

TONBRIDGE & MALLING BOROUGH COUNCIL



EXECUTIVE SERVICES

Chief Executive

Julie Beilby BSc (Hons) MBA

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

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

1 February 2017

To: MEMBERS OF THE CABINET
(Copies to all Members of the Council)

Dear Sir/Madam

Your attendance is requested at a meeting of the Cabinet to be held in the Civic Suite, Gibson Building, Kings Hill, West Malling on Thursday, 9th February, 2017 commencing at 7.30 pm

Yours faithfully

JULIE BEILBY

Chief Executive

A G E N D A

PART 1 - PUBLIC

- | | | |
|----|--------------------------|-------|
| 1. | Apologies for absence | 5 - 6 |
| 2. | Declarations of interest | 7 - 8 |

Matters for Recommendation to the Council

- | | | |
|----|----------------------------|--------|
| 3. | Setting the Budget 2017/18 | 9 - 96 |
|----|----------------------------|--------|

4. Setting the Council Tax 2017/18 97 - 106

Executive Key Decisions

5. Review of Fees and Charges 107 - 118

Item SSE 16/11 referred from Street Scene and Environment Services Advisory Board minutes of 7 November 2016

6. Houses in Multiple Occupation (HMO) and Caravan Site Licensing 119 - 124

Item CH 16/21 referred from Communities and Health Advisory Board minutes of 14 November 2016

7. Review of Cemetery Charges 2017/18 125 - 136

Item CH 16/22 referred from Communities and Health Advisory Board minutes of 14 November 2016

8. Review of Fees and Charges 2017/18 137 - 156

Item FP 17/5 referred from Finance, Innovation and Property Advisory Board minutes of 4 January 2017

9. Building Regulation Fees 157 - 166

Item FP 17/6 referred from Finance, Innovation and Property Advisory Board minutes of 4 January 2017

10. Review of Pre-Application Planning Charging Regime 167 - 182

Item FP 17/7 referred from Finance, Innovation and Property Advisory Board minutes of 4 January 2017

11. Tonbridge Town Centre - Strategic Asset Review 183 - 194

12. Urgent Items 195 - 196

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

Matters for consideration in Private

13. Exclusion of Press and Public 197 - 198

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.

PART 2 - PRIVATE

Executive Key Decisions

14. Tonbridge Town Centre - Strategic Asset Review - Annexes 199 - 344

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

Annexes containing exempt information
15. Urgent Items 345 - 346

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

Councillor N J Heslop, (Leader) and (Economic Regeneration)
Councillor M A Coffin, (Finance, Innovation and Property)
Councillor Mrs M F Heslop, (Community Services)
Councillor D Lettington, (Street Scene and Environment Services)
Councillor H S Rogers, (Strategic Planning and Infrastructure)
Councillor Miss S O Shrubsole, (Housing)

Members of the Council who are not members of the executive may attend meetings of the Cabinet. With the agreement of the Leader, any such Member may address the Cabinet on any item on the agenda but may not vote.

Apologies for absence

This page is intentionally left blank

Declarations of interest

This page is intentionally left blank

TONBRIDGE & MALLING BOROUGH COUNCIL

CABINET

09 February 2017

Report of the Chief Executive, Director of Finance and Transformation, Leader of the Council and Cabinet Member for Finance, Innovation and Property

Part 1- Public

Matters for Recommendation to Council

1 SETTING THE BUDGET

Further to reports to the meeting of the Finance, Innovation and Property Advisory Board and Overview and Scrutiny Committee earlier in the cycle, this report updates Cabinet on issues relating to the Medium Term Financial Strategy. It also takes Members through the necessary procedures in order to set the Budget for 2017/18.

1.1 Introduction and Foreword

- 1.1.1 At the Full Council meeting on 14 February, Members will determine both the Budget and the level of council tax for 2017/18. The detailed Estimates for 2017/18 prepared by your Officers have been carefully considered by the Finance, Innovation and Property Advisory Board and the Overview and Scrutiny Committee. Details are set out at paragraph 1.3 below.
- 1.1.2 Whilst the primary purpose of this report is for Cabinet to recommend the Budget and resultant level of council tax for 2017/18; as ever, this one year cannot be viewed in isolation. This budget sits within the context of our Medium Term Financial Strategy (MTFS) covering a ten-year period. Financial decisions made in respect of the year 2017/18 will have an impact across the MTFS and upon the savings targets the Council will need to achieve in order to 'balance its books' and we must not lose sight of the scale of this particular challenge.
- 1.1.3 The Localism Act requires a local authority to seek the approval of their electorate via a local referendum if it proposes to raise council tax above the threshold set by the Secretary of State. For the year 2017/18 a referendum will be triggered where council tax is increased by **2%, or more than 2% and more than £5**. For the purposes of preparing the budget papers up to 2022/23 an increase of £5 each year has been assumed and thereafter a 3% increase in council tax year on year. To put this into context, 1% currently equates to about £95,000.
- 1.1.4 Undoubtedly the Council continues to face a significant financial challenge in respect of identifying and implementing savings over the coming years. As

Members are aware, we set a target of achieving savings of £625,000 this financial year, and this has been achieved. Whilst this is clearly 'good news' the cut in the bank rate, amongst other things, together with the changes made to the NHB scheme (with potential for further reductions in NHB in the future) require **further savings** to be achieved in the order of £400,000 taking the **projected 'outstanding' funding gap to £1.6m** to be addressed in a **shorter timescale** than previously envisaged should a council tax increase of £5 be approved.

1.1.5 This report necessarily touches on a number of related areas (some of which are complex) that the Director of Finance and Transformation is required to draw to Members' attention in order to provide assurance and advice to aid decision making. The report is, therefore, broken down into sections dealing with the following areas:

- Local Government Finance Settlement
- Revenue Estimates 2017/18
- Fees and Charges
- Capital Plan
- Treasury Management and Annual Investment Strategy
- Consultation with Non-Domestic (Business) Ratepayers
- Medium Term Financial Strategy Update
- Savings and Transformation Strategy
- Collection Fund Adjustments
- Special Expenses and Parish Council Precepts
- Robustness of Estimates / Adequacy of Reserves
- Calculation of Borough Council's Tax Requirement

1.2 Local Government Finance Settlement

1.2.1 On 15 December 2016, the Secretary of State for the Department for Communities and Local Government, Sajid Javid MP, made a statement to Parliament on the provisional local government finance settlement for 2017/18. At the time of finalising this report for agenda publication, we have not received the final local government finance settlement. **Figures contained within this report are, therefore, based on the provisional settlement.** We do not anticipate there being any significant difference in the 'final' figures. Members will, of course, be updated as appropriate.

- 1.2.2 This time last year the government offered any council that wished to take it up a multi-year settlement for the four year period 2016/17 to 2019/20 and provided as a result illustrative allocations up to 2019/20. This Council accepted the offer of a multi-year settlement and therefore, as might be expected, the Settlement Funding Assessment (SFA) for 2017/18 and illustrative allocations up to 2019/20 are not that dissimilar to the indicative figures set out this time last year.
- 1.2.3 Our SFA (core funding) for the year 2016/17 and 2017/18 and illustrative allocations for 2018/19 and 2019/20 can be seen in the table below. In 2019/20 our SFA is projected to be £1,299,311. This represents a cash decrease of £1,597,085 or 55.1% when compared to the equivalent figure of £2,896,396 in 2016/17.
- 1.2.4 In addition, the outcome of the consultation on New Homes Bonus (NHB) to sharpen the incentive for housing growth and releasing funding for other spending priorities such as adult social care will see:
- 1) The length of NHB payments reduced in length from 6 years to 5 years in 2017/18 and 4 years from 2018/19.
 - 2) The introduction of a national baseline for housing growth of 0.4% below which NHB will not be paid.
- 1.2.5 The Council's NHB for the year 2016/17 and 2017/18 and illustrative figures for 2018/19 and 2019/20 under the revised scheme can also be seen in the table below. In 2019/20 NHB is projected to be £2,556,424 (dependent on growth – a more conservative estimate would be £2,317,000). Using the figures set out in the settlement consultation, this represents a cash decrease of £1,291,456 or 33.6% when compared to £3,847,880 in 2016/17. **However, NHB will continue to fall beyond 2019/20 as the changes work their way through the system such that, by 2021/22, it is estimated that NHB could be in the order of £1.4 million.** It is important to remember that New Homes Bonus is not part of what is termed core funding and as such is in full or in part at risk indefinitely (potential further reductions likely). Unsurprisingly this is of particular concern.
- 1.2.6 In 2019/20 Total Grant Funding is projected to be £3,855,735. This represents a cash decrease of £2,888,541 or 42.8% when compared to the equivalent figure of £6,744,276 in 2016/17.

	2016/17 £	2017/18 £	2018/19 £	2019/20 £
Local Share of Business Rates	2,106,525	2,149,532	2,218,688	2,297,607
Tariff Adjustment				(998,296)
Revenue Support Grant	655,042			

Transition Grant	134,829	117,201		
Settlement Funding Assessment	2,896,396	2,266,733	2,218,688	1,299,311
Change over SR Period (£)				(1,597,085)
Change over SR Period (%)				-55.1%
New Homes Bonus ##	3,847,880	3,490,234	2,664,362	2,556,424
Total Grant Funding	6,744,276	5,756,967	4,883,050	3,855,735
Change over SR Period (£)				(2,888,541)
Change over SR Period (%)				-42.8%

Note: These are the figures set out in the settlement consultation which we believe are simply projections based on previous growth levels, and should be read in conjunction with paragraph 1.2.5 above.

- 1.2.7 In recent years the government has referred to the increase / (decrease) in an authority's core spending power and this is what tends to be quoted in media coverage. The decrease in core spending power over the spending review period calculated by the government is 8% and in cash terms £1.25m.
- 1.2.8 In overview, the Settlement, alongside the changes to NHB, brings added funding pressure for district councils and the services they provide and could put financial sustainability at risk.
- 1.2.9 **Of the twelve district councils in Kent, Tonbridge & Malling Borough Council receives either the lowest or one of the lowest Settlement Funding Assessments both in total and per head.** A comparison of our Settlement Funding Assessments over the period 2017/18 to 2019/20 with those of other Kent district councils is provided at **[Annex 1a]**.
- 1.2.10 Attached at **[Annex 1b]** for Members' information is a copy of the Referendums Principles setting out the level of council tax increase for 2017/18 above which the local authority would be required to seek the approval of their electorate via a local referendum.

1.3 Revenue Estimates 2017/18

- 1.3.1 As mentioned in the Foreword, the draft Revenue Estimates for 2017/18 were presented to the meetings of the Finance, Innovation and Property Advisory Board and the Overview and Scrutiny Committee earlier in the cycle. The role of the Advisory Board and of the Committee is to assist both the Cabinet and the Council in the development of its budget within the context of the Medium Term Financial Strategy and the Council's priorities. Whilst a number of questions were posed by Members at these meetings, the Revenue Estimates as presented were endorsed.

- 1.3.2 Adjustments made to the Revenue Estimates presented to the Finance, Innovation and Property Advisory Board and the Overview and Scrutiny Committee are detailed in the table below. Adjustments include the request from KCC to withdraw the notice to terminate the Tonbridge Gateway Agreement and the reprofiling of contributions to the Revenue Reserve for Capital Schemes over the period of the MTFs.

	Revised Estimate 2016/17 £	Original Estimate 2017/18 £
Summary Total reported to Finance, Innovation and Property Advisory Board on 4 January 2017	9,065,550	10,322,800
Revenue Reserve for Capital Schemes		700,000
Tonbridge Gateway		549,500
DWP Benefits Administration Grant		9,050
Superannuation Lump Sum Payment		4,000
Penalty Charge Notices		(15,000)
DCLG Council Tax Support Admin Grant		(26,150)
Invest to Save Reserve		(200,000)
Current Summary Total	9,065,550	11,344,200

1.4 Fees and Charges

- 1.4.1 During the course of this budget cycle Members have, via the appropriate Advisory Boards, made recommendations regarding the levels of fees and charges to be implemented.
- 1.4.2 Proposals in respect of fees and charges recommended via the appropriate Advisory Boards have been reflected in the Budget. A summary of these recommendations, together with the resolution of Licensing and Appeals Committee in respect of licensing fees is set out at **[Annex 2]**.
- 1.4.3 Cabinet is accordingly **RECOMMENDED** to endorse the fees and charges set out in **[Annex 2]** as recommended by the appropriate Advisory Boards.

1.5 Capital Plan

- 1.5.1 The Capital Plan Review process started at the Finance, Innovation and Property Advisory Board on 4 January followed by the Overview and Scrutiny Committee on 24 January.
- 1.5.2 Members' attention was drawn to the significant financial challenge faced by the Council and the impact this has on the ability of the Council to invest in capital schemes. It was, however, also acknowledged that some capital projects can

have a beneficial effect on the revenue position by either generating additional or new income, or alternatively producing cost savings in due course.

- 1.5.3 Members were reminded of the criteria established to guide the inclusion of new schemes to List C (holding list of schemes not yet fully worked up) and ultimately the inclusion of schemes on List A (schemes assigned budget provision). The criteria are:
- to meet legislative requirements including health and safety obligations;
 - funded from external resources; and
 - reduce revenue expenditure and or generate income.
- 1.5.4 The subsequent recommendations where appropriate have regard to these criteria.
- 1.5.5 Capital expenditure is currently funded from the revenue reserve for capital schemes, grants from government and other bodies, developer contributions and from capital receipts derived from the sale of assets.
- 1.5.6 It is important to ensure that the revenue reserve for capital schemes can continue to fund capital expenditure at least until we reach a position where the annual contribution to the reserve matches the funding required for the replacement of existing assets (vehicles, plant and equipment) as well as recurring capital expenditure.
- 1.5.7 As a result there is an annual capital allowance for all other capital expenditure. Any 'bids' for capital schemes or discretionary capital grants are to be assessed in the context of the annual allowance. It should be noted, based on current projections, that from 2020/21 the Council will need to borrow to fund such expenditure. The annual capital allowance is set at £200,000 and it is proposed that the annual allowance continue to be set at that level.
- 1.5.8 In addition, the Invest to Save Reserve, subject to there being sufficient funds available and where deemed appropriate, could be used to fund in part or in full capital plan schemes.
- 1.5.9 The Finance, Innovation and Property Advisory Board and the Overview Scrutiny Committee endorsed the recommendations as detailed in the papers. The recommendations were:
- 1) Cabinet be asked to endorse the Capital Plan (List A) position as shown in Annex 2 of the Capital Plan Booklet and summarised at **[Annex 3]**.
 - 2) The schemes listed in **[Annex 4]** are added to List C or deleted from List C as detailed.

- 3) The schemes listed in **[Annex 5]** are selected for evaluation over the coming year including two for Fast-Track evaluation.
- 4) The evaluated List C schemes are progressed in accordance with the recommendation shown in **[Annex 6]**.
- 5) Cabinet be asked to endorse the Capital Strategy at Annex 5 for adoption by Council and publication on the Council's website.

1.5.10 The estimated annual revenue costs of the evaluated List C schemes are given in the table below. The amount and timing of any revenue impact depends on the profiling of the capital expenditure and the timing of any changes in activity levels which generate changes to running costs or income. It can be seen that if the schemes are progressed as recommended the estimated revenue consequence is £23,500 in 2017/18 and £47,000 in subsequent years. The initial revenue costs attached to the virtual desktop infrastructure project is expected to be more than recouped over time as alternative IT arrangements are progressed.

Scheme	Capital Cost £	Revenue Impact	
		2017/18 £	2018/19 £
Leybourne Lakes Country Park – Car Park Extension	17,000	(1,000)	(2,000)
Racecourse Sportsground – Riverside Revetment	120,000	2,000	4,000
IT Initiatives: Council Chamber Conference System	95,000	9,000	18,000
IT Initiatives: Virtual Desktop Infrastructure	200,000	13,500	27,000
Total	432,000	23,500	47,000

1.5.11 Two of the schemes detailed above are to be funded in part by way of government grant or external funding totalling £38,000 and the virtual desktop infrastructure project is to be funded from the Invest to Save Reserve; and the balance of £194,000 from the capital allowance.

1.5.12 An updated summary of the Capital Plan incorporating the schemes listed in paragraph 1.5.10 is attached at **[Annex 7]**.

1.5.13 A funding statement based on **[Annex 7]** is attached at **[Annex 8]**. The main source of funding is the Revenue Reserve for Capital Schemes and the impact on the Revenue Reserve for Capital Schemes is illustrated in **[Annex 9]**.

1.5.14 Accordingly, it is **RECOMMENDED** that:

- 1) Cabinet approves the position of the existing Capital Plan (List A) as summarised at **[Annex 3]**.

- 2) Cabinet approves that the schemes listed in **[Annex 4]** are added to List C or deleted from List C as detailed.
- 3) Cabinet approves the selection of those schemes listed in **[Annex 5]** for evaluation over the coming year including two for Fast-Track evaluation.
- 4) Cabinet approves the transfer of schemes detailed in **[Annex 6]** to List A.
- 5) Cabinet approves the updated Capital Plan (List A) as summarised in **[Annex 7]**.
- 6) Cabinet endorse the Capital Strategy as presented to the Finance, Innovation and Property Advisory Board on 4 January and Overview and Scrutiny committee on 24 January.

1.6 Treasury Management and Annual Investment Strategy

- 1.6.1 The Local Government Act 2003 and its subsidiary regulations set out the framework for the system of capital controls which applied from 1 April 2004 whereby local authorities must set their own borrowing limits with regard to affordability, prudence and sustainability. Underpinning this is a requirement to follow the CIPFA Prudential Code for Capital Finance in Local Authorities (the Prudential Code).
- 1.6.2 The Prudential Code requires that the CIPFA Treasury Management Code of Practice (the Code) is adopted and that a number of prudential indicators are set. Council adopted the December 2009 edition of the Code on 18 February 2010 and due regard has also been given to subsequent revisions in preparing the Treasury Management and Annual Investment Strategy for 2017/18.
- 1.6.3 The approval of the Strategy and determination of the prudential indicators has to be made by Full Council, as do amendments to either the Strategy or indicators during the year.
- 1.6.4 The Prudential Code under the auspices of the Local Government Act 2003 and subsidiary regulations requires that a number of treasury management prudential indicators are set as follows:
 - 1) The capital financing requirement - the extent to which the authority needs to undertake external borrowing to support its capital programme.
 - 2) The operational boundary for external debt.
 - 3) The authorised limit for external debt.
 - 4) The actual external debt.
 - 5) The upper limit for fixed interest rate exposure.

- 6) The upper limit for variable rate exposure.
- 7) The upper limit for total principal sums invested for over 364 days.
- 8) The maturity structure for new fixed rate borrowing during 2017/18.

1.6.5 A summary of the indicators appears in the table below.

Treasury Management Prudential Indicators					
Prudential Indicator	2015/16 Actual	2016/17 Revised Estimate	2017/18 Estimate	2018/19 Estimate	2019/20 Estimate
	£'000	£'000	£'000	£'000	£'000
The capital financing requirement	NIL	NIL	NIL	NIL	NIL
The operational boundary for external debt	NIL	2,000	2,000	2,000	2,000
The authorised limit for external debt	NIL	5,000	5,000	5,000	5,000
Actual external debt	NIL	NIL	NIL	NIL	NIL
The upper limit for fixed interest rate exposure >1 year at year end	NIL	It is anticipated that the net exposure will range between 0% to 60%			
The upper limit for variable rate exposure < 1 year at year end	13,468 55.6%	It is anticipated that the net exposure will range between 40% to 100%			
The upper limit for total principal sums invested for over 364 days at year end	NIL 0%	60% of core funds			
The maturity structure for new fixed rate borrowing during 2017/18	Upper Limit		Lower Limit		
Under 12 months	100%		NIL		
Over 12 months	NIL		NIL		

- 1.6.6 The capital financing requirement measures the amount of external borrowing that the Council expects to have to undertake in support of its capital programme. A nil figure indicates that no borrowing is required. As this Council is debt free and does not expect to have to borrow to support its capital programme over the period covered, this indicator is nil.
- 1.6.7 The operational boundary is designed to cover all day to day borrowing requirements. As this Council is debt free, borrowing is only undertaken on a short-term basis to cover cash flow management. Experience suggests that an operational boundary of £2.0m will be sufficient to cover all likely contingencies.
- 1.6.8 The authorised limit is intended to provide a degree of headroom above the operational boundary to cover unexpected and unusual borrowing requirements. A limit of £5.0m is estimated to be sufficient to cover such eventualities.

1.6.9 The other prudential indicators which we are required to set are shown in the table below.

Prudential Indicators

1.	Ratio of actual and estimated financing costs to the net revenue stream	(Interest payable with respect to borrowing less interest and investment income) ÷ (government grants plus call on local taxpayers) x 100%.					
2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23
actual	estimated	estimated	estimated	estimated	estimated	estimated	estimated
-1.90%	-2.07%	-1.10%	-0.97%	-1.30%	-1.86%	-2.50%	-3.11%
2.	Estimates of the incremental impact of capital investment decisions on the council tax	The revenue impact of capital schemes added to the capital plan on the Council Tax Band D equivalent. The figures below show the estimated effect on the Borough Council's Band D equivalent of the addition of List B schemes to list A. A more detailed version of this indicator appears in [Annex 10] .					
		2017/18	2018/19	2019/20	2020/21	2021/22	2022/23
		estimated	estimated	estimated	estimated	estimated	estimated
		£	£	£	£	£	£
Total		0.48	0.48	0.00	(0.56)	0.00	0.00
3.	Actual and estimated capital expenditure	This indicator is based on the updated capital plan position. The figures are based on those shown in [Annex 8] .					
2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23
actual	estimated	estimated	estimated	estimated	estimated	estimated	estimated
£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
3,287	2,355	3,128	2,682	1,637	2,050	1,358	2,193

1.6.10 We, therefore, **RECOMMEND** that for the financial year 2017/18 the prudential indicators listed in paragraphs 1.6.5 and 1.6.9 be recommended to Council for adoption.

1.6.11 A local authority has a statutory duty to “*determine for the current financial year an amount of minimum revenue provision that it considers to be prudent*” in relation to its capital expenditure. It would be impractical to charge the entirety of such expenditure to revenue in the year in which it was incurred and so such expenditure is spread over several years so as to try and match the years over which such assets benefit the local community through their useful life.

1.6.12 The spreading of these costs is through what is termed an *annual minimum revenue provision*. As the Council is debt free and, at least in the short term, does not expect to borrow to support its capital programme the minimum revenue provision is nil. Guidance issued by the Government also recommends that a Minimum Revenue Provision Policy Statement be prepared. We propose to prepare such a Statement at a time when our capital expenditure plans cannot be

met without recourse to borrowing. Based on current estimates, this is not anticipated to be until the financial year 2020/21.

1.6.13 Members are asked to NOTE that for the financial year 2017/18 our Minimum Revenue Provision is nil.

1.7 Consultation with Non-Domestic (Business) Ratepayers

1.7.1 Representatives of the Council's Non Domestic Ratepayers have been consulted in respect of the draft revenue budget and capital plan. The consultees, who include the local Chambers of Commerce as well as a group of the larger ratepayers in the Borough receive on request information and copies of the draft budgets and are invited to make written representations if they deem it appropriate. The deadline given for responses was 20 January 2017. ***Cabinet is advised that no comments have been received.***

1.8 Medium Term Financial Strategy Update

1.8.1 To recap, the Council's Medium Term Financial Strategy (MTFS) covers both revenue and capital budgets over a rolling ten-year period, and it is this Strategy that underpins the budget setting process for the forthcoming year and over the strategy period. The aim of the MTFS is to give us a realistic and sustainable plan that reflects the Council's priorities.

1.8.2 The Strategy also sets out, based on current financial information, not only the projected budgets for the period, but also the levels of council tax that are projected to be required to meet the Council's spending plans. Underneath the Strategy for the budget setting year sits detailed estimates formulated in conjunction with Services taking into account past outturn, current spending plans and likely future demand levels / pressures.

1.8.3 Members are fully aware of the significant financial challenge faced by the Council as a result of the Government's ongoing budget deficit reduction programme which has resulted in continuing reductions in the financial support it can offer to local government. We believe, however, that our MTFS is resilient and the financial pressures likely to confront us can be addressed in a measured and controlled way, but with ever increasing pressure this is becoming progressively more difficult.

1.8.4 The MTFS sets out the high level objectives the Council wishes to fulfil over the agreed time span and which are:

- To achieve a **balanced revenue budget** that delivers the Council's priorities by the end of the strategy period.
- To retain a **minimum of £2.0m** in the General Revenue Reserve by the end of the strategy period.

- Seek to set **future increases in council tax having regard to the guidelines** issued by the Secretary of State.
- Continue to **identify efficiency savings** and **opportunities for new or additional income sources** and to **seek appropriate reductions in service costs** in delivery of the Savings and Transformation Strategy (STS) approved by Members.
- Subject to there being sufficient resources within the capital reserve, set a **maximum 'annual capital allowance'** each year as part of the budget setting process for all new capital schemes (currently set at £200,000 from the Council's own resources) and give priority to those schemes that generate income or reduce costs.

1.8.5 The budget for 2017/18 is, naturally, the starting point for updating the MTFS. Referring to paragraph 1.3.2, Members will note that the Summary Total for the 2016/17 Revised Estimates is £9,065,550; and for the 2017/18 Estimates is £11,344,200 and is used in the budget projections in the Medium Term Financial Strategy at **[Annex 11a]**.

1.8.6 When updating the MTFS we need to take into account the following (not exclusive) factors:

- The outcome of the recent Spending Review on the future direction of the public finances.
- Those factors that have contributed towards addressing the 'funding gap' including the pending introduction of special expenses, establishment changes and service change, e.g. holiday activity programmes.
- Those factors that have taken matters in the 'wrong' direction including the apprenticeship levy and cut in the bank rate.
- The level of council tax increase for 2017/18 above which the local authority would be required to seek the approval of their electorate via a local referendum. For the year 2017/18 a referendum will be triggered where council tax is increased by 2%, or more than 2% and more than £5. For the purposes of updating the MTFS up to 2022/23 an increase of £5 each year has been assumed and thereafter a 3% increase in council tax year on year. To put this into context, 1% currently equates to about £95,000.
- The ongoing impact of the Business Rates Retention scheme and the Government's commitment to the introduction of a 100% Business Rates Retention scheme. The Council's actual business rates income is currently below the baseline set under the scheme and the Council has to meet a share of that shortfall up to a maximum of circa £161,000 in 2017/18. For medium term financial planning purposes beyond 2017/18 we continue to

assume that our actual business rates income is equal to the baseline set. More pressing is what will our baseline funding level be on the introduction of 100% business rates retention and how this compares to that reflected in the MTFS taking into account transfer of any new responsibilities?

- The award of New Homes Bonus (NHB) and continuing uncertainty over its future. NHB is a critical component of our overall government grant funding and what happens to this funding stream is, therefore, of particular interest and concern. The outcome of a consultation will see NHB continue to fall up to 2021/22 as the changes work their way through the system by which time it is estimated that NHB could be in the order of £1.4m and require further savings to be achieved. Further changes will only add to what is already a very difficult financial outlook and at worse put financial sustainability at risk.

1.8.7 Members will recall we set ourselves a savings target for this year of £625,000. To date savings in the order of £883,000 have been achieved. However, after taking into account other factors impacting on the MTFS that either take the 'funding gap' in the right or wrong direction, **net savings in the order of £625,000 have been achieved** when compiling the Revenue Estimates for 2017/18.

