



Public Document Pack
TONBRIDGE & MALLING
BOROUGH COUNCIL

EXECUTIVE SERVICES

Chief Executive

Julie Beilby BSc (Hons) MBA

Gibson Building
Gibson Drive
Kings Hill, West Malling
Kent ME19 4LZ
West Malling (01732) 844522

Contact: Committee Services
committee.services@tmbc.gov.uk

26 June 2017

CABINET - WEDNESDAY, 28TH JUNE, 2017

I am now able to enclose, for consideration at the Wednesday, 28th June, 2017 meeting of the Cabinet, the following reports that were unavailable when the agenda was printed.

Agenda No Item

4. **Matters Referred from Advisory Boards (Pages 3 - 12)**

The notes of meetings of Advisory Boards are attached, any recommendations identified by an arrow being for determination by the Cabinet. Notices relating to any decisions already taken by Cabinet Members under the arrangements for delegated decision making have previously been circulated.

J E BEILBY
Chief Executive

This page is intentionally left blank

Agenda Item 4

The notes of meetings of Advisory Boards are attached, any recommendations identified by an arrow being for determination by the Cabinet. Notices relating to any decisions already taken by Cabinet Members under the arrangements for delegated decision making have previously been circulated.

Street Scene and Environment Services Advisory Board of 20 June 2017 – to follow
Finance, Innovation and Property Advisory Board of 21 June 2017 – to follow

This page is intentionally left blank

TONBRIDGE AND MALLING BOROUGH COUNCIL

STREET SCENE AND ENVIRONMENT SERVICES ADVISORY BOARD

Tuesday, 20th June, 2017

Present: Cllr M O Davis (Chairman), Cllr D Keeley (Vice-Chairman), Cllr Mrs J A Anderson, Cllr O C Baldock, Cllr M A C Balfour, Cllr Mrs T Dean, Cllr S M Hammond, Cllr D Keers, Cllr D Markham, Cllr M R Rhodes, Cllr Ms S V Spence, Cllr Miss G E Thomas and Cllr T C Walker

Councillors Mrs S M Barker, M C Base, Mrs P A Bates, Mrs S Bell, R P Betts, P F Bolt, V M C Branson, M A Coffin, D J Cure, N J Heslop, R D Lancaster, D Lettington, Mrs S L Luck, Mrs A S Oakley, M Parry-Waller, H S Rogers, Miss J L Sergison, C P Smith and A K Sullivan were also present pursuant to Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors L J O'Toole, S C Perry and T B Shaw

PART 1 - PUBLIC

SSE 17/1 DECLARATIONS OF INTEREST

There were no declarations of interest in accordance with the Code of Conduct. However, in the interests of transparency, Councillor M Balfour indicated that he was the Cabinet Member for Planning, Highways, Transport and Waste at Kent County Council and Councillor R Betts advised that, as the owner of a local food business, he was subject to the Food Hygiene Rating Scheme.

SSE 17/2 MINUTES

RESOLVED: That the notes of the meeting of the Street Scene and Environment Services Advisory Board held on 7 November 2016 be approved as a correct record and signed by the Chairman.

MATTERS FOR RECOMMENDATION TO THE CABINET

SSE 17/3 WASTE SERVICES CONTRACT RETENDER

Decision Notice D170037MEM

The report of the Director of Street Scene, Leisure and Technical Services indicated that the current waste services contract for refuse, recycling and street cleansing was due to expire in February 2019. Details were given of the proposed retendering process, opportunities for partnership working with other local authorities and the potential for

service improvements, efficiencies and savings. Members were made aware of a couple of minor amendments to the Memorandum of Understanding (MoU) provided at Annex 2 to the report and that a final version would be attached to these Minutes for information.

