

TONBRIDGE AND MALLING BOROUGH COUNCIL

FINANCE AND PROPERTY ADVISORY BOARD

Wednesday, 8th July, 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 W P Evans, Cllr D Lettington, Cllr Miss A Moloney, Cllr H S Rogers, Cllr C P Smith and Cllr A K Sullivan.

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

PART 1 - PUBLIC

**FP
09/045 DECLARATIONS OF INTEREST**

Councillor Mrs Kemp declared a personal and prejudicial interest in the item relating to Applications for Discretionary Rate Relief on the grounds of membership of the Pre-School Learning Alliance. She withdrew from the meeting during consideration of this item and the Vice-Chairman took the Chair.

The following Members declared personal interests in relation to the information item on Capital Grants Monitoring on the grounds of membership of the parish/town councils indicated:

Councillor Balfour (Birling)
Councillor Coffin (Wrotham)
Councillor Miss Moloney (Snodland)
Councillor C Smith (Hildenborough)
Councillor Worrall (West Malling)

**FP
09/046 MINUTES**

RESOLVED: That the notes of the meeting of the Finance and Property Advisory Board held on 20 May 2009 be approved as a correct record and signed by the Chairman.

MATTERS FOR RECOMMENDATION TO THE CABINET

**FP
09/047 PERFORMANCE REWARD GRANT**

The report of the Chief Executive sought authority for the capital element of the performance reward grant received under the first Kent Agreement to be transferred to the Local Strategic Partnership.

RECOMMENDED: That the Local Strategic Partnership for Tonbridge and Malling be awarded a capital grant of £67,397.72 funded from the Revenue Reserve for Capital Schemes. ◀

***Referred to Cabinet**

**FP
09/048**

FUTURE ADMINISTRATION OF CONCESSIONARY TRAVEL

Decision Notice D090097MEM

The joint report of the Central Services Director, Director of Finance and Cabinet Member for Finance gave details of a Department for Transport consultation on possible changes to the tier of government responsible for administering concessionary travel. Reference was made to previously expressed concerns surrounding the funding of the national free bus pass and its impact on the Council's budget and it was noted that the potential transfer of responsibility to a different tier of authority had been factored into the Medium Term Financial Strategy.

Consideration was given to a suggested response prepared by the Kent Finance Officers Association which advocated a consistent approach by the Kent authorities.

RECOMMENDED: That a response be made to the Department for Transport consultation paper:

(1) expressing support for a transfer of the administration of statutory and discretionary concessionary travel from district level authorities on the basis advocated by the Kent Finance Officers Association but making it clear that if responsibility is transferred to county councils and applications continue to be processed by the district councils, the latter should receive full reimbursement of costs;

(2) emphasising that any transfer of responsibility should be complete to ensure clarity for the public and that no residual costs fall upon the district councils;

(3) drawing attention to the problem of cross-boundary travel and urging that if responsibility is transferred to county councils, appropriate finance and guidance should be made available to enable discretions beyond the core scheme (such as additional hours and companion passes) to apply across county boundaries; and

(4) drawing the Government's attention to the need to address the issue of concessionary rail travel to ensure a consistent and equal approach across the bus and rail networks.

**FP
09/049**

APPLICATIONS FOR DISCRETIONARY RATE RELIEF

Decision Notice D090098MEM

Further to Decision No D090005MEM, 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 applications were considered in accordance with the revised guidelines for the grant of such relief.

Consideration was given to representations from The Bridge Trust explaining that its shop premises were not operated by a trading arm. It was noted that the Trust worked closely with the Council on housing and homelessness issues, helping the Council to achieve some of its key priorities, and was also a member of the Local Strategic Partnership.

RECOMMENDED: That

(1) in respect of reapplications for relief shown at Annex 2 to the report, 20% discretionary rate relief be awarded in each case with the exception of the Pre-School Learning Alliance (5% discretionary relief), effective from 1 April 2010 and time limited to 31 March 2013; and

(2) in accordance with the Council's policy and for the reasons set out in the report, the applications shown in Annex 3 to the report be refused subject to acceptance of The Bridge Trust premises at 17 Quarry Hill Road, Tonbridge as an exceptional case with an award of 20% discretionary relief from 1 April 2010, time limited to 31 March 2013.

**FP
09/050**

FINANCIAL PLANNING AND CONTROL

Decision Notice D090099MEM

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 and used to update the Medium Term Financial Strategy. 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
09/051**

EFFICIENCY STATEMENT 2008/09

Decision Notice D090100MEM

The joint report of the Director of Finance and Cabinet Member for Innovation and Improvement gave details of the efficiency gains achieved for 2008/09 and outlined proposed arrangements for authorising the submission of the Backward Looking Annual Efficiency Statement to the Department for Communities and Local Government by 24 July 2009.

RECOMMENDED: That

(1) the content of the Backward Looking Annual Efficiency Statement for 2008/09 set out at Annex 1 to the report be noted; and

(2) 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 of the Backward Looking Statement for 2008/09 to the Department for Communities and Local Government.

