

**TONBRIDGE & MALLING BOROUGH COUNCIL**

**RECORD OF DECISION**

**Decision Taken By: Cabinet Member for Finance,  
Innovation and Property**

**Decision No:  
D140049MEM**

**Date: 14 May 2014**

**Decision(s) and Reason(s)**

**National Non-Domestic Rates - New Build Empty Property Relief and Reoccupation Relief**

**(Report of Director of Finance and Transformation)**

**The report gave details of the Government's schemes for new-build empty property relief and reoccupation relief which were open for adoption by the Council. It was noted that the Government would reimburse local authorities in full for any relief granted under the schemes.**

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

- 1) a scheme of new-build empty property relief be adopted as described in the guidance issued by the Department for Communities and Local Government (set out at Annex 1 to the report);
- 2) a scheme of reoccupation relief be adopted as described in the guidance issued by the Department for Communities and Local Government (set out at Annex 2 to the report); and
- 3) authority be delegated to the Director of Finance and Transformation to grant relief in accordance with the adopted schemes subject to any disputed entitlement to relief being referred to the Finance, Innovation and Property Advisory Board.

Reasons: As set out in the report submitted to the Finance, Innovation and Property Advisory Board of 14 May 2014.

Signed Cabinet Member for Finance, Innovation and Property M Coffin

Signed Leader: N Heslop

Signed Chief Executive: J Beilby

Date of publication: 16 May 2014

This decision will come into force and may then be implemented on the expiry of 5 working days after publication unless it is called in.

**Decision Taken By: Cabinet Member for Finance,  
Innovation and Property**

**Decision No:  
D140050MEM**

**Date: 14 May 2014**

**Decision(s) and Reason(s)**

**Corporate Debt Recovery Policy**

**(Report of Director of Finance and Transformation)**

**Further to Decision No D120099MEM, the report gave details of the outcome of the latest review of the Council's Corporate Debt Recovery Policy. Whilst no fundamental changes were necessary, a number of minor revisions had been made to reflect administrative changes.**

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

The revised Corporate Debt Recovery Policy set out at Annex 1 to the report be approved.

Reasons: As set out in the report submitted to the Finance, Innovation and Property Advisory Board of 14 May 2014

Signed Cabinet Member for Finance, Innovation and Property      M Coffin

Signed Leader:      N Heslop

Signed Chief Executive:      J Beilby

Date of publication:      16 May 2014

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**Decision Taken By: Cabinet Member for Finance,  
Innovation and Property**

**Decision No:  
D140051MEM**

**Date: 14 May 2014**

**Decision(s) and Reason(s)**

**Administration of Business Rates**

**(Report of Director of Finance and Transformation)**

**Consideration was given to suggested responses to questions posed in the Government's consultation paper on the administration of business rates in England.**

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

The Director of Finance and Transformation be authorised to respond to the questions in the consultation paper on the basis outlined in the report subject to:

- 1) rewording of the answers where no response is proposed to "we have no comment";
- 2) amendment of the response to question 5 to suggest that the Government may wish to consider the valuation of public houses in the light of the number of closures occurring; and
- 3) strengthening of the response to question 12 to reflect the challenges faced by businesses in understanding the complexities of the business rates system and inclusion of a preamble to the effect that the consultation does not address business concerns about the lack of correlation between business rates and the services received from the local authority.

Reasons: As set out in the report submitted to the Finance, Innovation and Property Advisory Board of 14 May 2014.

