

TONBRIDGE AND MALLING BOROUGH COUNCIL

FINANCE AND PROPERTY ADVISORY BOARD

Wednesday, 9th January, 2013

Present: Cllr A K Sullivan (Chairman), Cllr Mrs P Bates, Cllr T Bishop, Cllr T Edmondston-Low, Cllr D W P Evans, Cllr P J Homewood, Cllr Mrs F A Kemp, Cllr Miss A Moloney, Cllr C P Smith and Cllr R Taylor.

Councillors Mrs Anderson, Atkins, Baldock, Balfour, Coffin, N Heslop, Luker, Mrs Murray, Rhodes and Rogers were also present pursuant to Council Procedure Rule No. 15.21.

Apologies for absence were received from Councillors Allison (Vice-Chairman) and Sayer.

PART 1 - PUBLIC

**FP
13/001 DECLARATIONS OF INTEREST**

There were no declarations of interest made.

**FP
13/002 MINUTES**

RESOLVED: That the notes of the meeting of the Finance and Property Advisory Board held on 26 September 2012 be approved as a correct record and signed by the Chairman.

MATTERS FOR RECOMMENDATION TO THE CABINET

**FP
13/003 REVENUE ESTIMATES 2013/14**

The report of the Director of Finance referred to the responsibility of the Cabinet under the constitution for formulating initial 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 priorities. An outline was given of the process for referring the Advisory Board's recommendations to the Overview and Scrutiny Committee prior to consideration by the Cabinet on 5 February and thereafter by the Council at its budget meeting.

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. It was noted that a number of adjustments would need to be made to the estimates during the budget setting process. The Director of Finance drew attention to the key messages arising from the provisional local government finance settlement

including the implications of implementing the council tax 'freeze' grant and of the threshold set by the Secretary of State for local referenda to approve or veto council tax increases above 2%. The report also referred to assumptions made in respect of the replacement of the current formula grant system by the Business Rates Retention Scheme.

The Director of Finance referred to the report to the Cabinet in November 2012 updating progress in identifying and implementing the first savings tranche of £635,000 together with the issues which had a negative effect on the 'funding gap'. It was noted that the Medium Term Financial Strategy would continue to be updated during the budget cycle as more information became available.

RECOMMENDED: That

(1) the draft Revenue Estimates contained in the booklet be endorsed subject to the further deferral of the transitional increase in Members' allowances recommended by the Joint Independent Remuneration Panel and removal of the increased provision from the 2013/14 estimates; and

(2) within the context of the financial pressures outlined in the report, the Overview and Scrutiny Committee be requested to consider the draft Revenue Estimates contained in the booklet, as amended by (1) above, and make appropriate recommendations to the Cabinet for its special meeting on 5 February 2013.

***Referred to Cabinet**

**FP
13/004**

CAPITAL PLAN REVIEW

Consideration was given to the report of the Director of Finance which reviewed the current position of the existing Capital Plan (List A). It also recommended new schemes for adding to List C, some existing List C schemes for deletion or evaluation over the coming year and schemes for inclusion on List B from those List C schemes previously selected for evaluation. Members were reminded of the current approach to preparation of the Capital Plan and it was emphasised that any aspirations in respect of capital schemes needed to be set within the context of the significant financial challenge facing the Council.

Reference was made to the criteria adopted in 2012/13 and consideration given to future funding of improvements to existing car parks and the reduction of the annual capital allowance.

The Advisory Board suggested updating the description of the List C scheme relating to laptop computers for Members and discussion took place on the retention on List C of enhancement schemes for local shopping parades.

RECOMMENDED: That the following be endorsed for consideration by the Overview and Scrutiny Committee:

(1) expenditure on improvements to existing car parks be treated as recurring expenditure and the annual capital allowance be set at £320,000 from 2013/14;

(2) the Capital Plan (List A) position as shown in Annex 2 to the report, subject to removal of the contribution towards Coldharbour Gypsy and Traveller Site which would be totally funded externally;

(3) the amendment of List C as detailed in paragraph 1.5.1 of the report, subject to the schemes for environmental enhancement of shopping areas at Larkfield (A20), Woodlands Road and Twisden Road being retained on List C;

(4) the selection for evaluation of those List C schemes shown in paragraph 1.6.3 of the report, including one for 'fast track' evaluation that has already been evaluated;

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

Tonbridge Cemetery Memorial Garden Vaults

Tonbridge Swimming Pool Car Park Improvements/Extension;

(6) endorsement of the draft Capital Strategy, as set out at Annex 5 to the report, for adoption and publication on the Council's website.

