009

Decision(s) and Reason(s)

Budget Prioritisation Exercise 2009/2010

(Report of Management Team)

(Annex 1)

(Annex 2)

The report presented the results of the budget prioritisation exercise for the 2009/10 budget which demonstrated that the Council was continuing to target its resources to reflect its priorities.

Following consideration by the Finance and Property Advisory Board, the Cabinet Member for Finance resolved that the approach and outcome of the budget prioritisation exercise for the 2009/10 budget be noted and endorsed.

Reasons: As set out in the report submitted to the Finance and Property Advisory Board of 30 September 2009.

Signed Cabinet Member for D Aikman
Finance:

Signed Leader: M Worrall

Signed Chief Executive: D Hughes

Date of publication: 02 October 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
Innovation and Improvement**

Decision No: D090141MEM

Date: 30th September 2009

Decision(s) and Reason(s)

Efficiency Monitoring Statement as at June 2009 and Consultation Paper on Further Efficiency Information to be included on and with Council Tax Demand Notices

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

The report provided details of the efficiency gains achieved and projected as at June 2009 and the Efficiency Statement due to be returned to the Department for Communities and Local Government (DCLG) in October. Reference was also made to a consultation paper issued by the DCLG setting out proposals for further efficiency information to be included on council tax bills and/or in the council tax leaflet.

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

- 1) the content of the Efficiency Monitoring Statement as at June 2009 be noted and the Chief Executive and Director of Finance, in conjunction with the Leader and Cabinet Member for Innovation and Improvement, be authorised to approve the submission due to be returned to the Department for Communities and Local Government in October 2009; and
- 2) the proposed response to the consultation paper on Consolidation of Council Tax Demand Notice Regulations including efficiency information, as set out at paragraph 1.4.4 of the report, be endorsed.

Reasons: As set out in the report submitted to the Finance and Property Advisory Board of 30 September 2009.

Signed Cabinet Member for O Baldock
Innovation and
Improvement:

Signed Leader: M Worrall

Signed Chief Executive: D Hughes

Date of publication: 02 October 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: D090142MEM

Date: 30th September 2009

Decision(s) and Reason(s)

Capital Grants Monitoring

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

Consideration was given to a review of unclaimed capital grants as at 11 September 2009 including a proposed way forward in respect of each project. It was noted that Tonbridge Cricket Club was planning to make a reduced claim so the balance of the grant could be recovered immediately.

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

- 1) the proposed actions in respect of each project, as set out in the final column of the list at Annex 1 to the report, be endorsed subject to the immediate recovery of the remaining balance of the grant to Tonbridge Cricket Club; and
- 2) the Director of Finance be authorised to write to each applicant advising them of the outcome of the review.

Reasons: As set out in the report submitted to the Finance and Property Advisory Board of 30 September 2009.

Signed Cabinet Member for D Aikman
Finance:

Signed Leader: M Worrall

Signed Chief Executive: D Hughes

Date of publication: 02 October 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: D090143MEM

Date: 30th September 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 11 items shown in the schedule totalling £82,689.95 be written off for the reasons stated.

Reasons: As set out in the report submitted to the Finance and Property Advisory Board of 30 September 2009 (contains exempt information).

Signed Cabinet Member for D Aikman
Finance:

Signed Leader: M Worrall

Signed Chief Executive: D Hughes

Date of publication: 02 October 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: D090144MEM

Date: 30th September 2009

Decision(s) and Reason(s)

**Proposed Lease Renewal, 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 lease renewal of premises
at Twisden Road, East Malling.**

Following consideration by the Finance and Property Advisory Board,
the Cabinet Member for Finance resolved that the proposed new lease
as detailed in the report be approved.

Reasons: As set out in the report submitted to the Finance and Property
Advisory Board of 30 September 2009 (contains exempt information).

Signed Cabinet Member for D Aikman
Finance:

Signed Leader: M Worrall

Signed Chief Executive: D Hughes

Date of publication: 02 October 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.