1.8.8 Although the savings target for this year has been achieved the cut in the bank rate, amongst other things, together with the changes made to the NHB scheme (with potential for further reductions in NHB in the future) require **further savings** to be achieved in the order of £400,000 taking the **projected 'outstanding' funding gap to £1.6m** and to be addressed in a shorter timescale than previously envisaged.

1.8.9 As in previous iterations of the MTFS the updated savings target can be broken down into tranches. The proposed scale and timing of each of the savings tranches is given below.

- 1) Tranche 1 - £650,000 to be achieved by April 2018 (previously £500,000).
- 2) Tranche 2 - £700,000 to be achieved by April 2019 (previously April 2021).
- 3) Tranche 3 - £250,000 to be achieved by April 2021.

1.8.10 One thing is clear a significant financial challenge remains to be addressed over the short to medium term.

1.8.11 **[Annex 11a]** sets out the picture for the MTFS.

1.8.12 Members will appreciate that there is so much uncertainty that financial planning is becoming increasingly difficult with the increased risk of significant variances compared to projections. The Director of Finance and Transformation is keen to stress (as mentioned at paragraph 1.8.8) that **depending on what happens not least to NHB in the future, further savings could be required.**

1.8.13 Cabinet is **RECOMMENDED** to:

- 1) Reaffirm the high level objectives of the MTFS set out at paragraph 1.8.4 above.
- 2) Note and endorse the updated MTFS [**Annex 11a**] including the proposed scale and timing of each of the savings tranches set out at paragraph 1.8.9.
- 3) Give guidance to Full Council as to the best way forward in updating the MTFS for the next ten-year period, and setting the council tax for 2017/18.

1.9 Savings and Transformation Strategy

1.9.1 As Members are no doubt aware alongside the MTFS now sits a Savings and Transformation Strategy (STS). The purpose of the Strategy is to provide structure, focus and direction in addressing the significant financial challenge faced by the Council and, in so doing, recognise there is no one simple solution and as a result we will need to adopt a number of ways to deliver the savings within an agreed timetable.

1.9.2 When the STS was adopted by Full Council in February 2016, a number of key themes were identified, together with outline targets and timescales which need to be revisited and aligned with the latest projected 'funding gap'.

1.9.3 An updated copy of the STS including revised outline targets and timescales for each of the themes totalling £1.6m can be found at [**Annex 11b**].

1.9.4 Cabinet is requested to endorse the updates made to the STS, and **RECOMMEND** its adoption by Full Council as part of the budget process.

1.9.5 Turning back to the specific budget year 2017/18. The budget for 2017/18 includes a contribution to the general revenue reserve of £434,500 and a Summary of the Revenue Estimates Booklet is attached at [**Annex 12**].

1.10 Collection Fund Adjustments

1.10.1 As the billing authority for the area, this Council has responsibility for maintaining the 'collection fund' accounts into which business rates and council tax are paid.

1.10.2 Each year before we can finalise our calculations in respect of the tax requirements, we have to:

- Estimate the surplus / deficit on the collection fund for 2016/17 in respect of council tax and then share this between the major precepting authorities (including ourselves).

- Estimate the surplus / deficit on the collection fund for 2016/17 in respect of business rates and then share this between the relevant parties in accordance with the business rates retention scheme.

1.10.3 These are known as collection fund adjustments:

- The **surplus** on the collection fund in respect of council tax is estimated to be £989,763, of which our share is £148,267 [**Annex 13a**].
- The **deficit** on the collection fund in respect of business rates is estimated to be £29,785 of which our share is £11,914 [**Annex 13b**].

1.11 Special Expenses and Parish Council Precepts

1.11.1 Members are aware that, following the decision by Full Council on 1 November 2016, a Special Expenses Scheme [**Annex 14a**] is being introduced from the 1 April 2017, and the Financial Arrangements with Parish Councils (FAPC) Scheme revoked from the same date.

1.11.2 Details of the Special Expenses for 2017/18 are set out at [**Annex 14b**]. The basic amount of council tax of £181.61 plus the special expenses band D charge, where applicable, gives the total Borough Council band D charge for that area.

1.11.3 When publishing the Borough Council's level of council tax at Band D for "official" purposes in accordance with the prescribed methodology from the Department for Communities and Local Government (DCLG), we are required to aggregate all expenditure (as if special expenses did not exist) and calculate a *notional* Band D figure. (This is so that the DCLG can see that the referendum principles have been adhered to).

1.11.4 The resultant published (notional) council tax at Band D for 2017/18 is £197.51, being £5 higher than the published Band D council tax for 2016/17. As Members will note, no resident will actually pay this exact amount as the Borough Council's Band D – unless it is by coincidence. Inevitably, this will cause some confusion with the public.

1.11.5 Cabinet is requested to **ENDORSE** the special expenses calculated in accordance with the Special Expenses Scheme and set out in [**Annex 14b**].

1.11.6 Details of Parish Council precepts notified to the Borough Council are given at [**Annex 15**]. Members will be aware that, due to the cessation of the FAPC grants scheme and the council tax reduction scheme payments, it was always expected that parish council precepts would increase beyond the normal inflationary pressures.

1.12 Robustness of Estimates / Adequacy of Reserves

1.12.1 The Council is required to have regard to the level of its balances and reserves before determining its council tax requirement. [**Annex 16**] sets out the projected

general fund and general revenue reserve balances based on an increase of £5 to the notional council tax level.

- 1.12.2 The Local Government Act 2003 requires the Chief Financial Officer (in our case the Director of Finance and Transformation) to report to an authority, when making the statutory calculations required to determine its council tax, on the robustness of the estimates included in the budget and the adequacy of the reserves for which the budget provides.
- 1.12.3 What is required is the professional advice of the Director of Finance and Transformation on these two questions. This responsibility is discharged by way of a certified Statement.
- 1.12.4 The Director of Finance and Transformation advises that she is satisfied as to the Robustness of the Estimates and the Adequacy of Reserves **on the understanding that the savings target based on latest projections of £1.6m is delivered.**
- 1.12.5 A Statement covering the points above is appended at **[Annex 17]**. Members will note that overall the Director of Finance and Transformation signifies that, in her professional opinion, the estimates are robust and the level of reserves adequate.
- 1.12.6 A schedule of the reserves held by the Council at 1 April 2016 and proposed utilisation of those reserves to 31 March 2018 is provided at **[Annex 17]** Table A. As this Council's Chief Finance Officer, the Director of Finance and Transformation has undertaken a review of the earmarked reserves held and is satisfied as to the position depicted and will revisit the position as part of the closedown process for 2016/17.
- 1.12.7 Members are **RECOMMENDED** to note and endorse the Statement provided by the Director of Finance and Transformation.

1.13 Calculation of Borough Council's Tax Requirement

1.13.1 The Council is required to calculate:

- Its aggregate expenditure which, for this purpose, includes our share of any Collection Fund deficit and the Parish Council precepts.
- Its aggregate income which, for this purpose, includes our share of any Collection Fund surplus and the Local Government Finance Settlement (see paragraph 1.2).
- The amount by which the aggregate expenditure exceeds the aggregate income is to be its council tax requirement for the year.

Assuming Cabinet's concurrence with the recommendations set out in paragraph 1.8.14, the calculation is set out at **[Annex 18]**. It should be noted that, for this

purpose, the Borough Council's council tax requirement includes the Parish Council precepts.

1.14 Legal Implications

- 1.14.1 There are a number of legislative requirements to consider in setting the Budget which will be addressed as we move through the budget cycle.
- 1.14.2 The Localism Act gives local communities the power to veto excessive council tax increases. The Secretary of State will determine a limit for council tax increases which has to be approved by the House of Commons. If an authority proposes to raise council tax above this limit they will have to hold a referendum to get approval for this from local voters who will be asked to approve or veto the rise.

1.15 Financial and Value for Money Considerations

- 1.15.1 Two key questions remain, what will our business rates baseline be on the implementation of 100% business rates retention; and where, and to what extent, does New Homes Bonus feature in future government funding?
- 1.15.2 The impact of 'Brexit' on Council finances / financial assumptions in respect of inflation, interest rates, income levels, etc. and the scale of the impact over the medium term is uncertain and difficult to determine.

1.16 Risk Assessment

- 1.16.1 The Local Government Act 2003 requires the Chief Financial Officer, when calculating the Council Tax Requirement, to report on the robustness of the estimates included in the budget and the adequacy of the reserves for which the budget provides. Consideration will and is given to the risks associated with any budget setting process where various financial and other assumptions have to be made. To mitigate the risks detailed estimates are formulated in conjunction with Services taking into account past outturn, current spending plans and likely future demand levels / pressures and external advice on assumptions obtained where appropriate.
- 1.16.2 The Medium Term Financial Strategy sets out the high level financial objectives the Council wishes to fulfil and underpins the budget setting process for the forthcoming year and over the Strategy period. As the Council's high level financial planning tool the MTFS needs to be reviewed and updated at least annually and in the current climate the Savings and Transformation Strategy regularly reviewed by Management Team. In addition, not identifying and implementing the requisite savings will put at risk the integrity of the MTFS.
- 1.16.3 The increased uncertainty and volatility particularly in some of our major sources of income (business rates and New Homes Bonus) and more recently by Brexit make financial planning that more difficult with increased risk of significant variances compared to projections.

- 1.16.4 The projected figures for NHB are at risk of further revision downwards which would further add to the savings target.
- 1.16.5 Members are reminded that there are factors not reflected in or throughout the duration of the MTFS, e.g. potential shortfall to be met by the Council in respect of the Business Rates Retention scheme and the impact of Welfare Reform changes (Universal Credit). In addition, beyond 2022/23, the MTFS assumes a 3% increase in council tax year on year whereas the threshold above which a referendum is to be held is currently 2%, or more than 2% and more than £5.
- 1.16.6 Failure to endorse a satisfactory Capital Strategy may lead to a capital programme which does not fully support the Council's priorities and corporate objectives.
- 1.16.7 Any increase in council tax above the relevant threshold, even by a fraction of a percentage point, would require a referendum to be held.
- 1.16.8 At the time of finalising this report for agenda publication, we have not received the final local government finance settlement. **Figures contained within this report are, therefore, based on the provisional settlement.** We do not anticipate there being any significant difference in the 'final' figures. Members will, of course, be updated as appropriate.

1.17 Equality Impact Assessment

- 1.17.1 Where there is a perceived impact on end users an equality impact assessment has been carried out and as further savings options emerge, further equality impact assessments will need to be carried out as appropriate.

1.18 Summary of Recommendations

- 1.18.1 Cabinet is **RECOMMENDED** to:

- 1) Endorse the fees and charges set out in **[Annex 2]** as recommended by the appropriate Advisory Boards.
- 2) Update the Capital Plan as set out in paragraph 1.5.14 and recommend that Council adopt the Capital Plan accordingly.
- 3) Endorse the Capital Strategy as presented to the Finance, Innovation and Property Advisory Board on 4 January and the Overview and Scrutiny Committee on 24 January and recommend to Council it be adopted.
- 4) Endorse the prudential indicators listed in paragraphs 1.6.5 and 1.6.9 and recommend to Council that they be adopted.
- 5) Note that for the financial year 2017/18 the Council's Minimum Revenue Provision as set out at paragraph 1.6.12 is nil.

- 6) Reaffirm the high level objectives of the MTFS (paragraph 1.8.4. refers).
- 7) Note and endorse the updated MTFS **[Annex 11a]** including the proposed scale and timing of each of the savings tranches set out at paragraph 1.8.9.
- 8) Give guidance to Full Council as to the best way forward in updating the MTFS for the next ten-year period, and setting the council tax for 2017/18.
- 9) Endorse the updates made to the Savings and Transformation Strategy, and recommend that Full Council adopts it as part of the Budget setting process **[Annex 11b]**.
- 10) Endorse the special expenses calculated in accordance with the Special Expenses Scheme and set out in **[Annex 14b]**.
- 11) Note and endorse the Statement provided by the Director of Finance and Transformation as to the Robustness of the Estimates and the Adequacy of the Reserves.

Background papers:

contact: Sharon Shelton
Neil Lawley

Nil

Julie Beilby
Chief Executive

Sharon Shelton
Director of Finance and Transformation

Nicolas Heslop
Leader of the Council

Martin Coffin
Cabinet Member for Finance, Innovation and Property
and Deputy Executive Leader

This page is intentionally left blank

Local Government Finance Settlement 2017 - 2020

	2017/18					
	Revenue Support Grant	Business Rates Baseline	Transitional Grant	Tariff Adjustment	Settlement Funding Assessment	Per Head
	£	£	£	£	£	£
Ashford	615,357	2,687,324	28,682	-	3,331,363	26.80
Canterbury	998,152	4,377,364	21,067	-	5,396,583	33.73
Dartford	684,482	2,536,298	19,673	-	3,240,453	31.19
Dover	1,026,829	3,459,995	0	-	4,486,824	39.64
Gravesham	590,152	2,768,743	11,207	-	3,370,102	31.70
Maidstone		3,044,249	171,971	-	3,216,220	19.55
Sevenoaks		2,151,860	122,984	-	2,274,844	19.21
Shepway	848,143	3,485,707	61,004	-	4,394,854	39.95
Swale	1,238,108	4,006,582	0	-	5,244,690	36.83
Thanet	1,445,776	4,719,633	0	-	6,165,409	44.10
Tonbridge and Malling		2,149,532	117,201	-	2,266,733	18.03
Tunbridge Wells	201,609	2,217,640	74,173	-	2,493,422	21.48

	2018/19					
	Revenue Support Grant	Business Rates Baseline	Transitional Grant	Tariff Adjustment	Settlement Funding Assessment	Per Head
	£	£	£	£	£	£
Ashford	212,872	2,773,783	-	-	2,986,655	24.03
Canterbury	380,181	4,518,195	-	-	4,898,376	30.61
Dartford	314,829	2,617,898	-	-	2,932,727	28.23
Dover	568,493	3,571,312	-	-	4,139,805	36.57
Gravesham	196,265	2,857,820	-	-	3,054,085	28.73
Maidstone	-	3,142,190	-	-	3,142,190	19.10
Sevenoaks	-	2,221,091	-	-	2,221,091	18.76
Shepway	305,135	3,597,852	-	-	3,902,987	35.48
Swale	706,709	4,135,484	-	-	4,842,193	34.00
Thanet	808,872	4,871,475	-	-	5,680,347	40.63
Tonbridge and Malling	-	2,218,688	-	-	2,218,688	17.65
Tunbridge Wells	-	2,288,988	-	-	2,288,988	19.72

	2019/20					
	Revenue Support Grant	Business Rates Baseline	Transitional Grant	Tariff Adjustment	Settlement Funding Assessment	Per Head
	£	£	£	£	£	£
Ashford	-	2,872,447	-	(236,720)	2,635,727	21.20
Canterbury	-	4,678,908	-	(310,101)	4,368,807	27.31
Dartford	-	2,711,017	-	(98,083)	2,612,934	25.15
Dover	56,538	3,698,344	-	-	3,754,882	33.17
Gravesham	-	2,959,474	-	(243,714)	2,715,760	25.55
Maidstone	-	3,253,959	-	(1,588,624)	1,665,335	10.12
Sevenoaks	-	2,300,096	-	(1,082,611)	1,217,485	10.28
Shepway	-	3,725,828	-	(301,434)	3,424,394	31.13
Swale	113,144	4,282,584	-	-	4,395,728	30.87
Thanet	97,453	5,044,755	-	-	5,142,208	36.78
Tonbridge and Malling	-	2,297,607	-	(998,296)	1,299,311	10.34
Tunbridge Wells	-	2,370,408	-	(606,086)	1,764,322	15.20

This page is intentionally left blank



Department for
Communities and
Local Government

DRAFT

The Referendums Relating to Council Tax Increases (Principles)(England) Report 2017/18

December 2016
Department for Communities and Local Government

The Referendums Relating to Council Tax Increases (Principles) (England) Report 2017/18

Legislative background

General

1. Under section 52ZBa of the Local Government Finance Act 1992 (“the 1992 Act”) each billing authority and precepting authority must determine whether its relevant basic amount of council tax^b for a financial year (“the year under consideration”) is excessive. If an authority’s relevant basic amount of council tax is excessive a referendum must be held in relation to that amount.
2. Under section 52ZCc of the 1992 Act the question of whether an authority’s relevant basic amount of council tax is excessive must be decided in accordance with a set of principles determined by the Secretary of State. A set of principles —
 - may contain one principle or two or more principles, and
 - must constitute or include a comparison between the authority’s relevant basic amount of council tax for the year under consideration and its relevant basic amount of council tax for the financial year immediately preceding the year under consideration^d.
3. In setting principles for the year under consideration the Secretary of State may determine categories of authority. If the Secretary of State does so the same principles must be determined for all authorities falling within the same category and if an authority does not fall within any of the categories its relevant basic amount of council tax is not capable of being excessive for the year under consideration^e.
4. If the Secretary of State does not determine categories of authority for the year under consideration, any principles determined for the year must be such that the same set is determined for all authorities^f.
5. The principles for a financial year must be set out in a report which must be laid before and approved by the House of Commons. If the report for a financial year is not approved on or before the date on which the local government finance report for the same year is approved by the House of Commons, no principles have effect for that

^a Section 52ZB was inserted into the 1992 Act by Schedule 5 to the Localism Act 2011.

^b The term “relevant basic amount of council tax” is defined in section 52ZX of the 1992 Act (inserted as above and amended by section 41(1) and (9) to (13) of the Local Audit and Accountability Act 2014).

^c Section 52ZC was inserted into the 1992 Act by Schedule 5 to the Localism Act 2011.

^d Section 52ZC(2) and (3) of the 1992 Act.

^e Section 52ZC(4) of the 1992 Act.

^f Section 52ZC(5) of the 1992 Act.

year and accordingly no authority's relevant basic amount of council tax is capable of being excessive for that year^a.

The Greater London Authority

6. The Greater London Authority ("the GLA") calculates two different basic amounts of council tax for a financial year —
 - an amount which applies to the City of London and which does not include any amount in respect of the Mayor's Office for Policing and Crime, and
 - an amount which applies to all parts of Greater London other than the City of London and which includes an amount in respect of the Mayor's Office for Policing and Crime^b.
7. The GLA's relevant basic amount of council tax is defined by reference to these two amounts. In particular —
 - the relevant basic amount derived from the first of the amounts mentioned in paragraph 6 above is referred to in the 1992 Act as the GLA's unadjusted relevant basic amount of council tax, and
 - the relevant basic amount derived from the second of the amounts mentioned in paragraph 6 above is referred to in the 1992 Act as the GLA's adjusted relevant basic amount of council tax^c.
8. A principle that applies to the GLA, and that constitutes or includes a comparison between the GLA's relevant basic amount of council tax for the year under consideration and the financial year immediately preceding that year, may only provide for —
 - a comparison between unadjusted relevant basic amounts of council tax,
 - a comparison between adjusted relevant basic amounts of council tax, or
 - both^d.

^a See generally section 52ZD of the 1992 Act, inserted as above.

^b Sections 88(2) and 89(3) of the Greater London Authority Act 1999. Section 88(2) was substituted by section 77(1) and (3) of the Localism Act 2011 and section 89(4) (which is mentioned in section 89(3)) was substituted by section 77(1) and (7) of that Act. The Mayor's Office for Policing and Crime was established by section 3 of the Police Reform and Social Responsibility Act 2011.

^c Section 52ZX(4) of the 1992 Act.

^d Section 52ZC(6) of the 1992 Act.

The Report

9. This Report is made by the Secretary of State for Communities and Local Government and laid before the House of Commons under section 52ZD(1) of the 1992 Act.
10. The Report applies to all billing authorities and all major precepting authorities(a) (other than a mayoral combined authority(b)). In relation to 2017-18 the Report specifies principles for those authorities for the purposes of section 52ZC(1) of the 1992 Act. Accordingly no principles are specified for local precepting authorities for that year.

Principles for the financial year beginning on 1st April 2017

11. The principles which apply for 2017-18 are set out in Annex A to this Report. If this Report is approved by resolution of the House of Commons the principles will have effect for that financial year.

Signed by authority of the Secretary of State for Communities and Local Government

[] 2017

Name
Parliamentary Under Secretary of State
Department for Communities and Local Government

a Billing authorities and major precepting authorities are defined in sections 1(2) and 39(1) of the 1992 Act respectively.

b A mayoral combined authority is a major precepting authority by virtue of section 39(1)(ab) of the 1992 Act as amended by section 5 of the Cities and Local Government Devolution Act 2016 (c.1). The election for the mayor of the first mayoral combined authority, Greater Manchester, will take place in May 2017.

Principles for the financial year beginning on 1st April 2017

The set of principles determined by the Secretary of State under section 52ZC(1) of the Local Government Finance Act 1992 for the financial year beginning on 1st April 2017 is as follows:

Interpretation

1.—(1) In this set of principles—

“2016-17” means the financial year beginning on 1st April 2016;

“2017-18” means the financial year beginning on 1st April 2017;

“the 1992 Act” means the Local Government Finance Act 1992(a);

“the GLA” means the Greater London Authority;

“a relevant local authority” means-

(a) an authority falling within section 1(4) of the Care Act 2014(b); and

(b) the Council of the Isles of Scilly;

“a relevant police and crime commissioner” means a police and crime commissioner(c) whose basic amount of council tax for 2016-17 is within the lower quartile of basic amounts of council tax for 2016-17 for all police and crime commissioners;

“a shire district council” means a district council for an area for which there is a county council.

(2) In this set of principles any reference to an authority is a reference to a billing authority or a major precepting authority (other than a mayoral combined authority).

(3) Terms used in this set of principles which are also used in the 1992 Act have the same meanings as in that Act.

Categories of authority for 2017-18

2. For 2017-18, the Secretary of State determines that the following are categories of authority for the purposes of section 52ZC of the 1992 Act—

(a) any relevant local authority(d);

(b) the GLA;

(c) any shire district council;

(d) any relevant police and crime commissioner(e); and

(a) 1992 c.14.

(b) 2014 c.23. The definition in section 1(4) of the Act covers (a) county councils in England; (b) district councils for an area in England for which there is no county council; (c) London borough councils, and (d) the Common Council of the City of London.

(c) Police and crime commissioners replaced police authorities for police areas outside London in November 2012 (see section 1 of the Police Reform and Social Responsibility Act 2011, and Part 4 of Schedule 15 to that Act for transitional provisions).

(d) The bodies that are within this category are set out, for information, in Annex B to this Report.

(e) The bodies that are within this category are set out, for information, in Annex C to this Report.

(e) any other authority.

Principles for 2017-18 for authorities belonging to the category mentioned in paragraph 2(a)

3. For 2017-18, the relevant basic amount of council tax of an authority which belongs to the category mentioned in paragraph 2(a) is excessive if the authority's relevant basic amount of council tax for 2017-18 is 5% (comprising 3% for expenditure on adult social care and 2% for other expenditure), or more than 5%, greater than its relevant basic amount of council tax for 2016-17.

Principles for 2017-18 for the Greater London Authority

4. For 2017-18, the GLA's relevant basic amount of council tax is excessive if—

- (a) the GLA's unadjusted relevant basic amount of council tax for 2017-18 is 2%, or more than 2%, greater than its unadjusted relevant basic amount of council tax for 2016-17; or
- (b) the GLA's adjusted relevant basic amount of council tax for 2017-18 is 2%, or more than 2%, greater than its adjusted relevant basic amount of council tax for 2016-17.

Principles for 2017-18 for authorities belonging to the category mentioned in paragraph 2(c)

5. For 2017-18, the relevant basic amount of council tax of an authority which belongs to the category mentioned in paragraph 2(c) is excessive if the authority's relevant basic amount of council tax for 2017-18 is—

- (a) 2%, or more than 2%, greater than its relevant basic amount of council tax for 2016-17; and
- (b) more than £5.00 greater than its relevant basic amount of council tax for 2016-17.

Principles for 2017-18 for authorities belonging to the category mentioned in paragraph 2(d)

6. For 2017-18, the relevant basic amount of council tax of an authority which belongs to the category mentioned in paragraph 2(d) is excessive if the authority's relevant basic amount of council tax for 2017-18 is—

- (a) 2%, or more than 2%, greater than its relevant basic amount of council tax for 2016-17; and
- (b) more than £5.00 greater than its relevant basic amount of council tax for 2016-17.

Principles for 2017-18 for authorities belonging to the category mentioned in paragraph 2(e)

7. For 2017/18, the relevant basic amount of council tax of an authority which belongs to the category mentioned in paragraph 2(e) is excessive if the authority's relevant basic amount of council tax for 2017-18 is 2%, or more than 2%, greater than its relevant basic amount of council tax for 2016-17.

Local authorities for the following areas fall within the definition of “relevant local authority” in the *Principles for the financial year beginning on 1st April 2017*

(INNER LONDON)

City of London
Camden
Greenwich
Hackney
Hammersmith & Fulham

Islington
Kensington & Chelsea
Lambeth
Lewisham
Southwark

Tower Hamlets
Wandsworth
Westminster

(OUTER LONDON)

Barking & Dagenham
Barnet
Bexley
Brent
Bromley

Croydon
Ealing
Enfield
Haringey
Harrow

Havering
Hillingdon
Hounslow
Kingston-upon-Thames
Merton

Newham
Redbridge
Richmond-upon-Thames
Sutton
Waltham Forest

(GREATER MANCHESTER)

Bolton
Bury
Manchester
Oldham
Rochdale
Salford
Stockport
Tameside

Trafford
Wigan

(MERSEYSIDE)

Knowsley
Liverpool
St Helens
Sefton
Wirral

(SOUTH YORKSHIRE)

Barnsley
Doncaster
Rotherham
Sheffield

(TYNE AND WEAR)

Gateshead
Newcastle-upon-Tyne
North Tyneside
South Tyneside
Sunderland

(WEST MIDLANDS)

Birmingham
Coventry
Dudley
Sandwell
Solihull
Walsall
Wolverhampton

(WEST YORKSHIRE)

Bradford
Calderdale
Kirklees
Leeds
Wakefield

(COUNTY COUNCILS)

Buckinghamshire
Cambridgeshire
Cumbria
Derbyshire
Devon

Dorset
East Sussex
Essex
Gloucestershire
Hampshire

Hertfordshire
Kent
Lancashire
Leicestershire
Lincolnshire

Norfolk
North Yorkshire
Northamptonshire
Nottinghamshire
Oxfordshire

Somerset
Staffordshire
Suffolk
Surrey
Warwickshire

West Sussex
Worcestershire

(UNITARY AUTHORITIES)
Bath & North East Somerset
Bedford
Blackburn with Darwen
Blackpool
Bournemouth

Bracknell Forest
Brighton & Hove
Bristol
Central Bedfordshire
Cheshire East

Cheshire West and Chester
Cornwall
Darlington
Derby
Durham

East Riding of Yorkshire
Halton
Hartlepool
Herefordshire
Isle of Wight Council

Isles of Scilly
Kingston-upon-Hull
Leicester
Luton
Medway

Middlesbrough
Milton Keynes
North East Lincolnshire
North Lincolnshire
North Somerset

Northumberland
Nottingham
Peterborough
Plymouth
Poole

Portsmouth
Reading
Redcar & Cleveland
Rutland
Shropshire

Slough
South Gloucestershire
Southampton
Southend-on-Sea
Stockton-on-Tees

Stoke-on-Trent
Swindon
Telford & Wrekin
Thurrock
Torbay

Warrington
West Berkshire
Wiltshire
Windsor & Maidenhead
Wokingham
York

Police and crime commissioners for the following police areas fall within the definition of “relevant police and crime commissioner” in the *Principles for the financial year beginning on 1st April 2017*

Hampshire
Greater Manchester
South Yorkshire
Kent
Essex
Sussex
Hertfordshire
West Yorkshire
West Midlands
Northumbria

**Item SSE 16/11 referred from Street Scene and Environment Services
Advisory Board minutes of 7 November 2016**

SSE 16/11 REVIEW OF FEES AND CHARGES

The joint report of the Director of Street Scene, Leisure and Technical Services, the Director of Planning, Housing and Environmental Health and the Director of Finance and Transformation set out proposed fees and charges for the provision of services in respect of food certificates, contaminated land monitoring, private water supplies, pest control, stray dog redemption fees, household bulky refuse and fridge/freezer collections, "missed" refuse collections and the Council's car parks from April 2017.