RECOMMENDED: That

- (1) the Nominal Optimal Method (NOM) of collection, including the separate fortnightly collection of garden waste as outlined in section 1.3 be approved as the preferred option for retender of the Waste Services Contract to be reflected in the drafting of the Service specification;
- (2) the principle of introducing a charge for the separate collection of garden waste on an “opt in” basis be noted, with further details being reported to a future meeting of the Advisory Board;
- (3) the Memorandum of Understanding attached at Annex 2 to the report be endorsed and it be noted that this forms the basis of a more detailed Inter Authority Agreement (IAA), to be considered by the Advisory Board later this year;
- (4) the proposed “Open Tender Procedure” with pre-procurement contractor engagement be approved; and
- (5) it be noted that further details on proposed standards and levels of service for inclusion within the Contract Specification will be reported to a future meeting of the Advisory Board for consideration.

SSE 17/4 ENVIRONMENTAL HEALTH PERFORMANCE 2016/17

Decision Notice D170038MEM

The report of the Director of Planning, Housing and Environmental Health summarised the operational activities of the Council in relation to its statutory Environmental Health functions undertaken by the Environmental Protection Team and Food Safety Team for 2016/17.

RECOMMENDED: That the performance information relating to activities associated with the food safety and environmental protection functions in 2016/17 be noted and the service improvements for 2017/18, as detailed in paragraphs 1.4.1 and 1.4.2 of the report, be endorsed.

SSE 17/5 INTRODUCTION OF CHARGES FOR FOOD HYGIENE RATING SCHEME RE-INSPECTION REQUESTS ON A COST RECOVERY BASIS

The report of the Director of Planning, Housing and Environmental Health advised that the Food Standards Agency (FSA) had recently confirmed a change of policy which enabled local authorities to use existing powers within the Localism Act 2011 to introduce charges to recover the cost of re-inspection requests under the food hygiene rating scheme. Details of the proposed level of charge, which aligned the voluntary scheme in England to the statutory schemes in Wales and Scotland, were set out in the report.

RECOMMENDED: That Cabinet approve the introduction of a charge of £160.00 for a Food Hygiene Rating Scheme re-inspection. ◀

***Referred to Cabinet**

SSE 17/6 FOOD AND SAFETY SERVICE PLAN 2017-2020

Decision Notice D170039MEM

The report of the Director of Planning, Housing and Environmental Health referred to the requirement for the Council to produce a Food and Safety Service Plan against which it would be monitored and audited by the Food Standards Agency. A revised draft of the Plan was set out for consideration and comment.

RECOMMENDED: That

- (1) the revised Food and Safety Service Plan (2017 – 20) set out at Annex 1 to the report be noted; and
- (2) the views of the Overview and Scrutiny Committee be sought in accordance with the Budget and Policy Framework Procedure Rules set out in Part 4 of the Constitution.

MATTERS SUBMITTED FOR INFORMATION

SSE 17/7 WASTE AND STREET SCENE SERVICES UPDATE

The report of the Director of Street Scene, Leisure and Technical Services gave an update on a number of projects and initiatives within the Waste and Street Scene Services. Particular reference was made to the rescheduling of Refuse and Recycling Collections, Christmas and New Year Collections 2017/18, enforcement of waste offences and the Love Where You Live initiatives. The Board noted that the awards ceremony for the Environmental Champions Awards 2017, supported by Veolia, had been deferred to 7 October 2017.

SSE 17/8 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 9.30 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

FINANCE, INNOVATION AND PROPERTY ADVISORY BOARD

Wednesday, 21st June, 2017

Present: Cllr S M King (Chairman), Cllr B W Walker (Vice-Chairman), Cllr R P Betts, Cllr T Bishop, Cllr J L Botten, Cllr V M C Branson, Cllr Mrs B A Brown, Cllr T I B Cannon, Cllr D J Cure, Cllr M O Davis, Cllr R D Lancaster, Cllr Miss J L Sergison, Cllr A K Sullivan and Cllr F G Tombolis

Councillors Mrs J A Anderson, O C Baldock, M A Coffin, N J Heslop, M R Rhodes, H S Rogers and T C Walker were also present pursuant to Council Procedure Rule No 15.21.