MATTERS SUBMITTED FOR INFORMATION

**FP
09/052**

BENEFITS UPDATE

The report provided information on current issues arising in the benefits field including performance of the Benefits Service, workload, staffing and benefit notification letters.

**FP
09/053**

COUNCIL TAX AND BUSINESS RATES UPDATE REPORT

The report gave details of recent developments in respect of Council Tax and Business Rates including comparative collection rates for the Kent authorities.

**FP
09/054**

BENEFITS INVESTIGATION SECTION UPDATE

The report updated the position on the work of the Benefits Investigation Section including a review of all procedures under the partnership arrangements with Gravesham Borough Council.

**FP
09/055**

CAPITAL GRANTS MONITORING

Details were given of capital grants monitoring statements to 20 June 2009 in respect of capital grants to parish councils, voluntary organisations, village/community halls and historic buildings grants.

Members commented on the number of unclaimed grants from previous years and requested that in each case enquiries be made of the applicant as to the current position. It was noted that it was now the Council's practice to time-limit the use of grant monies.

**FP
09/056**

**CAPITAL PROGRAMME: POST IMPLEMENTATION REVIEWS
MONITORING REPORT**

The report identified the post implementation reviews carried out since the meeting of the Board in October 2008 and the capital plan schemes for which reviews were due.

MATTERS FOR CONSIDERATION IN PRIVATE

FP 09/057 **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 09/058 **APPLICATION FOR REDUCTION OR REMISSION OF BUSINESS RATES** **(Reason: LGA 1972 Sch 12A Para 3 - Financial or business affairs of any particular person)**

Decision Notice D090101MEM

The report of the Director of Finance gave details of an application from a ratepayer seeking a reduction in the amount of business rates payable in respect of their property. Consideration was given to the request having regard to the approved policy guidelines for determination of such applications.

RECOMMENDED: That the application for reduction or remission of rates be refused.

FP 09/059 **DEBTS FOR WRITE OFF** **(Reason: LGA 1972 Sch 12A Para 2 - Information likely to reveal information about an individual)**

Decision Notice D090102MEM

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 eight items shown in the schedule totalling £17,024.18 be written-off for the reasons stated.

FP 09/060 **POULT WOOD GOLF CENTRE - EXTENSION AND REFURBISHMENT OF MAINTENANCE BUILDING** **(Reason: LGA 1972 Sch 12A Para 3 - Financial or business affairs of any particular person)**

Decision Notice D090103MEM

The joint report of the Chief Leisure Officer and Cabinet Members for

Finance and Leisure, Youth and Arts outlined the outcome of the recent tender process for the extension and refurbishment of the maintenance building at Poulton Wood Golf Centre, an approved scheme on List A of the Capital Plan.

RECOMMENDED: That the contract be awarded to H Goodsell & Son Ltd in the sum of £79,981.

The meeting ended at 2115 hours

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION

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

Decision No: **D090097MEM**

Date: **8th July 2009**

Decision(s) and Reason(s)

Future Administration of Concessionary Travel

(Joint report of Central Services Director, Director of Finance and Cabinet Member for Finance)

(Annex 1)

(Annex 2)

The report gave details of a Department for Transport consultation on possible changes to the tier of government responsible for administering concessionary travel. Reference was made to previously expressed concerns surrounding the funding of the national free bus pass and its impact on the Council's budget and it was noted that the potential transfer of responsibility to a different tier of authority had been factored into the Medium Term Financial Strategy.

Consideration was given to a suggested response prepared by the Kent Finance Officers Association which advocated a consistent approach by the Kent authorities.

Following consideration by the Finance and Property Advisory Board, the Cabinet Member for Finance resolved that a response be made to the Department for Transport consultation paper:

- 1) expressing support for a transfer of the administration of statutory and discretionary concessionary travel from district level authorities on the basis advocated by the Kent Finance Officers Association but making it clear that if responsibility is transferred to county councils and applications continue to be processed by the district councils, the latter should receive full reimbursement of costs;
- 2) emphasising that any transfer of responsibility should be complete to ensure clarity for the public and that no residual costs fall upon the district councils;
- 3) drawing attention to the problem of cross-boundary travel and urging that if responsibility is transferred to county councils, appropriate finance and guidance should be made available to enable discretions beyond the core scheme (such as additional hours and companion passes) to apply across county boundaries; and
- 4) drawing the Government's attention to the need to address the issue of concessionary rail travel to ensure a consistent and equal approach across the bus and rail networks.

Reasons: As set out in the report submitted to the Finance and Property Advisory Board of 8 July 2009 and to highlight the need for consistency across borders in terms of both concessionary bus and rail travel.