In bringing forward the proposals for 2017/18, it was noted that consideration had been given to a range of factors including the Council's overall financial position, trading patterns, the current rate of inflation, competing facilities and customer demand. Particular reference was made to the comprehensive review of car parking charges undertaken at the beginning of 2016 and the conclusion that no further changes be made but the position be reviewed again in 12 months' time.

RECOMMENDED: That Cabinet approve the scale of charges for mandatory condemned food certificates, exported food certificates, contaminated land monitoring, sampling private water supplies, stray dog redemption fees, household bulky refuse and fridge/freezer collection, "missed" refuse collection and car parking charges with effect from 1 April 2017, as detailed in the report to the Advisory Board.

***Referred to Cabinet**

**Item CH 16/21 referred from Communities and Housing Advisory
Board minutes of 14 November 2016**

**CH 16/21 HOUSES IN MULTIPLE OCCUPATION (HMO) AND CARAVAN SITE
LICENSING**

The report of the Director of Planning, Housing and Environmental Health set out the proposed fees and charges in respect of the mandatory licensing scheme for Houses in Multiple Occupation (HMOs) and Caravan Sites for 2017/18.

RECOMMENDED: That the existing charges for the licensing of Houses in Multiple Occupation and Caravan Sites, as detailed in the report, remain unchanged and be agreed with effect from 1 April 2017.

***Referred to Cabinet**

Item CH 16/22 referred from Communities and Housing Advisory Board minutes of 14 November 2016

CH 16/22 REVIEW OF CEMETERY CHARGES 2017/18

The joint report of the Director of Street Scene, Leisure and Technical Services and the Director of Finance and Transformation outlined the proposed charges for 2017/18 with regard to Tonbridge Cemetery.

RECOMMENDED: That

- (1) the proposed charges for Tonbridge Cemetery, as detailed at Annex 2 to the report, be agreed and implemented with effect from 1 April 2017; and
- (2) a review of the future capacity of grave space at the Cemetery be progressed and reported back to a future meeting of the Communities and Housing Advisory Board.

***Referred to Cabinet**

Item FP 17/5 referred from Finance, Innovation and Property Advisory Board minutes of 4 January 2017

FIP 17/5 REVIEW OF FEES AND CHARGES 2017/18

The report of the Management Team brought forward for consideration as part of the Budget setting process for 2017/18 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.

It was noted that there would be a fundamental review of operations at Tonbridge Castle in the light of changes in the Gateway facility.

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 as set out at paragraph 1.2.1 of the report;
- (2) the proposed scale of fees for local land charges searches and enquiries set out in the report be adopted with effect from 1 April 2017, noting that property search fees are to be subject to VAT as shown in the table at Annex 1 to the report from 1 January 2017 unless HMRC confirms that any element shown as Vatable should not be subject to VAT;
- (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 Chamber as set out in Annex 4 to the report be approved for implementation from 1 April 2017;
- (5) the proposed charges for weddings at Tonbridge Castle as outlined in paragraph 1.6.3 of the report be approved for implementation from 1 April 2018;
- (6) the fees schedule for street naming and numbering set out in section 1.8 of the report be adopted with effect from 1 April 2017; and
- (7) the amount of council tax and business rate Court costs recharged remain as set out at paragraph 1.9.2 of the report for the 2017/18 financial year.

***Referred to Cabinet**

Item FP 17/6 referred from Finance, Innovation and Property Advisory Board minutes of 4 January 2017

FIP 17/6 BUILDING REGULATION FEES

Consideration was given to the joint report of the Director of Planning, Housing and Environmental Health and Director of Finance and Transformation which referred to the annual review of fees schedules and recommended amendments to the charging regime to cover more accurately the costs of the fee earning aspects of the Building Control Partnership service provided with Sevenoaks District Council. Members were advised of some changes in staffing of the service.

RECOMMENDED: That the revised Building Control Charges, as detailed in Annex 1 to the report, be approved and adopted from 1 April 2017.

***Referred to Cabinet**

Item FP 17/7 referred from Finance, Innovation and Property Advisory Board minutes of 4 January 2017

FIP 17/7 REVIEW OF PRE-APPLICATION PLANNING CHARGING REGIME

The joint report of the Director of Finance and Transformation and Director of Planning, Housing and Environmental Health provided an update on the pre-application procedures for planning and reviewed the protocol and scale of charges introduced in 2016 in accordance with Decision Number D160018CAB.

RECOMMENDED: That

- (1) the updated protocol for providing Pre-Application and Other Technical Planning Advice, as set out at Annex 1 to the report, be adopted; and

- (2) the Pre-Application Charging Schedule for 2017/18, as set out at Annex 2 to the report, be adopted.
***Referred to Cabinet**

LA 16/94 REVIEW OF FEES AND CHARGES 2017/18 - LICENSING FEES

The report of the Director of Central Services and Monitoring Officer set out details of the proposed scale of fees and charges for 2017/18 in respect of Hackney Carriage and Private Hire Licences, Pleasure Boats and Boatmen, Scrap Metal Dealers, Animal Welfare Licences, Street Trading Consents, Sex Establishments, Acupuncture, Tattooing, Ear Piercing and Electrolysis and Hypnotism.

RESOLVED: That the proposed scale of fees for licences, consents and registrations, as set out in Annex 1 to the report, be adopted with effect from 1 April 2017.

CAPITAL PLAN (LIST A) SUMMARY

	Expenditure To 31/03/16	2016/17 Estimate inc Prior Year Slippage	2017/18 Estimate	2018/19 Estimate	2019/20 Estimate	2020/21 Estimate	2021/22 Estimate	2022/23 Estimate	Scheme Total
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Capital Plan Schemes									
Planning, Housing & Environmental Health	74	30	30	205	205	205	205	205	1,159
Street Scene, Leisure & Technical Services	1,580	148	10	1,143	130	630	130	130	3,901
Corporate	2	270	30	90	30	30	30	30	512
Sub-total	1,656	448	70	1,438	365	865	365	365	5,572
Capital Renewals									
Planning, Housing & Environmental Health	n/a	2	0	0	15	0	0	0	17
Street Scene, Leisure & Technical Services	n/a	468	1,115	222	471	401	259	907	3,843
Corporate	n/a	227	541	352	266	264	214	401	2,265
Sub-total	n/a	697	1,656	574	752	665	473	1,308	6,125
Total	1,656	1,145	1,726	2,012	1,117	1,530	838	1,673	11,697

This page is intentionally left blank

Capital Plan Review 2016/17

Recommendations in respect of List C

**Booklet
Annex 3
Page No**

Schemes to be added to List C

Street Scene, Leisure and Technical

Angel Centre: Medway Hall – Alternative use for Extreme Sports	CP 39
Larkfield Leisure Centre – Gym Extension / New Studio	CP 40
Larkfield Leisure Centre - Ventilation	CP 40
Tonbridge Racecourse Sportsground - Riverside Revetment	CP 43
Tonbridge Racecourse Sportsground – Swimming Pool Bridge	CP 43
Haysden Country Park – Car Park Extension	CP 44
Haysden Country Park – Site Improvements Phase 2	CP 44
Leybourne Lakes Country Park – Car Park Extension	CP 46
Taddington Valley – Woodland Management	CP 46
Tonbridge Cemetery – Path Works	CP 47

Corporate

IT Initiatives – Upgrade to Payment Facilities Software	CP 51
IT Initiatives – Financial Services Document Management Software	CP 52

Schemes to be deleted from List C

Street Scene, Leisure and Technical

Blossom Bank Development, Tonbridge – New Pedestrian Bridge	CP 48
---	-------

This page is intentionally left blank

Capital Plan Review 2016/17

Schemes selected for evaluation from List C

	Booklet Annex 3 Page No
Street Scene, Leisure and Technical	
Larkfield Leisure Centre – Ventilation	CP 40
Racecourse Sportsground – Rugby Pitch Drainage Improvements	CP 42
Racecourse Sportsground – Riverside Revetment (Fast-Track)	CP 43
Racecourse Sportsground – Swimming Pool Bridge	CP 43
Haysden Country Park – Car Park Extension	CP 44
Leybourne Lakes Country Park – Car Park Extension (Fast-Track)	CP 46
Tonbridge Cemetery – Path Works	CP 47
Corporate	
IT Initiatives – Upgrade to Payment Facilities Software	CP 51
IT Initiatives – Financial Services Document Management Software	CP 52

This page is intentionally left blank

Capital Plan Review 2016/17

Recommendations in respect of evaluated schemes

	Capital Cost £'000	Estimated Annual Revenue/ Renewals Cost £'000		Booklet Annex 4 Page No
Street Scene, Leisure and Technical				
Leybourne Lakes Country Park – Car Park Extension	17	(2)	Transfer from List C to List B	CP 53
Racecourse Sportsground – Riverside Revetment	120	4	Transfer from List C to List B	CP 55
Corporate				
IT Initiatives – Council Chamber Conference System	95	18	Transfer from List C to List B	CP 57
IT Initiatives – Virtual Desktop Infrastructure	200	27	Transfer from List C to List B	CP 59
Total	432	47		

Two of the schemes detailed above are to be funded in part by way of government grant or external funding totalling £38,000 and the virtual desktop infrastructure project is to be funded from the Invest to Save Reserve; and the balance of £194,000 from the annual capital allowance.

This page is intentionally left blank

CAPITAL PLAN: LIST A SUMMARY OF SERVICES									
	Expenditure To 31/03/16	2016/17 Estimate inc Prior Year Slippage	2017/18 Estimate	2018/19 Estimate	2019/20 Estimate	2020/21 Estimate	2021/22 Estimate	2022/23 Estimate	Scheme Total
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Capital Plan Schemes									
Planning, Housing & Environmental Health	74	30	30	205	205	205	205	205	1,159
Street Scene, Leisure & Technical Services	1,580	148	119	1,143	130	630	130	130	4,010
Corporate	2	270	325	90	30	30	30	30	807
Sub-total	1,656	448	474	1,438	365	865	365	365	5,976
Capital Renewals									
Planning, Housing & Environmental Health	n/a	2	0	0	15	0	0	0	17
Street Scene, Leisure & Technical Services	n/a	468	1,115	222	471	401	259	907	3,843
Corporate	n/a	227	541	352	266	264	214	401	2,265
Sub-total	n/a	697	1,656	574	752	665	473	1,308	6,125
Total	1,656	1,145	2,130	2,012	1,117	1,530	838	1,673	12,101

This page is intentionally left blank

Capital Plan Review 2016/17 : Funding the Draft Capital Plan							
	2016/17 Estimate £'000	2017/18 Estimate £'000	2018/19 Estimate £'000	2019/20 Estimate £'000	2020/21 Estimate £'000	2021/22 Estimate £'000	2022/23 Estimate £'000
Capital Plan Schemes							
Capital Renewals	697	1,656	574	752	665	473	1,308
Other Recurring Expenditure (net of grants)	200	85	365	365	365	365	365
One-Off Schemes (net of grants & contributions)	248	389	1,073		500		
Capital Plan Totals	1,145	2,130	2,012	1,117	1,530	838	1,673
Add back grants / contributions	1,210	998	670	520	520	520	520
Total to be funded	2,355	3,128	2,682	1,637	2,050	1,358	2,193
Funded from:							
Grants							
BCF (Disabled Facilities Grant)	692	770	490	490	490	490	490
Town Wardens (Town Lock)	2						
LSP (Haysden CP Play Area was TRSG Flood Lighting)	5						
Sita Trust (Haysden CP Extension of Play Area)	50						
Haysden CP Site Improvements Grants & Contributions	44						
EA (Castle River Bank)	110	3					
KCC (Winter Warmth)	18						
DCLG (Revenues & Benefits DIP Grant)	19						
DCLG (Housing Services DIP Grant)	8						
TRCSG - River Bank (Excess EA Castle River Bank)		28					
Developer Contributions							
Town Lock	213	155					
Tonbridge School Athletics Track			150				
Open Spaces Site Improvements Phase 1	3						
Open Spaces Site Improvements Phase 2		12					
Memorial Garden Improvement including Trust contrib'n	16						
Capital and Other Receipts							
Housing Assistance Grant Repayments	30	30	30	30	30	30	30
Repayment of Mortgages	1	1	1	1	1		
Balance met from Revenue Reserve for Capital Schemes	1,144	2,129	2,011	1,116	1,529	838	1,673
Total funding	2,355	3,128	2,682	1,637	2,050	1,358	2,193

This page is intentionally left blank

Capital Plan Review 2016/17 :Revenue Reserve for Capital Schemes							
	2016/17 Estimate £'000	2017/18 Estimate £'000	2018/19 Estimate £'000	2019/20 Estimate £'000	2020/21 Estimate £'000	2021/22 Estimate £'000	2022/23 Estimate £'000
Balance at 1st April	6,582	5,964	4,767	3,988	2,904	2,127	2,490
Contribution from Revenue to meet Capital Renewals and other Annually Recurring Expenditure	100	500	500		752	1,201	1,217
Revenue contribution for new Capital Plan Schemes	350	350	350	350			
Less assumed spend			(200)	(200)			
Recycling Bank Revenue Adjustment	(23)	(23)	(23)	(23)			
MS Office Licences to Revenue	(36)	(36)	(36)	(36)			
Revenue element of new IT Storage	(4)	(4)	(4)	(4)			
Green /recycling bin replacement	(12)	(12)	(12)	(12)			
Housing Assistance	(30)	(30)	(30)	(30)			
Planning Microfiche	(16)						
TMLT (Invest to Save Reserve)	200						
TMLT (Capital Renewals adjustment)	(13)	(13)	(13)	(13)			
South East Water (LLCP Car Park Extension)	10						
Wouldham River Wall Earmarked Reserve			700				
Invest to Save Reserve (Virtual Desktop Infrastructure)		200					
Available for application	7,108	6,896	5,999	4,020	3,656	3,328	3,707
Amount applied to fund capital	(1,144)	(2,129)	(2,011)	(1,116)	(1,529)	(838)	(1,673)
Balance at 31st March	5,964	4,767	3,988	2,904	2,127	2,490	2,034

Borrowing for new Capital Plan Schemes is not anticipated before 2020/21.

This page is intentionally left blank

<u>Estimates of the incremental impact of capital investment on Band D equivalent Council Tax</u>	2017/18 est. £	2018/19 est. £	2019/20 est. £	2020/21 est. £	2021/22 est. £	2022/23 est. £
Leybourne Lakes Country Park – Car Park Extension	(0.02)	(0.02)				
Tonbridge Racecourse Sportsground – Riverside Revetment	0.04	0.04				
IT Initiatives – Council Chamber Conference System	0.18	0.18				
IT Initiatives – Virtual Desktop Infrastructure	0.28	0.28		(0.56)		
Total: (Increase in Band D equivalent Council Tax attributable to new capital schemes)	0.48	0.48		(0.56)		

This page is intentionally left blank

Medium Term Financial Strategy

	Estimate	Projection								
	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27
	£000	£000	£000	£000	£000	£000	£000	£000	£000	£000
EXPENDITURE										
Employees	10,992	11,121	11,252	11,483	11,681	11,935	12,190	12,452	12,716	12,987
Transfer Payments	35,268	35,974	36,694	37,429	38,178	20,023	20,423	20,832	21,248	21,673
Other Expenditure	11,211	11,404	11,747	11,973	12,234	12,501	12,776	13,055	13,341	13,633
Capital Charges	2,672	2,779	2,862	2,919	2,977	3,037	3,098	3,160	3,223	3,287
Total Expenditure	60,143	61,278	62,555	63,804	65,070	47,496	48,487	49,499	50,528	51,580
INCOME										
Fees & Charges	(7,143)	(7,372)	(7,462)	(7,699)	(7,798)	(8,039)	(8,143)	(8,277)	(8,344)	(8,590)
Other Specific Grants & Misc	(35,812)	(36,453)	(37,156)	(37,872)	(38,604)	(20,573)	(20,982)	(21,399)	(21,824)	(22,259)
Investment Income	(128)	(120)	(154)	(226)	(313)	(401)	(532)	(650)	(650)	(651)
Total Income	(43,083)	(43,945)	(44,772)	(45,797)	(46,715)	(29,013)	(29,657)	(30,326)	(30,818)	(31,500)
Appropriations										
Capital Renewals	500	500	0	752	1,201	1,217	1,234	1,252	1,269	1,287
Provision for new Capital Schemes	232	232	232	0	0	0	0	0	0	0
Other Appropriations	(2,846)	(2,714)	(2,797)	(2,854)	(2,912)	(2,972)	(3,033)	(3,095)	(3,158)	(3,222)
SAVINGS TARGET	0	(650)	(670)	(683)	(697)	(711)	(725)	(740)	(755)	(770)
SAVINGS TARGET	0	0	(700)	(714)	(728)	(743)	(758)	(773)	(788)	(804)
SAVINGS TARGET	0	0	0	0	(250)	(255)	(260)	(265)	(270)	(275)
NET BUDGETED SPEND	14,946	14,701	13,848	14,508	14,969	15,019	15,288	15,552	16,008	16,296
FUNDING										
Revenue Reserves	(434)	(184)	(118)	541	1,116	757	522	266	183	(87)
Government Grant	5,590	4,885	3,616	3,261	2,786	2,830	2,876	2,921	2,967	3,015
Council Tax	9,654	10,000	10,350	10,706	11,067	11,432	11,890	12,365	12,858	13,368
Collection Fund Adjustment	136	0	0	0	0	0	0	0	0	0
Total Funding	14,946	14,701	13,848	14,508	14,969	15,019	15,288	15,552	16,008	16,296
Council Tax Level at Band D	£197.51	£202.51	£207.51	£212.51	£217.51	£222.51	£229.19	£236.07	£243.15	£250.44
Increase on Previous Year	£5.00	£5.00	£5.00	£5.00	£5.00	£5.00	3.00%	3.00%	3.00%	3.00%
RESERVES BALANCE CARRIED FORWARD	6,340	6,524	6,642	6,101	4,985	4,228	3,706	3,440	3,257	3,344

This page is intentionally left blank

(Updated) Savings & Transformation Strategy 2017/18 – 2020/21

INTRODUCTION

When the provisional Local Government Settlement for the four-year period 2016/17 to 2019/20 was published in late 2015, we calculated that we would need to deliver savings of at least £1.9 million in our base budget, despite the fact that we had already delivered over £3 million in savings over the last 4 to 5 years.

We are fortunate that we do not have to make all the savings required in one year and can spread the challenge in ‘tranches’ over a few years, as set out within the Council’s Medium Term Financial Strategy (MTFS). Nevertheless, the Council have acknowledged that we need to plan to make these savings and achieve as much as possible in the earlier years to provide the best long-term financial sustainability.

During 2016/17, a number of opportunities were taken to ensure that savings in excess of £625,000 were in place in readiness for the start of the financial year 2017/18. In particular, the cessation of grants to parish councils and the adoption of a “Special Expenses” policy generated savings of £400,000 per annum from this project alone. The project is transformational in terms of how council tax will be charged across the Borough from April 2017.

Following the release of the provisional Local Government Settlement for the period 2017/18 to 2019/20 which also announced changes to the New Homes Bonus Scheme, the savings target has been recalculated and now stands at some £1.6m. This Strategy has therefore been ‘refreshed’ to ensure that the new target can be delivered as required.

OBJECTIVES

In developing this strategy, the Council has set the following objectives:

1. To deliver sufficient savings in order to bridge the funding gap identified in the Council’s MTFS, and to deliver those savings as quickly as possible in order to minimise risk to the Council’s finances;
2. To direct resources to priority areas in line with the principles of the Council’s Corporate Strategy;
3. To maintain the Council’s reputation of good front line service provision;
4. To adopt a ‘mixed’ approach to addressing the funding gap through a series of ‘themes’;
5. To be open to accept ‘cultural’ change/transformation in the ways we work and offer services to the public in order to release efficiencies and savings;

6. To engage, as appropriate, with stakeholders when determining how savings will be achieved.

THE STRATEGY

It is recognised that there is no one simple solution to addressing the financial challenges faced. The Council will need to embrace transformation in a multitude of ways in order to deliver the savings within an agreed timetable.

This Strategy sets out a measured structure and framework for delivering the necessary savings through a series of 'themes'. Each theme has a deliverable target within a timeframe.

Whilst the framework includes some major areas where savings can be made without direct effect on services, by adopting this Strategy the Council has recognised that it may need to decide that some service areas should change/transform to accommodate saving requirements. That might mean doing things differently, more efficiently and with increased income opportunities where there is the opportunity to do so. It might also mean that services will simply need to be run with fewer resources. All these approaches will require a shift in culture for the organisation so that we can be focused and flexible in the way in which we deliver services to our communities.

The Themes, Targets, and Timeframes for the Strategy are set out in the table below, and will be the subject of review at least annually.

Progress on identifying and implementing savings and transformational opportunities across the various themes will be regularly reported to and reviewed by Management Team and in-year update reports presented to Members as appropriate. The Council is committed to engagement with relevant stakeholders as proposals are brought forward.

Julie Beilby
Chief Executive

Sharon Shelton
Director of Finance & Transformation

Nicolas Heslop
Leader of the Council

Martin Coffin
Cabinet Member for Finance, Innovation
& Property and Deputy Executive Leader

February 2017

Savings & Transformation Strategy 2017/18 - 2020/21

Theme	Indicative Years	Target £000	Savings Reflected in 2017/18 Budget £000	Sub-total £000	Savings Identified after Setting of 2017/18 Budget £000	Balance of Target to be Achieved £000
Income Generation & Cost Recovery	2017/18/19	150	0	150	0	150
In-Service Efficiencies	2017/18/19	100	0	100	0	100
Service Change & Reduction	2017 - 2021	400	0	400	0	400
Contracts	2017 - 2021	500	0	500	0	500
Organisation Structure Change	2017/18/19	250	0	250	0	250
Partnership Funding	2017/18/19	50	0	50	0	50
Asset Management	2017/18/19	150	0	150	0	150
TOTAL		1,600	0	1,600	0	1,600

Note: This Strategy will be updated on a least an annual basis to reflect challenges set out in the Medium Term Financial Strategy

This page is intentionally left blank

General Fund Revenue Estimates 2017/18

SUMMARY

	2016/17 ESTIMATE		2017/18
	ORIGINAL £	REVISED £	ESTIMATE £
Corporate Services	2,563,000	2,842,350	2,758,850
Chief Executive	756,000	762,400	717,150
Director of Central Services	89,300	84,750	100,850
Director of Finance & Transformation	2,280,400	1,786,400	1,846,650
Director of Planning, Housing & Environmental Health	4,135,750	3,662,350	3,889,650
Director of Street Scene, Leisure & Technical Services	8,162,400	8,402,800	7,832,700
Sub Total	17,986,850	17,541,050	17,145,850
Capital Accounting Reversals			
Non-Current Asset Depreciation	(2,641,200)	(2,652,600)	(2,619,000)
Contributions to / (from) Reserves			
Building Repairs Reserve			
Withdrawals to fund expenditure	(715,650)	(830,550)	(758,350)
Contribution to Reserve	525,000	675,000	575,000
Earmarked Reserves (see page S 2)			
Contributions from Reserves	(2,783,400)	(2,390,650)	(261,050)
Contributions to Reserves	365,000	642,850	70,000
Revenue Reserve for Capital Schemes			
Withdrawals to fund expenditure			
Non-Current Assets	(2,290,000)	(840,000)	(2,076,000)
Revenue Expenditure Funded from Capital	(292,000)	(304,000)	(53,000)
Other contributions to / (from) Reserve (net)	1,075,000	526,000	932,000
Capital Expenditure Charged to General Fund	2,290,000	840,000	2,076,000
International Accounting Standard 19			
Retirement Benefit Costs	4,276,000	4,096,000	4,173,000
Employers Pension Contributions	(2,528,000)	(2,495,000)	(2,485,000)
Contribution to / (from) Pensions Reserve	(1,748,000)	(1,601,000)	(1,688,000)
Government Grants			
New Homes Bonus	(3,843,100)	(3,843,100)	(3,485,050)
New Homes Bonus Returned In-Year	-	(4,800)	-
Transition Grant	(134,850)	(134,850)	(117,200)
Transparency Code New Burdens Grant	-	(8,100)	-
Contributions from KCC	(85,000)	(150,700)	(85,000)
Sub Total	9,456,650	9,065,550	11,344,200
National Non-Domestic Rates			
Share of National Non-Domestic Rates	(21,521,670)	(21,521,670)	(21,348,238)
Tariff / (Top Up)	20,318,139	20,318,139	19,970,635
Levy / (Safety Net)	(290,800)	(293,300)	(88,877)
Small Business Rate Relief Grant	(366,450)	(377,850)	(521,837)
Retail Relief Grant	-	(2,450)	-
Empty Property Re-occupation Relief Grant	(8,250)	(3,400)	-
New Build Empty Property Relief Grant	(79,350)	(68,000)	-
Revenue Support Grant	(655,042)	(655,042)	-
Collection Fund Adjustments			
Council Tax (Surplus) / Deficit	(147,917)	(147,917)	(148,267)
National Non-Domestic Rates (Surplus) / Deficit	1,989,247	1,989,247	11,914
Sub Total	8,694,557	8,303,307	9,219,530
Contribution to / (from) General Revenue Reserve	474,500	865,750	434,500
Balance to be met from Council Tax Payers	9,169,057	9,169,057	9,654,030

General Fund Revenue Estimates 2017/18

EARMARKED RESERVES

	2016/17 ESTIMATE		2017/18
	ORIGINAL £	REVISED £	ESTIMATE £
Contributions from Earmarked Reserves			
Asset Review Reserve	-	(21,000)	-
Business Rates Retention Scheme Reserve	(2,000,000)	(2,000,000)	-
Community Development Reserve	-	(35,450)	-
Democratic Representation Reserve	-	(2,000)	-
Economic Development Reserve	-	(21,000)	-
Flood Recovery & Defence Reserve	(25,000)	(25,000)	-
Housing Assistance Reserve	-	(10,000)	(10,000)
Housing Survey Reserve	-	(5,000)	-
Housing & Welfare Reform Reserve	-	(18,450)	-
Invest to Save Reserve	-	(218,850)	(200,000)
Local Development Framework Reserve	(30,000)	(10,000)	(30,000)
Planning Inquiries Reserve	(22,500)	(20,000)	(7,150)
Repossessions Prevention Fund Reserve	(4,000)	(2,000)	(2,000)
River Wall at Wouldham Reserve	(700,000)	-	-
Social Housing Fraud Initiative Reserve	(1,900)	(1,900)	(1,900)
Waste & Street Scene Initiatives Reserve	-	-	(10,000)
	(2,783,400)	(2,390,650)	(261,050)
Contributions to Earmarked Reserves			
Election Expenses Reserve	25,000	25,000	25,000
Invest to Save Reserve	300,000	500,000	-
Local Development Framework Reserve	40,000	55,850	45,000
Transformation Reserve	-	62,000	-
	365,000	642,850	70,000

Estimate Of Collection Fund Surplus/(Deficit) 2016/17 - Council Tax			
	Estimate		
	£		£
Income			
Surplus / (Deficit) Brought Forward			1,111,871
Council Tax			77,393,834
Income from Council Tax (Net of Discounts, CTR and Exemptions)			
Total Income for the Year			78,505,705
Expenditure			
Precepts and Demands 2016/17			
Kent County Council	53,990,000		
Police & Crime Commissioner for Kent	7,246,772		
Kent & Medway Fire & Rescue Authority	3,429,297		
Parishes	2,230,015		
Tonbridge and Malling Borough Council	9,169,057		76,065,141
Provision for Council Tax Non-Collection			466,000
Payments / (receipts) in respect of estimated surplus / (deficit) for 2015/16			
Kent County Council	697,535		
Police & Crime Commissioner for Kent	94,147		
Kent & Medway Fire & Rescue Authority	45,202		
Tonbridge and Malling Borough Council	147,917		984,801
Total Expenditure for the Year			77,515,942
Estimated Surplus/(Deficit) for 2016/17			989,763
Allocation Of Estimated Surplus / (Deficit) 2016/17			
	Precepts 2016/17		Surplus / (Deficit)
	£	%	£
Kent County Council	53,990,000	70.98	702,534
Police & Crime Commissioner for Kent	7,246,772	9.53	94,324
Kent & Medway Fire & Rescue Authority	3,429,297	4.51	44,638
Tonbridge and Malling Borough Council	11,399,072	14.98	148,267
Total	77,065,141	100.00	989,763

This page is intentionally left blank

Tonbridge and Malling Borough Council		
Estimate Of Collection Fund Surplus/(Deficit) 2016/17 - Business Rates		
	Estimate	
	£	£
<u>Income</u>		
Surplus / (Deficit) Brought Forward		(5,049,518)
Income from Business Rate Payers		53,237,831
Recovery of Prior Years Estimated Deficit		4,973,117
Total Income for the Year		53,161,430
<u>Expenditure</u>		
Demands for 2016/17 based upon NNDR 1 2016/17		
Kent County Council	4,842,376	
Kent & Medway Fire & Rescue Authority	538,042	
Tonbridge and Malling Borough Council	21,521,670	
Central Government	26,902,087	53,804,175
Allowance for Losses - Bad Debts		400,000
Allowance for Losses - Appeals		(1,574,688)
Cost of Collection Allowance		165,827
Transitional Protection Payments		395,901
Total Expenditure for the Year		53,191,215
Estimated Surplus/(Deficit) for 2016/17		(29,785)
<u>Allocation Of Estimated Surplus / (Deficit) 2016/17</u>		
	Allocation	Surplus / (Deficit)
	%	£
Kent County Council	9	(2,681)
Kent & Medway Fire & Rescue Authority	1	(298)
Tonbridge and Malling Borough Council	40	(11,914)
Central Government	50	(14,892)
Total	100	(29,785)

This page is intentionally left blank

TONBRIDGE & MALLING BOROUGH COUNCIL
SPECIAL EXPENSES ('LOCAL CHARGE') SCHEME

1. Introduction

- 1.1 The Provisions relating to “special expenses” are contained in the Local Government Finance Act 1992 at sections 34 and 35. These sections allow different amounts of council tax to be calculated for different parts of the district, depending on what if any “special items” relate to those parts. The legal background is set out in the Appendix.
- 1.2 In resolving to implement a Special Expenses Scheme, the Council revokes the Financial Arrangements with Parish Councils Scheme which was effective from 1 April 1992 made under s136 Local Government Act 1972 with effect from the same date (1 April 2017).