An apology for absence was received from Councillor Mrs S Bell

PART 1 - PUBLIC

FIP 17/15 DECLARATIONS OF INTEREST

The following Members declared an Other Significant Interest in the item on Applications for Discretionary Rate Relief in respect of renewal applications by the organisations indicated; they withdrew from the meeting during their consideration:

Councillor Mrs J Anderson (member of Hadlow Bowls Club and Hadlow Cricket Club)

Councillor O Baldock (member of Tonbridge Juddians RFC)

Councillor R Betts (member of Tonbridge and Malling Leisure Trust Board)

Councillor M Davis (member of Tonbridge and Malling Leisure Trust Board and vice-chairman of Tonbridge Juddians RFC)

Councillor N Heslop (member of The Bridge Trust Board)

Councillor B Walker (trustee of Ditton Youth Centre)

FIP 17/16 MINUTES

RESOLVED: That the notes of the meeting of the Finance, Innovation and Property Advisory Board held on 4 January 2017 be approved as a correct record and signed by the Chairman.

MATTERS FOR RECOMMENDATION TO THE CABINET

FIP 17/17 REVENUES AND BENEFITS - SHARED SERVICE

Further to Decision No D170030CAB, the Director of Finance and Transformation reported progress with the implementation of the Shared Service for Revenues and Benefits. Details were given of the project

work required in connection with the harmonisation of IT and digital provision between the Council and Gravesham Borough Council, the proposed timescale and “fast track” capital evaluation to enable the work to progress. The report set out the evaluation for phases 1 and 2 of the project while that for phase 3 would be presented to the Advisory Board as soon as it was available. It was noted that in respect of phase 2, “in house” and “third party supplier” options were being considered and details of the functionality considerations were set out at Annex 2 to the report.

RECOMMENDED: That

- (1) the evaluation (assuming costs for a third party phase 2 option) set out at Annex 1 to the report be approved;
- (2) the Capital Plan and Revenue Budget be updated accordingly; and
- (3) the capital and one-off revenue costs be met from the Transformation Reserve.

***Referred to Cabinet**

FIP 17/18 APPLICATIONS FOR DISCRETIONARY RATE RELIEF

Decision Notice D170040MEM

The report of the Director of Finance and Transformation gave details of new and renewal applications for discretionary rate relief and discretionary rural rate relief which were considered in accordance with the previously agreed criteria for determining such applications.

RECOMMENDED: That

- (1) in respect of the re-applications, discretionary rate relief and discretionary rural rate relief be awarded as set out at Annexes 3 and 4 to the report respectively, with effect from 1 April 2017 (except in the case of Tonbridge Juddians RFC where relief be awarded from 6 April 2016) and time limited to 31 March 2018; and
- (2) the new application for discretionary rate relief be determined as follows:

Mereworth Village Hall Committee, Mereworth Village Hall, 149 Butchers Lane, Mereworth – no discretionary rate relief be awarded.

FIP 17/19 FINANCIAL PLANNING AND CONTROL

Decision Notice D170041MEM

The report of the Director of Finance and Transformation provided information on the Council's key budget areas of salaries, major income streams and investment income for the year ended 31 March 2017. It also gave details of the variations agreed in relation to the revenue budget, summarised to provide an overall budget outturn position for 2016/17 which showed a net favourable variance of £43,153.

Details were provided of variations identified through budget monitoring in respect of 2017/18 which showed a net favourable variance of £145,300. Reference was also made to the progress made towards meeting this year's savings target of £650,000 and the challenge that this presented over the coming months. 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.

