

TONBRIDGE & MALLING BOROUGH COUNCIL



EXECUTIVE SERVICES

Chief Executive

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NB - This agenda contains proposals, recommendations and options. These do not represent Council policy or decisions until they have received proper consideration through the full decision making process.

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

26 May 2015

To: MEMBERS OF THE FINANCE, INNOVATION AND PROPERTY ADVISORY BOARD
(Copies to all Members of the Council)

Dear Sir/Madam

Your attendance is requested at a meeting of the Finance, Innovation and Property Advisory Board to be held in the Civic Suite, Gibson Building, Kings Hill, West Malling on Wednesday, 3rd June, 2015 commencing at 7.30 pm

Yours faithfully

JULIE BEILBY

Chief Executive

A G E N D A

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Matters for consideration in Private

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The Chairman to move that the press and public be excluded from the remainder of the meeting during consideration of any items the publication of which would disclose exempt information.

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(LGA 1972 Sch 12A Paragraph 3 – Financial or business affairs of any particular person)

Any other items which the Chairman decides are urgent due to special circumstances and of which notice has been given to the Chief Executive.

MEMBERSHIP

Cllr Mrs F A Kemp (Chairman)
Cllr Mrs B A Brown (Vice-Chairman)

Cllr O C Baldock
Cllr Mrs S Bell
Cllr R P Betts
Cllr T Bishop
Cllr J L Botten
Cllr T I B Cannon
Cllr D J Cure

Cllr M O Davis
Cllr R D Lancaster
Cllr D Lettington
Cllr L J O'Toole
Cllr Miss J L Sergison
Cllr A K Sullivan
Cllr B W Walker

Apologies for absence

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Declarations of interest

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TONBRIDGE AND MALLING BOROUGH COUNCIL

FINANCE, INNOVATION AND PROPERTY ADVISORY BOARD

Wednesday, 7th January, 2015

Present: Cllr H S Rogers (Chairman), Cllr R Taylor (Vice-Chairman), Cllr J Atkins, Cllr O C Baldock, Cllr T Bishop, Cllr P F Bolt, Cllr M O Davis, Cllr Mrs F A Kemp, Cllr Miss A Moloney, Cllr C P Smith and Cllr A K Sullivan

Councillors Mrs J A Anderson, J A L Balcombe, V M C Branson, M A Coffin, D J Cure, N J Heslop, M R Rhodes and A G Sayer were also present pursuant to Council Procedure Rule No 15.21.

Apologies for absence were received from Councillor D A S Davis and also, whilst not a member of the Advisory Board, from Councillor Mrs E A Simpson.

PART 1 - PUBLIC

FIP 15/1 DECLARATIONS OF INTEREST

Councillor N Heslop declared an Other Significant Interest in the item on Review of Fees and Charges in respect of the list of concessionary users of Tonbridge Castle Chamber on the grounds of being a member of the Board of the Bridge Trust. He withdrew from the meeting during consideration of this matter.

FIP 15/2 MINUTES

RESOLVED: That the notes of the meeting of the Finance, Innovation and Property Advisory Board held on 24 September 2014 be approved as a correct record and signed by the Chairman.

MATTERS FOR RECOMMENDATION TO THE CABINET

FIP 15/3 POLICY IN RESPECT OF DISCRETIONARY COUNCIL TAX AWARDS

The report of the Director of Finance and Transformation outlined the provisions of Section 13A of the Local Government Finance Act 1992 under which a local authority had the power to reduce the amount of Council Tax due as it saw fit. A draft policy in respect of Discretionary Council Tax Awards was presented for consideration to ensure that any applications were dealt with consistently and equitably. It was proposed that applications would only be granted in exceptional or unforeseen circumstances that threatened a taxpayer's ability to discharge their liability for Council Tax and to stay in their home.

All applications would be considered on their merits with decisions on eligibility delegated to the Director of Finance and Transformation in a manner consistent with the arrangements for the award of Discretionary Housing Payments.

RECOMMENDED: That the Council approve the Section13A policy in respect of Discretionary Council Tax Awards as set out at Annex 1 to the report, subject to inclusion in paragraph 7(b) of a requirement to provide a declaration of savings and assets.

***Referred to Cabinet**

FIP 15/4 REVENUE ESTIMATES 2015/16

The report of the Director of Finance and Transformation 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 Cabinet and Council in the preparation of the budget within the context of the Medium Term Financial Strategy (MTFS) 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 12 February and thereafter by the Council at its Budget meeting.

The report set out the framework for considering the estimates in terms of the MTFS together with a number of Service specific issues. The Director of Finance and Transformation drew attention to the key messages arising from the provisional Local Government Finance Settlement including the position regarding New Homes Bonus funding. The implications of implementing a Council Tax freeze were discussed together with the threshold set by the Secretary of State for local referenda to approve or veto Council Tax increases of 2% or more.

The report indicated the factors to be taken into account when updating the MTFS and Members were advised of encouraging progress achieved to date towards the savings target. It was noted that the MTFS 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; 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 and make appropriate recommendations to the Cabinet for its special meeting on 12 February 2015.

***Referred to Cabinet**

FIP 15/5 CAPITAL PLAN REVIEW 2014/15

Consideration was given to the report of the Director of Finance and Transformation which reviewed the current position of the existing Capital Plan (List A). It also recommended new schemes for addition to List C, some existing List C schemes for deletion or evaluation and schemes for inclusion on List B from those List C schemes previously selected for evaluation. Members were reminded 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 ongoing review by the Overview and Scrutiny Committee of the process by which capital renewals provisions were determined. An updated Capital Strategy was presented and it was noted that the Peer Review Challenge had reinforced the recognition that future strategies would need to take into account the fact that the main source of funding for new Capital Plan schemes, the Revenue Reserve for Capital Schemes, was expected to be exhausted in 2018/19 at which stage the Council would need to borrow to fund such expenditure.

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

- (1) the Capital Plan (List A) position as shown in Annex 2 to the report;
- (2) the amendment of List C as detailed in paragraph 1.5.1 of the report;
- (3) the selection for evaluation of those List C schemes shown in paragraph 1.6.3 of the report including one for fast track evaluation;
- (4) the transfer of the schemes listed in paragraph 1.7.6 of the report from List C to List B noting:
 - (i) in respect of the Tonbridge Town Lock scheme the additional funding requirement of £100,000 to that currently reflected in the Capital Plan, to be met from a pending developer contribution and in the interim from the Council's own resources;
 - (ii) the Tonbridge School Athletics Track Improvements scheme expected to be progressed in 2018/19 subject to the identification of developer contributions/external grant sources;

- (iii) in respect of the Larkfield Leisure Centre Health Suite Refurbishment scheme the additional funding requirement of £60,000 to that currently reflected in the Capital Plan; and
- (5) 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**

FIP 15/6 REVIEW OF FEES AND CHARGES 2015/16

The report of the Management Team brought forward for consideration as part of the Budget setting process for 2015/16 proposals in respect of those fees and charges that were the responsibility of the Cabinet Member for Finance, Innovation and Property or not reported elsewhere.

In considering the car parking charges, Members expressed concern about illegal on-street parking in various parts of the Borough and the adequacy of enforcement resources. Officers undertook to pass the comments to the Director of Planning, Housing and Environmental Health to be addressed in the future review.

RECOMMENDED: That

- (1) in respect of the recovery of legal fees payable by third parties, the Council's fees continue to follow the Supreme Court guideline hourly rates set out at paragraph 1.2.1 of the report with effect from 1 April 2015;
- (2) the proposed unchanged 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 2015;
- (3) the current photocopying charges of 10p (inclusive of VAT) for each page of the same document or additional copies of the same page plus postage as appropriate be retained;
- (4) the proposed charges for Tonbridge Castle Gatehouse as outlined in paragraph 1.5.3 of the report be approved for implementation from 1 April 2015 and the charges be reflected in the appropriate tourism marketing material;
- (5) the proposed charges for Tonbridge Castle Chamber as set out in Annex 4 to the report be approved for implementation from 1 April 2015 and the list of concessionary users at Annex 2 to the report be endorsed;
- (6) the proposed charges for weddings at Tonbridge Castle as outlined in paragraph 1.7.3 of the report be approved for implementation from 1 April 2016;

- (7) no changes be made to car parking charges this year and they be reviewed again in 12 months' time;
- (8) building control fees be held at the same level as last year for a further 12 months when they will be reviewed again, the current level of fees remaining competitive with the private sector;
- (9) the scale of charges for condemned food certificates, exported food certificates, contaminated land monitoring, sampling private water supplies, stray dog redemption fees and household bulky refuse collection be approved with effect from 1 April 2015 as detailed in paragraphs 1.10 to 1.16 of the report;
- (10) the introduction of a charge for emptying wheeled bins where the contractor is not at fault and the customer requests paying for the service be approved with effect from 1 February 2015 for a trial period of six months; and
- (11) the fees schedule for street naming and numbering set out at paragraph 1.18 of the report be adopted with effect from 1 April 2015.

***Referred to Cabinet**

FIP 15/7 APPLICATION FOR DISCRETIONARY RATE RELIEF

Decision Notice D150001MEM

The joint report of the Director of Finance and Transformation and Cabinet Member for Finance, Innovation and Property gave details of a new application for discretionary rate relief which was considered in accordance with the previously agreed criteria for determining such applications. Further to Decision Number D140052MEM, it was noted that the applicant was relocating from their current address to premises with a significantly higher rateable value.

RECOMMENDED: That the new application for discretionary rate relief be determined as follows:

The Charity Bank Limited , Fosse House, 182 High Street, Tonbridge – 30% discretionary relief be awarded, time limited to 31 March 2015.

MATTERS SUBMITTED FOR INFORMATION

FIP 15/8 BENEFITS UPDATE

Members were advised of current issues arising in the benefits field including performance and workload of the Benefits Service and progress with various aspects of welfare reform.

FIP 15/9 COUNCIL TAX AND BUSINESS RATES UPDATE

The report gave details of recent developments in respect of Council Tax and Business Rates including collection rates which were updated at the meeting to indicate the position as at 31 December 2014 (council tax 83.7% and business rates 85%, compared with 84.2% and 89.5% respectively in 2013/14). Reference was also made to the Autumn Statement, business rate reform, the Council Tax base for 2015/16 and progress with e-billing.

FIP 15/10 CHANCELLOR'S AUTUMN STATEMENT 2014

The report highlighted the main issues of relevance to the Borough Council within the Chancellor's Autumn Statement. Particular reference was made to a number of announcements in respect of business rates and the earmarking by the Government of £17 million for flood defences in Tonbridge and the surrounding area.

FIP 15/11 BUSINESS RATES RETENTION AND SHALE OIL AND GAS: TECHNICAL CONSULTATION AND BUSINESS RATES POOLING

The report gave details of a Department for Communities and Local Government technical consultation on draft regulations to allow 100% local retention of business rates on shale gas and oil sites. It was noted that no response had been submitted by the deadline date of 5 December 2014 since on balance the proposals in the paper were considered to be appropriate and a response unnecessary on this occasion.

The report also provided an update on the current situation on the Business Rates Retention Pool for Kent authorities (further to Decision Notice D140122CAB) from which it was noted that the Department for Communities and Local Government had approved the establishment of a new Pool with effect from 1 April 2015 comprising Kent County Council, Kent and Medway Fire and Rescue Authority and 10 district councils including Tonbridge and Malling. Members thanked the Director of Finance and Transformation and team for their work on the pooling 'bid' and recognised the leadership efforts of Maidstone Borough Council in the process.

FIP 15/12 PRINCIPLES FOR FUTURE WEBSITE REDESIGN

The report of the Management Team gave details of agreed principles to inform the approach to website redesign. Members were advised that a trial 'web-chat' had begun that day with a significant level of interest shown by customers.

MATTERS FOR CONSIDERATION IN PRIVATE

FIP 15/13 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 15/14 DEBTS FOR WRITE OFF

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

Decision Notice D150002MEM

The report of the Director of Finance and Transformation sought approval of the writing-off of debts considered to be irrecoverable. It was noted that the majority related to historic debts. 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 63 items shown in the schedule of amounts over £1,000, totalling £311,541.33 be written-off for the reasons stated within the schedule.

FIP 15/15 PROPOSED NEW LEASE OF 29 MARTIN SQUARE TO CIRCLE ANGLIA (RUSSET HOMES)

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

Decision Notice D150003MEM

The report of the Director of Central Services gave details of the proposed terms for a new lease of office accommodation at 29 Martin Square, Larkfield.

RECOMMENDED: That that a new lease be granted on the terms set out in the report.

**FIP 15/16 PROPOSED NEW LEASE TO TONBRIDGE SAILING CLUB,
HAYSDEN**

**(LGA 1972 Sch 12A Paragraph 3 – Financial or business
affairs of any particular person)**

Decision Notice D150004MEM

The report of the Director of Central Services gave details of an approach by Tonbridge Sailing Club for a new lease to enable them to apply to outside bodies for grants and funding. The report set out a proposed way forward based on the surrender of the existing lease and the simultaneous grant of a new lease to the Club.

RECOMMENDED: That the simultaneous surrender of the existing lease and the grant of a new 28 year lease on the terms and conditions set out in the report be approved.

FIP 15/17 LICENCE FOR RIVER TRIPS IN TONBRIDGE

**(LGA 1972 Sch 12A Paragraph 3 – Financial or business
affairs of any particular person)**

Decision Notice D150005MEM

The report of the Director of Central Services gave details of the proposed terms and conditions for a licence of the landing stages at the Big Bridge, Tonbridge and Haysden Country Park to a new operator wishing to offer passenger boat trips and rowing boat hire on the River Medway.

RECOMMENDED: That that a licence be granted on the basis set out in the report.

**FIP 15/18 PROPOSED DISPOSAL OF ST JOHN AMBULANCE SITE,
TONBRIDGE**

**(LGA 1972 Sch 12A Paragraph 3 – Financial or business
affairs of any particular person)**

Decision Notice D150006MEM

The report of the Director of Central Services set out the background to the lease of the St John Ambulance site in Vale Road, Tonbridge, together with a proposal for the joint disposal of the site for development purposes.

RECOMMENDED: That negotiations for the disposal of the St John Ambulance site for development be continued as outlined in the report and details of the outcome of negotiations be referred back to the Advisory Board before a final decision is made.

MATTERS SUBMITTED FOR INFORMATION

FIP 15/19 IT STORAGE

(LGA 1972- Sch 12A Paragraph 3 – Financial or business affairs of any particular person)

The report of the Director of Finance and Transformation gave details of the outcome of tenders and progress on implementation of the new IT storage infrastructure. It was anticipated that the new system would be live and available for use by mid-January 2015.

The meeting ended at 9.33 pm

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Agenda Item 4

Introductory presentation on council tax, national non-domestic rates and benefits.

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TONBRIDGE & MALLING BOROUGH COUNCIL

FINANCE, INNOVATION and PROPERTY ADVISORY BOARD

03 June 2015

Joint Report of the Director of Finance and Transformation and Cabinet Member for Finance, Innovation and Property

Part 1- Public

Matters for Recommendation to Cabinet - Non-Key Decision (Decision may be taken by the Cabinet Member)

1 APPLICATIONS FOR DISCRETIONARY RATE RELIEF

A report giving details, at Paragraph 1.1., of renewal applications for discretionary rate relief. Renewal applications for rural rate relief are dealt with at Paragraph 1.2. Details of new applications for discretionary rate relief are shown at Paragraph 1.3.

The previously agreed criteria for determining applications for discretionary rate relief are attached at [ANNEX 1].

The Council's policy in respect of rural rate relief is attached at [ANNEX 2].

1.1 Renewal applications for discretionary rate relief

1.1.1 Members will be aware that discretionary rate relief can be granted (as shown at [ANNEX 1]) either as a top-up to mandatory rate relief (in respect of charitable organisations and community amateur sports clubs) or, on its own, to non profit-making organisations that are not charities etc. (and do not therefore qualify for mandatory rate relief).

