

TONBRIDGE AND MALLING BOROUGH COUNCIL

OVERVIEW AND SCRUTINY COMMITTEE

Tuesday, 27th January, 2015

Present: Cllr Miss A Moloney (Chairman), Cllr T J Robins (Vice-Chairman), Cllr J Atkins, Cllr R W Dalton, Cllr D Keeley, Cllr Mrs F A Kemp, Cllr S M King, Cllr A G Sayer, Dr G Court, Mr P J Drury, Mr D Still and Mr D Thornewell

Mrs J A Anderson, J A L Balcombe, O C Baldock, N J Heslop and B J Luker were also present pursuant to Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors Mrs E A Simpson (Vice Chairman), Ms J A Atkinson, Mrs P Bates, D J Cure, Mrs E M Holland and Ms S V Spence

PART 1 - PUBLIC

OS 15/1 DECLARATIONS OF INTEREST

There were no declarations of interest made in accordance with the Code of Conduct.

OS 15/2 MINUTES

RESOLVED: That the Minutes of the meeting of the Overview and Scrutiny Committee held on 11 June 2014 be approved as a correct record and signed by the Chairman.

MATTERS FOR RECOMMENDATION TO THE COUNCIL

OS 15/3 OVERVIEW AND SCRUTINY COMMITTEE - ANNUAL REPORT

Members received the draft Annual Report of the Overview and Scrutiny Committee which set out a summary of the activities and work undertaken during 2014.

The Leader of the Borough Council thanked the Committee for the excellent work it had undertaken during the year, particularly reviews which had contributed to efficiency and financial savings.

RECOMMENDED: That the draft Overview and Scrutiny Annual Report, attached as Annex 1, to the report be endorsed. ◀

***Referred to Council**

MATTERS FOR RECOMMENDATION TO THE CABINET**OS 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 draft proposals in respect of the Budget. Reference was made to the role of the Committee in assisting the Cabinet and Council in the preparation of the Budget.

Careful consideration was given to both the Revised Estimates for 2014/15 and the Estimates for 2015/16 within the context of the Medium Term Financial Strategy and the Council's priorities.

Attention was drawn to the key messages arising from the provisional local government finance settlement together with details of the level of council tax increase above which local authorities would have to hold a referendum. It was reported that the Borough Council's provisional Settlement Funding Assessment for 2015/16 represented a decrease of 15.6% and with further significant cuts expected in future years. This, together with the concerns and uncertainty regarding the future of New Homes Bonus, continued to represent a significant financial challenge.

In addition, it was reported that the Council Tax referendum threshold had been set at 2% or more and a Council Tax freeze grant equivalent to a 1% increase in council tax had been offered.

Members were pleased to note that net savings in the order of £475,000 had been achieved this year. However, after taking into account those issues outside the organisation's control that either took the 'funding gap' in the right or wrong direction, net savings in the order of £325,000 had been achieved when compiling the Revenue Estimates for 2015/16. A summary of the net savings achieved were attached at Annex 1 to the report. In addition, the Council tax base was higher than estimated and this had contributed a further £150,000 to the savings target. As a result the authority had not only met this year's saving target of £200,000 but had begun to make 'in roads' into the next savings tranche.

Members noted that Tonbridge and Malling continued to receive the lowest Settlement Funding Assessment in Kent.

RECOMMENDED: That the draft Revenue Estimates contained in the Booklet be endorsed and commended to Cabinet.

OS 15/5 CAPITAL PLAN REVIEW 2014/15

Consideration was given to the report of the Director of Finance and Transformation which set out progress on the 2014/15 Capital Plan Review.

Attention was drawn to the Peer Review Challenge which 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 recommendations of the Finance and Property Advisory Board held on 7 January 2015 be endorsed:

- (1) the position of the existing Capital Plan (List A) as summarised in Annex 1 to the report;
- (2) the schedule of schemes recommended to be added to and schemes to be deleted from List C as set out in Annex 2 to the report;
- (3) the schedule of List C schemes recommended for evaluation, including one for Fast-Track evaluation, as set out in Annex 3 to the report. In addition, three schemes selected for evaluation in a previous Review, set out below, were also endorsed:
 - Tonbridge Farm Sportsground Provision of Toilets
 - Leybourne Lakes Country Park Facility Improvements
 - Tonbridge to Penshurst Cycle Route Refurbishment
- (4) the schedule of evaluated schemes, set out in Annex 4 to the report, recommended for transfer from List C to B. In addition, the following was noted:
 - The Tonbridge Town Lock scheme had an 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
 - The Tonbridge School Athletics Track Improvements scheme was expected to be progressed in the year 2018/19, subject to the identification of developer contributions/external grant sources
 - The Larkfield Leisure Centre Health Suite Refurbishment scheme had an additional funding requirement of £60,000 to that currently reflected in the Capital Plan
- (5) endorsement of the Capital Strategy, as set out at Annex 5 to the report, for adoption and publication on the Council's website.

