

TONBRIDGE AND MALLING BOROUGH COUNCIL

FINANCE AND PROPERTY ADVISORY BOARD

Thursday, 29th September, 2011

Present: Cllr A K Sullivan (Chairman), Cllr A W Allison (Vice-Chairman), Cllr T Bishop, Cllr T Edmondston-Low, Cllr S J Jessel, Cllr R D Lancaster, Cllr C P Smith and Cllr R Taylor.

Councillors Mrs Anderson, Atkins, Ms Atkinson, Baldock, Balfour, Bolt, Coffin, Rhodes, Rogers and Worrall were also present pursuant to Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors Mrs Bates, Homewood, Mrs Kemp, Mrs Murray and Sayer.

PART 1 - PUBLIC

**FP
11/039**

DECLARATIONS OF INTEREST

The following Members declared personal interest in relation to the item on Financial Arrangements with Parish Councils on the grounds of membership of the parish councils indicated:

Councillor Bishop (East Malling and Larkfield)
Councillor Coffin (Wrotham)

**FP
11/040**

MINUTES

RESOLVED: That the notes of the meeting of the Finance and Property Advisory Board held on 20 July 2011 be approved as a correct record and signed by the Chairman.

MATTERS FOR RECOMMENDATION TO THE CABINET

**FP
11/041**

APPLICATIONS FOR DISCRETIONARY RATE RELIEF

Decision Notice D110130MEM

The joint report of the Director of Finance and Cabinet Member for Finance gave details of new applications for discretionary rate relief which were considered in accordance with the revised guidelines for the grant of such relief. It was noted that in respect of earlier applications from West Kent YMCA, the further information requested had not been received since the organisation had yet to resolve matters.

RECOMMENDED: That

(1) in respect of Shaw Trust, Part 1st Floor South, 1 East Street, Tonbridge – 20% discretionary relief be granted, time limited to 31 March 2013; and

(2) in respect of Buzzboxuk Ltd, Unit 3, Yew Tree Industrial Estate, Mill Hall, Aylesford – no discretionary relief be granted.

**FP
11/042**

RURAL RATE RELIEF - RURAL SETTLEMENT LIST

Decision Notice D110131MEM

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 2012/13.

RECOMMENDED: That the current rural settlement list remain in force for the year 2012/13.

**FP
11/043**

FINANCIAL PLANNING AND CONTROL

Decision Notice D110132MEM

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 (LSBU). 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.

The situation set out in Decision No D110105MEM was updated and attention drawn to the fact that a permanent rather than temporary reduction was being seen in some of the Council's income streams due to changes in behaviour and increased competition. The implications for the Medium Term Financial Strategy (MTFS) and the size of the funding gap would continue to be monitored and an updated MTFS presented to the Cabinet on 12 October 2011.

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

**FP
11/044**

FINANCIAL ARRANGEMENTS WITH PARISH COUNCILS

The joint report of the Director of Finance and Cabinet Member for Finance gave details of the proposed allocations to individual parish councils under the Scheme of Financial Arrangements with Parish Councils for the financial year 2012/13. Reference was made to the methodology agreed in liaison with the Parish Partnership Panel in 2008 for the budget to be increased by the same percentage as the cash increase received by the Borough Council in its revenue support

grant settlement in the previous year. It was noted that for the 2011/12 budget the Council's revenue support grant had been cut by 16% and Annex 1 to the report set out details of the reduced allocations to individual parish councils under this methodology.

Whilst Members were mindful of the impact that such a reduction might have on parish councils, it was noted that the Borough Council had suffered significant cuts to its own grant and would need to make savings in excess of £2 million as set out in the Medium Term Financial Strategy. In order to mitigate the impact and assist parish councils with one-off expenditure, it was proposed that a further exclusive bidding round for the Community Enhancement Fund be offered before the end of the financial year.