2. Objectives of the Scheme

- 2.1 The borough consists of 27 parished areas, and one unparished area. Parish councils exercise certain functions in their respective areas, which the Borough Council must exercise directly in the unparished area. These are known as concurrent functions.
- 2.2 The Council has historically awarded grants under s136 Local Government Act 1972 to parish councils in order to contribute towards the cost of concurrent functions. Due to significant financial pressures, the Council finds that it is unable to continue providing this level of financial support and must make savings.
- 2.3 The Council has resolved to adopt a Scheme of Special Expenses in order to provide a fairer system in terms of financial equity for taxpayers across the borough.

3. Function to be included in Scheme

- 3.1 Cabinet, at its meeting on 28 July, recommended that the following concurrent functions are included in the Scheme:
- Closed churchyards
 - Open spaces, parks and play areas maintained by TMBC in parished areas; excluding Leybourne Lakes Country Park (strategic site)
 - Open spaces, play areas, parks and sportsgrounds in Tonbridge; excluding Castle Grounds and Haysden Country Park (strategic sites)
 - Support given to ‘Local’ Events
 - Allotments

4. Calculation of Special Expenses

- 4.1 TMBC will calculate an average council tax across the whole of its area under section 31B of the Local Government Finance Act 1992. Included in that will be the amounts payable to parish councils under their precepts, plus the amounts TMBC will spend on performing functions which are performed in parts of its area by parish councils.
- 4.2 Under section 34 of the Local Government Finance Act 1992, TMBC must then deduct the total of any special items. For each part of its area, TMBC must then add back amounts for any relevant special items for that part of its area. The amount added back is calculated by dividing the special item (i.e. the authority's estimated cost of performing the function in that part of its area) by the tax base for the part of the area in which the authority performs the function.
- 4.3 Treating expenses as special expenses does not affect the overall amount that TMBC needs to raise through council tax, and does not, therefore, affect the average amount of council tax across the whole of the borough. It simply means that, compared with what would happen if the expenses were not treated by TMBC as special expenses, the council tax is:
- relatively lower for areas where the parish council performs the concurrent function, as it includes the parish's costs but not TMBC's costs of performing the function elsewhere; and
 - relatively higher for areas where TMBC performs the concurrent function, as all TMBC's costs of performing the concurrent function must be met by taxpayers in the area where TMBC performs it.

5. Implementation

- 5.1 This Scheme is effective from 1 April 2017, following resolution of Full Council on 1 November 2016.
- 5.2 The list of concurrent functions included within the Scheme will be reviewed from time to time and the Scheme updated as necessary.

November 2016

TONBRIDGE & MALLING BOROUGH COUNCIL
SPECIAL EXPENSES ('LOCAL CHARGE') SCHEME

LEGAL BACKGROUND

Section 34 of the Local Government Finance Act 1992, as amended by the Localism Act 2011, requires that certain items, which are referred to as 'special items', and which relate to a part only of a billing authority's area, be removed from the calculation of the overall basic amount of tax and added to that for the area concerned.

Section 35(1) defines these items as:

- Any precept issued to or anticipated by the authority which is, or is believed to be, applicable to a part of its area and was taken into account by it in making the calculation (or last calculation) in relation to the year under Section 31A(2) above (i.e. the parish precepts, as included in the calculation of the budget requirement).
- Any expenses which are its (the Council's) special expenses and were taken into account by it in making that calculation.

Section 35(2)(d) defines further 'Special Expenses' as:

“any expenses incurred by a billing authority in performing in a part of its area a function performed elsewhere in its area by the sub-treasurer of the Inner Temple, the under-treasurer of the Middle Temple, a parish or community council or the chairman of a parish meeting are the authority's special expenses unless a resolution of the authority to the contrary effect is in force”

In order for expenses incurred in performing any function of a district council to be special expenses the function must be carried out by the district in only part of its area, and the same function must be carried out in another part of the district by one or more parish councils. The detailed identification of concurrent functions is therefore essential for using this special expenses provision.

One of the reasons behind the special expenses regime is to allow a more equitable division of council expenses for council taxpayer funded services so that those receiving the benefit of certain services in a particular area are those who pay for them through their precept and do not pay twice for similar services carried out in any areas where there is not a parish or town council so as to avoid “double taxation” for the relevant services.

The power to charge special expenses is discretionary and in order for it to apply there must be a resolution of the billing authority in force. As the resolution has to refer to the matters which will be special expenses for these purposes the resolution will need to identify which function related activities will be included within the calculation.

Special Expenses must be applied consistently throughout a billing authority's area. There is no discretion to make selective application to some parts of the borough only.

This page is intentionally left blank

Special Expenses 2017/18

Local area	Closed churchyards £	Open spaces, parks & play areas £	Sportsgrounds £	Local events £	Allotments £	Total £	Tax base	Amount per band D property £
Tonbridge	10,750	174,838	433,000	47,110	10,750	676,448	13,408.94	50.45
Addington		1,752				1,752	386.67	4.53
Aylesford		9,173				9,173	4,098.45	2.24
Birling		1,004				1,004	198.15	5.07
Borough Green		1,240				1,240	1,616.04	0.77
Burham						0	450.02	0.00
Ditton		1,646				1,646	1,767.75	0.93
East Malling & Larkfield		26,363				26,363	4,931.70	5.35
East Peckham		610				610	1,279.50	0.48
Hadlow						0	1,498.29	0.00
Hydenborough						0	2,186.01	0.00
Langtham						0	1,093.73	0.00
Longs Hill						0	3,904.69	0.00
Lybourne		27,970				27,970	1,637.81	17.08
Mereworth		30				30	429.67	0.07
Offham						0	373.12	0.00
Platt		1,237				1,237	882.67	1.40
Plaxtol						0	584.11	0.00
Ryarsh						0	310.98	0.00
Shipbourne						0	251.80	0.00
Snodland		19,417				19,417	3,543.42	5.48
Stansted						0	258.42	0.00
Trottiscliffe						0	266.83	0.00
Wateringbury		1,938				1,938	882.45	2.20
West Malling		357		2,471		2,828	1,111.40	2.54
West Peckham						0	176.29	0.00
Wouldham		3,552				3,552	486.88	7.30
Wrotham		1,801				1,801	863.09	2.09
Total	10,750	272,928	433,000	49,581	10,750	777,009	48,878.88	

This page is intentionally left blank

Parish council precepts

Precept for 2016/17 £	Parish council	Precept for 2017/18 £	Tax base	Amount per band D property £	Per band D variation %
18,926.99	Addington	23,000.00	386.67	59.48	20.3
177,374.00	Aylesford	223,000.00	4,098.45	54.41	20.7
8,772.00	Birling	9,262.00	198.15	46.74	4.4
153,466.00	Borough Green	165,125.00	1,616.04	102.18	2.0
19,441.82	Burham	25,061.82	450.02	55.69	26.3
208,386.00	Ditton	264,923.00	1,767.75	149.86	25.0
232,286.00	E. Malling & Larkfield	282,000.00	4,931.70	57.18	19.4
112,951.00	East Peckham	139,950.00	1,279.50	109.38	22.3
80,229.00	Hadlow	110,475.00	1,498.29	73.73	36.4
54,111.00	Hildenborough	66,441.00	2,186.01	30.39	21.6
106,317.00	Ightham	116,949.00	1,093.73	106.93	10.1
240,467.00	Kings Hill	279,138.00	3,904.69	71.49	14.6
114,816.00	Leybourne	136,903.00	1,637.81	83.59	10.0
11,947.22	Mereworth	27,520.00	429.67	64.05	124.0
16,528.75	Offham	20,415.00	373.12	54.71	23.7
62,000.00	Platt	70,000.00	882.67	79.30	9.5
24,664.00	Plaxtol	38,229.00	584.11	65.45	52.1
14,289.88	Ryarsh	18,926.00	310.98	60.86	20.6
8,643.00	Shipbourne	10,195.00	251.80	40.49	17.5
256,224.00	Snodland	286,535.00	3,543.42	80.86	7.7
16,000.00	Stansted	22,260.00	258.42	86.14	31.1
13,000.00	Trottiscliffe	16,500.00	266.83	61.84	25.1
109,516.32	Wateringbury	77,441.78	882.45	87.76	(29.0)
73,993.00	West Malling	116,089.76	1,111.40	104.45	54.7
2,998.00	West Peckham	5,400.00	176.29	30.63	77.1
27,680.00	Wouldham	32,154.00	486.88	66.04	11.8
64,987.00	Wrotham	81,740.00	863.09	94.71	20.4
2,230,014.98	Total	2,665,633.36	35,469.94		

This page is intentionally left blank

GENERAL FUND WORKING BALANCE

Balance at 1.4.2016		£1,250,000
---------------------	--	------------

Balance at 31.3.2018		£1,250,000
----------------------	--	------------

GENERAL REVENUE RESERVE

	£	£
Balance 1.4.2016		5,039,954
Budgeted to be transferred to the Reserve	474,500	
Decrease on Original Estimate	391,250	
		865,750
Estimated Balance at 1.4.2017		5,905,704
Contribution to the Reserve 2017/18		434,500
Estimated Balance at 31.3.2018		6,340,204

This page is intentionally left blank

**STATEMENT ON THE ROBUSTNESS OF THE ESTIMATES
AND THE ADEQUACY OF THE RESERVES**

Introduction

This statement is given in respect of the 2017/18 Budget Setting Process for Tonbridge and Malling Borough Council. I acknowledge my responsibility for ensuring the robustness of the estimates and the adequacy of the reserves as part of this process. The budget has been prepared within the context of a Medium Term Financial Strategy (MTFS) spanning a ten-year period.

The MTFS sets out the high level financial objectives the Council wishes to fulfil over the agreed time span. This includes achieving a balanced revenue budget by the end of the strategy period and to retain a minimum of £2m in the General Revenue Reserve by the end of the strategy period. The MTFS also sets out, based on current financial information, not only the projected budgets for the period, but also the levels of council tax that are projected to be required to meet the Council's spending plans.

By way of context, since 2010/11 the Council has seen its core funding decrease by £4.3m from £6.6m to £2.3m in 2017/18, or 65% with further cuts planned in future years. Indeed, indicative figures up to 2019/20 suggest that core funding at that time will be £1.3m. The fall in core funding is in part negated by the grant award under the New Homes Bonus (NHB) scheme which in 2017/18 is around £3.5m. However, recent changes to the scheme will see NHB allocations fall year on year, as the changes work their way through the system, such that by 2021/22 it is estimated that NHB could be in the order of £1.4m. This gives overall grant funding at that time of circa £2.8m compared to the £6.6m received some ten years earlier.

It can be seen from the above that the ongoing reduction in government grant funding has and continues to place ever increasing pressure on the Council's finances and, in turn, financial sustainability. Based on the indicative figures provided by the government in the local government finance settlement 2017/18, amongst other things, latest projections point to a 'funding gap' between expenditure and income of circa £1.6m to be addressed over the short to medium term. We do believe that our MTFS is resilient and the financial pressures likely to confront us can be addressed in a measured and controlled way, but with ever increasing pressure this is becoming progressively more difficult.

It is clear from what is undoubtedly a significant financial challenge some difficult choices will have to be made. Alongside the MTFS now sits a Savings and Transformation Strategy. Its purpose, to provide structure, focus and direction in addressing the significant financial challenge that lies ahead and, in so doing, recognise there is no one simple solution and we will need to adopt a number of ways to deliver the savings within an agreed timetable.

Robustness of Estimates

The aim of the Medium Term Financial Strategy is to give us a realistic and sustainable plan that reflects the Council's priorities and takes us into the future. It is a Strategy that is adopted by Members of the Council alongside the Budget for 2017/18 to provide a forward looking context for the consideration of the budget year ahead. It also provides the Council's Corporate Management Team with a tool for strategic financial planning and decision making.

Underneath the Strategy sits detailed estimates formulated in conjunction with Service Managers who carry responsibility of delivering their area of service within budget provision. The estimates take into account past outturn, current spending plans and likely future demand levels / pressures.

Factors taken into account for the 2017/18 Budget Setting Process and in developing the Strategy are:

Corporate Strategy	The Council's financial plans should be in support of its strategic priorities and objectives set out in overview in the recently updated Corporate Strategy . The Strategy sets out Our Vision: <i>To be a financially sustainable Council that delivers good value services, provides strong and clear leadership and, with our partners, addresses the needs of our Borough</i> guided by the following core values: Taking a business-like approach; Promoting fairness; Embracing effective partnership working; and Valuing our environment and encouraging sustainable growth.
Consultation with Non-Domestic Ratepayers	The Council consults representatives of its non-domestic ratepayers about its expenditure proposals who may make written representations if they deem it appropriate. No such representations have been received.
The level of funding likely from Central Government towards the costs of local services	Our Settlement Funding Assessment (SFA) for 2017/18 is £2,266,733. Indicative figures have also been provided up to 2019/20 where our SFA in that year is projected to be £1,299,311, a cash decrease of £1,597,085 or 55.1% compared to 2016/17. Beyond 2019/20 it is assumed that our SFA will increase by 2% year on year.
New Homes Bonus	Our New Homes Bonus (NHB) for 2017/18 is £3,485,053. Recent changes to the scheme will see NHB allocations fall year on year, as the changes work their way through the system, such that by 2021/22 it is estimated that NHB could be in the order of £1.4m. It is assumed this figure increases each year thereafter, but remains at risk to further reductions over the period of the MTFS.

	This gives overall grant funding at that time of circa £2.8m compared to £5.8m in 2017/18.
Business Rates	For medium term financial planning purposes beyond 2017/18 we assume that the business rates baseline attributed to Tonbridge and Malling under the Business Rates Retention Scheme is not notably different to the actual business rates income. If our actual income is less than the baseline set the authority will have to meet a share of that shortfall up to a maximum of circa £161,000 in 2017/18. This figure increases each year in line with inflation.
Council Tax Base	The Council Tax Base for 2017/18 is 48,878.88 band D equivalents with an expectation that this will increase by 4,500 over the strategy period, or 500 per year.
Local Referendums to Veto Excessive Council Tax Increases	The Secretary of State will determine a limit for council tax increases which for 2017/18 has been set at 2%, or more than 2% and more than £5. If an authority proposes to raise council tax above this limit they will have to hold a referendum to get approval for this from local voters who will be asked to approve or veto the rise. Due regard has been taken of the guidelines issued by the Secretary of State. The MTFs reflects an increase in council tax of £5 each year up to 2022/23 and thereafter assumes a 3% increase year on year.
The Prudential Code and its impact on Capital Planning	Tonbridge and Malling is a debt-free authority and projections suggest that recourse to borrowing to fund capital expenditure is unlikely before 2020/21. A key objective of the Prudential Code is to ensure, within a clear framework, the capital investment plans of local authorities are affordable, prudent and sustainable.
The Council's Capital Strategy and Capital Plan	Other than funding for the replacement of our assets which deliver services as well as recurring capital expenditure, there is now an annual capital allowance for all other capital expenditure. That allowance is set at £200,000 (maximum) whilst the Council has sufficient funding in its capital reserves.
Treasury Management	A Treasury Management and Annual Investment Strategy is adopted by the Council each year as required by the Local Government Act 2003 as part of the budget setting process. The Strategy sets out the Council's policies for managing its investments and for giving priority to the security and liquidity of those investments. Council adopted the December 2009 edition of the CIPFA Treasury Management Code of Practice and Cross-Sectoral Guidance Notes on 18 February 2010 and due regard has also been given to subsequent revisions in preparing the Treasury Management and Annual Investment Strategy for 2017/18.
Interest Rates	Interest returns on the Council's 'core funds' have been set at 0.6% in 2017/18 rising gradually to 4.0% over the

	<p>medium term. In setting these rates due regard has been taken of the interest rate forecasts of the Council's independent Treasury Adviser, Capita Services. To put this into context, 0.25 of a percentage point would currently generate investment income on our 'core funds' of about £57,500. Conversely, a dip in investment returns would have a negative impact on the Council's budget. The Council has chosen to retain a minimum of £2m in its General Revenue Reserve in order to deal with, amongst other things, interest rate volatility.</p>
Adequacy of Reserves	<p>At the beginning of 2017/18, we anticipate that the General Revenue Reserve balance will be £5.9m. The Adequacy of Reserves is discussed in more detail below.</p>
Pay and Price Inflation	<p>The estimates provide for a 1% pay award in 2018/19 and 2019/20 and 2% in subsequent years. Estimates reflect price inflation of 4% in 2018/19 and 3% in 2019/20 and 2% in subsequent years.</p>
Fees and Charges	<p>As has been the practice for a number of years now the objective has been to maximise income, subject to market conditions, opportunities and comparable charges elsewhere.</p>
Emerging Growth Pressures and Priorities	<p>The projections within the Medium Term Financial Strategy include all known and quantified priorities and growth pressures that we are aware of at the present time. New priorities and growth pressures will undoubtedly emerge over the period and in consequence, the Strategy will be updated at least annually.</p>
Financial Management	<p>The Council's financial information and reporting arrangements are sound and its end of year procedures in relation to budget under / overspends clear. Collection rates for council tax and NNDR remain good. Our external auditor (Grant Thornton UK LLP) following the 2016 audit concluded that the Council continues to have a robust financial planning framework; and continues to address the significant financial pressures faced in a structured way, with the introduction of a comprehensive Savings and Transformation Strategy and planned "tranches" of savings to allow time for effective project planning and implementation.</p>
Insurance Arrangements and Business Continuity	<p>Risks identified via the preparation of Service / Section Risk Registers have wherever possible been reduced to an acceptable level. Any remaining risk has been transferred to an external insurance provider. In addition, specific arrangements are in place to ensure the continuity of business in the event of both major and minor disruptions to services. As insurance premiums are reactive to the external perception of the risks faced by local authorities and to market pressures, both risks and excess levels are kept under constant review. The</p>

	Council recognises that not all risks are financial; and takes into account all risks when making decisions.
Corporate Governance and Risk Management	The Council has adopted a Local Code of Corporate Governance which is the subject of review following an update to the CIPFA/SOLACE Corporate Governance framework on which it is based. This incorporates Risk Management and the Council is committed to a Risk Management Strategy involving the preparation of Risk Registers at both strategic and operational levels.
Equality Impact Assessments	Where there are deemed to be equality issues as a result of adjustments to revenue budgets a separate equality impact assessment has or will be undertaken at the appropriate time. In addition, an equality impact assessment is undertaken and reported to Members prior to commencement of a new capital plan scheme.
Partnership Working	The Council is working in partnership with its neighbouring councils with the aim of not only delivering savings through joint working, but also to improve resilience and performance.
Government Led Initiatives / Proposals	Continued public sector finance cuts; Welfare Reform and cessation of the administration of housing benefits over a transitional period in the lead up to the introduction of Universal Credit; the sustainability of the NHB scheme and what will follow; the ongoing impact of the localisation of council tax support; the business rates retention scheme; and proposals to transfer the Land Charges function to HM Land Registry and to devolve the setting of planning fees will impact on the Council's finances in-year and over the medium to longer term. The increased volatility and uncertainty attached to a number of these issues is such that financial planning is becoming increasingly difficult with the increased risk of significant variances compared to projections. As a result we will need to closely monitor the impact of these issues on the Council's finances at regular intervals.
Savings Initiatives	The Council has a significant challenge ahead in respect of delivering savings over the short to medium term with a current projected funding gap of circa £1.6m. It should also be noted depending on what happens to NHB further savings could be required. The Council is able to break these savings down into "tranches" to enable more measured steps to be taken in securing these savings. In the coming months, options to deliver a further tranche/s of the required savings will need to be considered, agreed and actioned under the framework set out in the Savings and Transformation Strategy. In addition, the Management Team will continue to seek efficiency savings in the delivery of existing services.

These assumptions and changing circumstances will require the Strategy to be reviewed and updated at least annually.

Two key questions remain to be answered.

What will our business rates baseline be on the implementation of 100% business rates retention; and

Where, and to what extent, does NHB feature in future government funding?

The answers to these questions are fundamental for the ongoing financial planning for this Council.

Adequacy of Reserves

The minimum prudent level of reserves that the Council should maintain is a matter of judgement. It is the Council's safety net for unseen or other circumstances. The minimum level cannot be judged merely against the current risks facing the Council as these can and will change over time. The objective is to retain a minimum of £2 million in the General Revenue Reserve by the end of the strategy period and given below are areas of operational and financial risk (not exhaustive) considered in determining the appropriate minimum level.

- Brexit
- Interest Rate volatility
- Income volatility
- Change to Government Grant including New Homes Bonus
- Identified savings not being delivered in the required timescales
- Localisation of council tax support
- Business rates retention scheme and associated volatility of income
- Planning Inquiries
- Partnership Working
- Emergencies
- Economic and world recession
- Poor performance on Superannuation Fund
- Bankruptcy / liquidation of a major service partner
- Closure of a major trading area, e.g. leisure centre for uninsured works
- Problems with computer systems causing shortfall or halt in collection performance

- Government Legislation
- Ability to take advantage of opportunities
- Uninsured risks

Clearly, the minimum General Revenue Reserve balance needs to and will be kept under regular review. The General Revenue Reserve balance at 31 March 2027 is estimated to be £3.344m based on an increase in council tax of £5 for 2017/18 with the Council working to a balanced budget.

In addition, a number of Earmarked Reserves exist to cover items that will require short-term revenue expenditure in the near future.

The Revenue Reserve for Capital Schemes is established to finance future capital expenditure. A funding statement illustrates that recourse to borrowing to fund capital expenditure is unlikely before 2020/21. The Revenue Reserve for Capital Schemes balance at 31 March 2023 is estimated to be £2.034m.

A schedule of the reserves held as at 1 April 2016 and proposed utilisation of those reserves to 31 March 2018 is provided in Annex 17 Table A.

Balances held generate interest receipts which support, underpin and contribute towards meeting the objectives of the Strategy.

Opinion

I am of the opinion that the approach taken in developing the 2017/18 budget meets the requirements contained in the Local Government Act 2003 to ensure the robustness of the estimates and the adequacy of the reserves.

Signed: 

Date: 9 February 2017

Director of Finance and Transformation, BSc (Hons) FCPFA

This page is intentionally left blank

RESERVES ESTIMATE 2017/18

Annex 17 - Table A

Description	Balance as at	Estimated Contribution		Estimated	Estimated Contribution		Estimated
	1 April 2016	From	To	Balance as at	From	To	Balance as at
	£	£	£	£	£	£	£
General Revenue Reserve	5,039,954		865,750	5,905,704		434,500	6,340,204
Revenue Reserve for Capital Schemes	6,582,016	1,144,000	526,000	5,964,016	2,129,000	932,000	4,767,016
Building Repairs Reserve	405,223	830,550	675,000	249,673	758,350	575,000	66,323
Earmarked Reserves							
Democratic Representation	22,013	2,000		20,013			20,013
Special Projects	925,029	8,900		916,129	13,900		902,229
Local Development Framework	148,668	10,000	55,850	194,518	30,000	45,000	209,518
Election	113,179		25,000	138,179		25,000	163,179
Planning Inquiries	27,153	20,000		7,153	7,153		0
Asset Review	98,586	21,000		77,586			77,586
Training & IiP Accreditation	22,813			22,813			22,813
Road Closures	7,362			7,362			7,362
Supporting People	53,200			53,200			53,200
Community Development	35,434	35,434		0			0
Invest to Save	152,453	218,850	500,000	433,603	200,000		233,603
Economic Development	52,508	21,000		31,508			31,508
Housing & Welfare Reform	18,430	18,430		0			0
Tonbridge and Malling Leisure Trust	181,470			181,470			181,470
Housing Assistance	200,000	10,000		190,000	10,000		180,000
Flood Recovery & Defence	25,000	25,000		0			0
Business Rates Retention Scheme	2,313,706	2,000,000		313,706			313,706
Public Health	50,341			50,341			50,341
Transformation	78,000		62,000	140,000			140,000
	4,525,345	2,390,614	642,850	2,777,581	261,053	70,000	2,586,528
Total	16,552,538	4,365,164	2,709,600	14,896,974	3,148,403	2,011,500	13,760,071

This page is intentionally left blank

Tonbridge & Malling Borough Council**Calculation of Council Tax Requirement for the year 2017/18 including sums required to meet Special Expenses and Parish Council Precepts****Draft Resolution**

That the following amounts be now calculated by the Council for the year 2017/18 in accordance with Section 31A of the Local Government Finance Act 1992:-

		£
(a)	Aggregate of the amounts which the Council estimates for the items set out in Section 31A (2) N.B. Includes Special Expenses and Parish Council Precepts	85,616,532
(b)	Aggregate of the amounts which the Council estimates for the items set out in Section 31A (3) N.B. Includes Local Government Finance Settlement	73,296,869
(c)	Calculation under Section 31A (4), being the amount by which the aggregate at (a) above exceeds the aggregate at (b) above	----- 12,319,663 -----

<u>Memorandum:-</u>	
	£
Borough Council	8,877,021
Special Expenses	777,009
Parish Council Precepts	2,665,633

Total	12,319,663

This page is intentionally left blank

TONBRIDGE & MALLING BOROUGH COUNCIL

CABINET

09 February 2017

Report of the Chief Executive, Director of Finance and Transformation, Leader of the Council and Cabinet Member for Finance, Innovation and Property

Part 1- Public

Matters for Recommendation to Council

1 SETTING THE COUNCIL TAX 2017/18

This report takes Cabinet through the process of setting the level of Council Tax for the financial year 2017/18 and seeks Cabinet's recommendations.