1.1.2 Organisations that had awards of discretionary rate relief time-limited to 31 March 2015 have been invited to re-apply, and we have listed, at [ANNEX 3], the applications that have been received so far.

1.1.3 The annex details the level of discretionary rate relief awarded in 2014/15 and the amount of relief the organisation would receive in 2015/16 if the same level were awarded.

1.1.4 There is no longer a direct cost to the Council in awarding relief. However, Members should note that all awards of relief affect the Council's business rate yield; for 2015-16, based on previous criteria and level of applications, it has been estimated that £202,000 discretionary relief will be awarded.

- 1.1.5 In respect of those organisations shown at **[ANNEX 3]**, we have considered each application and believe that each organisation meets the criteria, and is of particular benefit to the needs of the residents of the Borough. Therefore, there appear to be good grounds for continuing the current level of discretionary rate relief in each case. Further details on each organisation (so far as we have them) can be provided, at the meeting, if requested by Members.
- 1.1.6 Members are advised, however, that Cobdown Sports & Social Club have asked for the maximum award of relief this financial year as they are still struggling to break even (they were previously awarded 10% top up relief for the period 1 April 2013 to 31 March 2015).
- 1.1.7 The club offers the only squash and croquet facilities in the area and provides training for juniors in these sports. It also offers training facilities to Kent County Football Association. That having been said, the unfavourable economic climate affects many organisations and business, as well as the Council. Therefore, unless Members consider that Cobdown should be made an exception, it would appear that an increase in the level of relief is not justifiable and we have reflected that in the recommendation below.
- 1.1.8 Should Members support a maximum award of 20% top up relief, the club will receive an additional £3,253.80 relief for 2015-16. Members may also wish to time limit an award of relief to 31 March 2016, considering the financial status of the club. Should Members decide to leave the level of relief at 10%, then we suggest that it is time-limited to 31 March 2017.
- 1.1.9 The Council's own financial position is, of course, still very challenging and it is important to recognise that whilst it may be possible to provide the level of assistance at the current time, it may not be sustainable into the future. Accordingly, Members might consider that, when writing to the organisations concerned, it would be prudent to advise the organisations that there could be a reduction in the level of relief awarded by the Council in the future should further applications for relief be made.
- 1.1.10 Members are **REQUESTED** to **RECOMMEND** to Cabinet that:
- 1) in respect of re-applications for relief as shown at **[ANNEX 3]** with the exception of Cobdown Sports & Social Club and the Pre-School Learning Alliance, 20% discretionary rate relief be awarded in each case with effect from 1 April 2015, and time-limited to 31 March 2017;
 - 2) in respect of the re-application from the Pre-School Learning Alliance, 5% discretionary rate relief be awarded with effect from 1 April 2015, and time-limited to 31 March 2017;
 - 3) in respect of the re-application from the Cobdown Sports & Social Club, 10% discretionary rate relief be awarded with effect from 1 April 2015, and time-limited to 31 March 2017.

1.2 Renewal applications for rural rate relief

1.2.1 Members will be aware that discretionary rural rate relief can be granted either as a top-up to mandatory rural rate relief or, on its own, in cases where mandatory rural rate relief may not be granted (as shown at **[ANNEX 2]**). Members will also be aware that it is the Council's policy to seek the views of the appropriate parish councils in respect of applications for rural rate relief regarding properties in their areas. However, we have not consulted the parishes in respect of these cases because they are not new applications for relief but renewal requests.

1.2.2 The applications for relief are shown at **[ANNEX 4]**. Before we comment on the merits of the applications that Members have before them, we think it worthwhile to draw Members' attention to the following aspects of the rural rate relief policy (as previously agreed by Members).

- The legislation underpinning the rural rate relief scheme recognises the importance of small rural businesses. As such, a rural business (post offices, general stores, public houses etc) occupying premises with a rateable value under a specified level, may qualify for mandatory rural rate relief. This gives a business an automatic entitlement to 50% rate relief. Up to a further 50% discretionary relief may be awarded by the Council, to top up the mandatory relief.
- If a rural business has no entitlement to mandatory rural rate relief, because it occupies premises with a rateable value over a specified level, or there is more than one such similar business in the settlement area, then the Council may grant discretionary relief (this may not be awarded if the rateable value of the premises exceeds £16,500).
- The policy states, as general considerations, that the 'Council wishes to target relief primarily at properties that are providing essential facilities for the local community ... where the number of such facilities in any settlement is limited **and mandatory rural rate relief has been awarded**'. The policy goes on to state that, 'as a general rule, the Council takes the view that the amount of relief that it would grant should decrease as the number of shops in a rural settlement increases'.
- Notwithstanding the foregoing, the policy does give Members the scope to grant relief to businesses that would not otherwise qualify for relief under the terms of the policy but are 'demonstrably important to the life of the community'.

1.2.3 As stated at previous meetings of your Board, we do not think that consideration of the applicants' accounts will greatly assist Members. In some cases losses will be shown and in others profits. Should Members support the loss-making businesses in preference to those that are showing a profit or vice versa? In the case of those that are showing a loss, this might be because of various factors,

e.g. the expenses incurred by the business or drawings by the owners. What is reasonable? Is the business occupying premises that are too large; is its stock appropriate; is it maximising income?

- 1.2.4 Bearing in mind the comments in the foregoing paragraph, we would suggest that Members focus on the nature of the business; its location; its intrinsic value to the local community; and the impact on the community were it to be lost, rather than whether the business is being run in a way that Members consider appropriate.
- 1.2.5 Members are **REQUESTED** to consider the applications and make appropriate **RECOMMENDATIONS** to Cabinet regarding discretionary rural rate relief. If relief is awarded, Members might wish to consider time-limiting any awards of relief to 31 March 2017.
- 1.2.6 As mentioned at paragraph 1.1.9, Members might consider that, when writing to the organisations concerned, it would be prudent to advise the organisations that there could be a reduction in the level of relief awarded by the Council in the future should further applications for relief be made.

1.3 New applications for discretionary rate relief

- 1.3.1 Since the last meeting of the Board, we have received four new applications for rate relief that have reached a stage where they are ready for Members' consideration. We give below further details of these applications.
- 1.3.2 **St Johns Ambulance Brigade, 136 Vale Road, Tonbridge, Kent, TN9 1SP. Rateable Value £1,575**
- 1.3.3 The applicant is a registered charity and we have therefore granted 80% mandatory rate relief. It is for Members to decide whether discretionary relief should be granted as well.
- 1.3.4 The applicant has requested the additional 20% 'top up' in respect of their property in Tonbridge which is used for first aid training and a meeting place for volunteers.
- 1.3.5 The Council's criteria for national charities states, as a general rule, the Council is unlikely to grant relief to national charities located within the Council's area unless there is some specific benefit to the residents of Tonbridge and Malling over and above the benefit to the residents of other areas in which the charity operates.
- 1.3.6 As it would appear that there is no specific benefit, Members may wish to recommend to Cabinet that relief should not be granted.
- 1.3.7 Should Members decide to award 20% top up discretionary relief, the applicant will receive an additional £155.30 relief.
- 1.3.8 Members are **REQUESTED** to consider the application and make an appropriate **RECOMMENDATION** to Cabinet regarding discretionary rate relief. If relief is

awarded, Members might wish, in view of the uncertainty surrounding Government funding for future financial years, to consider time-limiting any awards of relief, initially, to 31 March 2017.

- 1.3.9 **The Heart of Kent Hospice Trading Ltd, 5 Malling Road, Snodland ME6 5AA. Rateable Value £5,500 and 109 Hall Road, Aylesford ME20 7RE. Rateable Value £24,750**
- 1.3.10 The applicant is the trading arm of the charity, and is conducted for profit. It is not a registered charity, and the granting of mandatory rate relief is not, therefore, appropriate. It is for Members to decide whether discretionary relief should be granted, and if so, the level of relief.
- 1.3.11 The application is in respect of their charity shop in Snodland and their storage facility in Aylesford. The applicant has stated that the majority of goods are donated and that the proceeds from the sale of these goods are used to support the running of the hospice.
- 1.3.12 An application for the charity shop was previously refused by Members on 20 May 2009 (Decision Notice D090071MEM refers) and therefore, unless Members feel that special considerations apply, an award of discretionary relief may not be appropriate.
- 1.3.13 Should Members decide to award 100% discretionary relief, the applicant will receive £2,640 relief for the charity shop and £12,201.75 relief for the warehouse. Members should also be aware that the charity shop is currently benefiting from the retail relief scheme, with £1,500 relief already awarded for the current financial year.
- 1.3.14 Members are **REQUESTED** to consider the application and make an appropriate **RECOMMENDATION** to Cabinet regarding discretionary rate relief. If relief is awarded, Members might wish, in view of the uncertainty surrounding Government funding for future financial years, to consider time-limiting any awards of relief, initially, to 31 March 2017.
- 1.3.15 **Holborough Management Ltd, 6 Higham Avenue, Snodland ME6 5GE. Rateable Value £5,800 and 2 Amisse Drive, Snodland ME6 5GN. Rateable Value £4,200**
- 1.3.16 The applicant is not a registered charity; however, it is not conducted for profit as it is established to deliver services to residents of the Holborough housing estate. The granting of mandatory rate relief is not, therefore, appropriate. It is for Members to decide whether discretionary relief should be granted, and if so, the level of relief.
- 1.3.17 The application is in respect of the gymnasium and village hall. The gym is supplied for residents of the estate to use and the hall is used for meetings and social activities.

- 1.3.18 As the applicant is only providing services to residents of the estate (in respect of the gym), Members may feel that an award of discretionary relief is not appropriate. Applications for village halls were previously refused by Members on 8 July 2009 (Decision Notice D090098MEM refers) and therefore, unless Members feel that special considerations apply, an award of discretionary relief may not be appropriate for the hall.
- 1.3.19 Should Members decide to award 100% discretionary relief, the applicant will receive £2,784 relief for the gym and £2,016 relief for the hall.
- 1.3.20 Members are **REQUESTED** to consider the application and make an appropriate **RECOMMENDATION** to Cabinet regarding discretionary rate relief. If relief is awarded, Members might wish, in view of the uncertainty surrounding Government funding for future financial years, to consider time-limiting any awards of relief, initially, to 31 March 2017.
- 1.3.21 **The Charity Bank Ltd, Ground & 1st Floor Fosse House, 182 High Street, Tonbridge, Kent, TN9 1BE. Rateable Value £100,000**
- 1.3.22 Applications from **The Charity Bank Ltd** were previously considered at the 14 May 2014 meeting of this Board where Members recommended that the applicant be awarded 80% discretionary relief, time limited to 31 March 2015 (Decision Notice D140052MEM refers) and on 7 January 2015, where Members recommended that the applicant be awarded 30% discretionary relief, time limited to 31 March 2015 (Decision Notice D150001MEM refers).
- 1.3.23 A reduced award of relief was considered appropriate in January as the applicant was relocating to premises with a significantly higher rateable value. The level of relief awarded reflected the increased business rates, with the 30% relief equating to roughly the same amount as the 80% awarded on their previous premises.
- 1.3.24 Since the January meeting of this Board, the Valuation Office has merged the two separate assessments at the address into one assessment, however, there has been no change in the overall rateable value.
- 1.3.25 The Council's criteria state that the amount of relief may be limited where bodies are occupying premises with high rateable values. For 2015/16, an award of 80% relief will reduce the applicant's business rate liability by £39,440. An award of 30% relief will reduce the applicant's business rate liability by £14,790.
- 1.3.26 Members are **REQUESTED** to consider the application and make an appropriate **RECOMMENDATION** to Cabinet regarding discretionary rate relief. If relief is awarded, Members might wish, in view of the uncertainty surrounding Government funding for future financial years, to consider time-limiting any awards of relief, initially, to 31 March 2017.

1.4 Legal Implications

- 1.4.1 As the granting of relief is a discretionary action, the only implication would be a challenge by way of judicial review if an organisation were unhappy with a decision. Such a challenge can succeed only when the Council behaves unreasonably.

1.5 Financial and Value for Money Considerations

- 1.5.1 In respect of all applications for rate relief, the financial considerations of granting relief are as set out in the body of the report. If relief is not granted, there is a beneficial impact on the Council's finances. This should not prevent each application being considered on its own merits however, as there must be some degree of consistency to prevent a legal challenge.

1.6 Risk Assessment

- 1.6.1 The only risk that we are aware of is a legal challenge to the Council's decisions (see above). This is unlikely.

1.7 Equality Impact Assessment

- 1.7.1 The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

The Director of Finance & Transformation confirms that the proposals contained in the recommendation(s), if approved, will fall within the Council's Budget and policy Framework.

Background papers:

contact: Glen Pritchard
01732 876146

Applications for relief from the organisations referred to in the main body of the report received since 1 April 2015, and held in Financial Services.

Sharon Shelton
Director of Finance and Transformation

Martin Coffin
Cabinet Member for Finance,
Innovation and Property

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CRITERIA TO BE USED IN DETERMINING APPLICATIONS FOR DISCRETIONARY RATE RELIEF

Part 1 - Non profit-making bodies

Previous awards of discretionary rate relief

The Council wishes to promote equality between organisations when granting discretionary rate relief. Therefore, when considering an application for discretionary rate relief, it will have regard to previous awards of relief to bodies of a similar nature to the applicant body. Unless specific considerations apply, the Council is likely to award relief to the same value as previously awarded to such similar bodies. Previous grants of relief for properties occupied by charities or non profit-making organisations include as follows:

100% discretionary rate relief granted to:

- Sports clubs where community amateur sports club status has been refused

20% top-up relief granted to:

- Sports clubs if registered as community amateur sports clubs
- Recreational facilities, sports grounds and playing fields occupied by charities

Applications where special considerations may apply

Where the applicant body does not fall into one of the categories where relief has been awarded in the past (see above), relief may be granted only if the applicant body:

- caters for special needs (see below for an explanation of this term); or
- supplies facilities that would not otherwise be available in the area; or
- provides a service that supports the Council's key priorities. For the year 2012/15 these priorities are:
 - Continued delivery of priority services and a financially viable Council.
 - Sustainable regeneration of Tonbridge town centre and economic development in communities across the Borough.
 - A continuing supply of homes, including affordable housing to buy and rent, and prevention of homelessness.
 - Children and young people who are safe, involved, with access to positive activities.
 - A clean, smart, well maintained and sustainable Borough.
 - Low levels of crime, anti-social behaviour and fear of crime.

- Healthy living opportunities and community well-being

Meaning of 'special needs'

Does the organisation cater for a section of the community which the Council considers particularly deserving of support, e.g. persons with disabilities, persons with learning difficulties, the very young or the very old?

Where the applicant body provides such special needs or supplies facilities that would not otherwise be available in the area or supports the Council's key priorities, the maximum amount of relief will generally be awarded, subject to the following.

Other considerations

In determining awards of relief, the Council will bear in mind all the facts of each case. In particular, the Council may consider the following factors:

- **Membership**
Does the organisation operate a membership scheme?
- **Membership discounts**
Are discounts available for members (for example elderly/disabled etc.)?
- **Key priorities**
Do the organisation's objectives meet at least one of the Council's key priorities?
- **Sole facility**
Is the organisation's property the sole facility in its area of operation?
- **Fees, charges etc**
Is the cost of membership such that it would exclude a large section of the community?
- **Access to facilities**
Are the organisation's facilities available generally or at certain times to non-members?
- **Provision of facilities**
Have the facilities been provided by self-help or grant aid from the Borough Council, local or public authorities or others?
- **Development of skills**
Does the organisation provide training or education for its members? Are there schemes for particular groups, e.g. young people, the disabled, the retired, the unemployed etc?

Restrictions on the granting of relief

In determining whether relief should be awarded, the Council will be inclined not to grant relief or to limit the amount of relief awarded in the following cases.

- **National charities**
As a general rule, the Council is unlikely to grant relief to national charities located within the Council's area unless there is some specific benefit to the residents of Tonbridge and Malling over and above the benefit to the residents of other areas in which the charity operates.