OS 15/6 ANNUAL REVIEW OF ANTI-FRAUD POLICIES

The report of the Director of Finance and Transformation informed Members of the outcome of a review of the Anti-Fraud Policies of the Council. The review had identified some minor changes required to the

Anti-Fraud and Corruption Policy and the Housing and Council Tax Benefit Anti-Fraud Policy and these were set out for consideration.

Copies of the revised Policies were set out in Annexes 1 and 2 to the report. The Council Tax Reduction Discounts and Exemptions Anti-Fraud Policy required no changes and was attached at Annex 3. .

Members were advised of some further minor changes that had arisen since the publication of the agenda as set out below:

- Reference to Here and Now to be removed from Annex 2 (page 68)
- Paragraph 5.6 to be removed from Annex 3 (page 82)

As a result of comments received at the Audit Committee of 26 January 2015 the lower threshold for which Members had to declare any gifts or hospitality offered relating to their role on Council business would be clarified.

It was noted that whilst these Policies were not mandatory they did comply with best practice and referred to the relevant legislation where appropriate. They also reinforced the zero tolerance stance of the Council towards fraud. Quarterly reporting would now be provided on all types of fraud rather than just Housing and Council Tax Benefit.

RECOMMENDED: That the Council approve the following Policies, as set out in Annexes 1, 2 and 3 respectively to the report; subject to the minor changes highlighted above:

- Anti-Fraud and Corruption Policy
- Housing and Council Tax Benefit Anti-Fraud Policy:
- Council Tax Reduction, Discounts and Exemptions Anti-Fraud Policy

OS 15/7 REVIEW OF CAPITAL RENEWALS PROVISIONS

The report of the Director of Finance and Transformation summarised the outcome of an exercise undertaken following an Overview and Scrutiny Committee Review Group meeting in September 2014. The exercise sought to reduce budget provision for capital renewals by extending the estimated life attributed to vehicles, plant and equipment.

It was reported that, rather than simply increase the summary page budget adjustment, the Scrutiny Review Group had supported an alternative approach which sought to embed the budget reduction in the detailed renewals schedules. This was to be achieved by extending the estimated life of each asset by applying a formula (current estimated life plus 33%, which equated to a reduction in annual provision for each item of 25%).

Members noted that the scrutiny exercise had eliminated the need for a separate budget adjustment (except for the Leisure Trust) and generated a reduction in budget provision for renewals of £32,000 per annum. In addition, the re-profiling of replacements into the future meant that the draw on capital reserves (the current source of funding for renewals pending delivery of the revenue budget savings target) was such that borrowing for new capital plan schemes could be deferred by one year to 2019/20. A new Capital Plan summary page incorporating the results of the renewals exercise was provided at Appendix 2 to the report.

RECOMMENDED: That Cabinet replace the existing capital renewals budget provision with those summarised in Appendix 2 of the report.

OS 15/8 REVIEW OF ACTIONS UNDERTAKEN TO RETURN EMPTY HOMES TO ACTIVE USE

Members considered the recommendations arising from the Scrutiny Review Group established to address the issue of Empty Homes in the Borough and summarised in the report of the Director of Planning, Housing and Environmental Health.

It was reported that the Review Group had considered why empty homes work was important, the reasons homes become empty, the benefits of bringing them back into use, the Council's current approach to tackling the issue and information on the numbers of empty homes within Tonbridge and Malling and the wider Kent area.

The Committee supported the opinion of the Review Group, which recognised that bringing empty homes back into use was a valuable and important role for the authority to focus on in partnership with other agencies. In addition, it was noted that the empty homes work was a cross cutting issue and impacted on all of the Council's key corporate priorities.

As at January 2015 there were 1000 empty properties in the Borough and 323 of these were considered long term empty (longer than 6 months). This equated to 2% and less than 1% respectively. It was noted that this number was lower than this period last year although the impacts of the flooding emergency may have created higher than usual long term empties.

Finally, Members were advised that Circle Housing Russet were keen to participate in intervention measures. Discussions were progressing well with a view to that organisation managing properties that were brought back into use through enforcement action.

RECOMMENDED: That:

- (1) the Housing Service take the corporate lead for Empty Homes;

- (2) a corporate working group be established to tackle the issue of Empty Homes; and
- (3) public awareness of Empty Homes be raised through a variety of communication medium and simplifying the process for reporting Empty Homes.

MATTERS FOR CONSIDERATION IN PRIVATE

OS 15/9 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 8.10 pm