1.1 Introduction

1.1.1 The legislative framework for the setting of Council Tax is Chapter III of the Local Government Finance Act 1992. Section 30 requires that for each financial year and for each category of dwelling in its area, a billing authority shall set an amount of Council Tax.

1.1.2 The amount set will be the aggregate of the amount set by the billing authority under Sections 31A and 36 of the Act and the amounts set by major precepting authorities under Sections 42A, 42B and 45 to 47 of the Act.

1.2 Amounts of Council Tax to be set by the Billing Authority

1.2.1 The process is that, having determined the billing authority's tax requirement, this sum is initially divided by the tax base to determine the overall level of tax, inclusive of special expenses from 1 April 2017 and parish precepts. The tax base for 2017/18 is set out at **[Annex 1]** for information.

1.2.2 The resultant figure represents an average charge within the Borough for both Borough and Parish Council requirements. As part of the statutory process, this average is recorded on the Council's council tax resolution, which we refer to later. As Cabinet is aware, however, the average charge does not apply to any of the areas within the Borough other than by coincidence. In order to calculate the levels of tax for each of the areas within the Borough, it is necessary to determine the basic level of Council Tax that will apply to the whole of the Borough, and then calculate the additional charges relating to particular areas. This process determines the tax for Band D properties in each of those areas.

- 1.2.3 The tax for the full range of Band A to H properties is then established by using the ratios for each of the Bands as they relate to Band D. The relevant statutory ratios are as follows:

Table 1 - Band Ratio Relative to Band D

Band	Ratio to Band D
A	6/9
B	7/9
C	8/9
D	9/9
E	11/9
F	13/9
G	15/9
H	18/9

- 1.2.4 The level of tax set by the major precepting authorities, Kent County Council, The Police & Crime Commissioner for Kent and the Kent & Medway Fire & Rescue Authority, is then added to establish the overall tax for each band in each part of the area.

1.3 Kent County Council / The Police & Crime Commissioner for Kent / Kent & Medway Fire & Rescue Precepts

- 1.3.1 The Police & Crime Commissioner for Kent precept and level of Council Tax was considered at a meeting on 2 February and we await confirmation of the outcome.
- 1.3.2 Kent County Council's Cabinet meeting took place on 23 January, at which a recommendation concerning its precept was made. The County Council's full Council meeting to confirm the precept is to be held on 9 February.
- 1.3.3 The Kent & Medway Fire & Rescue Authority's precept and level of Council Tax is due to be agreed on 13 February.

1.4 Draft Resolution

- 1.4.1 Attached at **[Annex 2]** is a draft resolution which seeks to identify for Cabinet the processes which have to be undertaken to arrive at the levels of Council Tax applicable to each part of the Borough. The parts in bold type seek to explain each calculation.

- 1.4.2 The resolution itself, incorporating the Borough Council's budget and Parish Council precept information and council tax levels for all major precepting authorities, will be presented to the meeting of the Council on 14 February 2017.

1.5 Legal Implications

- 1.5.1 There are a number of legislative requirements to consider in setting the Budget which will be addressed as we move through the budget cycle.
- 1.5.2 The Localism Act introduced a requirement for council tax referendums to be held if an authority increases its relevant basic amount of council tax in excess of principles determined by the Secretary of State and approved by the House of Commons.

1.6 Financial and Value for Money Considerations

- 1.6.1 As set out above.

1.7 Risk Assessment

- 1.7.1 The Local Government Act 2003 requires the Chief Financial Officer, when calculating the Council Tax Requirement, to report on the robustness of the estimates included in the budget and the adequacy of the reserves for which the budget provides. Consideration will and is given to the risks associated with any budget setting process where various financial and other assumptions have to be made. To mitigate the risks detailed estimates are formulated in conjunction with Services taking into account past outturn, current spending plans and likely future demand levels / pressures and external guidance on assumptions obtained where appropriate.
- 1.7.2 Under the provisions of the Localism Act, any increase in the relevant basic amount of council tax above the principles, however small, will require a referendum to be held which is a risk in itself.

1.8 Equality Impact Assessment

- 1.8.1 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.

1.9 Recommendations

- 1.9.1 Cabinet is asked to **note** the resolution, and **make recommendations to** Council as appropriate.

Background papers:

Nil

contact: Sharon Shelton
Neil Lawley

Julie Beilby
Chief Executive

Sharon Shelton
Director of Finance and Transformation

Nicolas Heslop
Leader of the Council

Martin Coffin
Cabinet Member for Finance, Innovation and Property

COUNCIL TAX - TAX BASE FOR 2017/18

Parish	Tax Base
	Band D Equivalents
ADDINGTON	386.67
AYLESFORD	4,098.45
BIRLING	198.15
BOROUGH GREEN	1,616.04
BURHAM	450.02
DITTON	1,767.75
EAST MALLING & LARKFIELD	4,931.70
EAST PECKHAM	1,279.50
HADLOW	1,498.29
HILDENBOROUGH	2,186.01
IGHTHAM	1,093.73
KINGS HILL	3,904.69
LEYBOURNE	1,637.81
MEREWORTH	429.67
OFFHAM	373.12
PLATT	882.67
PLAXTOL	584.11
RYARSH	310.98
SHIPBOURNE	251.80
SNODLAND	3,543.42
STANSTED	258.42
TROTTISCLIFFE	266.83
WATERINGBURY	882.45
WEST MALLING	1,111.40
WEST PECKHAM	176.29
WOULDHAM	486.88
WROTHAM	863.09
TONBRIDGE	13,408.94
TOTAL	48,878.88

This page is intentionally left blank

COUNCIL TAX**DRAFT RESOLUTION**

Blank version of the Council Tax Resolution (except for Band D equivalents). Explanatory text is provided in Bold Italics.

1. It be noted that on 14th February 2017 the Council calculated:
- (a) the Council Tax Base 2017/18 for the whole Council area as 48,878.88 [Item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended (the "Act")] and,
- (b) for dwellings in those parts of its area to which one or more special items (Special expenses and or a Parish precept) relates as follows:

Tonbridge	13,408.94
Addington	386.67
Aylesford	4,098.45
Birling	198.15
Borough Green	1,616.04
Burham	450.02
Ditton	1,767.75
East Malling & Larkfield	4,931.70
East Peckham	1,279.50
Hadlow	1,498.29
Hildenborough	2,186.01
Ightham	1,093.73
Kings Hill	3,904.69
Leybourne	1,637.81
Mereworth	429.67
Offham	373.12
Platt	882.67
Plaxtol	584.11
Ryarsh	310.98
Shipbourne	251.80
Snodland	3,543.42
Stansted	258.42
Trottscliffe	266.83
Wateringbury	882.45
West Malling	1,111.40
West Peckham	176.29
Wouldham	486.88
Wrotham	863.09

2. £ X,XXX,XXX being the Council Tax requirement for the Council's own purposes for 2017/18 (excluding Parish precepts).

Explanatory Notes

1(a) This figure represents the council tax base expressed in Band D equivalents for the whole Tonbridge and Malling area.

1(b) These figures represent the tax base expressed in Band D equivalents for Tonbridge and each Parish.

The tax base for the whole borough, Tonbridge and for each area (Parish) as determined by the Council's Chief Financial Officer.

2 This figure represents the amount of council tax required to support the Council's revenue budget for the year.

3. That the following amounts be calculated for the year 2017/18 in accordance with Sections 31 to 36 of the Act:

- (a) £ XX,XXX,XXX being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils.
- (b) £ XX,XXX,XXX being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
- (c) £ XX,XXX,XXX being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act).
- (d) £ XXX.XX being the amount at 3(c) above (Item R), all divided by Item T (1(a) above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year including Parish precepts.
- (e) £ X,XXX,XXX being the aggregate amount of all special items (Special expenses and Parish precepts) referred to in Section 34(1) of the Act.
- (f) £ XXX.XX being the amount at 3(d) above less the result given by dividing the amount at 3(e) above by Item T (1(a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no special items relate (this is the Council Tax for General Expenses to which Special expenses and Parish precepts are added as applicable).

(g) <u>Part of the Council's area</u>	Band D £
Tonbridge	XXX.XX
Addington	XXX.XX
Aylesford	XXX.XX
Birling	XXX.XX
Borough Green	XXX.XX
Burham	XXX.XX
Ditton	XXX.XX
East Malling & Larkfield	XXX.XX
East Peckham	XXX.XX
Hadlow	XXX.XX
Hildenborough	XXX.XX
Ightham	XXX.XX
Kings Hill	XXX.XX
Leybourne	XXX.XX
Mereworth	XXX.XX
Offham	XXX.XX
Platt	XXX.XX
Plaxtol	XXX.XX
Ryarsh	XXX.XX
Shipbourne	XXX.XX
Snodland	XXX.XX
Stansted	XXX.XX
Trottscliffe	XXX.XX
Wateringbury	XXX.XX
West Malling	XXX.XX
West Peckham	XXX.XX
Wouldham	XXX.XX
Wrotham	XXX.XX

being the amounts given by adding to the amount at 3(f) above the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned above divided in each case by the amount at 1(b) above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its council tax for the year for dwellings in those parts of its area to which one or more special items (Special expenses and Parish precepts) relate.

Explanatory Notes

3(a) The Council's gross expenditure including special expenses, parish precepts and any deficit on the Collection Funds brought forward.

3(b) The Council's gross income including the amount of NNDR and Revenue Support Grant the Council will receive, plus any surplus on the Collection Funds brought forward.

3(c) The council tax requirement including special expenses and parish precepts.

3(d) The council tax requirement including special expenses and parish precepts divided by the tax base from 1(a) to give the basic amount of Council Tax. (N.B. This is an average inclusive of special expenses and parish precepts for each part of the borough).

3(e) The total amount of all parish precepts and special expenses.

3(f) The amount of Council Tax excluding parish precepts and special expenses that applies to each part of the borough.

3(g) The amounts of Council Tax which are set for each part of the borough to meet both borough and parish requirements including special expenses.

(h)

Valuation Bands

<u>Part of the Council's area</u>	A £	B £	C £	D £	E £	F £	G £	H £
Tonbridge	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX
Addington	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX
Aylesford	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX
Birling	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX
Borough Green	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX
Burham	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX
Ditton	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX
East Malling & Larkfield	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX
East Peckham	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX
Hadlow	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX
Hildenborough	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX
Ightham	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX
Kings Hill	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX
Leybourne	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX
Mereworth	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX
Offham	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX
Platt	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX
Plaxtol	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX
Ryarsh	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX
Shipbourne	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX
Snodland	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX
Stansted	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX
Trottscliffe	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX
Wateringbury	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX
West Malling	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX
West Peckham	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX
Wouldham	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX
Wrotham	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX

being the amounts given by multiplying the amounts at 3(g) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

Explanatory Notes

3(h) The amounts of Council Tax set for each part of the borough, to meet both borough and parish requirements including special expenses.

4. That it be noted that for the year 2017/18 The Police & Crime Commissioner for Kent, the Kent & Medway Fire & Rescue Authority and the Kent County Council have stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:

<u>Precepting Authority</u>	<u>Valuation Bands</u>							
	A £	B £	C £	D £	E £	F £	G £	H £
The Police & Crime Commissioner for Kent	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX
Kent & Medway Fire & Rescue Authority	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX
Kent County Council	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX	XXX.XX

5. That, having calculated the aggregate in each case of the amounts at 3(h) and 4. above, the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the following amounts as the amounts of council tax for the year 2017/18, for each of the categories of dwellings shown below:

<u>Part of the Council's area</u>	<u>Valuation Bands</u>							
	A £	B £	C £	D £	E £	F £	G £	H £
Tonbridge	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX
Addington	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX
Aylesford	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX
Birling	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX
Borough Green	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX
Burham	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX
Ditton	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX
East Malling & Larkfield	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX
East Peckham	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX
Hadlow	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX
Hildenborough	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX
Ightham	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX
Kings Hill	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX
Leybourne	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX
Mereworth	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX
Offham	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX
Platt	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX
Plaxtol	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX
Ryarsh	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX
Shipbourne	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX
Snodland	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX
Stansted	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX
Trottscliffe	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX
Wateringbury	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX
West Malling	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX
West Peckham	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX
Wouldham	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX
Wrotham	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX	X,XXX.XX

Explanatory Notes

- 4 **The Council Tax set by The Police & Crime Commissioner for Kent, Fire Authority and KCC for each band.**
- 5 **The total Council Tax the Borough Council sets for each band in each part of the borough, inclusive of the KCC, KMFR, The Police & Crime Commissioner for Kent, borough and parish requirement.**

Item SSE 16/11 referred from Street Scene and Environment Services Advisory Board minutes of 7 November 2016

SSE 16/11 REVIEW OF FEES AND CHARGES

The joint report of the Director of Street Scene, Leisure and Technical Services, the Director of Planning, Housing and Environmental Health and the Director of Finance and Transformation set out proposed fees and charges for the provision of services in respect of food certificates, contaminated land monitoring, private water supplies, pest control, stray dog redemption fees, household bulky refuse and fridge/freezer collections, "missed" refuse collections and the Council's car parks from April 2017.

In bringing forward the proposals for 2017/18, it was noted that consideration had been given to a range of factors including the Council's overall financial position, trading patterns, the current rate of inflation, competing facilities and customer demand. Particular reference was made to the comprehensive review of car parking charges undertaken at the beginning of 2016 and the conclusion that no further changes be made but the position be reviewed again in 12 months' time.

RECOMMENDED: That Cabinet approve the scale of charges for mandatory condemned food certificates, exported food certificates, contaminated land monitoring, sampling private water supplies, stray dog redemption fees, household bulky refuse and fridge/freezer collection, "missed" refuse collection and car parking charges with effect from 1 April 2017, as detailed in the report to the Advisory Board.

***Referred to Cabinet**

This page is intentionally left blank

TONBRIDGE & MALLING BOROUGH COUNCIL

STREET SCENE & ENVIRONMENT SERVICES ADVISORY BOARD

07 November 2016

**Joint Report of the Director of Street Scene, Leisure and Technical Services,
Director of Planning, Housing and Environmental Health and Director of Finance
and Transformation.**

Part 1- Public

Matters for Recommendation to Cabinet - Key Decision

1 REVIEW OF FEES AND CHARGES

Summary

This report sets out the proposed fees and charges for the provision of services in respect of food certificates, contaminated land monitoring, Private Water Supplies, pest control, stray dog redemption fees, household bulky refuse & Fridge/freezer collections, “Missed” Refuse collections and the Council’s car parks from April 2017.

1.1 Introduction

1.1.1 In bringing forward the charging proposals for 2017/18 consideration has been given to a range of factors, including the Council’s overall financial position, market position, trading patterns, the current rate of inflation, competing facilities and customer feedback.

1.1.2 The proposed charges for 2017/18 have also taken into account the set of guiding principles for the setting of fees and charges approved by Members of the Finance, Innovation and Property Advisory Board and reproduced below for the benefit of the Board:

- 1) Fees and charges should reflect the Council's key priorities and other corporate aims and priorities recognising there may be trade-offs as these are not mutually exclusive.
- 2) Fees and charges should have due regard to the Council's Medium Term Financial Strategy.
- 3) If there is to be a subsidy from the council tax payer to the service user this should be a conscious choice.
- 4) The Council should look to maximise income subject to market conditions, opportunities and comparable charges elsewhere, in the context of its key priorities and other corporate aims and priorities.

- 5) Fees and charges should normally be reviewed at least annually (unless fixed by statute or some other body).
- 6) Fees and charges should not be used to provide a subsidy from the council tax payer to commercial operators.
- 7) There should be consistency between charges for similar services.
- 8) Concessions for services should follow a logical pattern so as not to preclude, where appropriate, access to Council services on the grounds of ability to pay.

1.2 Condemned Food Certificates

1.2.1 This is a service available to food businesses in the borough which properly controls the safe surrender and disposal of food deemed by environmental health staff as unfit for human consumption. The service continues to reflect legislative requirements for stricter controls and is based on total cost recovery. The proposed charges, as set out below, continue to reflect this approach and to reflect the Council's Budget Strategy.

1.2.2 Recent years have seen a significant decline in the number of certificates requested. The lower income rate is reflected in the revised and estimated revenue budgets.

Service	Current Charge	Recommended Charge	Income Full Year 2017/18
For each Condemned Food Certificate issued	£135 for first hour plus £135 for each additional hour plus VAT	£140 for first hour plus £140 for each additional hour plus VAT	£140

For comparable purposes, Dartford charge £160.00 + VAT minimum charge for maximum of 2 hours. Sevenoaks District Council has not been required to issue any for a number of years. Gravesham charge £100 + £25 per hour and any part of, for officer time.

1.3 Exported Food Certificates

1.3.1 This is a service provided by the Council for food exporters who export food outside the European Union. In this instance, authorising officers of the Borough Council certify that the food products being exported have been manufactured and held under hygienic conditions in accordance with the requirements of Regulation (EC) 852/2004 and The Food Safety & Hygiene (England) Regulations 2013. The premises are subject to regular inspection by Food and Safety Officers.

- 1.3.2 The level of demand for Exported Food Certificates that was identified in last year's report has been maintained, this year 19 certificates were issued, compared with 20 last year.
- 1.3.3 Within Kent authorities that have provided details of their charges Dover charge £50.00, Maidstone charge £121.80 + VAT. Sevenoaks District Council and Gravesham Borough Council have not been required to issue any for a number of years.
- 1.3.4 It is evident that throughout the Country there is a wide variation on the fees set for providing this service. Gloucester City Council make a charge of £26.79 per certificate; Liverpool £71.00 and East Riding £70.00.

Service	Current Charge	Recommended Charge	Income Full Year 2017/18
For each Exported Food Certificate issued	£45 plus VAT per certificate	£50 plus VAT per certificate.	£1000

- 1.3.5 Having explored a range of options on charging we are proposing a modest increase in the charge for each certificate issued of £5 which is based on cost recovery.

1.4 Contaminated Land

- 1.4.1 The Environmental Protection Act 1990 Part 2A requires local authorities to implement a system for the identification and remediation of land where contamination is causing a risk to human health or the wider environment because of historic or current uses.
- 1.4.2 The Environmental Protection Team provides a contaminated land information service or assessment of risk for which it currently makes a charge of £52 per hour in responding to these requests for information.
- 1.4.3 Guidance from the Information Commissioner advises that local authorities can make a reasonable charge. We have assumed that a reasonable charge includes the hourly rate of the officer responsible for providing information, on-costs and an administration charge.
- 1.4.4 The fee has been derived based upon comparison with other Kent local authorities. Sevenoaks charge £50, Maidstone BC; Thanet DC, Swale BC and Gravesham BC currently charge between £36 and £75 per hour. There is no maximum fee under the legislation.
- 1.4.5 We propose to apply a small increase to the current charge to reflect costs in responding to these requests for information, for which there has been a reduction in the number of requests being made.

Service	Current Charge	Recommended Charge	Income Full Year 2017/18
Responding to requests for information relating to contaminated land	£52.00 per hour (1 hour minimum charge)	£55.00 per hour (1 hour minimum charge)	£2,000

1.5 Private Water Supplies

- 1.5.1 The Private Water Supplies Regulations 2009 introduced a statutory and more onerous regime for the risk assessment and sampling of private water supplies.
- 1.5.2 In a report to this Board on 28 February, 2011 it was agreed to introduce a charge to recover the cost of officer's time. In addition, owners of private water supplies and private distribution networks will be charged for the cost of sample analysis.
- 1.5.3 We have reviewed the cost of providing this service and propose to apply a small increase to £47 per hour, plus the cost of sample analysis.
- 1.5.4 The fee has been derived based upon comparison with other Kent local authorities. Tunbridge Wells BC, Sevenoaks DC (£35), Medway, Dartford and Gravesham BC currently charge between £35 and £60 per hour. These charges are subject to a maximum limit which is set out under the Private Water Supplies (PWS) Regulations 2009.
- 1.5.5 As each private water supply is very different, the officer time for each visit/ risk assessment is difficult to quantify. The projected income for the year is based upon the officer's projected workload for the year, approximately 35 hours.

Service	Current Charge	Recommended Charge	Income Full Year 2017/18
Carrying out sampling and risk assessment of private water supplies	£47.00 per hour (1 hour minimum charge) plus VAT	£50.00 per hour (1 hour minimum charge) plus VAT	£1,750

1.6 Pest Control

- 1.6.1 The Council has a statutory duty to inspect the borough for the incidence of rats and mice and to take action where an infestation is found. This function is supported by statutory powers to serve notice on owners of land to take action to destroy rats and mice and/or prevent conditions likely to provide harbourage for pests.

- 1.6.2 The pest control service was reviewed and retendered in 2012 as a joint contract with Tunbridge Wells Borough Council. The current service provides a free treatment of rats, mice, cockroaches and bedbugs to those on Council Tax support only.
- 1.6.3 In all other cases, customers may be referred to Monitor Environmental Services to carry out a charged treatment. Alternatively, customers may arrange treatment direct with their own pest control company.
- 1.6.4 Numbers of service requests from those on Council Tax support are very small, with an estimated overall cost to the Council of £2,000 per annum. Having only recently reviewed the service provision, in the interests of public health and with very small numbers of service requests, it is not considered appropriate to change this arrangement.

1.7 Stray Dog Redemption Fees

- 1.7.1 The Environmental Protection Act 1990 prescribes that a person claiming to be the owner of a dog seized as a stray by the Council shall not be entitled to the return of the dog unless all the expenses incurred by reason of its detention, and such further amount as is for the time being prescribed, are met. The Environmental Protection (Stray Dogs) Regulations 1992 set down a prescribed redemption fee of £25 and provides for local authorities to recover their other reasonable expenses, in addition to any other expenses incurred, such as kennelling costs.
- 1.7.2 Where a dog is taken to kennels we charge the owner for the other reasonable expenses, associated with the costs of providing our Dog Warden contract and admin costs. This is presently set at £55. The total fee charged by the Council is therefore £80. We recommend that the contract & administration fee be increased this year to £60 with no formal waiver or discount, but we will continue to exercise discretion to allow payment by instalments. The proposed total charge of £85 is still within the range of those of neighbouring councils as below (2016/17 prices for illustration):

Maidstone B.C.	Sevenoaks D.C.	Tun. Wells B.C.
£45 within office hours £65 out of office hours £75 after midnight (including statutory fee, but not including kennelling fees)	£85 (including statutory fee, but not including kennelling fees)	£85 within office hours £120 out of office hours (including statutory fee, but not including kennelling fees)
No return direct to owner - all dogs taken to kennels	£25 return direct	No return direct to owner – all dogs taken to kennels

- 1.7.3 At present, where the Dog Warden returns a stray dog to the owner without the need for kennelling, a charge is made at the prescribed fee of £25. This rate was introduced, after agreement by this Board, in July 2009.

Service	Current Charge	Recommended Charge	Income Full Year 2017/18 (assuming number of claimed/returned dogs remains static)
Stray Dog Redemption Fee - Return Direct to owner	£25 (Statutory fee)	£25 (Statutory fee)	£1,025
Stray Dog Redemption Fee - Kennelling required	£80 (including statutory fee, but not including kennelling fees).	£85 (including statutory fee, but not including kennelling fees).	£9,690 (£570 additional income)

- 1.7.4 It is also worth noting that the Council has just received a RSPCA Gold Award for the fifth year running in recognition of the pro-active work carried out by the Dog Warden service relating to stray dogs. Full details of the award are included in the Waste & Street Scene Services update report later on this agenda.

1.8 Household Bulky Refuse & Fridge/Freezer Collection Service

- 1.8.1 A full review of charges for this service was reported to this board in February 2016 and the revised charges came into place in April this year. Although we only have part year data since the introduction of the new charges, we are currently on

target to achieve the £40,000 savings for this service that were highlighted in the February report.

- 1.8.2 While Councils are not able to make a profit from the collection of a “prescribed” household waste (such as our bulky collection service), the legislation does allow us to recover the associated collection costs (together with reasonable administration costs). Having only carried out a full review of these charges earlier this year, it is felt that the current charges are in keeping with this principle, are within the range of neighbouring councils who tend to charge per item, with minimal scope to increase further at this time.
- 1.8.3 It is therefore proposed that there is no increase to the current charges for 2017/18 and that this be reviewed further next year when we have a full year’s data on service use and confirmed costings.

Service	Full Current Charge	Concession Charge	Income Full Year 2017/18
Household Bulky Refuse Collection (up to six items)	£50.00	£10.00	£83,000
Separate item Fridge/Freezer Collection	£25.00	£10.00	

1.9 “Missed” Refuse collection

- 1.9.1 On occasion the Waste Services team receive requests from customers to empty wheeled bins where the customer has not placed their bin out and “missed” the collection. In general, where it is the resident’s error the contractor is not obliged to return. On these occasions the team are often asked by the customer if they can pay for a “one off” return collection.
- 1.9.2 A collection charge of £15.00 to cover these circumstances was introduced in April 2015 and covers the contractor cost and includes a small administration fee. The current collection charge for 2016/17 is £16.00.
- 1.9.3 This service charge has now been in place for eighteen months and to date there have been no concerns raised by customers. Although very low numbers of requests have been made, this does allow our Waste Services staff to offer an alternative solution when discussing a “missed bin” or “bin not put out by the resident”.
- 1.9.4 It is proposed to increase this charge to £17.00 in April 2017 to cover our increased costs and a small administration fee.

Service	Current Charge	Recommended Charge	Income Full Year 2017/18
"Missed" Refuse Collection Charge	£16.00	£17.00	£612

1.10 Car Parking

- 1.10.1 A comprehensive review of parking charges was undertaken at the start of 2016, which resulted in a number of changes and new charges coming into effect in May 2016. We have reviewed the level of our current charges against the prevailing picture in nearby areas and generally against the current economic climate and have come to the conclusion that no further charges are currently appropriate.
- 1.10.2 With regard to the new parking charges in West Malling it has been agreed that there will be a review after the first full year. The review will be in liaison with the local Parish Council and Chamber of Commerce and will be reported to a future meeting of this Board.
- 1.10.3 It is the intention to replace the Council's entire stock of car parking machines in spring 2017, with a report to the next meeting of this Board. This will coincide with introduction of the new £1 coin.
- 1.10.4 It is proposed that no changes are made to parking charges this year and that these should be reviewed again in 12 months' time.