Signed Cabinet Member for D Aikman
Finance:

Signed Leader: M Worrall

Signed Chief Executive: D Hughes

Date of publication: 10 July 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: **D090098MEM**

Date: **8th July 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)

Further to decision number D090005MEM, details were given of applications received from current recipients of discretionary rate relief for renewal of relief from 2010. The applications were considered in accordance with the revised guidelines for the grant of such relief.

Consideration was given to representations from The Bridge Trust explaining that its shop premises were not operated by a trading arm. It was noted that The Trust worked closely with the Council on housing and homelessness issues, helping the Council to achieve some of its key priorities, and was also a member of the Local Strategic Partnership.

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

- 1) in respect of reapplications for relief shown at Annex 2 to the report, 20% discretionary rate relief be awarded in each case with the exception of the Pre-School Learning Alliance (5% discretionary relief), effective from 1 April 2010 and time limited to 31 March 2013; and
- 2) in accordance with the Council's policy and for the reasons set out in the report, the applications shown in Annex 3 to the report be refused subject to acceptance of The Bridge Trust premises at 17 Quarry Hill Road, Tonbridge as an exceptional case with an award of 20% discretionary relief from 1 April 2010, time limited to 31 March 2013.

Reasons: As set out in the report submitted to the Finance and Property Advisory Board of 8 July 2009 and due to the exceptional local contribution of The Bridge Trust in the field of housing and homelessness and as a member of the Local Strategic Partnership.

Signed Cabinet Member for D Aikman
Finance:

Signed Leader: M Worrall

Signed Chief Executive: D Hughes

Date of publication: 10 July 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: **D090099MEM**

Date: **8th July 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)

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 and used to update the Medium Term Financial Strategy. 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 8 July 2009.

Signed Cabinet Member for D Aikman
Finance:

Signed Leader: M Worrall

Signed Chief Executive: D Hughes

Date of publication: 10 July 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: D090100MEM

Date: 8th July 2009

Decision(s) and Reason(s)

Efficiency Statement 2008/09

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

**The report gave details of the efficiency gains achieved for 2008/09
and outlined proposed arrangements for authorising the
submission of the Backward Looking Annual Efficiency Statement
to the Department for Communities and Local Government by 24
July 2009.**

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

- 1) the content of the Backward Looking Annual Efficiency Statement
for 2008/09 set out at Annex 1 to the report be noted; and
- 2) 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 of the Backward Looking
Statement for 2008/09 to the Department for Communities and Local
Government.

Reasons: As set out in the report submitted to the Finance and Property
Advisory Board of 8 July 2009.

Signed Cabinet Member for O Baldock
Innovation and
Improvement:

Signed Leader: M Worrall

Signed Chief Executive: D Hughes

Date of publication: 10 July 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: D090101MEM

Date: 8th July 2009

Decision(s) and Reason(s)

**Application for Reduction or Remission of Business Rates
(Reason: LGA 1972 Sch 12A Para 3 - Financial or business affairs
of any particular person)**

**(Report of Director of Finance)
(Annex 1)
(Annex 2)**

**The report gave details of an application from a ratepayer seeking a
reduction in the amount of business rates payable in respect of
their property. Consideration was given to the request having
regard to the approved policy guidelines for determination of such
applications.**

Following consideration by the Finance and Property Advisory Board,
the Cabinet Member for Finance resolved that the application for
reduction or remission of rates be refused.

Reasons: As set out in the report submitted to the Finance and Property
Advisory Board of 8 July 2009 (contains exempt information).

Signed Cabinet Member for D Aikman
Finance:

Signed Leader: M Worrall

Signed Chief Executive: D Hughes

Date of publication: 10 July 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: D090102MEM

Date: 8th July 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 eight items shown in the schedule totalling £17,024.18 be written off for the reasons stated.

Reasons: As set out in the report submitted to the Finance and Property Advisory Board of 8 July 2009 (contains exempt information).

Signed Cabinet Member for D Aikman
Finance:

Signed Leader: M Worrall

Signed Chief Executive: D Hughes

Date of publication: 10 July 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: D090103MEM

Date: 8th July 2009

Decision(s) and Reason(s)

**Poult Wood Golf Centre - Extension and Refurbishment of
Maintenance Building
(Reason: LGA 1972 Sch 12A Para 3 - Financial or business affairs
of any particular person)**

**(Joint report of Chief Leisure Officer and Cabinet Members for
Finance and Leisure, Youth and Arts)**

**The report outlined the outcome of the recent tender process for
the extension and refurbishment of the maintenance building at
Poult Wood Golf Centre, an approved scheme on List A of the
Capital Plan.**

Following consideration by the Finance and Property Advisory Board,
the Cabinet Member for Finance resolved that the contract be awarded
to H Goodsell & Son Ltd in the sum of £79,981.

Reasons: As set out in the report submitted to the Finance and Property
Advisory Board of 8 July 2009 (contains exempt information).

Signed Cabinet Member for D Aikman
Finance:

Signed Leader: M Worrall

Signed Chief Executive: D Hughes

Date of publication: 10 July 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.