RECOMMENDED: That

(1) the usual methodology be adopted in calculating the allocations to parish councils under the Scheme of Financial Arrangements with Parish Councils for the year 2012/13;

(2) parish councils be notified of their allocations as set out in Annex 1 to the report; and

(3) a further exclusive bidding round for the Community Enhancement Fund be offered to parish councils before the end of the financial year, limited to £2,000 per application against capital/non-recurring expenditure.

***Referred to Cabinet**

**FP
11/045**

**HOUSING BENEFIT REFORM - SUPPORTED ACCOMMODATION
CONSULTATION PAPER**

Decision Notice D110133MEM

The report of the Director of Finance outlined the main proposals contained within the Department for Work and Pensions (DWP) consultation paper entitled 'Housing Benefit Reform – Supported Accommodation'. Consideration was given to a draft response to the questions asked in the consultation paper and to a mechanism for providing a response by the 9 October 2011 deadline date.

Considerable concern was expressed about the consequential impact on vulnerable individuals and it was considered that this should be pointed out in a covering letter to the DWP. It was also suggested that contact be made with Kent County Council to determine whether a common approach to the consultation might be adopted.

RECOMMENDED: That

(1) the draft response to the consultation paper outlining the Government's proposals for housing benefit reform for supported housing, as set out in Annex 1 to the report, be endorsed subject to

amendment of the responses to Questions 10 and 15 to reinforce the answers with local examples;

(2) a covering letter drawing attention to the Council's concerns be sent with the response at (1) above; and

(3) the final response for submission to the Department for Work and Pensions be prepared in consultation with the Leader and Cabinet Members for Finance and Housing by the deadline of 9 October 2011.

MATTERS SUBMITTED FOR INFORMATION

**FP
11/046**

COUNCIL TAX AND BUSINESS RATES UPDATE REPORT

The report updated the position on the collection of council tax and business rates for the 2011/12 financial year. It was noted that the Small Business Rate Relief Scheme had been extended by a further year to 30 September 2012 and ratepayers notified accordingly.

**FP
11/047**

BENEFITS UPDATE

Members were advised of current issues arising in the benefits field including performance and workload of the Benefits Section. It was noted that some changes were being made to the structure in preparation for the anticipated challenges of introduction of universal credit, localisation of council tax support and local retention of business rates. It was also reported that the Audit Commission was due to commence the annual audit of the Council's benefits subsidy claim. Members expressed appreciation of the work of the team.

**FP
11/048**

BENEFIT INVESTIGATION SECTION UPDATE

The report informed the Advisory Board of the work carried out by the Benefits Investigation Section since the outturn report presented to the meeting in May 2011. Members queried the use of the term 'target' for sanctions and suggested that 'estimate' might be more appropriate.

MATTERS FOR CONSIDERATION IN PRIVATE

**FP
11/049**

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
11/050** **DEBTS FOR WRITE OFF**
(Reason: LGA 1972 Sch 12A Para 2 - Information likely to reveal information about an individual)

Decision Notice D110134MEM

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 10 items shown in the schedule totalling £35,179.25 be written-off for the reasons stated.

**FP
11/051** **PROPOSED LEASE OF LAND FOR INSTALLATION OF ELECTRICITY EQUIPMENT AT HAYSDEN COUNTRY PARK**
(Reason: LGA 1972 Sch 12A Para 3 - Financial or business affairs of any particular person)

Decision Notice D110135MEM

The report of the Central Services Director gave details of a proposal to lease a small area of land to UK Power Networks for installation of electricity equipment at Haysden Country Park.

RECOMMENDED: That the proposed terms and conditions for a lease of land to UK Power Networks, as set out in the report, be approved.

The meeting ended at 2105 hours

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION

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

Decision No: D110130MEM

Date: 29th September 2011

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)

Details were given of new applications for discretionary rate relief which were considered in accordance with the revised guidelines for the grant of such relief. It was noted that in respect of earlier applications from West Kent YMCA, the further information requested had not been received since the organisation had yet to resolve matters.