- **Charity shops and other premises operated by trading arms of charities**
The Council is unlikely to grant relief to charity shops and other premises operated by the trading arms of charities.
- **Bodies operating in only part of the Council's area**
Where an applicant body is a national organisation but operates only in part of the Council's area, any relief that may be awarded will generally be reduced pro rata the population of the area of the Borough that receives benefit from that organisation. This restriction will not generally apply if the body is not a national body and has been established to benefit only a part of the Council's area.
- **Bodies operating a restrictive membership policy**
It is not the Council's general policy to grant relief to bodies that operate a restrictive membership policy unless such restrictions are necessary because of the size of the property occupied by the body or in order to ensure a pre-determined level of ability or required standard of achievement for a particular sport or activity.
- **Bodies occupying premises with high rateable values**
The Council, when determining an application for relief will consider the rateable value and location of the applicant's premises. Are the premises of a size, and their location, appropriate to the organisation?

Special cases

The Council recognises that there will be occasions when an applicant body does not satisfy the above criteria. Nothing in these criteria shall be taken as restricting the Council's ability to depart from its general policy as to the granting of relief if it sees fit to do so bearing in mind the facts of the case.

Affordability

Applicants for discretionary rate relief should note that the cost of discretionary relief falls partly on the Council. As such, in determining the level of relief to be granted, the Council must have regard to its budgetary position.

Part 2 – Applications not falling within Part 1

From 1 April 2012, the Council may also award relief to any local ratepayer to encourage new business and investment as well as to support local shops or community services.

Businesses located in rural settlements can currently apply for relief and these applications are considered using the criteria listed in the Council's policy in respect of Rural Rate Relief.

For all other applications (either not falling within Part 1 of these criteria or within the criteria for rural businesses), a decision on whether relief should be granted in any particular case should only be considered once the Borough Council has sought the views of the appropriate parish council, local members and the county council. Members should also consider if the other precepting authorities are willing to fund (partly or otherwise) the cost of relief awarded.

Affordability

Applicants for discretionary rate relief should note that the cost of awards of such relief is borne by the Council. For awards of discretionary relief falling within Part 2 of these criteria (and excluding rural businesses), the Council is liable to fund 100% of the amount awarded.

Part 3 - General

In determining the level of relief to be granted, the Council must have regard to its budgetary position. Although the Council will aim to achieve equality between applicants in terms of the level of relief that it grants, this might not always be possible. The Council has the right, subject to giving the requisite notice required by law, to vary or terminate the level of relief that it has previously granted either in respect of a particular organisation/business or in respect of a class of organisation/business or to all organisations/businesses in receipt of relief.

Policy in Respect of Rural Rate Relief

Introduction

Tonbridge & Malling Borough Council recognises the importance of local facilities to the life of rural communities. To this end the Council supports the legislation that allows the Council to:

- Grant rate relief to village shops, post offices, petrol filling stations and public houses (mandatory rural rate relief).
- Allows the Council, at its discretion, to top up any mandatory rural rate relief that has been granted (discretionary rural rate relief).
- Permits the Council, at its discretion, to grant relief to other businesses in rural areas where the use of premises occupied by the businesses is of benefit to the local community but where the business does not qualify for mandatory rural rate relief (discretionary rural rate relief).

The legislative background

Rural rate relief – whether mandatory or discretionary – may be granted only if a property is located within a rural settlement. Rural settlements are defined by reference to the Council's Rural Settlement List. The List is available for inspection at the Council's office at Kings Hill.

The rural settlements

As at September 2014, the following are defined as rural settlements:

Addington	Golden Green/Barnes St	Plaxtol
Addington Clearway	Hadlow Village	Ryarsh
Aylesford Village	Hale Street	Shipbourne
Basted	Herne Pound	Snoll Hatch
Birling	Hildenborough Village	Stansted
Blue Bell Hill	Ightham	Trottiscliffe
Burham	Ivy Hatch	Wateringbury
Crouch	Little Mill	West Malling
Dunks Green	Mereworth Village	West Peckham
Eccles	Offham	Wouldham
East Malling Village	Oldbury	Wrotham
East Peckham Village	Peckham Bush	Wrotham Heath
Fairseat	Platt	

Mandatory rural rate relief

Mandatory rural rate relief can be granted to the following types of property:

Type of property	Rateable value limit £
General stores	8,500
Post offices	8,500
Public houses	12,500
Petrol filling stations	12,500
Food shops	8,500

Where a property qualifies for mandatory rural rate relief, then the relief is given at the rate of 50% of the rates liability for the property.

If the rateable value of a property exceeds the rateable value limit, then no mandatory rural rate relief may be granted.

Discretionary rural rate relief

Discretionary rural rate relief may be granted either to top up an award of mandatory rural rate relief or where the property does not qualify for mandatory rural rate relief. Where the discretionary relief tops up mandatory relief, the discretionary relief added to the mandatory relief cannot exceed the total rates due for the property. Discretionary relief on its own cannot be granted for a property where the rateable value for the property exceeds £16,500.

This following policy sets out the guidelines that the Council will follow in considering whether to grant discretionary rural rate relief.

The policy

Policy objectives

In formulating this policy, the Council wishes to maintain the diversity of local shops available to the residents of Tonbridge & Malling who live in rural areas by building on the provisions of the mandatory rural rate relief scheme.

General considerations

Although all applications will be entertained, the Council wishes to target relief primarily at properties that are providing essential facilities for the local community, e.g. general stores, post offices and food shops (eg butchers and bakers), where the number of such facilities in any settlement is limited and mandatory rural rate relief has been awarded. Further references to shops in this policy should be read accordingly.

The Council will consider granting relief to other businesses that are demonstrably important to the life of the community, such as a sole public house or petrol filling station, primarily serving the local catchment area.

As a general rule, the Council takes the view that the amount of relief that it would grant should decrease as the number of shops in a rural settlement increases.

The Council recognises that a number of rural settlements have already lost all of their shops. In recognition of this fact, the Council might be willing to consider granting discretionary rate relief of 50%, on top of mandatory rate relief of 50%, or 100% discretionary rate relief, in respect of businesses opening in such settlements. The Council would be willing to grant such relief for the first two calendar years from the date the business commences trading.

Discretionary relief (top-up relief) in cases where mandatory rural rate relief applies

In respect of shops (general stores and food shops) and post offices, the Council will generally be willing to grant discretionary relief of 30% (in addition to 50% mandatory rural rate relief) where the shop or post office is the only such property within the rural settlement and it has already qualified for mandatory relief.

In respect of public houses and petrol filling stations, the Council will consider granting discretionary relief of 30% (in addition to 50% mandatory rural rate relief) where the public house or petrol filling station is the only such property within the rural settlement and it has already qualified for mandatory relief.

Discretionary rate relief in cases where mandatory rural rate relief does not apply

Where the property would, but for its rateable value, qualify for mandatory rural rate relief, the Council will consider granting discretionary relief of 80%.

Where the property is not the only property of its type within the rural settlement, and is therefore excluded from gaining mandatory rural rate relief, the Council will consider granting 60% relief where there are two such properties and 40% relief where there are three such properties (i.e. each property would receive either 60% or 40% relief). The Council will not normally grant relief where there are more than three such properties.

Limitations

As a general rule, the Council will not normally consider granting relief for a particular property where the total of the mandatory and discretionary relief sought by the applicant would exceed 80% of the rates bill.

Procedure

The Council will give consideration to any application for discretionary rate relief from a business operating in a settlement within a rural area.

Consultation

It is the Council's intention that parish councils should play a role in the decision making process on applications for relief. Therefore, before making a decision on whether relief should be granted in any particular case, the Borough Council will seek the views of the appropriate parish council.

Financial considerations

The Council, in formulating this policy, also bears in mind the cost of any relief granted to the residents of the Borough as a whole.

Applicants for discretionary rural rate relief should note that the cost of relief falls partly on the Council. As such, in determining the level of relief to be granted, the Council must have regard to its budgetary position. Although the Council will aim to achieve equality between organisations in terms of the level of relief that it grants, this might not always be possible. The Council has the right, subject to giving the requisite notice required by law, to vary the level of relief that it has previously granted either in respect of a particular organisation or in respect of a class of organisation or to all organisations in receipt of relief.

Interaction with other reliefs

Where a property is eligible for mandatory rural rate relief and small business rate relief, it shall receive rural rate relief.

Where a property is eligible for mandatory rural rate relief, mandatory charitable rate relief and small business rate relief, it shall receive charitable rate relief.

Period of relief

Any grant of relief shall normally be given for a fixed period not exceeding three years.

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Scout/Guides Groups			
Organisation	Address	Relief awarded 2014/15	Benefit to organisation if same relief awarded 2015/16
8th Tonbridge (Hildenborough) Scout Group	Scout Hut, Riding Lane, Hildenborough	20% Top Up	£330.31
Higham Wood Scout & Guide Group	Adj Higham Wood Methodist Church, Tonbridge	20% Top Up	£330.31
The Boys Brigade N W Kent Batalion	OPP 87-89 Barden Road, Tonbridge	20% Top Up	£157.76
1st Tonbridge Bp Scout Group	Lamberts Yard, Tonbridge	20% Top Up	£189.81
Ditton District Guides And Brownies	Scott Close, Ditton	20% Top Up	£261.29
East Peckham Scout Group (15th Tonbridge)	Scout Hut, Whitebine Gardens, East Peckham	20% Top Up	£305.66
Tonbridge Town Girl Guides	The Brent, Tonbridge	20% Top Up	£261.29
2nd Tonbridge (Parish Church) Scout Group	The Ridgeway, Tonbridge	20% Top Up	£374.68
Wateringbury Scout Group	Glebe Meadow, Wateringbury	20% Top Up	£463.42
1st Ightham Scout Group	Oldbury Lane, Ightham	20% Top Up	£95.64
Blacklands Scout Group	R/O Blacklands Cp School, Mill Street, East Malling	20% Top Up	£295.80
1st Larkfield (Holy Trinity) Scout Group	Scout Hall, New Hythe Lane, Larkfield	20% Top Up	£591.60
Medway Towns District Scouts	Buckmore Park Scout Campsite, Chatham	20% Top Up	£98.60
1st St Marys Platt Scout Group Per The Treasurer	Scout Hut Stonehouse Field, Long Mill Lane, Platt	20% Top Up	£690.20
			£4,446.37
CASC Organisations			

Organisation	Address	Relief awarded 2014/15	Benefit to organisation if same relief awarded 2015/16
Swanmead Sports Association	Swanmead Sports Club, Swanmead Way, Tonbridge	20% Top Up	£1,799.45
Eccles Football Club	Bull Lane, Eccles	20% Top Up	£179.95
Borough Green Bowls Club	Dryland Road, Borough Green	20% Top Up	£512.72
Hadlow Cricket Club	Common Road, Hadlow	20% Top Up	£135.58
Hadlow Bowls Club	School Lane, Hadlow	20% Top Up	£199.67
Townsend Hook Bowls Club	North Downs View, Paddlesworth Road, Snodland	20% Top Up	£502.86
Leybourne Cricket Club	Rectory Lane North, Leybourne	20% Top Up	£532.44
Wrotham Bowls Club	R/O Bull Hotel, Bull Lane, Wrotham	20% Top Up	£177.48
Tonbridge Bowling Club	Tonbridge Farm, Darenth Avenue, Tonbridge	20% Top Up	£581.74
Tonbridge Canoe Club	New Wharf Road, Tonbridge	20% Top Up	£788.80
Riverside (Tonbridge) Bowls Club	Avebury Avenue, Tonbridge	20% Top Up	£172.55
Ditton Bowls Club	Adj Community Centre, Kiln Barn Road, Ditton	20% Top Up	£394.40
Tonbridge Juddians R F C	The Slade, Tonbridge	20% Top Up	£1,626.90
Plaxtol Cricket Club	School Lane, Plaxtol	20% Top Up	£160.23
Tonbridge Cricket Club	Darenth Avenue, Tonbridge	20% Top Up	£887.40
Plaxtol And Shipbourne Tennis Club	Upper Green Road, Shipbourne	20% Top Up	£128.18
Hildenborough Tennis Club	Riding Lane, Hildenborough	20% Top Up	£179.95
Tonbridge Town Sailing Club	Hayesden Lake, Lower Haysden Lane, Tonbridge	20% Top Up	£135.58
Cobdown Sports & Social Club	Station Road, Ditton	10% Top Up	£3,253.80
			£12,349.68
Other applications			

Organisation	Address	Relief awarded 2014/15	Benefit to organisation if same relief awarded
Trustees Of Malling Memorial Institute	9 High Street, West Malling	20% Top Up	£177.48
Mereworth Village Hall Committee	The Sports Pavilion, The Street, Mereworth	20% Top Up	£182.41
Ditton Church Pre-School	New Road, Ditton	20% Top Up	£749.36
Rochester Indoor Skatepark Club	Unit 1b, 1, Laker Road, Rochester Airport	20% Top Up	£3,500.30
Happy Faces Pre-School Ltd	Hectorage Road, Tonbridge	20% Top Up	£976.14
Wateringbury Sports & Recreation Field Association	The Pavilion, Fields Lane, Wateringbury	20% Top Up	£128.18
Addington Recreation Ground	Park Road, Addington	20% Top Up	£463.42
Tonbridge Teen And Twenty Club	River Lawn Road, Tonbridge	20% Top Up	£916.98
St Georges Pre-School Committee	R/O St Georges CPS, Old London Road, Wrotham	20% Top Up	£300.73
The Heart Of Kent Hospice	Preston Hall, London Road, Aylesford	20% Top Up	£7,049.90
Age Concern Malling	Rotary House, Norman Road, West Malling	20% Top Up	£330.31
Age Concern Malling	6 West Street, West Malling	20% Top Up	£749.36
Rock Uk Adventure Centres Ltd	Carrotty Wood, Higham Lane, Tonbridge	20% Top Up	£6,852.70
Tonbridge & Malling Citizens Advice Bureau	Pt Gnd & 1st Flr 2, 3 & 4 , River Walk, Tonbridge	20% Top Up	£2,711.50
Ditton Youth Centre Per The Treasurer	105 Kiln Barn Road, Ditton	20% Top Up	£231.71
Sevenoaks Area Mind	3 St Marys Road, Tonbridge	20% Top Up	£157.76
Poppy Pre-School Ltd	Teapot Lane, Aylesford	20% Top Up	£1,996.65
Roselands Preschool Higham Wood Limited	Higham School Road, Tonbridge	20% Top Up	£1,676.20
Kent Friendz	Unit G Great Hollanden Farm, Mill Lane, Underriver	20% Top Up	£1,750.15
Dyslexia Action	1st Flr Bridge House, 97-101 High Street, Tonbridge	20% Top Up	£2,317.10
Tonbridge & Malling Leisure Trust	Tonbridge Swimming Pool	20% Top Up	£19,818.60
Tonbridge & Malling Leisure Trust	Angel Centre, Tonbridge	20% Top Up	£11,832.00
Tonbridge & Malling Leisure Trust	Larkfield Leisure Centre	20% Top Up	£44,370.00
Other applications			

Organisation	Address	Relief awarded 2014/15	Benefit to organisation if same relief awarded
Tonbridge & Malling Leisure Trust	Poultwood Golf Course	20% Top Up	£6,902.00
Tonbridge & Malling Leisure Trust	1-5 Martin Square, Larkfield	20% Top Up	£2,588.25
Pre-School Learning Alliance	The Old Power Station, The Slade, Tonbridge	5% Top Up	£684.04
			£119,413.23

Rural Rate Relief Applications			
Organisation	Address	Relief awarded 2014/15	Benefit to organisation if same relief awarded 2015/16
Lucky Hands Ltd	30 Swan Street, West Malling	40% Discretionary	£2,880.00
Mr P And Mrs P J O'Flanagan	192 Tonbridge Road, Waterringbury	30% Top Up	£672.95
Mr Bankim Vyas & Mrs Rupal Vyas	47 Bow Road, Waterringbury	30% Top Up	£695.13
Ms Katie Howard-Neal	Nevill Bull, 1 Ryarsh Road, Birling	80% Discretionary	£4,896.00
			£9,144.08

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TONBRIDGE & MALLING BOROUGH COUNCIL

FINANCE, INNOVATION and PROPERTY ADVISORY BOARD

03 June 2015

Report of the Director of Finance and Transformation

Part 1- Public

Matters for Recommendation to Cabinet - Non-Key Decision (Decision may be taken by the Cabinet Member)

1 FINANCIAL PLANNING AND CONTROL

This report provides information on the following key budget areas for the year ended 31 March 2015: Salaries; Major Income Streams; and Investment Income. The report also provides details of variations and virements that have been agreed in relation to the 2014/15 revenue budget. This information is then summarised to provide an overall outturn position for 2014/15. In addition, the report provides details of variations identified through revenue budget monitoring in respect of 2015/16. The report also updates Members on capital expenditure and variations that have been agreed in relation to the capital plan.