1.11 Legal Implications

- 1.11.1 The Council has lawful authority to set fees which allow recovery of its reasonable costs.

1.12 Financial and Value for Money Considerations

- 1.12.1 The increase in fees proposed is intended to ensure that the income derived covers the costs to the Council in providing a service.

1.13 Risk Assessment

- 1.13.1 A decision is required now on the proposed fee structure for these activities to ensure that the Council has timely and up-to-date arrangements in place to administer service requests when received

1.14 Equality Impact Assessment

- 1.14.1 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.

1.15 Recommendations

1.15.1 Cabinet is **RECOMMENDED** to **APPROVE** the scale of charges for mandatory condemned food certificates, exported food certificates, contaminated land monitoring, sampling private water supplies, stray dog redemption fees, household bulky refuse & Fridge/Freezer collection, “Missed” refuse collection and car parking charges with effect from 1 April 2017 as detailed in the above report.

Background papers:

Nil

contact: Dennis Gardner
Andy Edwards
Jane Heeley

Robert Styles
Director of Street Scene, Leisure and
Technical Services

Steve Humphreys
Director of Planning, Housing and
Environmental Health

Sharon Shelton
Director of Finance & Transformation

This page is intentionally left blank

Item CH 16/21 referred from Communities and Housing Advisory Board minutes of 14 November 2016

CH 16/21 HOUSES IN MULTIPLE OCCUPATION (HMO) AND CARAVAN SITE LICENSING

The report of the Director of Planning, Housing and Environmental Health set out the proposed fees and charges in respect of the mandatory licensing scheme for Houses in Multiple Occupation (HMOs) and Caravan Sites for 2017/18.

RECOMMENDED: That the existing charges for the licensing of Houses in Multiple Occupation and Caravan Sites, as detailed in the report, remain unchanged and be agreed with effect from 1 April 2017.

***Referred to Cabinet**

This page is intentionally left blank

TONBRIDGE & MALLING BOROUGH COUNCIL
COMMUNITIES and HOUSING ADVISORY BOARD

14 November 2016

Report of the Director of Planning, Housing and Environmental Health

Part 1- Public

Matters for Recommendation to Cabinet - Key Decision

1 HOUSE IN MULTIPLE OCCUPATION (HMO) AND CARAVAN SITE LICENSING

Summary

This report sets out the proposed fees and charges in respect of the mandatory licensing regime for Houses in Multiple Occupation and Caravan Sites for 2017/18.

1.1 Houses in Multiple Occupation (HMOs)

1.1.1 The Housing Act 2004 introduced a licensing regime for HMOs of three storeys or more; occupied by five or more persons living in two or more households. There are currently 13 HMO properties licensed by the Council.

1.1.2 The aim of licensing is to improve the controls on HMOs and to raise the standard of some of the highest risk properties that are often occupied by some of the most vulnerable people, whilst maintaining an adequate supply of rented accommodation.

1.1.3 The licence is for a maximum of five years and cannot be transferred. The licence can end as a result of the passage of time, the death of the licence holder, the sale of the property or the revocation of the licence by the local authority. The licence is held on a public register maintained by the local authority.

1.1.4 Following a review of HMO licence fee charges no increase is proposed for 2017/18. The current charges and estimated income for 2017/18 are detailed in the table below:

Service	Current Charge	Estimated Income Full Year 2017/18
New HMO licence application fee	£480	£480 for one new licence application
Renewal of a HMO licence application fee	£360	£720 for two licence renewals due in this period.

- 1.1.5 The charge for a new HMO licence application fee is comparable to our neighbouring Kent authorities of Maidstone at £435, Tunbridge Wells at £420 and Sevenoaks at £593. Over the five year period the fee of £480 equates to a cost of £96 per annum and £8 per month.
- 1.1.6 The charge for the renewal of a HMO licence application is slightly lower than our neighbouring authorities of Maidstone at £385 and £420 for Tunbridge Wells.
- 1.1.7 This lower cost for renewal is attributed to it being less administratively burdensome to check licence details and determine priority for inspection. This data is already available and it is the case of checking the layout and amenities of the property have not changed since the last application.

1.2 Caravan Site Licensing

- 1.2.1 The Mobile Homes Act 2013 amended the Caravan Sites and Control of Development Act 1960 to allow local authorities from the 1 April 2014 to charge a fee for the licensing of residential mobile (park) home sites (“relevant protected sites”) and recover their costs in undertaking this function.
- 1.2.2 A caravan site must have planning consent for use as a caravan site before it can be licensed and once licensed it remains in perpetuity until a change of use or planning consent has expired.
- 1.2.3 Following a review of the caravan site licence fee charges for residential mobile (park) home sites no increase is proposed for 2017/18. The current charges and estimated income for 2017/18 are detailed in the table below:

Service	Current Charge	Estimated Income Full Year 2017/18
New caravan site licence application fee	£350	£350 for one new licence application
Transfer of a caravan site licence	£125	£125 based on the transfer of one caravan site licence.

- 1.2.4 The caravan site licence fee charges are comparable to our neighbouring authority of Tunbridge Wells, which from April 2017 will be £300 for a new licence and £175 for the transfer of a licence. Sevenoaks and Maidstone do not currently have a charging policy for the licensing of residential mobile (park) home sites.

1.3 Legal Implications

- 1.3.1 None arising from this report.

1.4 Financial and Value for Money Considerations

1.4.1 The proposed charges for the licences are based on the average Officer time in completing the required works.

1.5 Risk Assessment

1.5.1 None arising from this report.

1.6 Recommendations

1.6.1 It is therefore **RECOMMENDED TO CABINET** that:

- 1) The existing charges for licensing of Houses in Multiple Occupation and Caravan Sites as detailed above remain unchanged be **AGREED** with effect from 1 April 2017.

Background papers:

Nil

contact: Hazel Skinner,
Satnam Kaur

Steve Humphrey

Director of Planning, Housing and Environmental Health

This page is intentionally left blank

Item CH 16/22 referred from Communities and Housing Advisory Board minutes of 14 November 2016

CH 16/22 REVIEW OF CEMETERY CHARGES 2017/18

The joint report of the Director of Street Scene, Leisure and Technical Services and the Director of Finance and Transformation outlined the proposed charges for 2017/18 with regard to Tonbridge Cemetery.

RECOMMENDED: That

- (1) the proposed charges for Tonbridge Cemetery, as detailed at Annex 2 to the report, be agreed and implemented with effect from 1 April 2017; and
- (2) a review of the future capacity of grave space at the Cemetery be progressed and reported back to a future meeting of the Communities and Housing Advisory Board.

***Referred to Cabinet**

This page is intentionally left blank

TONBRIDGE & MALLING BOROUGH COUNCIL
COMMUNITIES and HOUSING ADVISORY BOARD

14 November 2016

**Report of the Director of Street Scene, Leisure & Technical Services and the
Director of Finance & Transformation**

Part 1- Public

Matters for Recommendation to Cabinet - Key Decision

1 REVIEW OF CEMETERY CHARGES 2017/18

Summary

This report outlines charging proposals for 2017/18 in regard to Tonbridge Cemetery.

1.1 Introduction

1.1.1 In bringing forward the charging proposals for Tonbridge Cemetery consideration has been given to the set of guiding principles for the setting of fees and charges approved by Members of the Finance, Innovation and Property Advisory Board and reproduced below for the benefit of the Board:

- 1) Fees and charges should reflect the Council's key priorities and other corporate aims and priorities recognising there may be trade-offs as these are not mutually exclusive.
- 2) Fees and charges should have due regard to the Council's Medium Term Financial Strategy.
- 3) If there is to be a subsidy from the council tax payer to the service user this should be a conscious choice.
- 4) The Council should look to maximise income subject to market conditions, opportunities and comparable charges elsewhere, in the context of its key priorities and other corporate aims and priorities.
- 5) Fees and charges should normally be reviewed at least annually (unless fixed by statute or some other body).
- 6) Fees and charges should not be used to provide a subsidy from the council tax payer to commercial operators.
- 7) There should be consistency between charges for similar services.

- 8) Concessions for services should follow a logical pattern so as not to preclude, where appropriate, access to Council services on the grounds of ability to pay.

1.1.2 In addition, Members will be fully aware of the Council's Savings & Transformation Strategy, which seeks to generate additional income to the Council, to help meet the Council's financial savings target.

1.2 Tonbridge Cemetery – Proposed Charges 2017/18

1.2.1 In bringing forward the proposed charges for Tonbridge Cemetery a number of specific key principles have been taken into consideration:

- The Council's overall financial position. A number of themes will need to be considered to achieve the Council's savings target. One of these themes is to generate additional income from services the Council provides and levies a charge.
- The need to move towards a position of covering more of the costs associated with the management of the Cemetery.
- The need to compare costs with other cemeteries in Kent **[Annex 1]**. It should, however, be noted that direct comparison with other cemeteries is difficult as pricing brackets, services and available grave space differ.
- The need for the charging strategy to support the management of the remaining capacity in the Cemetery and take into account the decreasing availability of new graves.
- Members will also be aware of a fundamental review of these charges that took place last year.

1.2.2 The principles referred to above have been applied to the existing charges and are reflected in the proposed charges shown at **[Annex 2]**. It is proposed that all charges be increased, with the exception of the burial of stillborn to one year olds.

1.2.3 A general 1.5% increase is proposed in-line with predicted increases in Grounds Maintenance costs. This is with the exception of Memorial Permits that have been increased to reflect comparable charges elsewhere.

1.2.4 It is anticipated that these proposals will generate additional net income of approximately £1,800, which will be reflected in the draft 2017/18 revenue estimates.

1.3 Future Capacity

1.3.1 Members will note from sub-section 1.2.1 that one of the key principles guiding charges is the remaining capacity within the Cemetery and the decreasing availability of new graves. A number of years ago a review of future capacity of

grave space at the Cemetery was undertaken, and it is proposed that this work be updated in the light of current demand. It is the intention for the review to be progressed early in the New Year with the outcome reported back to Members of this Board.

1.4 Legal Implications

- 1.4.1 The Council's Financial Rules require that all fees and charges must be reviewed at least once a year, and be reported to the appropriate Advisory Board.

1.5 Financial and Value for Money Considerations

- 1.5.1 The 2015/16 revenue budget (Provisional Outturn) for the management and maintenance of Tonbridge Cemetery was £142,751, with income from the same year totalling £68,012.

- 1.5.2 Charges for the Cemetery are exempt of VAT.

1.6 Risk Assessment

- 1.6.1 As highlighted in paragraph 1.1 to this report, the proposed charges take into account a range of factors.

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 Asset Management and Business Continuity/Resilience.

1.9 Recommendation

- 1.9.1 It is, therefore, **RECOMMENDED TO CABINET** that:

- 1) the proposed charges for Tonbridge Cemetery as detailed at **[Annex 2]** be agreed and implemented with effect from 1 April 2017;
- 2) a review of the future capacity of grave space at the Cemetery be progressed and reported back to a future meeting of this Board.

Background papers:

contact: Darren Lanes

Nil

Robert Styles
Director of Street Scene, Leisure
and Technical Services

Sharon Shelton
Director of Finance & Transformation

This page is intentionally left blank

**TONBRIDGE CEMETERY PROPOSED CHARGES 2017/18
COMPARISON WITH OTHER KENT DISTRICTS**

		Maidstone ¹	Medway ¹	Dover ¹	Gravesham ¹	TMBC ¹ Current	TMBC ² Proposed
Purchase (£)	Baby	0.00	0.00	0.00	0.00	1.00	1.00
	Child	N/A	*530.00	0.00	0.00	145.00	147.00
	Adult	1,560.00	*1255.00	640.00	920.00	950.00	964.00
Plot 23 (single)	Adult	1,560.00	750.00	N/A	460.00	490.00	497.00
Interment (£)	Baby	0.00	0.00	55.00	0.00	0.00	0.00
	Child	260.00	0.00	240.00	380.00	192.00	195.00
	Adult	655.00	675.00	910.00	910.00	625.00	634.00
Plot 23 (single)	Adult	545.00	675.00	795.00	760.00	625.00	634.00
Combined Interment and Purchase (£)	Baby	0.00	0.00	55.00	0.00	1.00	1.00
	Child	260.00	530.00	240.00	380.00	337.00	342.00
	Adult	2,215.00	1,930.00	1,550.00	1,830.00	1,575.00	1598.00
Plot 23 (single)	Adult	2,105.00	1,425.00	795.00	1,220.00	1,115.00	1131.00
Period of Lease (years)		+60 years	50 years	50 years	60 years	60 years	60 years
Memorial Permit (£)	Small	140.00	190.00	165.00	230.00	115.00	140.00
	Large	280.00	435.00	367.00	355.00	255.00	280.00
Chapel (£)		225.00	80.00	148.00	150.00	140.00	142.00
Search Fees (£)		£10 - £35	15.00 (per name)	40.00 (over 1hr)	20.00 (per name)	50.00 (per 5 names)	51.00 (per 5 names)
Interment of Ashes (£)		210.00	140.00	181.00	310.00	150.00	152.00
Memorial Wall Plaque (£)		N/A	N/A	86.50	N/A	150.00	152.00

¹ 2016/17 charges

² 2017/18 proposed charges

* Price includes memorial permit

+Previously only 30 years

NOTE: Costs are based on comparable services where available. **All charges shown are exempt of VAT**

This page is intentionally left blank

TONBRIDGE CEMETERY CHARGES
PROPOSED CHARGES 2016/17

- Please Note:**
1. For burials in graves at Tonbridge Cemetery the fee payable will normally be both Section 1 and Section 2 charges.
 2. All charges apply where the person to be buried or the person leasing the grave, etc., are residents of the Borough. Residents of the Borough who have moved into a home or hospital outside the Borough prior to death are charged as residents.
 3. All charges are doubled for non-residents.

Section 1:	Exclusive right of burial in a grave for 60 years	Current (£)	Proposed (£)
	(a) Stillborn – 1 year (inclusive) Children's Plot only	1.00	1.00
	(b) 2 – 12 years (inclusive) – Children's Plot only	145.00	147.00
	(c) Over 12 years	950.00	964.00
	(d) Plot 23 – single graves	490.00	497.00
Section 2:	Interment (including digging of grave)		
	(a) Stillborn – 1 year (inclusive)	NIL	NIL
	(b) 2 – 12 years (inclusive)	192.00	195.00
	(c) Over 12 years	625.00	634.00
	(d) Ashes (Memorial Wall or Grave, where exclusive right has been granted)	150.00	152.00

Please note: These charges apply to interments taking place between 0900 hours – 1500 hours (Monday – Thursday) and 0900 hours – 1300 hours (Friday). In other cases, the Council's additional costs may be payable. A fee of £50 per hour may be charged for late arrivals.

Section 3:	Permits for Monuments, Memorials & Inscriptions	Current (£)	Proposed (£)
	(i) Memorial not exceeding 1 metre in height and occupying an area not exceeding 2' x 4'	115.00	140.00
	(ii) Memorial larger than specifications in (i)	255.00	280.00
	(iii) For each additional inscription after the first	90.00	91.00

Please note: Permits will only be approved in accordance with the Cemetery Regulations.

		Current (£)	Proposed (£)
Section 4:	Memorial Garden		
	(i) Memorial tablet and vase block (to include plaque, inscription, 20 year lease and scattering of ashes if required) (Currently not available)	520.00	528.00
	(ii) Double Underground Vault, Memorial Tablet and Vase Block. (To include plaque, inscription, 20 year lease and interment of up to 2 urns)	1000.00	1015.00
	(iii) Double Overground Vault, Memorial Tablet and Vase Block (To include plaque, inscription up to 80 letters, 20 year lease and interment of up to 2 urns)	980.00	995.00
	(iv) Additional Inscriptions	185.00	188.00
	(v) Sanctum Panorama Vault and Memorial Tablet (To include plaque, inscription up to 80 letters, 20 year lease and interment of up to 3 urns)	980.00	995.00
	Optional bronze vase container	33.00	34.00
	(vi) Photo plaque or design on plaque for Sanctum 2000 Overground Vault or Sanctum Panorama	Individually priced	
	(vii) Additional cost for inscriptions for Sanctum 2000 and Panorama over 80 letters	£1.50 per gilded letter	£1.50 per* gilded letter
Section 5:	Chapel Area – Memorial Wall		
	(i) Memorial Plaque. (Includes supply and installation of plaque, 20 year lease and scattering of ashes if required)	150.00	152.00
	(ii) Additional Inscription. (Includes new plaque, installation and scattering of ashes, if required)	150.00	152.00
Section 6:	Miscellaneous		
	(i) Use of Chapel	140.00	142.00
	(ii) Transfer of Burial Rights/admin fee	80.00	81.00
	(iii) Entry in Book of Remembrance	At Cost + Admin Fee	
	(iv) For up to and including five searches for names by one applicant	50.00	51.00
Notes:	(i) Other services/options may be available and charged on an “at cost” basis plus an administration fee. Please discuss any items with the Cemetery Registrar		
	(ii) A copy of the Cemetery Regulations is available free of charge from the Cemetery Registrar		

* Price set by external contractor

- (iii) For the repurchase of burial rights for unused graves by T&MBC the Council will pay:
The current purchase price times the remaining duration of the exclusive right less the Council's administration fee ruling at the time

All charges shown are exempt of VAT

This page is intentionally left blank

Item FP 17/5 referred from Finance, Innovation and Property Advisory Board minutes of 4 January 2017

FIP 17/5 REVIEW OF FEES AND CHARGES 2017/18

The report of the Management Team brought forward for consideration as part of the Budget setting process for 2017/18 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.

It was noted that there would be a fundamental review of operations at Tonbridge Castle in the light of changes in the Gateway facility.

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 as set out at paragraph 1.2.1 of the report;
- (2) the proposed scale of fees for local land charges searches and enquiries set out in the report be adopted with effect from 1 April 2017, noting that property search fees are to be subject to VAT as shown in the table at Annex 1 to the report from 1 January 2017 unless HMRC confirms that any element shown as Vatable should not be subject to VAT;
- (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 Chamber as set out in Annex 4 to the report be approved for implementation from 1 April 2017;
- (5) the proposed charges for weddings at Tonbridge Castle as outlined in paragraph 1.6.3 of the report be approved for implementation from 1 April 2018;
- (6) the fees schedule for street naming and numbering set out in section 1.8 of the report be adopted with effect from 1 April 2017; and
- (7) the amount of council tax and business rate Court costs recharged remain as set out at paragraph 1.9.2 of the report for the 2017/18 financial year.

***Referred to Cabinet**

This page is intentionally left blank

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

04 January 2017

Report of the Management Team

Part 1- Public

Matters for Recommendation to Cabinet - Key Decision

1 REVIEW OF FEES AND CHARGES 2017/18

This report brings forward for consideration as part of the budget setting process for 2017/18 proposals in respect of those fees and charges that are the responsibility of the Cabinet Member for Finance, Innovation and Property or not reported elsewhere.

1.1 Introduction

1.1.1 The purpose of this report is to set out for 2017/18 the proposals for those fees and charges which fall within the remit of this Board or which have not been reported elsewhere.

1.1.2 The budgetary guidance issued to Chief Officers for the 2017/18 budget cycle, and approved by Cabinet, reiterated the objective to maximise income subject to market conditions, opportunities and comparable charges elsewhere. In bringing forward proposals officers have paid due regard to the guiding principles for the setting of fees and charges previously approved by this Board and endorsed by Cabinet.

1.1.3 The proposals regarding fees and charges outlined in this report are incorporated within the Revenue Estimates to be found elsewhere on this agenda. Any changes required following this meeting will be incorporated before the Estimates are presented to Cabinet on 9 February 2017. The proposals are set out on a service by service basis with the recommendations at the end of each section.

LEGAL SERVICES

1.2 Legal Fees Payable by Third Parties

1.2.1 From time to time the Council's legal fees can be recovered from third parties, for example costs in connection with section 106 agreements. Our level of fees have historically followed the Supreme Court guideline hourly rates, which are currently as follows:

Solicitors with over 8 years post qualification experience including at least 8 years relevant experience	£217
Solicitors and legal executives with over 4 years post qualification experience including at least 4 years relevant experience	£192
Other solicitors and legal executives and fee earners of equivalent experience	£161
Trainee solicitors, paralegals and fee earners of equivalent experience	£118

1.2.2 It is **RECOMMENDED** that the Council's charges follow the rates set out above.

1.3 LAND CHARGES

1.3.1 The Local Authorities (England) (Charges for Property Searches) Regulations 2008 enable local authorities to charge for their property search services or responding to official search requests.

1.3.2 This is a volatile area of activity where income can fall, or alternatively increase, quickly. The last year has shown a slight decline in search income although currently there is a slight upturn in search activity.

1.3.3 In bringing this report forward market considerations have been taken into account where permissible within the appropriate legislation and we aim to operate a competitive charging policy where we are able to do so. The current charges have not increased since 2008.

1.3.4 In July 2016 the Local Authority implemented changes to the questions it answered using the new Official Enquiries of Local Authority forms R and O (more commonly known as "Con 29"). This was successfully introduced and has now been in place for just under 6 months. Your officers have been working to ensure that the fees remain appropriate under the new form and random sampling and time recording has taken place to test the level of fees in accordance with the appropriate legislation on charging. The result of this work has shown that the current level of fees remains appropriate. It is not therefore proposed to increase the standard fees which were charged last year.

1.3.5 Local authorities have been having an ongoing dialogue with HMRC who have now confirmed that in future property search fees are to be subject to VAT with effect from 1 January 2017 (save for the official certificate of search and the search of the Land Charges Register) (referred to as "the official LLC search fee"). This decision was previously postponed from February to enable local authorities and their software providers to work on the changes required to respond to the new Official Enquires of Local Authority referred to above to bring that into operation in July 2016.

- 1.3.6 In early December 2016 HMRC confirmed that CON29 would be subject to VAT from 1 January 2017. Given the relatively short notice of this implementation date some software suppliers and the Local Land Charges Institute have made representations to HMRC asking for a further delay until April 2017. As at the time of writing this report no official notification from HMRC has been received to delay the implementation, officers will update members at the meeting. Therefore it should be assumed that VAT will become applicable on charges made after January 2017. The table at Annex 1 shows the fees for land charges searches and enquiries and the VAT element of those proposed to be effective from 1 January 2017.
- 1.3.7 It is not believed that it is appropriate to have any concessionary charges apply to these fees given that the search function supports the sale and purchase of private property. Members are reminded of the requirement under the Public Sector Equality Duty (s149 of the Equality Act 2010) to have regard to the requirement to (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act, (ii) to advance equality of opportunity between people from different groups and (iii) to foster good relations between people from different groups, it is not believed that these charges will have an adverse impact on any particular group protected by the 2010 legislation. As the charges will be the same for everyone there does not appear to be any disproportionate effect on any of the protected groups.
- 1.3.8 It is **RECOMMENDED** that the proposed scale of fees for local land charges searches and enquiries set out in this report be adopted with effect from 1 April 2017 and that property search fees, are to be subject to VAT as shown in the table at Annex 1 from 1 January 2017 unless HMRC confirms that any element shown as Vatable should not be subject to VAT.

ADMINISTRATIVE SERVICES

1.4 Photocopying Charges

- 1.4.1 A photocopying service is offered for members of the public calling at the council's main offices or requiring copies of Council documents sent by post. The current charges are 10p for each page of the same document or additional copies of the same page plus postage as appropriate.
- 1.4.2 These charges are intended to cover the costs of the photocopy meter charge (including toner), paper and an allowance towards the staff time in looking out documents and postage where appropriate.
- 1.4.3 The level of charge was reduced in 2007/08 after remaining static for a number of years to comply with Freedom of Information requirements. The marginal cost per copy (including paper) is still approximately £0.10 per copy. Comparative charges in neighbouring authorities have been somewhat difficult to ascertain and many appear not to charge for photocopying. However, it is considered appropriate to

retain a charge to avoid requests for multiple copies of pages and to cover cases where documents cannot be provided by email. It is therefore suggested that the current charge be maintained.

- 1.4.4 It is **RECOMMENDED** that Cabinet be recommended to retain the current photocopying charges of £0.10 (inclusive of VAT) for each page of the same document or additional copies of the same page plus postage as appropriate.

TONBRIDGE CASTLE

1.5 Tonbridge Castle Hire Charges

- 1.5.1 The Council Chamber is used for a number of purposes, including Member and Officer meetings, weddings, private hire and concessionary use by a number of local organisations.
- 1.5.2 Several years ago a minimal charge was introduced for concessionary users. It is recognised that this concessionary charge is greatly valued by these organisations. It is proposed that a concessionary user charge be retained to reflect ongoing support for local organisations.
- 1.5.3 The list of concessionary users was agreed by Cabinet on 11 February 2016 (D160019CAB) and some amendments are proposed as shown in bold [see **Annex 2**]. Concessionary use is subject to a number of restrictions as shown in **[Annex 3]**.
- 1.5.4 The Director of Central Services has brought forward proposed charges for all users of the Chamber, which are set out at **[Annex 4]**. Annual income from the hire of the Chamber is approximately £1000, and it is estimated that the proposed charges will generate additional income of £50.

1.6 Tonbridge Castle Wedding Charges

- 1.6.1 Current wedding charges were agreed by Cabinet on 11 February 2016 (Decision D160019CAB). Members agreed a charge of £800 for weddings in the Chamber and £1200 for weddings in the Gatehouse for 2016/17. Charges of £840 and £1250 respectively were also agreed for 2017/18.
- 1.6.2 The current charges at a number of premises licensed for Civil Marriages are shown in **[Annex 5]**
- 1.6.3 Weddings are often booked more than one year in advance and applications are now being received for 2018/19. It is, therefore, necessary to consider a charge for implementation from 1 April 2018, as Members have already agreed the charges for 2017/18. The Director of Central Services has proposed an increase of around 5% for the following charges in 2018/19, which will generate additional net income of approximately £1500:

	Current Charge 2016/17 (£)	Agreed Charge 2017/18 (£)	Proposed Charge 2018/19 (£)
Weddings			
• Chamber	800	840	900
• Gatehouse	1200	1250	1300
Renewal of Vows/Baby Naming			
• Chamber	560	600	600
• Gatehouse	900	900	900

1.6.4 NB: Non-returnable deposit - £100

1.6.5 To aid Members, all proposed charges are inclusive of VAT where applicable.

1.6.6 There is a risk that excessive increases in charges could deter our customers and lead to a fall in overall income. Dialogue with customers and comparison with other attractions has been taken into consideration in bringing these charges forward.

1.6.7 It is, therefore, **RECOMMENDED** to Cabinet that:

- 1) the proposed charges for Tonbridge Castle Chamber, as set out in Annex 4, be agreed for implementation from 1 April 2017; and
- 2) the proposed charges for Weddings, as outlined in paragraph 1.6.3 above, be agreed for implementation from 1 April 2018.

STREET NAMING & NUMBERING SERVICES

1.7 Street Naming & Numbering - Introduction

1.7.1 The requirement to provide a Street Naming & Numbering service is derived from the Towns Improvement Clauses Act 1847, the Public Health Acts Amendment Act 1907 and the County of Kent Act 1981. The TMBC Street Naming & Numbering Policy sets out the framework under which the service is delivered in this authority.