FIP 17/20 BUSINESS RATES RELIEF SCHEME

Decision Notice D170042MEM

The report of the Director of Finance and Transformation provided an overview of the Department for Communities and Local Government consultation paper regarding proposals on the design and implementation of the locally administered Business Rates Relief Scheme. A copy of the response agreed with the Cabinet Member for Finance, Innovation and Property and Chairman of the Advisory Board for submission by the consultation deadline of 7 April 2017 was set out in an annex to the report. It was noted that clarification had been sought as to whether the administration of the scheme would be covered under the New Burdens Doctrine.

Members were advised that guidance had now been received on implementation. An outline was given of the approach to be taken in administering and designing the local scheme and delegated authority was sought to agree the scheme to be adopted.

RECOMMENDED: That authority be delegated to the Director of Finance and Transformation, in conjunction with the Leader, Cabinet Member for Finance, Innovation and Property and Chairman of the Advisory Board, to agree the locally administered business rates relief scheme to be adopted by the Council.

MATTERS SUBMITTED FOR INFORMATION

FIP 17/21 100% BUSINESS RATES RETENTION

The report provided an overview of two papers published by the Department for Communities and Local Government regarding responses to the first 100% Business Rates Retention consultation and a further consultation on the design of the reformed system. Details were also given of a response to the latter agreed with the Cabinet Member for Finance, Innovation and Property and Chairman of the Advisory Board for submission by the 3 May 2017 deadline.

Members were updated on the position following the General Election which resulted in considerable uncertainty for local government finance in the light of the postponement of various measures. The Leader advised that he was supporting the efforts of the Local Government Association and District Leaders' Network to obtain clarity and had requested a meeting with the local Members of Parliament.

FIP 17/22 REVENUES AND BENEFITS UPDATE

The report gave details of recent developments in respect of council tax and business rates including the final collection rates for the year 2016/17, both exceeding 99% and the former being the highest in Kent for the second year running. Members commended the team for their achievement. An update was also given of the collection rates for 2017/18 as at 31 May 2017.

Reference was made to three schemes of relief announced in the Spring Budget, only one of which had been approved for local authorities to administer (New Discretionary Rate Relief Scheme) due to the intervention of the General Election. However, it was noted that an announcement had been made that day that the new business rate relief scheme for pubs could now proceed. Members were also advised of the performance and workload of the Benefits Service.

FIP 17/23 PUBLICATION OF ALLOWANCES PAID TO MEMBERS DURING FINANCIAL YEAR 2016/17

The Advisory Board received a copy of the statement of the actual allowances paid to Members during the financial year 2016/17 which had been published in accordance with Regulation 15(3) of the Local Authorities (Members Allowance) (England) Regulations 2003.

FIP 17/24 IT STRATEGY AND PROJECT UPDATE

The report updated the Advisory Board on the progress, challenges and achievements of the current IT Strategy 2014 to 2017 and outlined the draft schemes informing the preparation of the new Strategy for the

period 2018 to 2022. An update was also provided on progress with the project to replace the audio/visual equipment in the Council Chamber.

MATTERS FOR CONSIDERATION IN PRIVATE

FIP 17/25 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

FIP 17/26 DEBTS FOR WRITE OFF

(LGA 1972 Sch 12A Paragraph 2 – Information likely to reveal information about an individual)

Decision Notice D170043MEM

The report of the Director of Finance and Transformation 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 in the current and previous financial years and information on budgeted bad debt provision.

RECOMMENDED: that the 31 items shown in the schedule of amounts over £1,000, totalling £312,700.75 be written-off for the reasons stated within the schedule.

MATTERS SUBMITTED FOR INFORMATION

FIP 17/27 INSURANCE TENDER

(LGA 1972 Sch12A Paragraph 3 – Financial or business affairs of any particular person)

Further to Decision No D160055MEM, the report of the Director of Finance and Transformation gave details of the outcome of the competitive tendering exercise for the provision of insurance cover. It was noted that the contract had been awarded to Zurich Municipal and the saving achieved (less the cost of arrangements in respect of a potential cyber attack) would contribute towards the Council's savings targets.

The meeting ended at 8.35 pm