Signed Cabinet Member for Finance, Innovation and Property      M Coffin

Signed Leader: N Heslop

Signed Chief Executive: J Beilby

Date of publication: 16 May 2014

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**Decision Taken By: Cabinet Member for Finance,  
Innovation and Property**

**Decision No:  
D140052MEM**

**Date: 14 May 2014**

**Decision(s) and Reason(s)**

**Applications for Discretionary Rate Relief**

**(Joint report of Director of Finance and Transformation and Cabinet Member for Finance, Innovation and Property)**

**Details were given of new applications for discretionary rate relief which were considered in accordance with the previously agreed criteria for determining such applications. The particular circumstances relating to the Charity Bank application were explained in as far as the loss of charitable status, as recognised by the Charity Commission, was caused by a technicality relating to the treatment of capital. However, the Bank's aims and objectives remained of a charitable nature.**

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

The new applications for discretionary rate relief be determined as follows:

- 1) Roselands Pre-school, Higham School Road, Tonbridge – 20% discretionary relief be awarded time limited to 31 March 2015;
- 2) Healthy Planet Foundation, Unit 5, Burnt Ash Road, Quarry Wood Industrial Estate, Aylesford – no discretionary relief be awarded;
- 3) The Charity Bank Ltd, 194 High Street, Tonbridge – 80% discretionary relief be awarded time limited to 31 March 2015.

Reasons: As set out in the report submitted to the Finance, Innovation and Property Advisory Board of 14 May 2014.

Signed Cabinet Member for Finance, Innovation and Property      M Coffin

Signed Leader:      N Heslop

Signed Chief Executive: J Beilby

Date of publication: 16 May 2014

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**Decision Taken By: Cabinet Member for Finance,  
Innovation and Property**

**Decision No:  
D140053MEM**

**Date: 14 May 2014**

**Decision(s) and Reason(s)**

**Financial Planning and Control**

**(Report of Director of Finance and Transformation)**

**The report provided information on the Council's key budget areas of salaries, major income streams, investment income and the trading position of the Leisure Services Business Unit. It also gave an update on the variations agreed in relation to the revenue budget, summarised to provide an indicative overall outturn position for 2013/14 which showed an updated net favourable variance of £225,000.**

**In addition details were given of variations identified through revenue budget monitoring in respect of 2014/15 together with an update on capital expenditure and variations agreed in relation to the capital plan.**

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

The contents of the report be noted and endorsed.

Reasons: As set out in the report submitted to the Finance, Innovation and Property Advisory Board of 14 May 2014.

Signed Cabinet Member for Finance, Innovation and Property      M Coffin

Signed Leader:      N Heslop

Signed Chief Executive:      J Beilby

Date of publication:      16 May 2014

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**Decision Taken By: Cabinet Member for Finance,  
Innovation and Property**

**Decision No:  
D140054MEM**

**Date: 14 May 2014**

**Decision(s) and Reason(s)**

**Debts for Write Off**

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

**(Report of Director of Finance and Transformation)**

**Approval of the writing-off of debts considered to be irrecoverable. Details were also given of debts under £1,000 which had been written-off in accordance with Financial Procedure Rule 17.2 together with cumulative totals of debts in the current and previous financial years and information on budgeted bad debt provision.**

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

The 26 items shown in the schedule of amounts over £1,000, totalling £200,654.32 be written-off for the reasons stated within the schedule.

Reasons: As set out in the report submitted to the Finance, Innovation and Property Advisory Board of 14 May 2014 (contains exempt information).

Signed Cabinet Member for Finance, Innovation and Property      M Coffin

Signed Leader:      N Heslop

Signed Chief Executive:      J Beilby

Date of publication:      16 May 2014

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**Decision Taken By: Cabinet Member for Finance,  
Innovation and Property**

**Decision No:  
D140055MEM**

**Date: 14 May 2014**

**Decision(s) and Reason(s)**

**Proposed Terms of New Lease for Storage Container at Leybourne Lakes**

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

**(Report of Director of Central Services)**

**The report gave details of proposed terms and conditions for a new lease of a container at Leybourne Lakes for use by a triathlon company.**

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

A new lease be granted of the storage container under the terms and conditions detailed in the report.