1.1 Salaries Monitoring Statement 2014/15

- 1.1.1 Appended for information at **[Annex 1]** is a budgetary control statement that compares actual expenditure on basic salaries, temporary staff, overtime, superannuation and national insurance for the year ended March 2015, with the revised estimate for 2014/15.
- 1.1.2 Members will note that management savings to the end of March 2015 are **£68,000 more** than anticipated.

1.2 Income Monitoring Statement 2014/15

- 1.2.1 Appended for information at **[Annex 2]** is a budgetary control statement that compares our major sources of income from fees and charges for the year ended March 2015, with the revised estimate for 2014/15.
- 1.2.2 Members will note that overall income for the year ended March 2015 is **£173,700 more** than the revised estimate.

1.3 Treasury Management 2014/15

Externally Managed Core Funds

- 1.3.1 For the period 1 April 2014 to 31 July 2014 the Council's Fund Manager achieved a gross return of 0.62%. This compares with a 7-day LIBID benchmark of 0.35% for the same period. Investment income of £27,900 was achieved for the period ended July 2014.
- 1.3.2 At the end of July 2014 the value of the fund stood at £13.4m. This was invested at an average rate of 0.61% and an average maturity of 0.78 years.

Internally Managed Core Funds

- 1.3.3 The Council's core funds were transferred from the Council's External Fund Manager to in-house management on 1 August 2014. The Council achieved a return of 0.74% on its internally managed core fund investments for the period ended March 2015, compared to a 7-day LIBID benchmark of 0.35%. Investment income achieved for the period ended March 2015 is £66,350.
- 1.3.4 At the end of March 2015 the value of the fund stood at £13.4m. This was invested at an average rate of 0.75% and an average maturity of 0.23 years.

Internally Managed Cash flow Funds

- 1.3.5 The Council achieved a return of 0.64% on its internal cash flow investments for the period ended March 2015, compared to a 7-day LIBID benchmark of 0.35%. Investment income achieved for the period ended March 2015 is £70,000.
- 1.3.6 In cash terms, the value of internally managed cash flow investments at the end of March 2015 was £6m. This was invested at an average rate of 0.74% and an average maturity of 0.01 years.

All Investments

- 1.3.7 The combined return figure for externally and internally managed investments is compared with the revised estimate for 2014/15 later in this report.

1.4 Approved Variations to the Revenue Budget 2014/15

- 1.4.1 There were no approved variations to the revised revenue estimates for 2014/15 reported to Council on 17 February 2015.

1.5 Virements 2014/15

- 1.5.1 There were no virements to the revised revenue estimates for 2014/15 reported to Council on 17 February 2015.

1.6 Revenue Budget Summary 2014/15

- 1.6.1 We are currently working on closing the accounts for 2014/15 and an examination of spend to date compared with the revised estimates for 2014/15 would suggest a small, but nonetheless, favourable variance in the order of £69,000 prior to setting aside circa £155,000 to meet next year's (2015/16) shortfall on the Business Rates Retention scheme; and overall producing a small net adverse variance of £86,000 across all Services including that separately identified above.
- 1.6.2 The table below provides a broad overview of the expected outturn for the year ended March 2015.

Description	Budget to March £	Actual to March £	Variance £
Salaries Monitoring Statement	9,673,400	9,605,400	(68,000)
Income Monitoring Statement	(4,822,800)	(4,996,500)	(173,700)
Treasury Management	(160,150)	(164,250)	(4,100)
Business Rates Retention Scheme	(1,910,945)	(1,593,364)	317,581
Proposed Transfer to Reserves	-	28,000	28,000
General Fund Services	6,798,651	6,784,557	(14,094)
Net Adverse Variance	9,578,156	9,663,843	85,687

- 1.6.3 This would suggest a contribution from the General Revenue Reserve of **£1,242,687** compared with the Revised Estimate figure of £1,157,000.

1.7 Salaries Monitoring Statement 2015/16

- 1.7.1 Appended for information at **[Annex 3]** is a budgetary control statement that compares actual expenditure on basic salaries, temporary staff, overtime, superannuation and national insurance to the end of April 2015, with the appropriate proportion of the original estimate for 2015/16.
- 1.7.2 Members will note that management savings to the end of April are **£16,500 more** than anticipated.

1.8 Income Monitoring Statement 2015/16

- 1.8.1 Appended for information at **[Annex 4]** is a budgetary control statement that compares actual income from fees and charges to the end of April 2015, with the appropriate proportion of the original estimate for 2015/16.
- 1.8.2 Members will note that overall income to the end of April is **£15,850 more** than anticipated.

1.9 Treasury Management 2015/16

Internally Managed Core Funds

- 1.9.1 The Council achieved a return of 0.78% on its internally managed core fund investments for the period ended April 2015, compared to a 7-day LIBID benchmark of 0.36%. Investment income achieved for the period ended April 2015 is £8,600.
- 1.9.2 At the end of April 2015 the value of the fund stood at £13.4m. This was invested at an average rate of 0.8% and an average maturity of 0.31 years.

Internally Managed Cash flow Funds

- 1.9.3 The Council achieved a return of 0.57% on its internal cash flow investments for the period ended April 2015, compared to a 7-day LIBID benchmark of 0.36%. Investment income achieved for the period ended April 2015 is £5,150.
- 1.9.4 In cash terms, the value of internally managed cash flow investments at the end of April 2015 was £7.8m. This was invested at an average rate of 0.78% and an average maturity of 0.48 years.

All Investments

- 1.9.5 The combined return figure for internally managed investments is compared with the original estimate for 2015/16 later in this report.

1.10 Approved Variations to the Revenue Budget 2015/16

- 1.10.1 Listed below are the variations that have been agreed to the revenue budget. It has been based upon those variations approved by Portfolio Holders, Committees, Cabinet and Council up to the meeting of Council on 19 May 2015.

1.10.2 Council 19 May 2015

- Noted a reduction in the number of Cabinet members, including the leader, from eight to six and approved changes to Committees / Advisory Boards. This will generate ongoing savings of at least £21,000 and £24,000 in 2015/16.

1.11 Virements 2015/16

- 1.11.1 There have been no virements to the original revenue estimates for 2015/16 reported to Council on 17 February 2015.

1.12 Revenue Budget Monitoring 2015/16

- 1.12.1 As part of our budget monitoring and control arrangements Chief Officers confirm that budgetary control has been undertaken within the Service areas under their

control each month and at the same time highlight those areas, if any, which they wish to bring to the attention of the Director of Finance and Transformation. In addition, the Accountancy Section also monitors budgetary performance across the whole range of services during the year. At the time of writing this report the following areas have been brought to my attention.

- 1.12.2 The RPI increase from 1 March 2015 in respect of the Refuse Collection and Recycling, Amenity and Street Cleansing and Public Conveniences Cleansing contracts was 1.5% less than estimated. As a consequence the contract payments will be in the order of £55,000 less than the current estimate.
- 1.12.3 The revised procedures put into place following Aylesford Newsprint going into administration are expected to result in paper recycling income being £190,000 less than that estimated.
- 1.12.4 Glass recycling income, net of contribution from Tunbridge Wells Borough Council, is now expected to be £42,000 less than that estimated following reductions in the prices.
- 1.12.5 Recycling credits are now expected to be £18,000 less than that estimated due to a reduction in tonnages recycled.
- 1.12.6 The Council has been awarded the following grants from central government which will be used to fund as yet unbudgeted expenditure:
- Fraud and Error Reduction Incentive Scheme Maintenance Fund £12,455
 - Localising Council Tax Support New Burdens Grant £21,419
 - New Homes Bonus Returned In-Year £6,707
 - Right to Move Grant £3,044
 - Welfare Reform Grant £15,149
- 1.12.7 Additional annual pension contributions are forecast to be £12,000 less than the current budget.
- 1.12.8 Changes to the way the Council sends and receives post are expected to generate savings of £12,000 per annum.
- 1.12.9 Government initiatives are currently putting pressure on the housing benefits budget. The financial impact is estimated to be in the order of £150,000 to £200,000. It is uncertain as to how long and to what extent this pressure will last and further complicated by the fact that in due course working age claimants will transfer to Universal Credit.

1.12.10A summary of the items identified through budgetary control is given in the table below.

Description	Paragraph Reference	2015/16 £	2016/17 £
Environmental Health Contracts RPI Increase	1.12.2	(55,000)	(55,000) *
Paper Recycling	1.12.3	190,000	190,000 *
Glass Recycling	1.12.4	42,000	42,000 *
Recycling Credits	1.12.5	18,000	18,000 *
Central Government Grants	1.12.6	-	-
Additional Annual Pension Contributions	1.12.7	(12,000)	(12,000) *
Postages	1.12.8	(12,000)	(12,000) *
Housing Benefits	1.12.9	175,000	175,000 *
Total		346,000	346,000

Those items marked with an asterisk* will need to be considered and reflected as appropriate in updating the Medium Term Financial Strategy.

1.13 Revenue Budget Summary 2015/16

1.13.1 The table below brings together information on the Council's key budget areas, the variations agreed to the revenue budget and items identified through budgetary control to provide a broad overview of the expected financial performance for the year.

Description	Budget to April £	Actual to April £	Variance £
Salaries Monitoring Statement	797,150	780,650	(16,500)
Income Monitoring Statement	(284,150)	(300,00)	(15,850)
Treasury Management	(13,750)	(13,750)	0
Approved Variations to the Revenue Budget			(24,000)
Revenue Budgetary Control			346,000
Net Adverse Variance			289,650

1.13.3 This would mean that rather than contributing £73,550 (original estimate for 2015/16) to the General Revenue Reserve in 2015/16 as anticipated when the budget was set in February 2015, if nothing else changed, we would draw down in the order of £216,100.

1.13.4 It should be noted that some of our other major income streams performed above budget in 2014/15 and if this continues in 2015/16, which will become clearer as we move through the year, this will negate to some extent the loss in recycling income as set out above.

1.14 Capital Monitoring Statement 2014/15

1.14.1 Appended for information at **[Annex 5]** is a capital monitoring statement which compares actual capital expenditure for the period 1 April 2014 to 31 March 2015 with the 2014/15 Capital Plan. The Capital Plan for 2014/15 is based on the 2014/15 budgets that were approved by Council on 17 February 2015.

1.14.2 Prior year's expenditure is only shown for finite schemes for which there is a budget in 2014/15. Where schemes are of a rolling programme nature, prior year's expenditure has not been shown in order to avoid large, generally meaningless, totals building up.

1.14.3 Capital Plan schemes which are scheduled to start in 2015/16 and beyond have not been shown. The budget profile for these schemes can be found in the 2015/16 Revenue and Capital Budgets Book.

1.14.4 Members will note a Capital Plan spend of £1.2m against the revised 2014/15 budget of £1.8m. The majority of this underspend will be rolled forward for use in 2015/16.

1.15 Capital Monitoring Statement 2015/16

1.15.1 Appended for information at **[Annex 6]** is a capital monitoring statement which compares actual capital expenditure for the period 1 April 2015 to 30 April 2015 with the 2015/16 Capital Plan. The Capital Plan for 2015/16 is based on the 2015/16 budgets that were approved by Council on 17 February 2015, amended for slippage from 2014/15.

1.15.2 Members will note a Capital Plan spend of £133,000 against an amended 2015/16 net expenditure budget of £2.2m

1.16 Approved Variations to the Capital Plan

1.16.1 At the March meeting of Cabinet Members agreed to an increase in the gross budget provision for Tonbridge Town Lock. The increase cost is expected to be met from additional grant and developer contributions.

1.17 Capital Plan Issues

1.17.1 The capital plan monitoring statement, as presented to this Board, is essentially aimed at monitoring the financial performance of the capital plan overall and on a Service and scheme basis. Notes have been provided to supply further information where this is felt to be particularly relevant. Other monitoring reports, which provide greater information about individual schemes, are presented by the Services to the relevant Advisory Board.

1.18 Legal Implications

1.18.1 This report fulfils the requirement of the Local Government Act 2003 which places a statutory duty on the authority to monitor income and expenditure against budget and to take action if overspends or shortfalls in income emerge. If monitoring establishes that the budget situation has deteriorated, authorities are required to take such action as they consider necessary. This might include action to reduce spending in the rest of the year, to increase income or to finance all or part of the shortfall from reserves.

1.19 Financial and Value for Money Considerations

1.19.1 As set out above.

1.20 Risk Assessment

1.20.1 Budgetary control is a prerequisite of good financial management, financial planning and control and needs to be reviewed to ensure it remains effective and relevant.

1.21 Equality Impact Assessment

1.21.1 The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

1.22 Recommendations

1.22.1 Members are asked to **note** and **endorse** the contents of the report.

The Director of Finance and Transformation confirms that the proposals contained in the recommendation(s), if approved, will fall within the Council's Budget and policy Framework.