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

- 1) in respect of Shaw Trust, Part 1st Floor South, 1 East Street, Tonbridge – 20% discretionary relief be granted, time limited to 31 March 2013; and
- 2) in respect of Buzzboxuk Ltd, Unit 3, Yew Tree Industrial Estate, Mill Hall, Aylesford – no discretionary relief be granted.

Reasons: As set out in the report submitted to the Finance and Property Advisory Board of 29 September 2011.

Signed Cabinet Member for M Coffin
Finance:

Signed Leader: M Worrall

Signed Chief Executive: D Hughes

Date of publication: 30 September 2011

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: D110131MEM

Date: 29th September 2011

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 2012/13.

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 2012/13.

Reasons: As set out in the report submitted to the Finance and Property Advisory Board of 29 September 2011.

Signed Cabinet Member for M Coffin
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: **D110132MEM**

Date: **29th September 2011**

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, investment income and the trading position of the Leisure Services Business Unit (LSBU). 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.

The situation set out in Decision No D110105MEM was updated and attention drawn to the fact that a permanent rather than temporary reduction was being seen in some of the Council's income streams due to changes in behaviour and increased competition. The implications for the Medium Term Financial Strategy (MTFS) and the size of the funding gap would continue to be monitored and an updated MTFS presented to the Cabinet on 12 October 2011.

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 29 September 2011.

Signed Cabinet Member for M Coffin
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: **D110133MEM**

Date: **29th September 2011**

Decision(s) and Reason(s)

Housing Benefit Reform - Supported Accommodation Consultation Paper

(Report of Director of Finance)

(Annex 1)

(Annex 2)

The report outlined the main proposals contained within the Department for Work and Pensions (DWP) consultation paper entitled 'Housing Benefit Reform – Supported Accommodation'. Consideration was given to a draft response to the questions asked in the consultation paper and to a mechanism for providing a response by the 9 October 2011 deadline date.

Considerable concern was expressed about the consequential impact on vulnerable individuals and it was considered that this should be pointed out in a covering letter to the DWP. It was also suggested that contact be made with Kent County Council to determine whether a common approach to the consultation might be adopted.

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

- 1) the draft response to the consultation paper outlining the Government's proposals for housing benefit reform for supported housing, as set out in Annex 1 to the report, be endorsed subject to amendment of the responses to Questions 10 and 15 to reinforce the answers with local examples;
- 2) a covering letter drawing attention to the Council's concerns be sent with the response at (1) above; and
- 3) the final response for submission to the Department for Work and Pensions be prepared in consultation with the Leader and Cabinet Members for Finance and Housing by the deadline of 9 October 2011.

Reasons: As set out in the report submitted to the Finance and Property Advisory Board of 29 September 2011.

Signed Cabinet Member for M Coffin
Finance:

Signed Leader: M Worrall

Signed Chief Executive: D Hughes

Date of publication: 30 September 2011

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RECORD OF DECISION

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

Decision No: D110134MEM

Date: 29th September 2011

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 10 items shown in the schedule totalling £35,179.25 be written off for the reasons stated.

Reasons: As set out in the report submitted to the Finance and Property Advisory Board of 29 September 2011 (contains exempt information).

Signed Cabinet Member for M Coffin
Finance:

Signed Leader: M Worrall

Signed Chief Executive: D Hughes

Date of publication: 30 September 2011

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TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION

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

Decision No: D110135MEM

Date: 29th September 2011

Decision(s) and Reason(s)

**Proposed Lease of Land for Installation of Electricity Equipment at
Haysden Country Park**

**(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 lease a small area of land
to UK Power Networks for installation of electricity equipment at
Haysden Country Park.**

Following consideration by the Finance and Property Advisory Board,
the Cabinet Member for Finance resolved that the proposed terms and
conditions for a lease of land to UK Power Networks, as set out in the
report, be approved.

Reasons: As set out in the report submitted to the Finance and Property
Advisory Board of 29 September 2011 (contains exempt information).

Signed Cabinet Member for M Coffin
Finance:

Signed Leader: M Worrall

Signed Chief Executive: D Hughes

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working days after publication unless it is called in.