***Referred to Cabinet**

**FP
13/005**

COUNCIL TAX AND BUSINESS RATES

The report of the Director of Finance sought approval of the council tax base for 2013/14 and the NNDR1 return (estimate of the amount to be collected in respect of national non-domestic rates), the latter for submission to the Department for Communities and Local Government by 31 January 2013. Reference was made to debate following the passing of the Local Government Finance Act 2012 as to whether it remained possible for these matters to be delegated. It was noted that an extraordinary meeting of the Council had been arranged when the calculations would be approved and the delegations to the Director of Finance reaffirmed for future years. A provisional NNDR1 return was available for inspection at the meeting and the final version would be presented to the Council.

The report also updated Members on the collection of council tax and business rates for the 2012/13 financial year, the provisional non-domestic rate multipliers for 2013/14 and amendments relating to payment of council tax.

RECOMMENDED: That

(1) the council tax base for 2013/14, as set out at Annexes 1 and 2 to the report, be approved together with confirmation of the delegated authority to the Director of Finance to determine the council tax base in future years;



(2) the NNDR1 return be approved; and

(3) authority be delegated to the Director of Finance to compile and submit future NNDR1 returns if it transpires that these are not functions that have to be exercised by the full Council.

***Referred to Cabinet**

**FP
13/006**

TECHNICAL CHANGES TO COUNCIL TAX AND CLARIFICATION OF THE COUNCIL'S COUNCIL TAX REDUCTION SCHEME.

The report of the Director of Finance updated the position following publication of the regulations regarding council tax discounts and exemptions after the adoption of the council tax reduction scheme by the Council on 21 November 2012 (Minute C 12/089 refers). Consideration was given to recommendations that a number of aspects be restated in order to clarify the local council tax reduction scheme.

A copy of the default scheme, highlighting the parts requiring amendment, was available for inspection at the meeting. It was noted that an extraordinary meeting of the Council would be held on 16 January 2013 to adopt the final local council tax reduction scheme.

RECOMMENDED: That

(1) in respect of properties previously exempt from council tax under Class C, those properties should benefit from a discount of 100 per cent for the first three months that they are unoccupied and substantially unfurnished and thereafter there should be no discount;

(2) in respect of those properties currently exempt from council tax under Class A but falling within Class D as from 1 April 2013, they should qualify for a discount of 100 per cent for so long as the provisions of Class D apply to them; and

(d) the default scheme, as amended, be adopted as the local council tax reduction scheme for the Tonbridge and Malling area.

***Referred to Cabinet**

**FP
13/007**

APPLICATIONS FOR DISCRETIONARY RATE RELIEF

Decision Notice D130001MEM

The joint report of the Director of Finance and Cabinet Member for Finance gave details of new applications for discretionary rate relief and renewal applications for rural rate relief which were considered in accordance with the revised guidelines for the grant of such relief.

Reference was made to the intention to review the criteria for the grant of discretionary relief for the next financial year. However following notification of a change in the calculation of the amount to be retained by the Council under the Business Rate Retention Scheme, it was noted that a further report would be submitted when more information

had been obtained and the effect on the budget determined.

RECOMMENDED: That

(1) the new applications be determined as follows:

British American Foundation for Panama, Unit 3 Britannia Business Park, Aylesford – no discretionary relief be granted;

Magdi Yacoub Research Network, Room 66, The Manwaring Building East Malling Research Station, New Road, East Malling – no discretionary relief be granted;

(2) the renewal applications for rural rate relief be determined as follows:

3/5 Varnes Street, Eccles (General Store/Post Office) – 30% discretionary rate relief be awarded time limited to 31 March 2013;

Blue Anchor PH, Grange Road, Platt – 50% discretionary rate relief be awarded time limited to 31 March 2013.

**FP
13/008**

REVIEW OF FEES FOR STREET NAMING AND NUMBERING SERVICES

Consideration was given to the report of the Central Services Director on a comprehensive review of fees for Street Naming and Numbering services.

RECOMMENDED: That

(1) the following fee schedule for Street Naming and Numbering be adopted from 1 April 2013:

1. Fee for addressing one new in-fill property: £165.
2. Fee for addressing two to three in-fill properties: £85 per property.
3. Where four or more properties are to be named or numbered, the fee for new developments (below) will be levied.
4. Fee for naming of a street, other than in relation to new property addressing: £200.
5. Fee for addressing plots, including street naming if required:

1-4 units	£200 + £30 per unit
5-10 units	£200 + £25 per unit
11 or more units	£400 + £10 per unit

6. Developments are considered to be separate if they are received on separate applications and/or they do not share a common road which is also being named for the first time as part of the application.

7. Individual flats are considered as individual plots.
8. Renumbering an existing property: £50.
9. Renaming an existing property, not in a current numbering scheme: £50.
10. Registering the addition or change or an alias to a numbered property: £50.
11. Removing an existing alias from a numbered property: No charge.
12. Renaming an existing street: £1,500.
13. Renaming a block of flats: £1,500.
14. Fee for addressing units (flats) when splitting an existing property: £85 per unit.
15. Fee for addressing a single property when merging separate units: £165; and

(2) the existing fee for providing duplicate certificates be removed as this service is no longer available.