Background papers:

contact: Neil Lawley

Nil

Sharon Shelton
Director of Finance and Transformation

Salaries Budgetary Control Monitoring Statement**Period Ended Last Day of March 2015****2014/15 Financial Year**

	Revised Budget 2014/15 (a)	Provisional Outturn 2014/15 (b)	Above (Below) Budget (b - a)
Service	£	£	£
Central			
Administrative & Property	795,500	785,100	(10,400)
Legal	406,250	401,300	(4,950)
Personnel	648,100	637,200	(10,900)
Executive	421,800	413,450	(8,350)
Finance & Transformation			
Finance	2,001,000	1,976,550	(24,450)
Information Technology	788,600	784,650	(3,950)
Planning, Housing & Environmental Health			
Environmental Health & Housing	1,176,500	1,152,600	(23,900)
Planning	1,745,250	1,735,250	(10,000)
Transportation	641,300	611,600	(29,700)
Street Scene & Leisure	1,183,700	1,155,150	(28,550)
Management Savings	9,808,000	9,652,850	(155,150)
Shared Working Arrangements	(54,600)	(53,500)	1,100
Sub-total	9,753,400	9,599,350	(154,050)
Non-budgeted spend on recruitment & other expenses to the end of March			6,050
Budgeted management savings to the end of March			80,000
Net Management Savings			(68,000)

Financial Services
13 May 2015

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Income Budgetary Control Monitoring Statement**Period Ended Last Day of March 2015****2014/15 Financial Year**

	Revised Budget 2014/15 (a)	Provisional Outturn 2014/15 (b)	(Above) Below Budget (b - a)
Service	£	£	£
Central			
Land Charges	(296,850)	(292,897)	3,953
Licensing	(232,350)	(265,894)	(33,544)
Sub-Total	(529,200)	(558,791)	(29,591)
Planning, Housing & Environmental Health			
Planning Fees	(640,000)	(795,607)	(155,607)
Building Regulations	(340,000)	(335,438)	4,562
Short Stay Car Parking	(1,540,000)	(1,590,070)	(50,070)
Long Stay Car Parking	(530,000)	(582,184)	(52,184)
Penalty Charge Notices	(160,000)	(159,992)	8
Car Parks Season Tickets	(170,000)	(188,321)	(18,321)
Residents Parking Permits	(95,000)	(98,501)	(3,501)
Sub-Total	(3,475,000)	(3,750,113)	(275,113)
Street Scene & Leisure			
Recycling	(818,600)	(687,603)	130,997
Sub-Total	(818,600)	(687,603)	130,997
Grand Total	(4,822,800)	(4,996,507)	(173,707)

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Salaries Budgetary Control Monitoring Statement**Period Ended Last Day of April 2015****2015/16 Financial Year**

	Annual Budget 2015/16	Budget to end of April (a)	Actual to end of April (b)	Above (Below) Budget (b - a)
Service	£	£	£	£
Central				
Administrative & Property	800,400	66,700	64,550	(2,150)
Legal	405,800	33,800	31,500	(2,300)
Personnel	549,550	47,100	47,800	700
Executive	463,050	37,950	36,800	(1,150)
Finance & Transformation				
Finance	1,967,550	163,450	151,800	(11,650)
Information Technology	790,450	65,850	67,000	1,150
Planning, Housing & Environmental Health				
Environmental Health & Housing	1,197,900	99,850	96,850	(3,000)
Planning	1,796,950	149,550	139,950	(9,600)
Transportation	649,650	54,100	49,450	(4,650)
Street Scene & Leisure	1,182,650	94,950	93,850	(1,100)
Management Savings	9,803,950	813,300	779,550	(33,750)
Shared Working Arrangements	(53,750)	(4,500)	(4,250)	250
Sub-total	9,750,200	808,800	775,300	(33,500)
Other factors impacting on the management savings above				0
Non-budgeted spend on recruitment & other expenses to the end of April				0
Payments outstanding for the period to the end of April				5,350
Budgeted management savings to the end of April				11,650
Net Management Savings				(16,500)

Financial Services
14 May 2015

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Income Budgetary Control Monitoring Statement**Period Ended Last Day of April 2015****2015/16 Financial Year**

	Annual Budget 2015/16	Budget to end of April (a)	Actual to end of April (b)	(Above) Below Budget (b - a)
Service	£	£	£	£
Central				
Land Charges	(293,600)	(25,000)	(30,450)	(5,450)
Licensing	(231,550)	(14,800)	(27,800)	(13,000)
Sub-Total	(525,150)	(39,800)	(58,250)	(18,450)
Planning, Housing & Environmental Health				
Planning Fees	(64,000)	(53,350)	(30,350)	23,000
Building Regulations	(340,000)	0	(5,750)	(5,750)
Short Stay Car Parking	(1,540,000)	(122,000)	(122,150)	(150)
Long Stay Car Parking	(530,000)	(43,000)	(48,950)	(5,950)
Penalty Charge Notices	(180,000)	(15,000)	(19,700)	(4,700)
Car Parks Season Tickets	(155,000)	(6,000)	(9,400)	(3,400)
Residents Parking Permits	(95,000)	(5,000)	(3,450)	1,550
Sub-Total	(2,904,000)	(244,350)	(239,750)	4,600
Street Scene & Leisure				
Recycling	(816,850)	0	(2,000)	(2,000)
Sub-Total	(816,850)	0	(2,000)	(2,000)
Grand Total	(4,246,000)	(284,150)	(300,000)	(15,850)

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CAPITAL PLAN MONITORING STATEMENT 2014/15 TO 31 MARCH 2015
SUMMARY OF SERVICES

	Expenditure To 31/03/14	2014/15 Estimate Inc Prior Year Slippage	2014/15 Actual to 31 March 2015
	£'000	£'000	£'000
Capital Plan Schemes			
Planning, Housing & Environmental Health	635	603	315
Street Scene & Leisure	543	313	276
Corporate	61	64	36
Sub-total	1,239	980	627
Capital Renewals			
Planning, Housing & Environmental Health	n/a	20	23
Street Scene & Leisure	n/a	329	149
Corporate	n/a	462	367
Sub-total	n/a	811	539
Total	1,239	1,791	1,166

CAPITAL PLAN MONITORING STATEMENT 2014/15 TO 31 MARCH 2015
PLANNING, HOUSING AND ENVIRONMENTAL HEALTH

	Expenditure To 31/03/14	2014/15 Estimate Inc Prior Year Slippage	2014/15 Actual to 31 March 2015
	£'000	£'000	£'000
Capital Plan Schemes			
Car Parking	90	98	29
Transportation	362	38	14
Environmental Improvements	80	120	99
Land Drainage / Flood Defence	29	23	16
Housing Investment Programme	74	324	157
Environmental Health	0	0	0
Sub-total	635	603	315
Capital Renewals	n/a	20	23
Total Planning, Housing and Environmental Health	635	623	338

CAPITAL PLAN MONITORING STATEMENT 2014/15 TO 31 MARCH 2015
PLANNING, HOUSING AND ENVIRONMENTAL HEALTH

	Code	Expenditure To 31/03/14	2014/15 Estimate Inc Prior Year Slippage	2014/15 Actual to 31 March 2015	
		£'000	£'000	£'000	
Car Parking					
(a) Improvement Programme for Existing Car Parks					
(i) Rolling Programme	P01AB	59	66	21	Some work is slipping to 2015/16 to enable similar works to be aggregated in larger contracts.
(b) Car Parking Action Plan					
(i) Phase 6	P01MA	32	6		Minor work continuing into 2015/16.
(ii) Phase 7 Less Developer Contributions	P01MB	(1)	26	10 (2)	Work continuing into 2015/16.
		(1)	26	8	
Total Car Parking to Summary		90	98	29	
Transportation					
(a) Local Transport Plan Partnership Programme Less Grants & Contributions	P01ED	201 (9)	34	14	Demand led expenditure to influence KCC Local Transport Plan Schemes.
Sub-total		192	34	14	
(b) Community Partnership Initiatives	P06FE	170	4		
Total Transportation to Summary		362	38	14	

CAPITAL PLAN MONITORING STATEMENT 2014/15 TO 31 MARCH 2015
PLANNING, HOUSING AND ENVIRONMENTAL HEALTH

	Code	Expenditure To 31/03/14	2014/15 Estimate Inc Prior Year Slippage	2014/15 Actual to 31 March 2015	
		£'000	£'000	£'000	
Environmental Improvements					
(a) Tonbridge Town Centre Enhancement - Phase 1	P01FH	80	20	24	Construction work to commence in June 2015.
(b) Tonbridge Town Lock	P01LD		100	75	
Total Environmental Improvements to Summary		80	120	99	
Land Drainage / Flood Defence					
Drainage					
(i) Drainage Improvement Programme Less Grants & Contributions	P01HR	57 (28)	23	18 (2)	Flood alleviation works at Lavenders Hill, Tonbridge completed within the continuing improvement programme.
Sub-total		29	23	16	
(b) Tonbridge Castle River Bank Less Defra Grants	P01HT		150 (150)	3 (3)	Construction work slipped to 2015/16.
Sub-total		0	0	0	
Total Land Drainage / Flood Defence to Summary		29	23	16	

CAPITAL PLAN MONITORING STATEMENT 2014/15 TO 31 MARCH 2015
PLANNING, HOUSING AND ENVIRONMENTAL HEALTH

	Code	Expenditure To 31/03/14	2014/15 Estimate Inc Prior Year Slippage	2014/15 Actual to 31 March 2015	
		£'000	£'000	£'000	
Housing Investment Programme					
(a) House Renovation Grants					
(i) Disabled Facilities Grants - Mandatory Less Grant Repayments Less Government Grant	P03AC	n/a n/a n/a	652 (424)	559 (12) (424)	The remainder of the budget was committed in 2014/15 and actual expenditure will be realised in the new financial year.
Sub-total		n/a	228	123	
(ii) Housing Assistance Less Grant Repayments	P03AD	n/a n/a	90 (30)	81 (47)	
Sub-total		n/a	60	34	The remainder of the budget was committed in 2014/15 and actual expenditure will be realised in the new financial year.
Renewable Energy Schemes	P03AM	74	36		Scheme progressing with the development of solid wall insulation.
Winter Warmth Less KCC Grant	P03AP		9 (9)		This funding was received very late in 2014/15 but has been committed. Expenditure will be realised in the new financial year.
Sub-total		0	0	0	
Total Housing Investment Programme to Summary		74	324	157	
Environmental Health					
(a) Air Quality Impact Study Less Government Grants and Other Contributions	P02BE		150 (150)		Stalled due to key personnel changes at both MBC and KCC. It has taken a number of months to re-establish this support and following a partnership meeting in December the project is now progressing.
Sub-total		0	0	0	
Total Environmental Health to Summary		0	0	0	

CAPITAL PLAN MONITORING STATEMENT 2014/15 TO 31 MARCH 2015
PLANNING, HOUSING AND ENVIRONMENTAL HEALTH

	Code	Expenditure To 31/03/14	2014/15 Estimate Inc Prior Year Slippage	2014/15 Actual to 31 March 2015
		£'000	£'000	
Capital Renewals				
(a) CCTV Capital Renewals	P01BA	n/a	10	12
(b) Car Parking	P01JF	n/a	5	5
(c) Environmental Protection	P02EB CR01	n/a	7	6
Provision for Inflation / Savings Target	P01JZ/P02EZ	n/a	(2)	
Total Capital Renewals to Summary		n/a	20	23

CAPITAL PLAN MONITORING STATEMENT 2014/15 TO 31 MARCH 2015
STREET SCENE & LEISURE

	Expenditure To 31/03/14	2014/15 Estimate Inc Prior Year Slippage	2014/15 Actual to 31 March 2015
	£'000	£'000	£'000
Capital Plan Schemes			
Street Scene	n/a	93	79
Larkfield Leisure Centre	0	35	33
Sports Grounds	20	130	133
Open Spaces	10	15	0
Capital Grants	398	25	25
Other Schemes	115	15	6
Sub-total	543	313	276
Capital Renewals	n/a	329	149
Total Street Scene and Leisure	543	642	425

CAPITAL PLAN MONITORING STATEMENT 2014/15 TO 31 MARCH 2015
STREET SCENE & LEISURE

	Code	Expenditure To 31/03/14	2014/15 Estimate Inc Prior Year Slippage	2014/15 Actual to 31 March 2015	
		£'000	£'000	£'000	
Street Scene					
(a) Green Waste Bins Growth / Replacement	P02BC	n/a	52	20	} Net underspend of £14,000 to be carried into 2015/16. Storage issues at depot led to a delay on planned order.
(b) Refuse Bins Growth / Replacement	P02DA	n/a	41	59	
Total Street Scene to Summary		n/a	93	79	
Larkfield Leisure Centre					
Refurbishment of Lifestyles Health Suite	P05LL		5	3	Scheme completed.
Energy Saving Measures Phase 3	P05LM		30	30	
Total Larkfield Leisure Centre to Summary		0	35	33	
Sports Grounds					
(a) Tonbridge Racecourse Sportsground					Scheme completed.
(i) Bridge Renewal Repair	P05DT	20	130	133	
(ii) Flood Lighting Less Grants and Contributions	P05DA	8 (8)	12 (12)		
Sub-total		0	0	0	
Total Sports Grounds to Summary		20	130	133	Scheme delayed due to other priorities. Funding to roll forward to 2015/16.

CAPITAL PLAN MONITORING STATEMENT 2014/15 TO 31 MARCH 2015
STREET SCENE & LEISURE

	Code	Expenditure To 31/03/14	2014/15 Estimate Inc Prior Year Slippage	2014/15 Actual to 31 March 2015	
		£'000	£'000	£'000	
Open Spaces					
(a) East Malling & Larkfield PC - Recreation Ground Improved Play Facilities	P05FR	10	15		Spend is dependant on noise reduction scheme being brought forward by the Parish Council. None received in 2014/15. Funding rolled forward.
(b) Open Spaces Site Improvements - Phase 1 Less Developer Contributions	P05FT	68 (68)	31 (31)	5 (5)	
Sub-total		0	0	0	Minor works due to be completed in 2015/16. Funding from Developer contributions to roll into 2015/16.
(c) Open Spaces Site Improvements - Phase 2 Less Developer Contributions	P05FV	56 (56)	13 (13)		Minor works due to be completed in 2015/16. Funding from Developer contributions to roll into 2015/16.
Sub-total		0	0	0	
Total Open Spaces to Summary		10	15	0	
Capital Grants					
(a) Capital Grants to Organisations 2003/04 to 2008/09 Schemes	P05HK	395	25	25	Scheme completed.
Plaques	P05HZ	3			
Sub-total		398	25	25	
Total Capital Grants to Summary		398	25	25	
Other Schemes					
(a) Tonbridge Cemetery (i) Memorial Safety	P05KV	86	7		Funding to roll into 2015/16 for further works.
(b) Memorial Garden Improvement Less Fund Raising & Developer Contributions	P05KA	49 (20)	276 (280)	266 (266)	Scheme completed. Retentions to be paid in 2015/16.
Sub-total		29	(4)	0	
(c) Community Group Funding	P05KS	n/a	12	6	
Total Other Schemes to Summary		115	15	6	

CAPITAL PLAN MONITORING STATEMENT 2014/15 TO 31 MARCH 2015
STREET SCENE & LEISURE

	Code	Expenditure To 31/03/14	2014/15 Estimate Inc Prior Year Slippage	2014/15 Actual to 31 March 2015	
		£'000	£'000	£'000	
Capital Renewals					
(a) Recycling Initiatives	P02EBCR02	n/a	6	5	} Provisions for replacement of life expired vehicles, plant and equipment. } Subject to annual review.
(b) Sports Grounds & Open Spaces	P05KGBC05	n/a	119	10	
Sub-total			125	15	
Provision for Inflation / Savings Target (assumes 25%)	P05KZ	n/a	(30)		
Sub-total		0	95	15	
(c) Angel Centre	P05KGBC01	n/a	53	27	
(d) Larkfield Leisure Centre	P05KGBC02	n/a	127	44	
Tonbridge Swimming Pool	P05KGBC04	n/a	61	5	
Poult Wood Golf Course:					
Grounds Maintenance	P05KGBC06	n/a	32	26	
Clubhouse	P05KGBC03	n/a	21	2	
Course	P05KGBC07	n/a	18	30	
Sub-total			71	58	
Provision for Inflation / Savings Target (assumes 25%)	P05KZ	n/a	(78)		
Sub-total		0	234	134	
Total Capital Renewals to Summary		n/a	329	149	

CAPITAL PLAN MONITORING STATEMENT 2014/15 TO 31 MARCH 2015
CORPORATE

	Expenditure To 31/03/14	2014/15 Estimate Inc Prior Year Slippage	2014/15 Actual to 31 March 2015
	£'000	£'000	£'000
Capital Plan Schemes			
Information Technology Initiatives	75	50	36
Other Schemes	(14)	14	0
Sub-total	61	64	36
Capital Renewals	n/a	462	367
Total Corporate	61	526	403

CAPITAL PLAN MONITORING STATEMENT 2014/15 TO 31 MARCH 2015
CORPORATE

	Code	Expenditure To 31/03/14	2014/15 Estimate Inc Prior Year Slippage	2014/15 Actual to 31 March 2015	
		£'000	£'000	£'000	
Information Technology Initiatives					
(a) General IT Developments	P06DA	n/a	30	24	Scheme completed.
(b) Document Management System Expansion	P06DE	51	9		
(c) Tablets for Members / Senior Officers	P06DC	24	11	12	
Total Information Technology Initiatives to Summary		75	50	36	
Other Schemes					
(a) Local Strategic Partnership Less Performance Reward Grant	P06FJ	135 (149)	14		Scheme completed.
Sub-total		(14)	14	0	
(b) Electoral Voters Registration Less Government Grant	P06FK		30 (30)	30 (30)	Scheme completed.
Sub-total		0	0	0	
(c) Flood Repair and Renewal Less Government Grant	P06FM		550 (550)	384 (384)	Balance of funding carried forward to 2015/16.
Sub-total		0	0	0	
Total Other Schemes to Summary		(14)	14	0	