Reasons: As set out in the report submitted to the Finance, Innovation and Property Advisory Board of 14 May 2014 (contains exempt information)

Signed Cabinet Member for Finance, Innovation and Property      M Coffin

Signed Leader:      N Heslop

Signed Chief Executive:      J Beilby

Date of publication:      16 May 2014

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**Decision Taken By: Cabinet Member for Finance,  
Innovation and Property**

**Decision No:  
D140056MEM**

**Date: 14 May 2014**

**Decision(s) and Reason(s)**

**Proposed Lease Renewal of Shop at Lodge Oak Lane, Tonbridge**

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

**(Report of Director of Central Services)**

**Consideration was given to proposed terms and conditions for a lease renewal of shop premises at Lodge Oak Lane, Tonbridge.**

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

A new lease be approved on the terms and conditions outlined in the report.

Reasons: As set out in the report submitted to the Finance, Innovation and Property Advisory Board of 14 May 2014 (contains exempt information).

Signed Cabinet Member for Finance, Innovation and Property      M Coffin

Signed Leader:      N Heslop

Signed Chief Executive:      J Beilby

Date of publication:      16 May 2014

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**Decision Taken By: Cabinet Member for Finance,  
Innovation and Property**

**Decision No:  
D140057MEM**

**Date: 14 May 2014**

**Decision(s) and Reason(s)**

**Licence Agreement with Kent County Council for Permissive Footpath at  
Medway Wharf Road, Tonbridge**

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

**(Report of Director of Central Services)**

**The report gave details of a licence agreement with Kent County Council for  
use of land owned by the Borough Council as a permissive footpath.**

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

Approval be given for a licence to Kent County Council for a permissive footpath at  
Medway Wharf Road, Tonbridge as identified in the report.

Reasons: As set out in the report submitted to the Finance, Innovation and Property  
Advisory Board of 14 May 2014 (contains exempt information).

Signed Cabinet Member for Finance, Innovation and Property      M Coffin

Signed Leader:      N Heslop

Signed Chief Executive:      J Beilby

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**Decision Taken By: Cabinet Member for Finance,  
Innovation and Property**

**Decision No:  
D140058MEM**

**Date: 14 May 2014**

**Decision(s) and Reason(s)**

**Proposed Rent Review Change to Lease of River Walk Offices, Tonbridge**

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

**(Report of Director of Central Services)**

**Consideration was given to a proposed rent review for office premises at River Walk, Tonbridge.**

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

The proposed new rental and delayed implementation date be approved as set out in the report.

Reasons: As set out in the report submitted to the Finance, Innovation and Property Advisory Board of 14 May 2014 (contains exempt information).

Signed Cabinet Member for Finance, Innovation and Property      M Coffin

Signed Leader:      N Heslop

Signed Chief Executive:      J Beilby

Date of publication:      16 May 2014

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**Decision Taken By: Cabinet Member for Finance,  
Innovation and Property**

**Decision No:  
D140059MEM**

**Date: 14 May 2014**

**Decision(s) and Reason(s)**

**Proposed New Terms for Lease of Car Park to Tonbridge Farmers Market**

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

**(Report of Director of Central Services)**

**The report gave details of proposed terms for a new lease of Sovereign Way Mid Car Park, Tonbridge, for use by the Tonbridge Farmers' Market.**

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

A new lease be granted on the terms and conditions outlined in the report.

Reasons: As set out in the report submitted to the Finance, Innovation and Property Advisory Board of 14 May 2014 (contains exempt information).

Signed Cabinet Member for Finance, Innovation and Property      M Coffin

Signed Leader:      N Heslop

Signed Chief Executive:      J Beilby

Date of publication:      16 May 2014

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**Decision Taken By: Cabinet Member for Finance,  
Innovation and Property**

**Decision No:  
D140060MEM**

**Date: 14 May 2014**

**Decision(s) and Reason(s)**

**Transfer of Land at Tonbridge Sportsground**

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

**(Report of Director of Central Services)**

**Consideration was given to the proposed transfer of a small area of land at Tonbridge Sportsground to UK Power Networks to expand the existing substation and undertake flood alleviation works.**

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

The small area of land required by UK Power Networks be transferred to them on the basis detailed in the report.

Reasons: As set out in the report submitted to the Finance, Innovation and Property Advisory Board of 14 May 2014 (contains exempt information).

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Signed Leader:      N Heslop

Signed Chief Executive:      J Beilby

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