1.7.2 The IT GIS Team are responsible for delivery of this service. The actual cost of service delivery has been calculated by recording staff processing time and taking into account software and postage costs.

1.7.3 In line with the previous fee schedule the following priorities have been accounted for in the latest review:

- There should be no overall reduction of income to the Council through the SNN function;

- The cost of SNN to the Council should, where possible, be recovered through fees and charges (noting that this is not always possible, and not always desirable);
- Ensure there are no 'perverse incentives' to apply for alternative naming schemes to minimise costs;
- Ensure there is clarity in the fee schedule to avoid confusion and the need for officer discretion in charging fees;
- Where workloads are sufficient to justify such, additional new fees should be considered.

1.7.4 The changes introduced in the fee structure last year continue to address the five principles set out above.

1.7.5 For the purposes of this year's review we have concentrated on principles 1 and 2 ensuring that the cost of SNN to the Council is recovered where possible through fees and charges.

1.7.6 All Fees have been subject to an inflationary uplift of 2%.

1.7.7 Additional increases have been made to categories 7, 8 and 9 in recognition of the amount of time taken to process these types of registration.

1.8 Proposed Fee scale for Street Naming and Numbering

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

1.8.2 Individual flats are considered as individual plots.

New Properties

Category	Up to three in-fill properties on an existing street	Current Fee 2016/17	Proposed Fee 2017/18
1	Addressing one new in-fill property	£169	£172
2	Addressing two to three in-fill properties	£87 per property	£89 per property
	Where four or more properties are to be named or numbered, the fee for new developments (below) will be levied.		

	Four or more in-fill properties on an existing street, or new properties on a new street		
3	Fee for naming of a street, other than in relation to new property addressing	£205	£209
4	Fee for addressing plots, including street naming if required 1- 4 Units	£205 +£31 per unit	£210 +£32
5	5 – 10 Units	£205 +£26 per unit	£210 +£27
6	11 or more units	£410 +£11 per unit	£418 +£12

Existing Properties

7	Renumbering an existing property	£51	£75
8	Renaming an existing property, not in a current numbering scheme	£51	£75
9	Registering the addition or change or an alias to a numbered property	£51	£75
10	Removing an existing alias from a numbered property	No charge	No charge
11	Rename an existing street	£1,540	£1,570
12	Rename a block of flats	£1,540	£1,570
13	Fee for addressing units (flats) when splitting an existing property	£87 per unit	£89 per unit
14	Fee for addressing a single property when merging separate units	£169	£172

1.8.3 It is **RECOMMENDED** to Cabinet that the above fee Schedule for Street Naming and Numbering be adopted from 1 April 2017.

1.9 Council Tax and Business Rate Court Costs

1.9.1 The Council is obliged by law to collect all unpaid amounts of council tax and business rates and therefore has to take recovery action through the Magistrates' Court to obtain the necessary order.

1.9.2 The Council's costs in taking this recovery action is charged back to the taxpayer as follows:-

Court Costs 2016/17	Council Tax - Costs			Non Domestic Rates - Costs		
	Summons	Liability Order	Total	Summons	Liability Order	Total
Tonbridge & Malling	£55.00	£45.00	£100.00	£120.00	£60.00	£180.00

- 1.9.3 The level of costs is agreed with the Magistrates' Court each year, and following a recent High Court case, evidence must be provided to justify the amount being requested. The Magistrates' Court has accepted our cost evidence during this financial year for the above charges.
- 1.9.4 Our cost base in delivering this function is not expected to increase significantly in 2017/18, and as a result we do not propose to seek the Court's approval to increase the level of costs requested from taxpayers.
- 1.9.5 It is **RECOMMENDED**, therefore, that the amount of costs recharged should remain the same for the 2017/18 financial year.

1.10 Legal Implications

- 1.10.1 The Council's financial rules require that all fees and charges must be reviewed at least once a year and be reported to Members.

1.11 Financial and Value for Money Considerations

- 1.11.1 As set out above in relation to individual fees and charges.

1.12 Risk Assessment

- 1.12.1 As part of the review of fees and charges Chief Officers will consider the risks associated with any proposals.

1.13 Equality Impact Assessment

- 1.13.1 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.

1.14 Recommendations

- 1.14.1 Recommendations are set out at the end of each section.

Background papers:

Nil

contact: Adrian Stanfield
Tina Levett
David Partridge

Sharon Shelton

Director of Finance & Transformation on behalf of Management Team

ANNEX 1

		FEE	VAT	TOTAL
Search Forms (non-commercial):				
Certificate of Search of Register (LLC1) only		£35.00	Nil	£35.00
Fees for completing form CON29R only (standard questionnaire) on RESIDENTIAL properties		£135.00	£27.00	£162.00
Standard search (combined LLC1 and CON29R) for NON-COMMERCIAL properties (discounted rate)	LLC1	£35.00	Nil	£35.00
	CON29R	£113.00	£22.60	£135.60
	Total Payable			£170.60
Additional Parcel (LLC1) only		£10.00	Nil	£10.00
Additional Parcel (CON29R/CON29O)		£10.00	£2.00	£12.00
Search Forms (commercial):				
Certificate of Search of Register (LLC1) only		£35.00	Nil	£35.00
Fees for completing form CON29R only (standard questionnaire) on COMMERCIAL properties		£293.00	£58.60	£351.60
Standard search (combined LLC1 and CON29R) for COMMERCIAL properties (discounted rate)	LLC1	£35.00	Nil	£35.00
	CON29R	£264.00	£52.80	£316.80
	Total Payable			£351.80
Fees for additional services:				
Providing refined CON29 data for questions 3.1, 3.7, 3.8, 3.9, 3.10, 3.11 and 3.12 only in a tailored report. Excludes Highway information		£49.00	£9.80	£58.80
Per each question		£8.00	£1.60	Per Question £9.60
Sight of unrefined CON29 data for question 3.1, 3.7, 3.8, 3.9, 3.10, 3.11 and 3.12 by appointment only, please contact Land Charges office. Excludes information publicly available elsewhere e.g. Highways		Nil	Nil	Nil
Each Printed CON29O (Optional) enquiry		£15.00	£3.00	£18.00
Each Non-standard CON29O (Optional) enquiry		£18.00	£3.60	£21.60
Cancellation charge (fee if notified within 1-2 days of receipt of search application)		£31.00	£6.20	£37.20
Expedition fees (in addition to search fees):				
Search of Register and form CON29R		£49.00	£9.80	£58.80

This page is intentionally left blank

Tonbridge Council Chamber
Concessionary Users 2017/18

- Bridge Trust
- Citizens Advice Bureau
- Guide Dogs for the Blind
- Home Start West Kent
- KCC Walking Bus
- Lyons Commuters (Tonbridge)
- Mencap
- Police
- Platonic Arts (now 4 arts)
- Relate
- Royal British Legion –Tonbridge Branch
- Slade Residents Association
- Small Businesses Federation
- Tonbridge Adult Education Centre
- Tonbridge Access Group
- Tonbridge Allotments and Garden Association
- Tonbridge Arts Group
- Tonbridge Camera Group
- Tonbridge Creative Art Group
- Tonbridge Civic Society
- Tonbridge Historical Society
- Tonbridge Memorial Gardens
- Tonbridge Model Engineering Society
- Tonbridge Sports Association
- Tonbridge Lions Club
- Tonbridge Town Lands & Richard Mylls Charity
- Voluntary Action within Kent -VAWK
- West Kent Chamber of Commerce & Industries
- West Kent Community Health Forum
- West Kent Victim Support

Proposed changes are highlighted in bold above-

There have been no further requests in this financial year.

This page is intentionally left blank

**TONBRIDGE CASTLE COUNCIL CHAMBER
CONCESSIONARY USERS**
Terms & Conditions

Due to the increased number of requests by Concessionary Users to book the Council Chamber, certain restrictions have had to be put in place to ensure fair usage for all concerned.

We would ask you to take into account the following restrictions when making your bookings.

- Sessions will be limited to two per month and will only be permitted between 01 October - 31 March each year (a session being morning, afternoon or evening) or one seven day period in the case of exhibitions.
- The chamber is not available on Friday evenings as this time may be required to set up and rehearse for weddings the following day.
- Charges for caretaking start at 5pm each day.
- Concessionary bookings will not be accepted more than 12 months in advance.
- A charge will be made for cleaning in the event of food being consumed.
- One Parking Permit only will be issued to the hirer.

This page is intentionally left blank

Annex 4

TONBRIDGE CASTLE COUNCIL CHAMBER

PROPOSED CHARGES 2017/18

Hire Charge	Current 2016/17 (£)	Proposed 2017/18 (£)	Current Concessionary Rate 2016/17 (£)	Proposed Concessionary Rate 2017/18 (£)
First 3 hours	100.00	100.00	26.00	30.00
Plus each additional hour or part hour	40.00	40.00	9.00	10.00
Caretaking per hour	30.00	30.00	18.00	20.00
Cleaning charge ^{*(1)}	45.00	45.00	35.00	35.00
Daily rate	200.00	200.00	50.00	75.00
Weekly rate	895.00	895.00	110.00	150.00

^{*(1)} Cleaning charge only applies to users where food is eaten.

All charges shown are inclusive of VAT where applicable.

This page is intentionally left blank

TONBRIDGE CASTLE WEDDING CHARGES 2016/17
COMPARISON WITH OTHERS

VENUE	PRICE (£)
Tonbridge Castle Chamber	800
Tonbridge Castle Gatehouse	1200
Boughton Monchelsea Place	1000
Registrar's Office (Standard Charge) Tonbridge Wells (for 80 people)	792
Hever Castle (Astor Room)	2250
Chiddingstone Castle	2495
Penshurst Place (Monday-Friday only)	1995

All charges shown are inclusive of VAT.

This page is intentionally left blank

Item FP 17/6 referred from Finance, Innovation and Property Advisory Board minutes of 4 January 2017

FIP 17/6 BUILDING REGULATION FEES

Consideration was given to the joint report of the Director of Planning, Housing and Environmental Health and Director of Finance and Transformation which referred to the annual review of fees schedules and recommended amendments to the charging regime to cover more accurately the costs of the fee earning aspects of the Building Control Partnership service provided with Sevenoaks District Council. Members were advised of some changes in staffing of the service.

RECOMMENDED: That the revised Building Control Charges, as detailed in Annex 1 to the report, be approved and adopted from 1 April 2017.

***Referred to Cabinet**

This page is intentionally left blank

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

04 January 2017

**Report of the Director of Planning, Housing and Environmental Health and the
Director of Finance and Transformation**

Part 1- Public

Matters for Recommendation to Cabinet - Key Decision

1 BUILDING REGULATION FEES

Summary

This report recommends an amended charging regime intended to more accurately cover the costs of the fee earning aspects of the Building Control Partnership service as part of our annual review of the fees schedules.

1.1 Background

- 1.1.1 On the 1 October 2010 the Building [Local Authority Charges] Regulations 2010 came into force. The key principle of the Regulations was to ensure optimum cost recovery of the service on a 'user pays' basis, ensuring that the customer pays the cost of the service delivered, no more, no less. Local Authorities are encouraged to cover all of their 'fee earning' costs in this way, recognising that there are other aspects of Building Control activity (such as work related to dangerous structures and enforcement issues) that are not recoverable.
- 1.1.2 As a consequence of this requirement the statutory fee structure was considered no longer fit for purpose. Equally, provision of a dedicated quoting system for every application received would have been a considerable administration burden. Consequently, in 2013 a new fee scheme and schedule was developed and adopted utilising fixed fees for standard work types and enabling fee quotation on larger or more unusual work types.
- 1.1.3 In October 2014 we entered into a Partnership arrangement with Sevenoaks DC to provide the Building Control service for both authorities. The Partnership comprises of a shared BC Manager, team of BC Surveyors and administration officers located across both council offices.
- 1.1.4 It has now been four years since the introduction of the new charging scheme and over two years of operating as a Partnership. The opportunity has been taken to review how the cost of administering applications has worked in practice, in relation to the fees charged. We have carried out some detailed working in order to assess more accurately the costs of our service and the level of fee required to recover the cost on an application by application basis. Consequently, it is

proposed that the charges be amended in accordance with the attached fee schedule to reflect cost recovery, which are set out at **[Annex 1]**.

- 1.1.5 The new fees proposed represent an increase in respect of some works but in some areas there is no change. The overall picture represents a fair reflection of the cost of providing the service for each type of project. These costs are met by the beneficiary of the service, which are those developers or private parties undertaking construction work. In overall terms the fee levels are a small fraction of the cost of development projects and in any event it seems appropriate that those directly benefitting from the service are required to pay the properly calculated amount.
- 1.1.6 In setting the fees we have also to be mindful that in Building Control we operate in competition with Approved Inspectors in the private sector who are able to carry out Building Control work. I am satisfied that the proposed fee scales will retain the balance of properly recovering costs against the need to maintain our competitiveness. Some comparison with some other authorities has also been carried out to gauge the general level of fee scales and this puts us in relatively close order, which seems appropriate. Just for reference the current year fees can be found by following this link:
https://www.sevenoaks.gov.uk/data/assets/pdf_file/0011/179741/Revised-Building-Control-Fees.pdf
- 1.1.7 Whilst reviewing the charging regime, analysis has also been undertaken of other aspects of service provision and how the team must continually adapt to developing threats and opportunities in this service sector such as investing in mobile working technology to bring about improved productivity and customer service. The proposed changes to the charging scheme are just one facet of the continuing service development.
- 1.1.8 In July 2016 a Building Control Surveying Apprentice post (employed by SDC) was created with a view to training and developing a junior officer in readiness for a vacancy, which is likely to occur due to the potential retirement of a Building Control Surveyor over the next 12-36 months. This initiative was pursued in the light of our recent experience of the national shortage of qualified surveyors and concern that we will be unable to recruit a suitably qualified surveyor with the appropriate skills. We propose to recruit to an apprentice in Summer 2017 in line with the academic year and the new fees and charges will cover the cost of the post.
- 1.1.9 I should also make Members aware that the post of Building Control Partnership Manager is soon to become vacant. The excellent contribution and efforts of our current Manager have been critical to the successful start-up and good performance of the partnership to date. This post is also hosted by Sevenoaks DC and in reviewing recruitment, the job has been re-evaluated resulting in an increased cost of approximately £5000 which will also be covered by the proposed fees and charges.

1.2 Legal Implications

- 1.2.1 The approach to setting fees for Building Control fees is set out in the Building (Local Authority Charges) Regulations 2010.

1.3 Financial and Value for Money Considerations

- 1.3.1 It is critical that the Council continuously reviews how it recovers the cost of services, particularly where provision is specifically made to do so. In this case, assuming that current workload trends remain broadly the same, I estimate that the annual effect of the proposed fee scheme would represent an increase in income in the region of £36,000 across the Partnership which will cover the increase in providing the service. Direct costs associated with the Partnership are pooled and shared between the authorities on the basis of income generated by each authority and equates to a 45:55 split TMBC:SDC.

1.4 Risk Assessment

The risk of not seeking to fully recover costs puts the Council at a financial disadvantage in supporting the resources required to deliver the service. On the other hand we are mindful of the need to retain our market share in the Building Control business.

1.5 Equality Impact Assessment

- 1.5.1 The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act.

1.6 Recommendations

- 1.6.1 It is recommended that the revised Building Control Charges as detailed in **[Annex 1]** be **APPROVED** and **ADOPTED** from 1 April 2017.

Background papers:

Nil

contact: Jane Heeley

Joe Brooks

Steve Humphrey
Director of Planning, Housing
and Environmental Health

Sharon Shelton
Director of Finance and
Transformation

This page is intentionally left blank

BUILDING CONTROL PARTNERSHIP



t 01732 227376
e building.control@sevenoaks.gov.uk | building.control@tmbc.gov.uk
w www.sevenoaks.gov.uk | www.tmbc.gov.uk
P.O. Box 561, Argyle Road, Sevenoaks, Kent TN13 9QZ

Building Control Fees

Guidance notes and summary of fees charged (valid from 1 April 2017)

These tables of fees charged and guidance notes are based on Sevenoaks District Council's and Tonbridge & Malling Borough Council Building Control Charge Scheme. The charges scheme has been made under the Building (Local Authority Charges) Regulations 2010, which contains the full statement of law. A copy of Sevenoaks District Council's and Tonbridge & Malling Borough Council's charges scheme is available for viewing on request.

Where Building Regulations apply to your work, you or your Agent will need to submit a Full Plans Application for approval or give a Building Notice.

Full Plans Application

If you submit a Full Plans Application, we will examine your plans and details within 14 days and if we are satisfied that they comply with the Building Regulations, a notice of approval or conditional approval will be issued. Should further information or clarification be required prior to approval, we will ask you to provide this. A 'Submission Charge' is payable with your application. You will be invoiced for the 'Inspection Charge' (where applicable) following the first inspection by Building Control.

Building Notice

If you submit a valid Building Notice you will need to be confident that the work will comply with the Building Regulations as no approval is given for your plans under this procedure. The Building Regulations preclude Building Notices for most work in non-domestic buildings.

Regularisation Application

A Regularisation Application may be submitted when seeking retrospective approval for work, which has been substantially completed. A charge of 150 per cent of the total Full Plans application charge (i.e submission charge + inspection charge) must be paid when the application is submitted. This type of application is, however, exempt from VAT.

Disabled Exemptions

There are no charges payable when the proposed works are to provide access and facilities in an existing dwelling or is an extension to store equipment or provide medical treatment for a disabled person. In order to claim exemption, the appropriate evidence as to the nature of the disabled person's disability must support any application.

Multiple Works

Where other works are carried out at the same time as building work which is described in classes 1 - 10 in Table 2, the total charge payable will be the appropriate charge in Table 2 added to the appropriate charge in Table 3. Please see the appropriate table for further information.

Estimated Cost of Works

The estimated cost of work used to determine the charge in Table 3 should be a reasonable estimate that would be charged by a professional builder to carry out such work (excluding the amount of any VAT).

Electrical Work

Where you choose not to use an electrician who belongs to an approved self-certification scheme, we will carry out inspections of the new electrical work and test it once it has been completed. We will employ qualified electricians for this and there is an additional fee to cover costs. (See Table 2 - Class 9).

Building Control Fees

Table 1 - Standard Charges for the Erection of New Dwellings

The standard charges below relate to creation or construction of new dwellings each unit not exceeding 300m² in floor area, for larger properties please contact Building Control to obtain an individual fee quotation for the work.

VAT applies at the current rate of 20% (except for a Regularisation Application).

No of New Dwellings	Full Plans Submission				Building Notice Charge		Regularisation charge
	Plan Submission Charge		Inspection charge		Exc Vat	Inc Vat	
	Exc Vat	Inc Vat	Exc Vat	Inc Vat			No Vat
1	£240.00	£288.00	£495.00	£594.00	£882.00	£1058.40	£1323.00
2	£300.00	£360.00	£800.00	£960.00	£1320.00	£1584.00	£1980.00
3	£360.00	£432.00	£1050.00	£1260.00	£1692.00	£2030.40	£2538.00
4	£420.00	£504.00	£1295.00	£1554.00	£2058.00	£2469.60	£3087.00
5	£480.00	£576.00	£1420.00	£1704.00	£2280.00	£2736.00	£3420.00

For schemes where the number of units exceed 5 or floor areas of individual units exceed 300m² please contact Building Control to obtain an individual fee quotation for the work.

Note: Where electrical installations are not to be certified by an installer registered with one of the Governments Competent Persons Schemes the additional charge in Table 2 Class 9 will be required for each unit. This is to enable checks and tests on the work to be made by our nominated contractor to establish that the work meets with the requirements of Approved Document P.

Shaded figures indicate that the 'Building Notice' charge exceeds the 'Full Plans' charge by 20%, which reflects the additional work associated with servicing Building Notices for such work compared to work associated with a Full Plans application.

Table 2 - Standard Charges for Extensions & Alterations to Domestic Buildings

VAT applies at the current rate of 20% (except for a Regularisation Application).

Class & Description		Full Plans Submission				Building Notice Charge		Regularisation Charge
		Plan Submission Charge		Inspection charge		Exc Vat	Inc Vat	No Vat
		Exc Vat	Inc Vat	Exc Vat	Inc Vat			
1	Single storey garage up to 60m ²	£120.00	£144.00	£150.00	£180.00	£270.00	£324.00	£405.00
2	Extension less than 6m ²	£120.00	£144.00	£300.00	£360.00	£420.00	£504.00	£630.00
3	Extension 6m ² - 40m ²	£180.00	£216.00	£420.00	£504.00	£600.00	£720.00	£900.00
4	Extension 40m ² - 100m ²	£240.00	£288.00	£480.00	£576.00	£720.00	£864.00	£1080.00
5	Loft conversion up to 40m ²	£240.00	£288.00	£420.00	£504.00	£660.00	£792.00	£990.00
6	Loft conversion 40m ² - 100m ²	£240.00	£288.00	£480.00	£576.00	£720.00	£864.00	£1080.00
7	Conversion of garage to habitable room up to 30m ²	£120.00	£144.00	£220.00	£264.00	£340.00	£408.00	£510.00
8	Recovering of roofs or cladding of walls to single dwellings (renovation of thermal element)	£180.00	£216.00	£0.00	£0.00	£180.00	£216.00	£270.00
9	Electrical/ Gas/ HETAS installation	£200.00	£240.00	£0.00	£0.00	£200.00	£240.00	£240.00
10	Replacement windows	£180.00	£216.00	£0.00	£0.00	£180.00	£216.00	£270.00

For all other works to a single domestic building and extensions/conversions over the floor areas specified above, please refer to Table 3 – Estimated Cost of Works.

For all other works to a single domestic building and extensions/conversions over the floor areas specified above, please refer to Table 3 – Estimated Cost of Works.

Where an extension or loft conversion over 100m² is proposed, the total fee payable will not be less than that specified in Class 4/6 above.

Where more than one extension, or an extension and a loft conversion is proposed, and the work is to be carried out concurrently, the individual fees should be combined and reduced by 30%.

Note: Where electrical installations are not to be certified by an installer registered with one of the Governments Competent Persons Schemes, the additional charge in Table 2 Class 9 will be required for each unit. This is to enable checks and tests on the work to be made by our nominated contractor to establish that the work meets with the requirements of Approved Document P.

Table 3 - Standard Charges for Alterations to Single Domestic Buildings (Other Than Those Specified in Table 2) and All Work to Non – Domestic Buildings

Please note: Building Notices should not be submitted for works to non-domestic buildings.

VAT applies at the current rate of 20% (except for a Regularisation Application).

Estimated Cost of Works Up To:	Plan Submission Charge		Inspection Charge		Building Notice Charge		Regularisation Charge
	Exc VAT	Inc VAT	Exc VAT	Inc VAT	Exc VAT	Inc VAT	No VAT Payable
£2,000	£180.00	£216.00	£0.00	£0.00	£180.00	£216.00	£270.00
£5,000	£250.00	£300.00	£0.00	£0.00	£250.00	£300.00	£375.00
£10,000	£110.00	£132.00	£210.00	£252.00	£320.00	£384.00	£480.00
£15,000	£130.00	£156.00	£252.00	£302.40	£382.00	£458.40	£573.00
£20,000	£150.00	£180.00	£294.00	£352.80	£444.00	£532.80	£666.00
£25,000	£170.00	£204.00	£336.00	£403.20	£506.00	£607.20	£759.00
£30,000	£190.00	£228.00	£378.00	£453.60	£568.00	£681.60	£852.00
£35,000	£210.00	£252.00	£420.00	£504.00	£630.00	£756.00	£945.00
£40,000	£230.00	£276.00	£462.00	£554.40	£692.00	£830.40	£1038.00
£45,000	£250.00	£300.00	£504.00	£604.80	£754.00	£904.80	£1131.00
£50,000	£270.00	£324.00	£546.00	£655.20	£816.00	£979.20	£1224.00

For work exceeding an estimated cost of £50,000 in Table 3 please contact Building Control to obtain an individual fee quotation for the work.

Where domestic alterations up to £10,000 are to be carried out at the same time as work described in categories 2 – 6 of Table 2 the charge payable in Table 3 is reduced by 30%.

Further information

If you have any queries regarding Building Control charges, please telephone 01732 227376 or email; building.control@sevenoaks.gov.uk.

Item FP 17/7 referred from Finance, Innovation and Property Advisory Board minutes of 4 January 2017

FIP 17/7 REVIEW OF PRE-APPLICATION PLANNING CHARGING REGIME

The joint report of the Director of Finance and Transformation and Director of Planning, Housing and Environmental Health provided an update on the pre-application procedures for planning and reviewed the protocol and scale of charges introduced in 2016 in accordance with Decision Number D160018CAB.

RECOMMENDED: That

- (1) the updated protocol for providing Pre-Application and Other Technical Planning Advice, as set out at Annex 1 to the report, be adopted; and
- (2) the Pre-Application Charging Schedule for 2017/18, as set out at Annex 2 to the report, be adopted.

***Referred to Cabinet**

This page is intentionally left blank

TONBRIDGE & MALLING BOROUGH COUNCIL

FINANCE, INNOVATION AND PROPERTY ADVISORY BOARD

04 January 2017

**Report of the Director of Finance and Transformation and Director of Planning,
Housing and Environmental Health**

Part 1- Public

Matters for Recommendation to Cabinet - Key Decision

1 REVIEW OF PRE-APPLICATION PLANNING CHARGING REGIME

Summary

This report provides an update on the pre-application procedures for planning and reviews the scale of charges.

Introduction

- 1.1.1 A review was carried out on the way that pre-application planning advice was given in December 2015 and a report was presented to the Planning and Transportation Advisory Board (PTAB), proposing a new Pre-Application Advice Protocol and charging regime on 12 January 2016. This proposal was agreed by PTAB and subsequently approved by Cabinet. The new protocol and fee structure was implemented on 1 April 2016.
- 1.1.2 Since the introduction of the fee schedule, detailed monitoring of the costs incurred in providing the pre-application advice service has been undertaken to inform this year's review.

1.2 The current pre-application process

- 1.2.1 The Pre-application Protocol and fee structure, introduced on 1 April 2016, identifies five main categories:
1. Householder Development: - proposals to individual houses and flats for residential purposes where the building affected is not a listed building.
 2. Minor Development :- includes advice on alterations to an existing building (excluding individual flats and houses) where there is no increase in floor space or where any increase in floor space is less than 499 sq.m., new or replacement shop fronts, new or replacement advertisements, alterations to a listed building, demolition of an unlisted building within a conservation area, proposals for telecommunications equipment, proposals for air conditioning / Ventilation Equipment, amendments to previously approved schemes, discharge of conditions attached to permissions

3. Medium development: - includes advice on 1 to 9 new residential units or the creation/change of use of up to 999 sq.m. floor space.
4. Major development: - includes advice on 10 to 99 new residential units or for the creation/change of use of 1,000 to 9,999 sq.m.
5. Large/Strategic development: - includes advice on 100 or more new residential units or the creation/ change of use of 10,000 sq.m. or more floor space. It also includes development briefs and master planning

1.2.2 The Pre-Application Protocol identifies two categories where fees will not apply:

- Advice to third parties affected by the development and/or change of use;
- Disabled access improvements;

1.2.3 It also offers a three option system as follows:

- A pre-application written response
- A pre-application meeting at the Council offices, followed by a letter
- A pre-application meeting on site, followed by a letter.