CAPITAL PLAN MONITORING STATEMENT 2014/15 TO 31 MARCH 2015
CORPORATE

	Code	Expenditure To 31/03/14	2014/15 Estimate Inc Prior Year Slippage	2014/15 Actual to 31 March 2015	
		£'000	£'000	£'000	
Capital Renewals	P06FA				
(i) General					
Departmental Administration	GR01	n/a	18		
Council Offices	GR02	n/a			
Print Unit	GR03	n/a	35	27	
Photocopiers	GR04	n/a			
Telephones	GR05	n/a	79	14	Telephone system replacement deferred to 2015/16.
Snack Facilities	GR06	n/a			
Tonbridge Christmas Lighting	GR09	n/a			
Sub-total		n/a	132	41	
Information Technology			71		
Desktop Hardware	P06FB - FB10	n/a	64	33	
Mobile Hardware	P06FB - FB20	n/a	5		
Computer Suite	P06FB - FB30	n/a	163	220	Additional hardware required to connect new storage system into existing infrastructure.
Other Hardware	P06FB - FB40	n/a	5		
Network	P06FB - FB50	n/a	6	12	Upgrade to server fibre optic connectors.
Corporate Software	P06FB - FB60	n/a	7		
Operational Software	P06FB - FB70	n/a	19	32	Email archiving software more expensive than estimate.
User Software	P06FB - FB80	n/a	23	29	
Sub-total		n/a	363	326	
Provision for Inflation / Savings Target	P06FZ	n/a	(33)		
Total Capital Renewals to Summary		n/a	462	367	

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CAPITAL PLAN MONITORING STATEMENT 2015/16 TO 30 APRIL 2015
SUMMARY OF SERVICES

	Expenditure To 31/03/15	2015/16 Estimate Inc Prior Year Slippage	2015/16 Actual to 30 April 2015
	£'000	£'000	£'000
Capital Plan Schemes			
Planning, Housing & Environmental Health	792	788	3
Street Scene & Leisure	128	587	4
Corporate	37	61	108
Sub-total	957	1,436	115
Capital Renewals			
Planning, Housing & Environmental Health	n/a	10	0
Street Scene & Leisure	n/a	471	1
Corporate	n/a	287	17
Sub-total	n/a	768	18
Total	957	2,204	133

CAPITAL PLAN MONITORING STATEMENT 2015/16 TO 30 APRIL 2015
PLANNING, HOUSING AND ENVIRONMENTAL HEALTH

	Expenditure To 31/03/15	2015/16 Estimate Inc Prior Year Slippage	2015/16 Actual to 30 April 2015
	£'000	£'000	£'000
Capital Plan Schemes			
Car Parking	119	139	0
Transportation	376	24	0
Environmental Improvements	178	222	0
Land Drainage / Flood Defence	45	27	0
Housing Investment Programme	74	376	3
Environmental Health	0	0	0
Sub-total	792	788	3
Capital Renewals	n/a	10	0
Total Planning, Housing and Environmental Health	792	798	3

CAPITAL PLAN MONITORING STATEMENT 2015/16 TO 30 APRIL 2015
PLANNING, HOUSING AND ENVIRONMENTAL HEALTH

	Code	Expenditure To 31/03/15	2015/16 Estimate Inc Prior Year Slippage	2015/16 Actual to 30 April 2015		
		£'000	£'000	£'000		
Environmental Improvements						
(a) Tonbridge Town Lock	P01LD	178	1,701		} Budgets increased following report to Cabinet March 2015. Expenditure to } date includes design fees previously charged to Tonbridge Town Centre } Enhancement (P01FH). }	
Less Developer Contributions			(747)			
Environment Agency Grant			(730)			
Other Grants and Contributions			(2)			
Sub-total		178	222	0		
Total Environmental Improvements to Summary		178	222	0		
Land Drainage / Flood Defence						
Drainage						
(i) Drainage Improvement Programme	P01HR	75	27		}	
Less Grants & Contributions			(30)			
Sub-total		45	27	0		
(b) Tonbridge Castle River Bank	P01HT	3	147			
Less Environment Agency Grant			(3)	(147)		
Sub-total		0	0	0		
Total Land Drainage / Flood Defence to Summary		45	27	0		

CAPITAL PLAN MONITORING STATEMENT 2015/16 TO 30 APRIL 2015
PLANNING, HOUSING AND ENVIRONMENTAL HEALTH

	Code	Expenditure To 31/03/15	2015/16 Estimate Inc Prior Year Slippage	2015/16 Actual to 30 April 2015	
		£'000	£'000		
Capital Renewals					
(a) CCTV Capital Renewals	P01BA	n/a	10		Underspends from 2014/15 to be reviewed and added to 2015/16 budget provisions where appropriate (July Monitoring Statement).
Total Capital Renewals to Summary		n/a	10	0	

CAPITAL PLAN MONITORING STATEMENT 2015/16 TO 30 APRIL 2015
STREET SCENE & LEISURE

	Expenditure To 31/03/15	2015/16 Estimate Inc Prior Year Slippage	2015/16 Actual to 30 April 2015
	£'000	£'000	£'000
Capital Plan Schemes			
Street Scene	n/a	108	0
Larkfield Leisure Centre	3	447	0
Sports Grounds	0	0	0
Open Spaces	10	15	0
Other Schemes	115	17	4
Sub-total	128	587	4
Capital Renewals	n/a	471	1
Total Street Scene and Leisure	128	1,058	5

CAPITAL PLAN MONITORING STATEMENT 2015/16 TO 30 APRIL 2015
STREET SCENE & LEISURE

	Code	Expenditure To 31/03/15	2015/16 Estimate Inc Prior Year Slippage	2015/16 Actual to 30 April 2015
		£'000	£'000	£'000
Street Scene				
(a) Green Waste Bins Growth / Replacement	P02BC	n/a	54	
(b) Refuse Bins Growth / Replacement	P02DA	n/a	54	
Total Street Scene to Summary		n/a	108	0
Larkfield Leisure Centre				
(a) Refurbishment of Lifestyles Health Suite	P05LL	3	297	
Pool Disinfectant and Backwashing System	P05LN		150	
Total Larkfield Leisure Centre to Summary		3	447	0
Sports Grounds				
(a) Tonbridge Racecourse Sportsground				
(i) Flood Lighting Less Grants and Contributions	P05DA	8 (8)	12 (12)	
Sub-total		0	0	0
Total Sports Grounds to Summary		0	0	0

CAPITAL PLAN MONITORING STATEMENT 2015/16 TO 30 APRIL 2015
STREET SCENE & LEISURE

	Code	Expenditure To 31/03/15	2015/16 Estimate Inc Prior Year Slippage	2015/16 Actual to 30 April 2015
		£'000	£'000	£'000
Open Spaces				
(a) East Malling & Larkfield PC - Recreation Ground Improved Play Facilities	P05FR	10	15	
(b) Open Spaces Site Improvements - Phase 1 Less Developer Contributions	P05FT	73 (73)	26 (26)	2 (2)
Sub-total		0	0	0
(c) Open Spaces Site Improvements - Phase 2 Less Developer Contributions	P05FV	56 (56)	13 (13)	
Sub-total		0	0	0
Total Open Spaces to Summary		10	15	0
Other Schemes				
(i) Tonbridge Cemetery Memorial Safety	P05KV	86	7	
(b) Memorial Garden Improvement Less Fund Raising & Developer Contributions	P05KA	315 (286)	10 (14)	
Sub-total		29	(4)	0
(c) Community Group Funding	P05KS	n/a	14	4
Total Other Schemes to Summary		115	17	4

CAPITAL PLAN MONITORING STATEMENT 2015/16 TO 30 APRIL 2015
STREET SCENE & LEISURE

	Code	Expenditure To 31/03/15	2015/16 Estimate Inc Prior Year Slippage	2015/16 Actual to 30 April 2015	
		£'000	£'000	£'000	
Capital Renewals					
(a) Recycling Initiatives	P02EBCR02	n/a	5		} Underspends from 2014/15 to be reviewed and added to 2015/16 budget provisions where appropriate (July Monitoring Statement).
(b) Sports Grounds & Open Spaces	P05KGBC05	n/a	155		
Sub-total			160	0	
Provision for Inflation / Savings Target (assumes 25%)	P05KZ	n/a	(37)		
Sub-total		0	123	0	
(c) Angel Centre	P05KGBC01	n/a	119		
(d) Larkfield Leisure Centre	P05KGBC02	n/a	96		
Page 82 Tonbridge Swimming Pool	P05KGBC04	n/a	48	1	
Poult Wood Golf Course: Grounds Maintenance	P05KGBC06	n/a	116		
Clubhouse	P05KGBC03	n/a	73		
Course	P05KGBC07	n/a	3		
Sub-total			192	0	
Provision for Inflation / Savings Target (assumes 25%)	P05KZ	n/a	(107)		
Sub-total		0	348	1	
Total Capital Renewals to Summary		n/a	471	1	

CAPITAL PLAN MONITORING STATEMENT 2015/16 TO 30 APRIL 2015
CORPORATE

	Expenditure To 31/03/15	2015/16 Estimate Inc Prior Year Slippage	2015/16 Actual to 30 April 2015
	£'000	£'000	£'000
Capital Plan Schemes			
Information Technology Initiatives	51	47	1
Other Schemes	(14)	14	107
Sub-total	37	61	108
Capital Renewals	n/a	287	17
Total Corporate	37	348	125

CAPITAL PLAN MONITORING STATEMENT 2015/16 TO 30 APRIL 2015
CORPORATE

	Code	Expenditure To 31/03/15	2015/16 Estimate Inc Prior Year Slippage	2015/16 30 April 2015
		£'000	£'000	£'000
Information Technology Initiatives				
(a) General IT Developments	P06DA	n/a	38	1
(b) Document Management System Expansion	P06DE	51	9	
(c) Revenues & Benefits Document Management Less Government Grant	P06DG		60 (60)	
Sub-total		0	0	0
Total Information Technology Initiatives to Summary		51	47	1
Other Schemes				
(a) Local Strategic Partnership Less Performance Reward Grant	P06FJ	135 (149)	14	
Sub-total		(14)	14	0
(b) Flood Repair and Renewal Less Government Grant	P06FM	384 (384)	166 (166)	107
Sub-total		0	0	107
Total Other Schemes to Summary		(14)	14	107

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TONBRIDGE & MALLING BOROUGH COUNCIL

FINANCE, INNOVATION and PROPERTY ADVISORY BOARD

03 June 2015

Report of the Director of Finance & Transformation

Part 1- Public

Matters for Recommendation to Cabinet - Non-Key Decision (Decision may be taken by the Cabinet Member)

1 BUSINESS RATES REVIEW: DISCUSSION PAPER FROM HM TREASURY

This report sets out detail of a discussion paper from HM Treasury seeking views on the business rates system. It also provides information regarding the Council's recent deputation to the Minister for Local Government regarding the impact of the loss of a significant business within the borough. The report recommends that delegated authority is given to the Director of Finance & Transformation in liaison with the Cabinet Member for Finance, Innovation and Property and the Leader (as the portfolio holder for Economic Regeneration) to formulate a final response by the deadline of 12 June.

1.1 Introduction

- 1.1.1 In 2013, the government announced that it was opening up discussions about the administrative reform of business rates, and an initial paper was issued in April 2014 with interim findings being published in December 2014.
- 1.1.2 As a result of the interim findings, the government advised that it would conduct a review on the future structure of business rates to report back in time for the Budget in 2016.
- 1.1.3 A discussion paper was published on 16 March 2015 and comments are invited by 12 June 2015. The paper can be found at <https://www.gov.uk/government/consultations/business-rates-review-terms-of-reference-and-discussion-paper>
- 1.1.4 The primary aim of the review, based on the terms of reference, is to establish whether the "business rates system remains fit for purpose in the 21st century". This is in light of the 'trends' in the use of property (e.g. the increase in online shopping having an impact on the need for physical floor-space) and, of course, the reforms that have already taken place regarding business rates.

1.2 Background Matters

- 1.2.1 In respect of reforms, Members are aware that the Business Rate Retention Scheme (*a risk and reward model*) was introduced in April 2013 whereby local authorities take a share (*the reward*) of any business rate growth above a set baseline. The converse is that if there is a reduction in business rate yield, local authorities must take a share of that loss (*the risk*).
- 1.2.2 Baselines were set at the start of the scheme and are not currently due to be reset until 2020. Therefore, if a local authority is fortunate to have grown its business rate base above baseline without suffering any reductions to negate it, then that authority should benefit from financial “rewards” until 2020, all other things being equal. On the other hand, authorities that have suffered significant losses in business rate base - through, for example, businesses going into administration or successful appeals against rateable values - are likely to face financial “risks” until 2020.
- 1.2.3 There are some Councils within Kent that are currently enjoying the “reward” element of this model, but for TMBC, regrettably we are facing the “risk” element. The major contributor to this situation was the sudden demise of Aylesford Newsprint (ANP) on 23 February 2015. ANP was the joint highest ratepayer in the borough with a rateable value for its main site of some £3m, ordinarily generating business rate income of £1.479m. Quite apart from the devastating impact on the community as a result of the many redundancies, the business rate income is now lost and the Council must take a share of the loss, cushioned in part by the safety net (which is an integral part of the Scheme).
- 1.2.4 As Members will be aware, the Leader orchestrated a meeting with the (then) Minister for Local Government, Kris Hopkins, in March to discuss the impact of the loss of this business rate stream to the Council within the context of the Business Rate Retention Scheme. Following the meeting, we assisted Tracey Crouch MP in writing to Kris Hopkins summarising the points we had made. A copy is attached at **[Annex 1]** for information. One of the key messages within the letter was that the underlying mechanics of the Scheme mean that the Council will be treated as though the potential business rate income from the ANP site is still collectable (when clearly it is not) until the baseline is reset (presently programmed for 2020). On a cumulative basis, allowing for the cushioning effect of the safety net, the cost to the Council over the next 5 years would be £816,000. Our request was that in this exceptional circumstances could the baseline and tariff be reset outside of the normal timescale?
- 1.2.5 Tracey Crouch MP received a response to the above letter on 26 March, which sadly was not the news we were looking for. A copy of the reply is attached at **[Annex 2]** for information. Members will, however, note that the (then) Minister acknowledged that the circumstances we had outlined were relevant to the Treasury’s review of business rates. The Minister went on to say that “*my officials have already brought this case to the attention of the Treasury*”.

1.3 Comments

- 1.3.1 The detailed questions posed within the discussion paper are summarised at **[Annex 3]** for information. As Members will note, the questions straddle a number of areas including evidence of trends in occupation; financial risks and rewards for local authorities; impact on SMEs and the competitiveness of UK businesses; and the general sustainability of this tax.
- 1.3.2 Clearly the Council's own experience regarding the 'risk and reward' model will be a key aspect to reinforce in our reply (as already acknowledged by the then Minister), but views from an economic regeneration point of view would also be very pertinent. Unfortunately, due to the timing of meetings, it is not possible to submit this paper to the Economic Regeneration Advisory Board prior to the closing date for this consultation (12 June).
- 1.3.3 Accordingly, what I suggest is that delegated authority is given to me in liaison with the Cabinet Member for Finance, Innovation and Property and the Leader (as the portfolio holder for Economic Regeneration) to formulate a response, on behalf of the Council, by the 12 June. In doing so, I recommend that we consult the Chairmen and Vice Chairmen of both this Advisory Board and the Economic Regeneration Advisory Board to seek their views and input to the response.
- 1.3.4 If Members have any particular thoughts that they wish to put forward for inclusion, might I ask that they be articulated at the meeting or alternatively via email to myself or the Cabinet Member for Finance, Innovation and Property.

1.4 Legal Implications

- 1.4.1 This is a discussion paper and therefore there are currently no legal implications.

1.5 Financial and Value for Money Considerations

- 1.5.1 This is a discussion paper and therefore there are currently no financial implications.

1.6 Risk Assessment

- 1.6.1 The Council is already affected by the volatility of business rate yield within the borough as outlined in the report.