***Referred to Cabinet**

**FP
13/009**

REVIEW OF FEES AND CHARGES 2013/14

The joint report of the Central Services Director and Director of Finance brought forward for consideration proposals in respect of those fees and charges which fell within the remit of the Cabinet Member for Finance and those where there was no appropriate Advisory Board.

RECOMMENDED: That

(1) in respect of the 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 as paragraph 1.2.1 of the report;

(2) the proposed scale of fees for local land charges searches and enquiries set out at paragraph 1.3.5 of the report be adopted with effect from 1 April 2013; and

(3) a photocopying charge of 10p (inclusive of VAT) be retained for each page of the same document or additional copies of the same page plus postage as appropriate.


***Referred to Cabinet**



FP
13/010

REVIEW OF FEES AND CHARGES 2013/14 - LICENSING FEES

The joint report of the Director of Finance and Chief Solicitor gave details of the outcome of the review of all licensing fees undertaken by the Licensing Manager.

RECOMMENDED: That the proposed scale of fees for licences, consents and registrations set out in Annex 1 of the report be adopted with effect from 1 April 2013 with the addition of the following fees: 


Houses in multiple occupation - initial fee: £390; renewal: £270.

***Referred to Cabinet**

FP
13/011

BUILDING REGULATION FEES

The joint report of the Director of Planning, Transport and Leisure and Director of Finance proposed an amended charging regime intended to cover more accurately the costs of the fee earning aspects of the Building Control service provided by the Council as part of the annual review of the fees schedules. A revised annex was circulated at the meeting amending a number of figures in the tables.

RECOMMENDED: That the revised scheme for the Recovery of Building Regulation Charges and Associated Matters, as set out at Annex 1 to the report, and the Charges for Building Control Applications as detailed in Tables 1 - 3, as amended, be approved and adopted from 1 March 2013. 

***Referred to Cabinet**

MATTERS SUBMITTED FOR INFORMATION

FP
13/012

BENEFITS UPDATE

The report provided information on current issues in the benefits field including performance of the benefits service together with details of a pilot of the benefit cap in four London boroughs prior to its nationwide introduction by September 2013.

FP
13/013

UPDATE ON THE WORK OF THE BENEFITS INVESTIGATION SECTION

The report provided an update on the work undertaken by the Benefits Investigation Section. Members were advised that the Council had been unable to secure funding to create a Fraud Hub as reported at the last meeting. Reference was also made to the timetable for introduction of the Single Fraud Investigation Service (SFIS).

FP
13/014

FIGHTING FRAUD LOCALLY

The Advisory Board was informed of the recent "Fighting Fraud Locally 2012 Review", covering the progress made on the strategy since the launch in December 2011 together with objectives for 2013.

MATTERS FOR CONSIDERATION IN PRIVATE

**FP
13/015**

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
13/016**

DEBTS FOR WRITE OFF

(Reason: LGA 1972 Sch 12A Para 2 - Information likely to reveal information about an individual)

Decision Notice D130002MEM

The report of the Director of Finance sought 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.

RECOMMENDED: That the 41 items shown in the schedule totalling £184,557.89 be written off for the reasons stated.

**FP
13/017**

PROPOSED WAY FORWARD FOR PREMISES AT TWISDEN ROAD AND CHAPMAN WAY, EAST MALLING

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

Decision Notice D130003MEM

The report of the Central Services Director gave details of proposals for the letting of commercial premises at Twisden Road and Chapman Way, East Malling together with the disposal of a maisonette at Twisden Road.

RECOMMENDED: That the proposed action in respect of the commercial unit and maisonette at Twisden Road and the commercial unit at Chapman Way, East Malling, as set out at paragraph 1.8 of the report, be approved.

**FP
13/018**

**PROPOSED LICENCE OF AREA TO HMRC AT TONBRIDGE
GATEWAY
(Reason: LGA 1972 Sch 12A Para 3 - Financial or business affairs
of any particular person)**

Decision Notice D130004MEM

The report of the Central Services Director gave details of a proposal to grant HM Revenue and Customs a new licence to occupy part of Tonbridge Gateway.

RECOMMENDED: That the proposed licence as outlined in the report be approved.

**FP
13/019**

**PROPOSED LEASE OF PART OF GIBSON BUILDING TO KENT
POLICE
(Reason: LGA 1972 Sch 12A Para 3 - Financial or business affairs
of any particular person)**

Decision Notice D130005MEM

The report of the Central Services Director gave details of the proposed lease of part of the Gibson Building to Kent Police following notification of their intention to close the offices at East and West Malling. An internal review of accommodation had found that suitable space could be made available to the Police.