1.7 Equality Impact Assessment

- 1.7.1 The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

1.8 Policy Considerations

- 1.8.1 Community

1.9 Recommendations

1.9.1 It is **RECOMMENDED** that

- 1) Members are invited to offer any views for inclusion within a response to this discussion paper;
- 2) Delegated authority is given to the Director of Finance & Transformation in liaison with the Cabinet Member for Finance, Innovation and Property and the Leader (as the portfolio holder for Economic Regeneration) to formulate a final response, on behalf of the Council, by the deadline of 12 June;

and
- 3) The views of the Chairmen and Vice Chairmen of both the Finance, Innovation and Property and Economic Regeneration Advisory Boards are sought in drafting the response.

The Director of Finance & Transformation confirms that the proposals contained in the recommendation(s), if approved, will fall within the Council's Budget and Policy Framework.

Background papers:

contact: Sharon Shelton

Nil

Sharon Shelton
Director of Finance & Transformation



HOUSE OF COMMONS

LONDON SW1A 0AA

Kris Hopkins MP
Parliamentary Under Secretary
Department of Local Government & Communities
2 Marsham Street
London SW1P 4DF

24 March 2015

Dear Kris

Aylesford Newsprint

Thank you for taking the time to see me and representatives from Tonbridge & Malling Borough Council yesterday regarding the financial implications for the Council following the liquidation of Aylesford Newsprint (ANP), a 'unique' facility within the South East.

As I said at our meeting, in my experience Tonbridge & Malling Borough Council is exceptionally proactive and keen to engineer solutions to new challenges. Traditionally the Council does not 'sit back' looking to others to find answers. In particular the Council has a strong track record in facilitating the redevelopment of major brownfield sites which have led to numerous high quality schemes. I have been talking actively with the Council about potential future uses of the site (which covers an area of 100 acres) and we are collectively of the view that the options for the site present an exciting opportunity for investment and development. The Council is well progressed in the preparation of its next local plan and we would expect the ANP site to be brought forward for positive mixed use redevelopment within that context. The Council continues to work closely with its partners through the LEP including the County Council and although there are significant challenges with the site I have every confidence that, in time, we will see the beneficial regeneration of the area through innovative measures as we have seen elsewhere in Tonbridge and Malling.

However, despite all the efforts that I am confident the Council will devote to resolving this issue for the benefit of local taxpayers, it is very unlikely that a new development solution (whatever that may be) will be in place within the next five years. Experience shows that there will inevitably be significant lead-in time and preparatory work that will need to take place.

In the meantime the Council are very concerned about the financial impact the closure of ANP will have on them, and more importantly their council taxpayers, through the business rate retention model. I understand that the 'baselines' for business rate retention will not be reset until 2020, and therefore until that time the Council will be treated as though the potential business rate income from the ANP site is still collectable, when clearly it is not.

I understand that the Rateable Value of the main site is £3m (there are some smaller sites belonging to ANP which are rated separately) which, ordinarily, would generate business rate income of £1.479m. I understand the Council's share of this income (or loss, as it now is) would be 40% - £

591,600 per annum – which is a significant sum. The main ANP site has the joint largest rateable value in the borough.

As a matter of interest, the other largest rateable value belongs to the incinerator (waste plant) which suffered an unexpected and major reduction in RV of some £760,000 during the financial year 2013/14. It is to the credit of the Council that, as the local MP, I did not even appreciate this fact – they simply took the ‘hit’ and tried to address the financial impact through other means. This new blow to their financial position is, however, a further and most serious one at a time when as a relatively small local authority the maintenance of good local services is under severe financial pressure.

I can vouch for the fact that the Council has been working hard to ‘grow’ business within the borough boundaries, but from what I understand it has been a case of one step forward and two steps back due to the fact that Valuation Appeals (including the Incinerator mentioned earlier), completely outside of the Council’s control, have completely wiped out any growth in the business rate base. I was interested to see a graphical representation of this (included in the briefing note which I handed to you yesterday) which clearly shows that even though the number of businesses have grown over the last five years, perversely the actual business rate income that can be collected has significantly fallen. As was mentioned by one of your officials yesterday, although the ‘gearing’ principles of the business rate retention model have worked very well for some councils, clearly the opposite has been the case for Tonbridge & Malling Borough Council which I feel is very unfortunate given the progressive stance the Council has always adopted.

I am assured that the Council will be responding to the latest consultation regarding the business rate retention model and I hope that the Council’s unfortunate experience can help to adapt and improve the model for the future. Nevertheless, I am concerned about the immediate financial impact on the Council and the council taxpayers in my constituency and across the Borough. We discussed two key issues yesterday:

The first was an immediate ‘cash flow’ issue, which was acknowledged by one of your officials. As I understand it, the Council will have to pay over to DCLG its share of the ANP business rate income on a monthly basis – money which clearly will not be collected and will need to come out of the council’s own balances, putting other council services at risk. I understand that roughly this equate to £62,000 per month. **As an immediate step, can the payment schedule to DCLG be amended to reflect the fact that the business rate income from ANP will not be collectable?**

The second point relates to the Council’s business rate baseline which I am told is part of the overall Settlement Funding Assessments for councils. The concern that the Council has is that their baseline will continue to carry the assumption that the ANP site is economically viable until either the site is regenerated, or the business rate retention ‘reset’ occurs in 2020. As I have expressed above, despite every effort that I know the Council will make to resolve this problem, I cannot envisage the site being economically viable and successfully redeveloped for some years due to the ‘issues’ on the site. Therefore, unless the baseline is amended, the Council will be in a safety net position until the reset occurs. In a nutshell, the Council and its taxpayers will be faced with funding the safety net threshold of currently £156,000 per annum (cumulatively over £800,000 until ‘reset’) and the Kent Business Rates Pool will need to cover the remaining loss. As mentioned at our meeting, the other partners in the Pool have acted very professionally in respect of this news regarding the loss of this significant ratepayer, but it cannot be taken as read that Tonbridge & Malling will continue to be part of the Pool until ‘reset’ occurs in 2020. As you may be aware, the issues with Manston Airport in the Thanet area could also prove to be a significant pressure for the Kent Pool in due course and, although I am not an expert in these matters, I might speculate that all these issues combined could

well instigate a review of the pooling arrangements. If this were to happen and TMBC were no longer part of a pooling arrangement, I am advised that the remaining 'loss' beyond the safety net would revert to government.

Taking all these matters into account, our second request is, therefore, that TMBC's baseline and tariff level be adjusted on an exceptional basis to reflect the loss of this significant and unique ratepayer.

I have taken the liberty of attaching a copy of the briefing paper which I handed to you yesterday and which sets out the key figures. I am certain that the Council will be pleased to talk to your officials about any of the issues contained in the paper and to clarify any points.

Once again, may I thank you for your time yesterday and I look forward to hearing from you.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Tracey', with a large, sweeping flourish above the first few letters.

TRACEY CROUCH MP

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Department for
Communities and
Local Government

Kris Hopkins MP
Minister for Local Government

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Dear Tracey,

26 MAR 2015

Thank you for your letter of 24 March following our meeting with Tonbridge and Malling District Council the day before.

Of course, we recognise that councils can experience significant volatility in their business rates income for a number of reasons including where businesses fail. In this instance the failure of Aylesford Newsprint means that the Council's income from business rates is some way below what was expected. This means that on the current position, Tonbridge and Malling will not benefit from the rates retention scheme.

As we discussed, the risks present in the system can equally bring reward and many authorities have seen benefits from the scheme. As such, the Government has always recognised that the rates retention scheme involves the transfer of greater risk to local authorities, alongside the potential for greater reward. For 2015/16, 362 authorities (94%) will retain £544m more in 2015-16 than their baseline funding level. So whilst I appreciate this will be of little comfort to the Council, overall the rates retention scheme is proving to be very successful.

However, the Treasury have launched a long term review of business rates and as part of this we are asking how we can use business rates to improve the incentive for local authorities to drive local growth. Clearly the Council's current circumstances will be relevant to that part of the review and I note they will be responding to the discussion document. Views are invited by 12 June but my officials have already brought this case to the attention of the Treasury.

You asked if the Department could waive the Council's 50% central share business rates payment in respect of Aylesford Newsprint. Unfortunately, the arrangements for payment of the central share are prescribed in legislation and there is currently no flexibility in those rules for the Secretary of State to make different arrangements for some authorities. This, of course, means we cannot change the central share payment in the short term. However, this case has highlighted the potential for small authorities such as Tonbridge and Malling to see a cash flow penalty where their income drops below the safety net within a year. I can assure you that it is something we will look at over the coming months.

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KRIS HOPKINS MP

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Business Rates Review – Summary of Questions

1. What evidence and data can you provide to inform the government's assessment of the trends in use and occupation of non-domestic property?
2. Is there evidence to suggest that changing patterns in property usage are affecting some sectors more than others?
3. What, in your view, does this evidence suggest about the fairness and sustainability of business rates as a tax based on property values?
4. What evidence is there in favour of the government considering a move away from a property based business tax towards alternative tax bases? What are the potential drawbacks of such a move?
5. What examples from other jurisdictions and tax systems should the government consider as part of this review? What do you think are the main lessons for the business rates system in England?
6. How can government use business rates to improve the incentive for local authorities to drive local growth?
7. What impact would increased local retention of business rate revenue have on business growth? What would the impacts be on local authorities?
8. What other local incentives should the government consider to further incentivise business growth?
9. Should business rates be reformed to make them more closely reflective of wider economic conditions and if so, how?
10. If business rates remain a property tax, how do you suggest business rates could take into account the individual circumstances of businesses such as their size or ability to pay rates?
11. How does the proportion of total operating costs accounted for by business rates vary by the sector and size of a business?
12. What is the impact of the business rates system on the competitiveness of UK businesses? Are there any particular impacts on SMEs?
13. How could the government better target support for SMEs given that the size of a company may not be reflected in the rateable value of a property it uses?
14. Should investment in plant and machinery, energy efficiency improvements or other similar property improvements, be treated differently by the business rates system? If so what changes could be made?
15. What evidence and analysis should the government take into account when evaluating the impact of and any changes to the range of reliefs and exemptions present in the business rates system?

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TONBRIDGE & MALLING BOROUGH COUNCIL

FINANCE, INNOVATION and PROPERTY ADVISORY BOARD

03 June 2015

Report of the Director of Finance & Transformation

Part 1- Public

Matters for Information

1 BENEFITS UPDATE

A report advising Members of current issues arising in the benefits field

1.1 Performance and Workload of the Benefits Service

1.1.1 The average number of days taken to process a new claim for housing benefit and council tax support for 2014/15 was 18.3. The average to process a change of circumstance was 5.9 days. This is our best annual performance for a number of years. Current performance, this financial year, is running at 16 days to process new claims and 6 days for change of circumstances.

1.1.2 The number of households in the Borough receiving help in the form of housing benefit and/or council tax support has fallen over the last year. The number claiming council tax support in May 2015 is 194 fewer than in May 2014, whereas over the same period, for housing benefit, the decrease is 48 cases. The difference can be explained in how the two benefits are calculated.

1.1.3 There has been a continued shift in the number of out of work households claiming housing benefit moving to in work claims. Overall, for the year, 94 out of work households stopped claiming housing benefit, while there was a gain of 46 for in work households.

1.2 Discretionary Housing Payments (DHP)

1.2.1 The total fund for 2014/15 of £165,494 was exhausted by mid-March 2015. In total, the Council received over 700 applications to the fund, eventually assisting just under 300 households. Approximately 100 awards were made (totalling £65,000) of single payments for purposes such as to help clear rent arrears, allow down-sizing of accommodation, save tenancies and prevent homelessness.

1.2.2 Other awards were made on a weekly basis to 'top-up' housing benefit levels where there was a shortfall to the rent payable. These types of awards were most commonly paid where a shortfall occurred due to the social sector size criteria restriction (bedroom tax). Most weekly awards were made for three months with conditions that claimants used that time to resolve their financial situation, such as

finding work, increasing hours worked, moving to cheaper / more suitably sized accommodation or renting out spare rooms. Where a claimant could clearly demonstrate that steps had been taken to address the difficulty, but it was not yet resolved, a further award of DHP was often granted on re-application.

- 1.2.3 For the 2015/16 financial year, our DHP allocation from Government has reduced by 15% to £140,671. That said, currently the number of households affected by welfare reform has also reduced due to the success of the scheme. There has been a high number of applications received so far for this financial year, unfortunately leading to delays. However, my officers prioritise cases to ensure those who require immediate assistance or a fast response get it. Decisions are made based in accordance with our DHP Policy, but not only do my officers need to gauge the 'worthiness' of each application, they must also keep an eye to the future - balancing decisions against anticipated pressures on the fund over the course of the year. If all applications were granted from the start of the year then the fund would be spent midway, if not earlier.

1.3 Universal Credit

- 1.3.1 Roll-out of Universal Credit is due to start in the Borough in October. An early meeting has already taken place with local officers from the Department for Work & Pensions. Previous local communication and network channels with Jobcentres and the DWP have been notoriously difficult, however, I am pleased to report that the experience so far, in connection with Universal Credit, is promising.
- 1.3.2 National roll-out is taking place within a 'test and learn' framework, using small steps. When it comes to roll-out in the Borough in October, Universal Credit will only be available to single working age people who would otherwise make a new claim for Jobseekers Allowance. This will affect very low numbers of claimants, particularly as few of them will also claim a housing cost element (as a replacement to housing benefit). The date to expand Universal Credit availability in the Borough to couples and families is unknown at present.
- 1.3.3 Once the roll-out is complete and successful for all claimant types the process of converting existing working age housing benefit claims to Universal Credit will begin. The current plan is to complete this final stage in 2019, at which point, we will only administer housing benefit for pensioner households and claimants living in supported accommodation, approximately 65% of the caseload we currently handle.
- 1.3.4 Between now and our Universal Credit 'go live' in October, we will agree with the DWP what supplementary services are required to locally support Universal Credit claimants, how they are provided and their funding. The agreement is known as the Delivery Partnership Agreement and will cover the provision of services such as budgeting support, money advice and online assistance. Each Council will form its own Delivery Partnership Agreement with the DWP, tailored to local needs.

1.4 Local Council Tax Reduction Scheme 2015/16

- 1.4.1 In April 2015 we entered the third year of our local council tax reduction scheme. The original scheme was agreed by Members in January 2013 and planned to run for three years. As Members will now be aware, the scheme is based on the calculation for council tax benefit but reduces entitlement by 18.5% for working age claimants. Pensioners have been granted statutory protection from any financial loss.
- 1.4.2 When the new scheme started in April 2013, for approximately 2,500 households, it meant paying some council tax for the first time, whilst approximately 500 other households, receiving partial assistance, saw increases in their bills.
- 1.4.3 Collection of the balances has been challenging, however, with focus on these accounts and some changes to recovery procedures, the scheme has been successful. I am currently in discussion with my colleagues across Kent as to the development of a scheme beyond 2016.
- 1.4.4 A national review of Council Tax Reduction Schemes will take place later this year. The review will evaluate the success of local schemes and consider whether they should be rolled into Universal Credit at some point.

1.5 Changes to Housing Benefit

- 1.5.1 It is highly likely that we will see several significant changes to housing benefit eligibility in the near future, removing or reducing payments. Together with the continued pressure to find greater efficiency in the Service, meeting the demands and needs of our residents and the introduction of Universal Credit, there are certainly challenging times ahead in this field.

1.6 Legal Implications

- 1.6.1 None

1.7 Financial and Value for Money Considerations

- 1.7.1 None

1.8 Risk Assessment

- 1.8.1 The pressure on the DHP budget is being carefully managed to ensure that funds are available for appropriate award to claimants for the duration of the year.

Background papers:

contact: Andrew Rosevear

Nil

Sharon Shelton
Director of Finance & Transformation

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TONBRIDGE & MALLING BOROUGH COUNCIL

FINANCE, INNOVATION and PROPERTY ADVISORY BOARD

03 June 2015

Report of the Director of Finance and Transformation

Part 1- Public

Matters for Information

1 COUNCIL TAX AND BUSINESS RATES UPDATE REPORT

A report detailing recent developments in respect of council tax and business rates and requesting Members to approve a change to the options available for the payment of council tax.

1.1 Collection of council tax and business rates

- 1.1.1 As at 31 March 2015, the final collection rate for council tax, for the year 2014/15, was 98.31%. This exceeds the target set for the financial year (98.2%). The final collection rate for 2013/14 was 98.29%.
- 1.1.2 As at 31 March 2015, the final collection rate for business rates, for the year 2014/15, was 99.74%. This exceeds the target set for the financial year (99.6%). The final collection rate for 2013/14 was 99.53%.
- 1.1.3 Considering the level of council tax support for working age claimants was reduced by 10% (91.5% support in 2013/14 compared to 81.5% support in 2014/15), to improve the collection rate and exceed our target is a great achievement.
- 1.1.4 At the start of the 2014/15 financial year, the target was lowered as it was felt the reduction in support would have a significant impact on the level of collection. I am pleased to advise this has not been the case! Approximately 80% of the debt owed by working age claimants has already been collected for 2014/15, with 88% collected so far for 2013/14.
- 1.1.5 I also advised Members on the 24 September 2014 meeting of this Board that I was reviewing the amount of recovery notices being issued compared to the previous financial year to gauge the impact of the revised council tax reduction scheme.
- 1.1.6 I am pleased to advise that, despite the approximately £350,000 extra council tax that was due from working age claimants in 2014/15, the number of notices issued overall was only 0.29% higher than in 2013/14 and that the number of summonses issued actually decreased (see **ANNEX 1**).

- 1.1.7 This, I believe, demonstrates that these claimants have 'taken on board' their responsibility to pay their share, and that those who may have been struggling to pay have contacted the Revenue team before court action was required.
- 1.1.8 This level of collection has certainly helped to improve the overall collection rate for the 2014/15 financial year and I am pleased to advise that the collection rate as at the end of April is already half a percent up on the previous year (for working age claimants).
- 1.1.9 I am also pleased to advise that previous year council tax arrears reduced by £950,000 in the last financial year (compared to £710,000 in 2013/14).
- 1.1.10 As always, I can assure Members that every effort is being made to maintain a high collection rate, and that we are doing all that is possible to collect the council tax that is due to the Council.
- 1.1.11 As at 30 April 2015, the collection rate for council tax stood at 7.82%. For the same period in the year 2014/15, the collection rate was 7.81%.
- 1.1.12 As at 30 April 2015, the collection rate for business rates stood at 12.84%. For the same period in the year 2014/15, the collection rate was 13.13%.

1.2 Legal Implications

1.2.1 Nil.

1.3 Financial and Value for Money Considerations

1.3.1 The percentage of council tax and business rates collected during the year impacts on the Council's finances and, consequently, on the level of council tax for future years.

1.4 Risk Assessment

1.4.1 Nil.

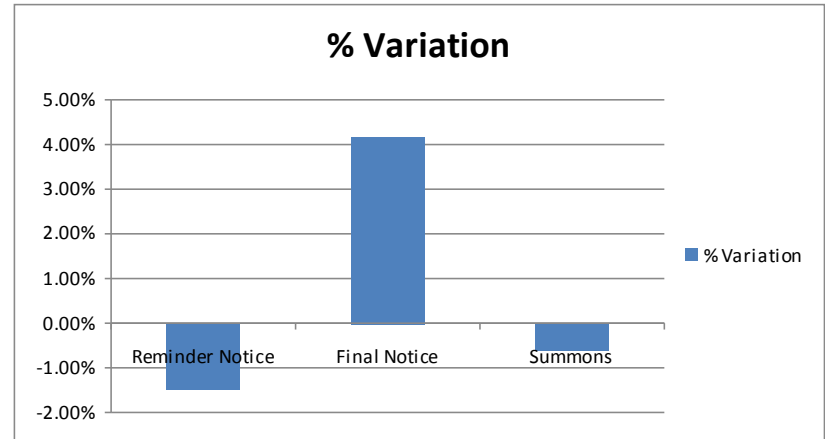
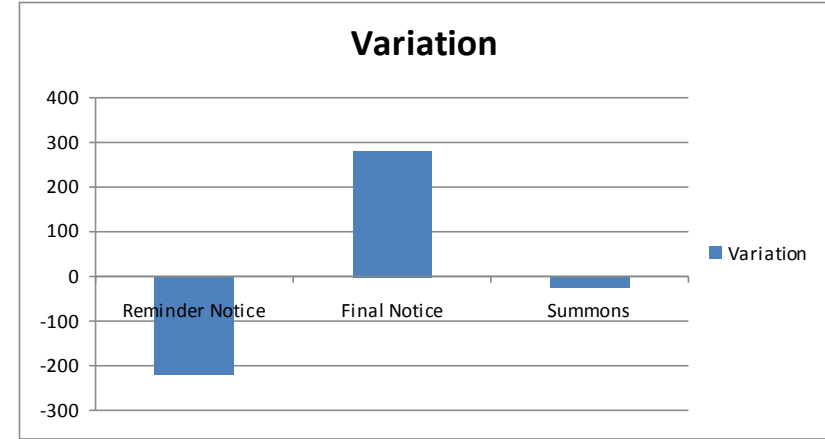
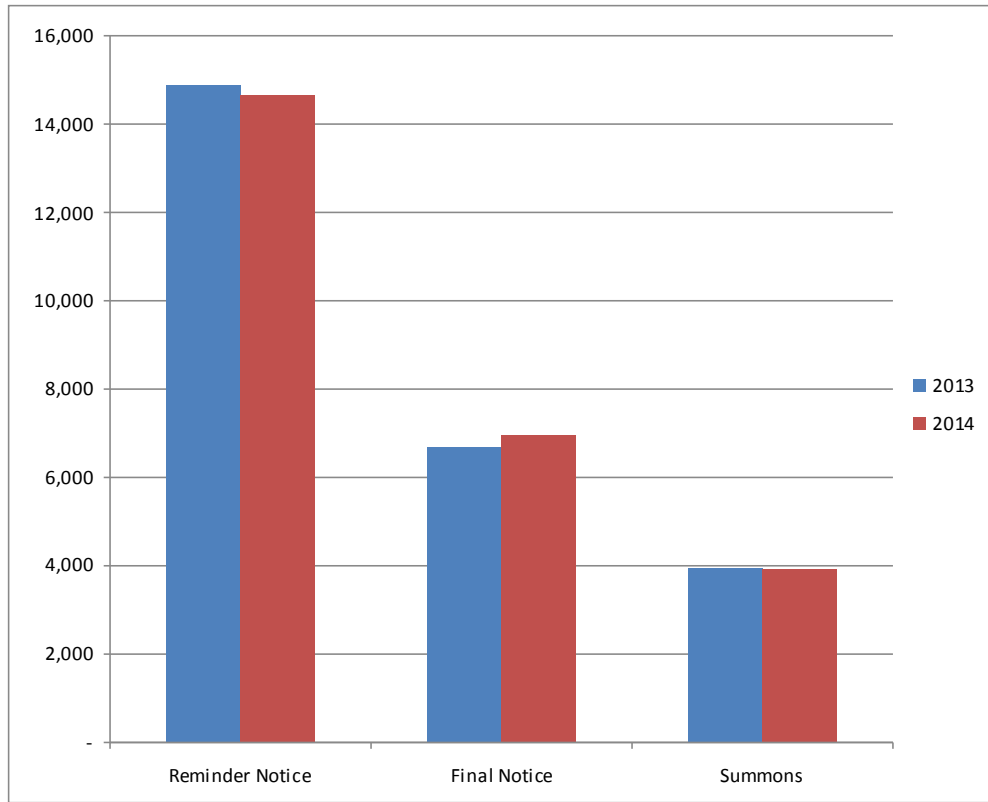
Background papers:

contact: Glen Pritchard
01732 876146

1. In respect of the collection of council tax and business rates, data held within Financial Services.

Sharon Shelton
Director of Finance and Transformation

	Reminder Notice	Final Notice	Summons
2013	14,886	6,691	3,960
2014	14,669	6,970	3,937
Variation	-217	279	-23
% Variation	-1.46%	4.17%	-0.58%



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TONBRIDGE & MALLING BOROUGH COUNCIL
FINANCE, INNOVATION and PROPERTY ADVISORY BOARD

02 June 2015

Report of the Director of Finance & Transformation

Part 1- Public

Matters for Information

1 WEB SITE RE-DESIGN

This report updates Members on the planned improvements to the Council's web site design to ensure that it remains fit for users' purpose as preferences and technology change.

1.1 Introduction

1.1.1 A year ago, this Board supported a proposal to seek a re-design of the current web site in the face of overwhelming evidence of change in internet technology and user expectations of the site if it is to be their preferred channel for transacting with the Council in the future.

1.1.2 Earlier this year at the January meeting, the Board further supported a set of principles to underpin the re-design specification (Annex 1 refers).

1.2 The draft re-design

1.2.1 Working in collaboration with an external web designer, a re-design has been produced and approved by the Management Team.

1.2.2 Critically, the design has been undertaken 'mobile first', which is to say that it has been constructed to be useable on smartphone and tablet technology, rather than primarily desktop as in the past.

1.2.3 Whilst the design is visually different to the existing site, it reflects the changing nature of both customer engagement/self-service and the Council's need for digital transformation, and the user's expectations of what constitutes a modern, 'useful' web site.

1.2.4 The introduction and prominence of the "I want to ..." navigation box is an important part of the design to make the site as accessible as possible, particularly to those who may be using the site infrequently.

1.2.5 When viewing the design, Members are requested to bear in mind that the Council's web site will primarily be a tool for customers to achieve their aims(s) and not a Council organ. Further, at the moment, the content does not appear

exactly as it will do when the re-design goes live. This is about the look and operation of the design, rather than the content.

- 1.2.6 The re-design has been shared with the Kent Association for the blind and 'tested' by some of their volunteers who, subject to some minor changes which have been made subsequently, were very supportive of the design and the way in which the site works for them.

1.3 Legal Implications

- 1.3.1 There are no implications.

1.4 Financial and Value for Money Considerations

- 1.4.1 As the major part of the implementation of this design concept has been undertaken in house, the re-design has been achieved within £2,000 web development budget, there is no further financial implication.

1.5 Risk Assessment

- 1.5.1 Risks identified are limited to reputational risk in the event of web site 'downtime' caused by any design implementation but these have been assessed as minimal.

1.6 Equalities/Diversity

- 1.6.1 The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users. As stated at paragraph 1.2.6, the re-design has been shared with the Kent Association for the blind.

1.7 Policy Considerations

- 1.7.1 Communications
1.7.2 Customer Contact

Background papers:

contact: Charlie Steel

Nil

Sharon Shelton
Director of Finance & Transformation

TONBRIDGE & MALLING BOROUGH COUNCIL

FINANCE, INNOVATION and PROPERTY ADVISORY BOARD

03 June 2015

Report of the Director of Finance & Transformation

Part 1- Public

Matters for Information

1 PUBLICATION OF ALLOWANCES PAID TO MEMBERS DURING THE FINANCIAL YEAR 2014/15

Publication of the Statement is required in accordance with regulation 15 (3) of the Local Authorities (Members Allowances) (England) Regulations 2003.

1.1 Background

1.1.1 In accordance with regulation 15 (3) of the Local Authorities (Members Allowance) (England) Regulations 2003, the Council is required to publish the actual allowances paid to Members during the course of the financial year. The Statement attached at **[Annex 1]** to this report was placed on display at the Council's Kings Hill and Tonbridge Castle Offices and also appears on the Council's website.

1.2 Legal Implications

1.2.1 This is a requirement for all local authorities and publication is consistent with the requirements for data transparency.

1.3 Financial and Value for Money Considerations

1.3.1 Not applicable.

1.4 Risk Assessment

1.4.1 Failure to publish the Statement in accordance with the relevant regulation could result in adverse publicity and criticism against the Council.

1.5 Policy Considerations

1.5.1 Communications.

Background papers:

contact: Brian Courtney

Nil

Sharon Shelton
Director of Finance & Transformation

Annex 1

**In accordance with regulation 15 (3) of the Local Authorities
(Members Allowance) (England) Regulations 2003, I hereby publish
details of allowances paid to the Councillors of Tonbridge & Malling
Borough Council during the financial year 2014/15.**

Member	Basic	Special Responsibility	Mileage	Subsistence/ Expenses	Carers Allowance
ALLISON A W	5127.00	642.00	49.30		
ANDERSON J A	5127.00	8151.00		173.60	
ATKINS J	5127.00		189.00		
ATKINSON J A	5127.00			50.00	
BALCOMBE J A L	5127.00	8151.00			
BALDOCK O C	5127.00	942.19	48.40		
BALFOUR M	5127.00	1281.00			
BATES P A	5127.00		254.15		
BELLAMY J M	5127.00	1281.00	72.00		
BISHOP T	5127.00				
BOLT P F	5127.00		290.25		
BRANSON V M C	5127.00	2565.00	191.84		
BROWN B A	5127.00				
BROWN C	5127.00	2565.00		35.40	
CHARTRES F R D	5127.00				
COFFIN M A	5127.00	8151.00			
CURE D J	5127.00	129.00	205.20		
DALTON R W	5127.00	1281.00			
DAVIS D A S	5127.00	1281.00	18.00		
DAVIS M O	5127.00	1281.00	94.50		
EDMONDSTON-LOW	5127.00	642.00			
ELKS J R L	5127.00				
GALE C M	5127.00	324.00			
HESLOP M F	5127.00	8151.00	54.50		
HESLOP N J	5127.00	17841.00	1105.95	51.90	12.00
HOLLAND E M	5127.00	1281.00	113.85		
HOMWOOD P J	5127.00				
JESSEL S R J	5127.00	270.00			
KEELEY D	5127.00		113.40		
KEMP F A	5127.00	5127.00			
KING S M	5127.00	324.00			
LANCASTER R D	5127.00	5127.00	122.40		
LUCK S L	3120.00	54.00	2034.00		
LUKER B J	5127.00	8151.00			
MOLONEY M A C	5127.00	5127.00			

Annex 1

**In accordance with regulation 15 (3) of the Local Authorities
(Members Allowance) (England) Regulations 2003, I hereby publish
details of allowances paid to the Councillors of Tonbridge & Malling
Borough Council during the financial year 2014/15**

Member	Basic	Special Responsibility	Mileage	Subsistence/ Expenses	Carers Allowance
MURRAY S M	5127.00	8151.00	760.95	52.50	
OAKLEY A S	5127.00				
PARRY-WALLER M	5127.00	324.00			
RHODES M R	5127.00	8151.00			
ROBINS T J	5127.00	1281.00			
ROGERS H S	5127.00	1067.50	575.40		
SAYER A G	5127.00	1281.00	319.05		
SERGISON J L	5127.00	2565.00	212.25		
SHRUBSOLE S O	5127.00	324.00			
SIMPSON E A	5127.00	3582.00			
SMITH C P	5127.00	1281.00			
SMITH D W	5127.00				
SPENCE S V	5127.00	1281.00			
SULLIVAN A K	5127.00	5127.00	170.10		
TAYLOR F M	5127.00				
TAYLOR R G	5127.00	324.00	67.20		
TRICE D J	5127.00	324.00			
WOODGER C J	5127.00	0.00			
Totals	269724.00	125183.69	7061.69	363.40	12.00
Independent Members of Standards Committee					
ASHTON D S		513.00			
GLEDHILL J M		513.00			

Sharon Shelton
Director of Finance & Transformation
April 2015

Agenda Item 12

Any other items which the Chairman decides are urgent due to special circumstances and of which notice has been given to the Chief Executive.

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Agenda Item 13

The Chairman to move that the press and public be excluded from the remainder of the meeting during consideration of any items the publication of which would disclose exempt information.

**ANY REPORTS APPEARING AFTER THIS PAGE CONTAIN EXEMPT
INFORMATION**

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of the Local Government Act 1972.

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of the Local Government Act 1972.

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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Agenda Item 16

Any other items which the Chairman decides are urgent due to special circumstances and of which notice has been given to the Chief Executive.

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