RECOMMENDED: That the proposed lease to Kent Police be approved on the basis set out in the report subject to satisfactory security arrangements being implemented.

**FP
13/020**

**TONBRIDGE TOWN CENTRE
(Reason: LGA 1972 Sch 12A Para 3 - Financial or business affairs
of any particular person)**

This item was withdrawn from the agenda and would be considered at an extraordinary meeting of the Advisory Board on 30 January 2013.

The meeting ended at 2155 hours

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION

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

Decision No: **D130001MEM**

Date: **9th January 2013**

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)

Details were given of new applications for discretionary rate relief and renewal applications for rural rate relief which were considered in accordance with the previously agreed guidelines for the grant of such relief.

Reference was made to the intention to review the criteria for the grant of discretionary relief for the next financial year. However following notification of a change in the calculation of the amount to be retained by the Council under the Business Rate Retention Scheme, it was noted that a further report would be submitted when more information had been obtained and the effect on the budget determined.

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

1) the new applications be determined as follows:

British American Foundation for Panama, Unit 3 Britannia Business Park, Aylesford – no discretionary relief be granted

Magdi Yacoub Research Network, Room 66, The Manwaring Building East Malling Research Station, New Road, East Malling – no discretionary relief be granted;

2) the renewal applications for rural rate relief be determined as follows:

3/5 Varnes Street, Eccles (General Store/Post Office) – 30%

discretionary rate relief be awarded time limited to 31 March 2013

Blue Anchor PH, Grange Road, Platt – 50% discretionary rate relief be awarded time limited to 31 March 2013.

Reasons: As set out in the report submitted to the Finance and Property Advisory Board of 9 January 2013.

Signed Cabinet Member for M Coffin
Finance:

Signed Leader: N Heslop

Signed Chief Executive: D Hughes

Date of publication: 11 January 2013

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: D130002MEM

Date: 9th January 2013

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 41 items shown in the schedule totalling £184,557.89 be written off for the reasons stated.

Reasons: As set out in the report submitted to the Finance and Property Advisory Board of 9 January 2013 (contains exempt information).

Signed Cabinet Member for M Coffin
Finance:

Signed Leader: N Heslop

Signed Chief Executive: D Hughes

Date of publication: 11 January 2013

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: D130003MEM

Date: 9th January 2013

Decision(s) and Reason(s)

**Proposed Way Forward for Premises at Twisden Road and
Chapman Way, 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 proposals for the letting of commercial
premises at Twisden Road and Chapman Way, East Malling
together with the disposal of a maisonette at Twisden Road.**

Following consideration by the Finance and Property Advisory Board,
the Cabinet Member for Finance resolved that:
The proposed action in respect of the commercial unit and maisonette at
Twisden Road and the commercial unit at Chapman Way, East Malling,
as set out at paragraph 1.8 of the report, be approved.

Reasons: As set out in the report submitted to the Finance and Property
Advisory Board of 9 January 2013 (contains exempt information).

Signed Cabinet Member for M Coffin
Finance:

Signed Leader: N Heslop

Signed Chief Executive: D Hughes

Date of publication: 11 January 2013

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: D130004MEM

Date: 9th January 2013

Decision(s) and Reason(s)

**Proposed Licence of Area to HMRC at Tonbridge Gateway
(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 a proposal to grant HM Revenue and
Customs a new licence to occupy part of Tonbridge Gateway.**

Following consideration by the Finance and Property Advisory Board,
the Cabinet Member for Finance resolved that:
The proposed licence as outlined in the report be approved.

Reasons: As set out in the report submitted to the Finance and Property
Advisory Board of 9 January 2013 (contains exempt information).

Signed Cabinet Member for M Coffin
Finance:

Signed Leader: N Heslop

Signed Chief Executive: D Hughes

Date of publication: 11 January 2013

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: D130005MEM

Date: 9th January 2013

Decision(s) and Reason(s)

**Proposed Lease of Part of Gibson Building to Kent Police
(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 lease of part of the Gibson Building to Kent Police following notification of their intention to close the offices at East and West Malling. An internal review of accommodation had found that suitable space could be made available to the Police.

Following consideration by the Finance and Property Advisory Board, the Cabinet Member for Finance resolved that:
The proposed lease to Kent Police be approved on the basis set out in the report subject to satisfactory security arrangements being implemented.

Reasons: As set out in the report submitted to the Finance and Property Advisory Board of 9 January 2013 (contains exempt information).

Signed Cabinet Member for M Coffin
Finance:

Signed Leader: N Heslop

Signed Chief Executive: D Hughes

Date of publication: 11 January 2013

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.