1.2.4 This system allows the prospective applicant to choose what level best suits their needs and budget. All three options have been used by prospective applicants during the monitoring period. The current Protocol and fees schedule can be viewed on the Council's website via the following link:

<https://www.tmbc.gov.uk/services/planning-and-development/planning/planning-advice-and-guidance/pre-application-advice>

1.3 Proposed amendments to the Pre-Application Protocol and charging regime

1.3.1 Our Pre-Application regime has been effective in delivering technical planning advice in a timely way since it was introduced in April 2016. However, mindful that this is a new process, it is important that monitoring is carried out on an annual basis to ensure ongoing effectiveness.

1.3.2 Some detailed monitoring of the current practice was carried out between 25 April and 19 August 2016. Altogether monitoring was produced for 71 enquiries, which comprised a range of category and option types in order to obtain a measured view of time taken and cost.

1.3.3 Feedback from Officers included comments that some queries were not specifically of a pre-application nature, but required technical work that still took time to investigate and provide a written response. Minor amendments to the Pre-Application Protocol are therefore proposed to make provision for this.

- 1.3.4 In addition, Officers have identified the need to provide clarification with regard to submissions of multiple options, amended drawings showing new proposals and new issues raised by the prospective applicant. Again, some minor amendments to provide clarity have been drafted into the Protocol.
- 1.3.5 Feedback from customers has identified the need for clarification around the length of time of a meeting or site visit, together with the type of information that needs to be submitted. Consequently, the charging schedule be amended to clarify site visit and meeting durations. In addition, it is proposed that the Protocol be amended to provide a more straightforward list of information requirements. For clarity the amended Protocol for Pre-Application and Other Technical Planning Advice is attached as **[Annex 1]**.
- 1.3.6 The monitoring exercise included collecting information on the amount of time spent on preparing and providing planning advice. This identified that the existing charging regime was not recovering the full costs of providing advice by some considerable way. The approach adopted in the review of charges seeks to address this, at least in part, and reflect the evidence provided by the recent monitoring exercise. For clarity the proposed Pre-Application Charging Schedule 2017/18' is attached as **[Annex 2]**. A move towards more cost recovery for this part of the planning service is in the context that mandatory planning application fees, which are set nationally at present, are themselves significantly short of providing sufficient funding to sustain the function overall and have been for many years. Although Government have signalled an intention to change that situation nothing has yet emerged formally.
- 1.3.7 The exception to the general approach to the proposed fee regime is in respect of householder development. Although this category does consume a fair amount of time, there is an issue about the customer resistance to a significant increase, which could be unhelpful to the quality of applications and may even have the perverse effect of reducing income from that source. The fees have therefore been pitched at a level to reflect the need for a balance, with the exception of cases where a site meeting is involved. As ever we will need to monitor that category to see what the pattern of take up becomes over the next year.
- 1.3.8 In terms of the types of development, the only change made is to include the development of a single dwelling in the 'minor' rather than 'medium' category as a more accurate reflection of the time generally needed to deal with that type of case.
- 1.3.9 It is intended that the new regime is introduced on 3 April 2017 and as previously we would endeavour to notify the proposed changes in advance to those that may use the service. The Development Control pages of the Council's website would be updated to reflect the amendments.

1.4 Legal Implications

- 1.4.1 The Local Government Act 2003 provides the power for local authorities to charge for discretionary services (as defined in the Local Government Act 1999). Discretionary services are those services that an authority has the power but not a duty to provide. An authority may charge where the person who receives the service has agreed to its provision. The power to charge under this provision does not apply where the power to provide the service in question already benefits from a charging power or is subject to an express prohibition from charging.
- 1.4.2 The Local Government Act 2003 places a duty on authorities to ensure that, taken one year with another, the income from charges for each kind of discretionary service does not exceed the costs of provision. An authority may set charges as it thinks fit, and may, in particular, charge only certain people for a service or charge different people different amounts.
- 1.4.3 Local authorities are required to have regard for any guidance that may be issued by the Secretary of State in terms of carrying out their functions under the 2003 Act. Section 93(7) of the Act provides that certain prohibitions in other legislation preventing authorities from raising money are specifically dis-applied in relation to the exercise of the charging power.
- 1.4.4 Local Planning Authorities therefore have powers to recover the costs of pre-application advice in recognition of the time officers have to spend researching information in order to provide answers to prospective developers or applicants.

1.5 Financial and Value for Money Considerations

- 1.5.1 The current level of cost recovery for providing pre-application advice is currently projected to be circa £50,000 for 2016/17 and this is reflected in Revised Estimates. The amendments to the charging schedule would increase the fees charged for on all types of advice, except Major and Large/Strategic proposals. We have included an income estimate of £55,000 in the Estimates for 2017/18, reflecting the charges set out in this report.

1.6 Risk Assessment

Robust monitoring should be carried out every year to ensure the protocol and charging schedule in place is based on up to date evidence and to review how, if at all, the take up of the service alters in response to fee changes. This will also ensure that we are responsive to the needs of our customers in the service we provide.

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 Recommendations

1.8.1 It is recommended that Cabinet be asked to::

- 1) Adopt the updated protocol for providing Pre-Application and Other Technical Planning Advice as attached at **[Annex 1]**;
- 2) Adopt the Pre-application Charging Schedule for 2017/18 as attached at **[Annex 2]**.

Background papers:

Nil

contact: Louise Reid
Neil Lawley

Sharon Shelton
Director of Finance and Transformation

Steve Humphrey
Director of Planning, Housing and Environmental Health

This page is intentionally left blank

TONBRIDGE AND MALLING BOROUGH COUNCIL

**PROTOCOL FOR PROVIDING PRE-APPLICATION AND OTHER TECHNICAL
PLANNING ADVICE**

December 2016

We are able to provide you with advice and information if you are considering carrying out work and changing the use of buildings or land that may require planning permission or a related consent (e.g. advertisement consent or listed building consent). Advice can also be given where works have taken place but technical planning guidance is sought. We would encourage you to seek advice before commencing development or submitting a formal application in order to help speed up the development process and avoid unacceptable proposals.

The provision of pre-application and technical planning advice is time consuming and costly so we have formalised the procedures for handling this area of work. In most cases we charge a fee for providing advice under the provisions of the Local Government Act 2003. The charges are based on an assessment of the cost in terms of officer time and other related costs for providing the advice. The charging arrangements will help us to sustain and improve the service provided.

The benefits of pre-application and technical planning advice

Pre-application advice and technical planning advice will provide you with the following benefits:

- understanding how our policies will be applied to your proposal
- identifying the need for specialist input at an early stage e.g. for listed buildings, transportation, landscape, noise, health, contaminated land or archaeology
- assisting in the preparation of proposals for formal submission, which, if you follow our advice, should be handled more quickly and be more likely to result in a positive outcome
- helping to reduce the time that you or your professional advisors spend in working up the proposals
- indicating those proposals that are completely unacceptable, so saving you the cost of pursuing a formal application.

Proposals requiring a fee

A fee will be charged for advice on the following types of development:

1. Householder Development

For the purposes of charging for advice this includes proposals relating to individual houses and flats for residential purposes where the building affected is not a listed building. In cases where the house or flat is statutorily listed as being of architectural or historic interest then

the charge will fall within the 'Minor Development' category (Category 2) rather than the Householder Development category (Category 1)

2. Minor Development

Minor development includes advice on:

Alterations to an existing building (excluding individual flats and houses which fall within the Householder Development Category – Category 1) where there is no increase in floor space or where any increase in floor space is less than 499 sq.m.

- New or replacement shop fronts
- New or replacement advertisements
- Alterations to a listed building
- Demolition of an unlisted building within a conservation area
- Proposals for Telecommunications Equipment
- Proposals for Air Conditioning / Ventilation Equipment
- Amendments to Previously Approved Schemes
- Discharge of conditions attached to permissions.
- 1 new residential unit

3. Medium development

Medium development includes advice on 2 to 9 new residential units or the creation/change of use of up to 999 sq.m. floor space. In the case of proposals for large new residential units where the total floor space exceeds 999 sq.m. the charge will fall within the major development category rather than the medium development category

4. Major development

Major development includes advice on 10 to 99 new residential units or the creation/change of use of 1,000 to 9,999 sq.m. In the case of proposals for large new residential units where the floor space exceeds 9999 sq.m. the charge will fall within the large/strategic development category rather than the major development category.

5. Large/Strategic development

Large/strategic development includes advice on 100 or more new residential units or the creation/ change of use of 10,000 sq.m. or more floor space.

Please note for all categories of development:

The charges for advice relate to the submission of one query only. Submissions that include multiple options, amended drawings submitted following a meeting/site visit and any additional matters not included with the original submission will be viewed as new enquiries and will be subject to a separate fee.

Proposals not requiring a fee

There will be no charge for the following:

- General and proportionate advice to third parties affected by development and/or change of use
- Disabled access improvements.

How to make a request for advice that requires a fee

You should make your request for advice about householder or minor development on a Pre-Application Advice Request Form, which is available to complete on our website.

We will acknowledge receipt of your request and the fee.

Following receipt of the correct fee, the relevant information and, where requested, the site visit and/or meeting, we will endeavour to respond to your query within 21 days (from the date of site visit or meeting, if applicable).

Please note that your request for pre-application advice will not be dealt with until we have received the correct fee and all of the necessary supporting information.

Where necessary you should amend the scheme in the light of the comments received and either:

- Proceed to a formal application; or
- if significant alterations to a scheme are required to make the proposal acceptable, then a further round of correspondence and meetings may be needed prior to a formal submission. It is likely that a further fee/s will be required to reflect the additional work required to assess the new information.

Planning Obligations.

Major, large and complex proposals often need to be accompanied by a legal agreement restricting or regulating the development or use of the land; for example, to secure planning obligations that will offset the impact of the new development on the locality.

The completion of legal agreements often delays the issuing of planning permissions, as decision notices are not issued until such time as the legal agreement has been finalised. In some circumstances, planning conditions or unilateral undertakings may offer a satisfactory and speedier alternative to a legal agreement. Negotiations should begin early in the planning process where cases require a legal agreement.

Community Involvement in the Planning Process

For larger development proposals we strongly encourage developers to involve the local community before an application is submitted. This may take the form of a local exhibition, public meetings, circulation of leaflets, or the creation of a well-publicised dedicated website, including a facility to make comments. Community involvement should ideally be sought in two stages:

- Firstly, to seek views from interested groups on what may be appropriate for a site, so that these views can, wherever possible, be taken on board before the proposals are drawn up; and

- Secondly, to explain and seek further views on the evolving proposals before a planning application is submitted, so that changes can be made in response before submission, and also so that people are already aware of the background and the proposals when we later consult them on the application.

Wherever an applicant has arranged some community involvement prior to making a planning application, we request that a supporting report is submitted that sets out:

- what community involvement has been undertaken;
- what views have been expressed;
- what changes have been made by the applicant in response to the views expressed or, if no changes have been made, the report should explain why not.

For smaller development, it is advisable to discuss your proposal with occupiers of adjacent properties likely to be affected by the proposal.

Notes

Decision making

The final decision on applications is made by Council Members or by senior officers. It can only be taken after consultations with adjoining occupiers, those bodies which the Council has a statutory requirement to consult and other interested parties once we have received your application(s) and following detailed assessment of the facts of the case.

You should therefore be aware that the Council's officers cannot give any guarantees about the decision that will be made on your application(s).

Freedom of Information Act 2000

The confidentiality of information held by the Council cannot be guaranteed. We may receive requests under the Freedom of Information Act, and related legislation, to disclose information about pre-application advice requests and the advice that we have provided.

Should you consider your inquiry to be confidential, please provide us with your reasons for this and the time period you consider that the information should remain confidential. Where we receive an application for disclosure, we will take into account requests for confidentiality when deciding whether to release the information.

Information to be provided by the applicant in initial submissions to the Council

For Householder, Minor and Medium advice the minimum information you should submit is:

- A plan identifying your property/site
- Sketches and drawings of your proposal with dimensions indicated
- Photographs of the property/site, in particular showing the relationship with any neighbouring buildings.

For Listed Building advice the above information should be submitted, together with:

- A description of the proposed works and how these may affect the historic fabric and design of the building;
- Photographs of the building, in particular covering the aspect of the building that you wish to change.

For Major and Large Strategic advice the following information should be submitted:

- A scaled plan identifying your site;
- Sketches and scaled drawings of your proposal
- Photographs of the site, in particular showing the site context and its relationship with any neighbouring buildings.
- Description of the scope of proposed development including scale, land uses, schedule of floor space, housing details including tenure and mix.
- Clarification of land ownership if a legal agreement is likely to be required, including details of other relevant interests such as tenancies, mortgages etc.
- List of suggested planning obligations, including a commitment to S106 legal agreement and to paying the Council's legal costs involved in negotiating, preparing and completing the agreement.

This page is intentionally left blank

Tonbridge and Malling Borough Council Pre-application charging schedule 2017/18				
	Type of Development	Fee for written advice only	Fee for a meeting at the Council Offices and letter	Fee for a meeting on site and letter
1	Householder development	£78 £65 + VAT	£144 £120 + VAT	£240 £200 + VAT
2	Minor development	£120 £100 + VAT	£240 £200 + VAT	£300 £250 + VAT
3	Medium development	£180 £150 + VAT	£240 £200 + VAT	£300 £250 + VAT
4	Major development	£480 £400 + VAT	£600 £500 + VAT	£660 £550 + VAT
5	Large Scale/Strategic Development/Planning Briefs/Master Planning	Site visit/meeting and written response option only £1,080 £900 + VAT		
Exemptions				
<ul style="list-style-type: none"> • Advice to third parties affected by development proposals • Disabled access 				
Notes				
<ul style="list-style-type: none"> • The charges set out above relate to each separate query submitted to the Council. They include research time on each query • Further queries and variations raised following the issue of advice by the Council will be subject to a new fee, including further meetings and site visits • Fees are calculated on the following time periods for site visits and meetings: <ul style="list-style-type: none"> ○ Categories 1, 2 and 3 – not to exceed 30 minutes ○ Category 4 – not to exceed 60 minutes ○ Category 5 – not normally to exceed 150 minutes 				

This page is intentionally left blank

TONBRIDGE & MALLING BOROUGH COUNCIL

CABINET

9 February 2017

Report of the Management Team

Part 1 - Public

Executive Key Decisions

1 TONBRIDGE TOWN CENTRE – STRATEGIC ASSET REVIEW

Summary

This report updates Members on a strategic review of the Council's principal property assets to the west of Tonbridge High Street and seeks the approval of Members to proceed with proposals to regenerate this area through (1) the sale of land and buildings within the River Lawn area for the purposes of creating a new medical centre and residential accommodation (2) the sale of vacant offices/ land at River Walk.

1.1 Introduction

1.1.1 Members will be aware that Officers have been conducting a review of Council owned assets within Tonbridge Town Centre with the intention of identifying a range of potential redevelopment opportunities. The aim of the review was to utilise these assets to help add vitality to the town centre as well as optimising their use in terms of service delivery, community benefit and financial return.

1.1.2 At a previous meeting of Cabinet on 24 March 2015, Members approved a proposal to progress negotiations for disposal of land within Tonbridge Town Centre following an approach by the Tonbridge Medical Group and developers acting on their behalf to purchase the land for the purposes of constructing a new medical centre.

1.1.3 This report updates Members on the progress of these negotiations and seeks approval to complete an agreement for sale of land at River Lawn Road for the development of a new medical centre.

1.1.4 The proposed sale of land for the purposes of a medical centre provides an opportunity to use this for community benefit in terms of new healthcare facilities for the town. It will also bring about an improvement to the visual and environmental quality and act as a catalyst for redevelopment of other areas of land within the ownership of the Borough Council in the immediate vicinity. The report also therefore outlines further proposals to dispose of land adjacent to the proposed medical centre and also vacant office land at River Walk, both for the purposes of facilitating the construction of new residential accommodation.

1.1.5 Taken together, the proposals within this report represent an important regeneration opportunity by making beneficial use of land in the heart of Tonbridge Town Centre that can contribute to the economic and community well-being of an area very close to the High Street. They also serve to deliver the following core values within the Council's Corporate Strategy for 2017-2019 –

Embracing Effective Partnership Working – achieving more by working and engaging effectively with a wide range of local partners from the private, public, voluntary and community sectors.

Valuing our environment and encouraging sustainable growth – keeping our towns, villages and countryside clean and well maintained, planning for our future homes and jobs and seeking investment in economic regeneration and infrastructure.

1.1.6 Due to the commercial nature of the proposals set out in the report, details of the financial considerations and the terms of any proposed agreements are set out in private annexes under Sch 12A to the Local Government Act 1972.

1.2 River Lawn Road

1.2.1 A plan identifying the land owned by the Borough Council within this area is attached as **Annex 1**. The plan identifies 3 separate land holdings as follows –

River Lawn Car Park (Marked '1' on the plan)

The Teen and Twenty Club (Marked '2')

River Lawn Land (Marked '3')

The Council also owns the freehold to the Lamberts Yard Car Park (marked as '4'), although this is not the subject of the proposals within this report. Indeed, it is intended to retain this land for the purposes of car parking.

1.2.2 The River Lawn Car Park is operated by the Borough Council, and during the financial year 2015/16 provided an income of £35,000.

1.2.3 The Teen and Twenty Club is leased to the Trustees of the Tonbridge Teen and Twenty Club. The lease permits use of the premises as a headquarters for a youth club and youth centre and for social purposes organised for benefit of the members. The most recent lease was entered into on 24 March 2009 for a period expiring on 31 March 2013. The rent payable under the lease is £100 pa. The Club have leased the Site since 1966.

1.2.4 Whilst the lease has now expired, the Teen and Twenty Club continue to occupy the premises. The Club are 'holding over' under the terms of the lease under the provisions of the Landlord and Tenant Act 1954.

- 1.2.5 The building occupied by the Teen and Twenty Club is generally regarded as being of poor appearance and amenity value, adding little to the character and appearance of the surrounding area. It is also not easily convertible to alternative uses. There are therefore aesthetic and practical benefits of demolishing the existing building to allow for a redevelopment of the area for a use that will itself bring an improvement to community health care provision. It is also important to note that the County Council has opened a Tonbridge Youth Hub in the Library facilities in Avebury Avenue. This means that there are now two facilities serving the same purpose in very close proximity to each other. Furthermore, the Tonbridge Central Area Action Plan (TCAAP) identifies this site as suitable for a mixed use development subject to the identification and provision of an alternative facility for the Teen and Twenty Club and other users of the building.
- 1.2.6 The River Walk Land is identified in the TCAAP as being underused and potentially threatening, particularly during the evening and at night. The TCAAP notes that it is important to improve this riverside location, providing opportunities for mixed infill to enhance the built form, making a clear distinction between the public front of buildings and the private backs and extend the time the area is used. The area is relatively poorly used and there is potential opportunity for a high quality development to include an attractive treatment and landscaping of the riverside path area. Most latterly the site has been used as a compound for the river related works by the Environment Agency.

1.3 Proposal from Assura Medical Group Ltd

- 1.3.1 Tonbridge Medical Group currently occupies premises in Pembury Road and Higham Lane, Tonbridge. With the continued expansion of the practice, the existing premises are no longer fit for purpose and NHS England has granted the practice approval to acquire the site of the Teen and Twenty Club at River Lawn and a small part of the adjoining River Lawn Land for the purposes of constructing a new medical centre.
- 1.3.2 The acquisition of suitable premises for a new practice is being taken forward by Assura, who are property developers specialising in acquiring and constructing sites for new medical centres. It is proposed that Assura will acquire the site and construct the medical practice, thereafter leasing the same to Tonbridge Medical Group.
- 1.3.3 The proposed medical centre would be arranged over 3 storeys –
- Ground Floor – car parking, main entrance foyer and pharmacy
 - First Floor – GP reception, waiting and clinical accommodation
 - Second Floor – staff meeting/ offices/ conference
- 1.3.4 The proposed gross floor area would be approximately 1400 sqm/ 15000 sqft.

- 1.3.5 It is not proposed to dispose of the River Lawn Car Park to Assura. This would be retained as a public car park, protecting the valuable income stream to the Council. However, Assura would be granted a lease of 5 spaces within the car park for use in connection with the medical practice. These 5 spaces would be delineated in order to ensure a clear separation from those spaces available for public use.
- 1.3.6 The agreement also provides for a contracted out lease to be granted of land at the River Lawn Road car park for a period of up to 2 years for use as a site compound. If a further period is required due to bona fide delays to the construction period then the parties agree to the grant of a further contracted out lease for a maximum period of 1 year.
- 1.3.7 Assura has confirmed that the proposal for a new practice at River Lawn has the full support of the partners of the existing practice.

1.4 Terms of the agreement

- 1.4.1 In consultation with the Council's appointed surveyors, Hartnell Taylor Cook (HTC), Heads of Term for the proposed disposal were agreed with Assura on 6 June 2016 (attached as **Annex 2**). These were agreed by the Director of Central Services and the Director of Planning, Housing and Environmental Health in consultation with the Leader and Deputy Leader (as delegated by Cabinet on 24 March 2015).
- 1.4.2 Both the Council and Assura have subsequently instructed Solicitors to negotiate the terms of the contract for sale of the property. These negotiations are now at an advanced stage and a copy of the draft agreement is attached at **Annex 3** together with the supporting Car Parking Lease, Compound Lease and Agreement for Lease between Assura and the Tonbridge Medical Group.
- 1.4.3 The key provisions of the agreement are set out in the private **Annex 4**.

1.5 Liaison with the Teen and Twenty Club

- 1.5.1 As Members would expect, we have been in close liaison with the Trustees of the Teen and Twenty Club about the redevelopment proposals.
- 1.5.2 The Director of Street Scene, Leisure and Technical Services and the Estates Service Manager have met regularly with the Committee and Trustees of the Teen and Twenty Club, appraising them of the proposed disposal to the Medical group. The Trustees and Committee have been understanding of the proposals and have agreed to surrender the lease of the Teen and Twenty Club on 31 March 2017, accordingly they have informed the hirers of the club that no further bookings will be available after this date.
- 1.5.3 The Council has offered support to community hirers to assist them in finding alternative and suitable facilities to relocate to in the town centre. New premises

have already been secured by some of the existing hirers, including the new youth hub in Avebury Avenue. The Council will continue to offer this support up until the closure of the club and beyond this time if necessary.

1.6 Consultation

- 1.6.1 Members will appreciate that should it be decided to proceed with all or any of the initiatives described in this report, development proposals arising from them will, of course, be need to be the subject of conventional planning applications, including public consultation in the normal way and any applications will be determined by the Area Planning Committee
- 1.6.2 Assura have confirmed that the Medical Group/ Clinical Commissioning Group (CCG) will be undertaking a consultation with patients of the practice prior to submission of the planning application.

1.7 River Lawn Land

- 1.7.1 HTC have identified the land adjacent to the site of the proposed Medical Centre as a suitable site for residential development. This could, for example comprise high quality apartments or mews type properties of a design appropriate to this locality or perhaps a scheme aimed at the retirement age group market. The river front nature of the site lends itself to a high quality designed development to complement the proposed medical centre. It might also incorporate improvements to the riverside walk in this vicinity and provide some well landscaped space around the buildings. Its location is likely to create a high capital value, particularly if combined with a mixed use development incorporating a medical centre or other facilities.
- 1.7.2 If Members were minded to pursue a disposal of this land, it is recommended that such a disposal would take place via tender or public auction, so as to achieve the best price available on the open market. Such a disposal process could include some overall design pointers, not to constrain matters but to provide encouragement for suitably high design quality which could actually assist in the marketing attraction. Given the interrelationship between this land and the site of the proposed Medical Centre (particularly because it is proposed that a small area of the River Lawn Land be included in the land to be disposed of to Assura for the purposes of the Medical Centre), it is not recommended that any such disposal is pursued unless and until completion of the agreement with Assura for redevelopment of the Teen and Twenty site.

1.8 River Walk Offices Site

- 1.8.1 A plan identifying the land owned by the Borough Council is attached as **Annex 5**.
- 1.8.2 The site is located in the centre of Tonbridge, fronting the River and opposite Tonbridge Castle. It may be accessed on foot via River Walk or New Wharf Road or by vehicle from New Wharf Road.

- 1.8.3 The building covers only a limited part of the plot, with the Council's ownership extending to River Walk to the north and east of the site.
- 1.8.4 Members may be aware that the building was formerly let to the Citizens Advice Bureau (CAB) and a private business (Jawatte), both of whom vacated the site during 2016. The CAB are now based in the Castle offices, with the private business having relocated to the Council offices at Kings Hill.
- 1.8.5 Within the Tonbridge Central Area Action Plan, the site is identified as suitable for residential development. It occupies a prime 'corner' location at a particularly attractive point in the town close to the River, Castle and Racecourse ground. It is also adjacent to Riverwalk itself where environmental improvements are being undertaken. All these aspects increase the scope for a high quality residential development which, with imaginative design, can add considerably to the 'aspect' of the locality and potentially achieve a high value relative to the size of the site.
- 1.8.6 If Members were minded to pursue a disposal of this land, it is recommended that such a disposal would take place via tender or public auction, so as to achieve the best price available on the open market. As with the River Lawn Land, such a disposal process could include some overall design pointers, not to constrain matters but to provide encouragement for suitably high design quality which could actually assist in the marketing attraction.

1.9 Financial and Value for Money Considerations

- 1.9.1 The financial considerations are set out in the private **Annex 4**.

1.10 Legal Considerations

- 1.10.1 The River Lawn Land is held by the Borough Council as public open space. In the event that Members were minded to proceed with the disposal of this land we would need to advertise our intention to do so in accordance with the requirements of sections 123(2A) and 127(3) of the Local Government Act 1972 and Section 233(4) of the Town and Country Planning Act 1990 and to thereafter consider any objections. This must be done before any final decision is taken on the disposal.

1.11 Risk Assessment

- 1.11.1 A critical part of this project will be in ensuring that the Teen and Twenty Club is able to find alternative premises for the facilities provided at the Club. Detailed liaison will continue with the Club to ensure that this takes place.
- 1.11.2 Any financial risks arising in connection with the proposals are considered in Annex 5.

1.12 Equality Impact Assessment

1.12.1 The proposed medical centre scheme will deliver considerable benefits to the community. As such, the scheme will provide a positive contribution to promoting equality. As specific elements of the development programme are taken forward, detailed consideration will be given to ensure potential impacts are identified and, where appropriate, action is taken to mitigate them in accordance with the Equality Act 2010 and supporting guidance.

1.13 Recommendation

1.13.1 It is **RECOMMENDED** that the Director of Central Services be authorised to

- (a) complete the contract for the sale of freehold land with Assura on terms substantially as set out at **Annex 3** together with all other necessary agreements in order to implement the proposals, including the Car Parking Lease and the Compound Lease. Any amendments to the documents at **Annex 3** to be agreed in consultation with the Leader and Deputy Leader;
- (b) advertise the intention of the Borough Council to dispose of the River Lawn Land;
- (c) Subject to the completion of the agreement(s) with Assura under (a) above and the receipt of no objections in response to (b) above, proceed with the disposal of the River Lawn Land (shown edged in red and marked '3' on the plan at **Annex 1**) as set out in paragraph 1.7 of the report, such authority to include (but not be limited to) advertisement of the land, negotiation of terms and completion of any necessary legal agreements; and
- (d) Proceed with the disposal of land at River Walk (shown edged in red on the plan at **Annex 5**) as set out in paragraph 1.8 of the report, such authority to include (but not be limited to) advertisement of the land, negotiation of terms and completion of any necessary legal agreements.

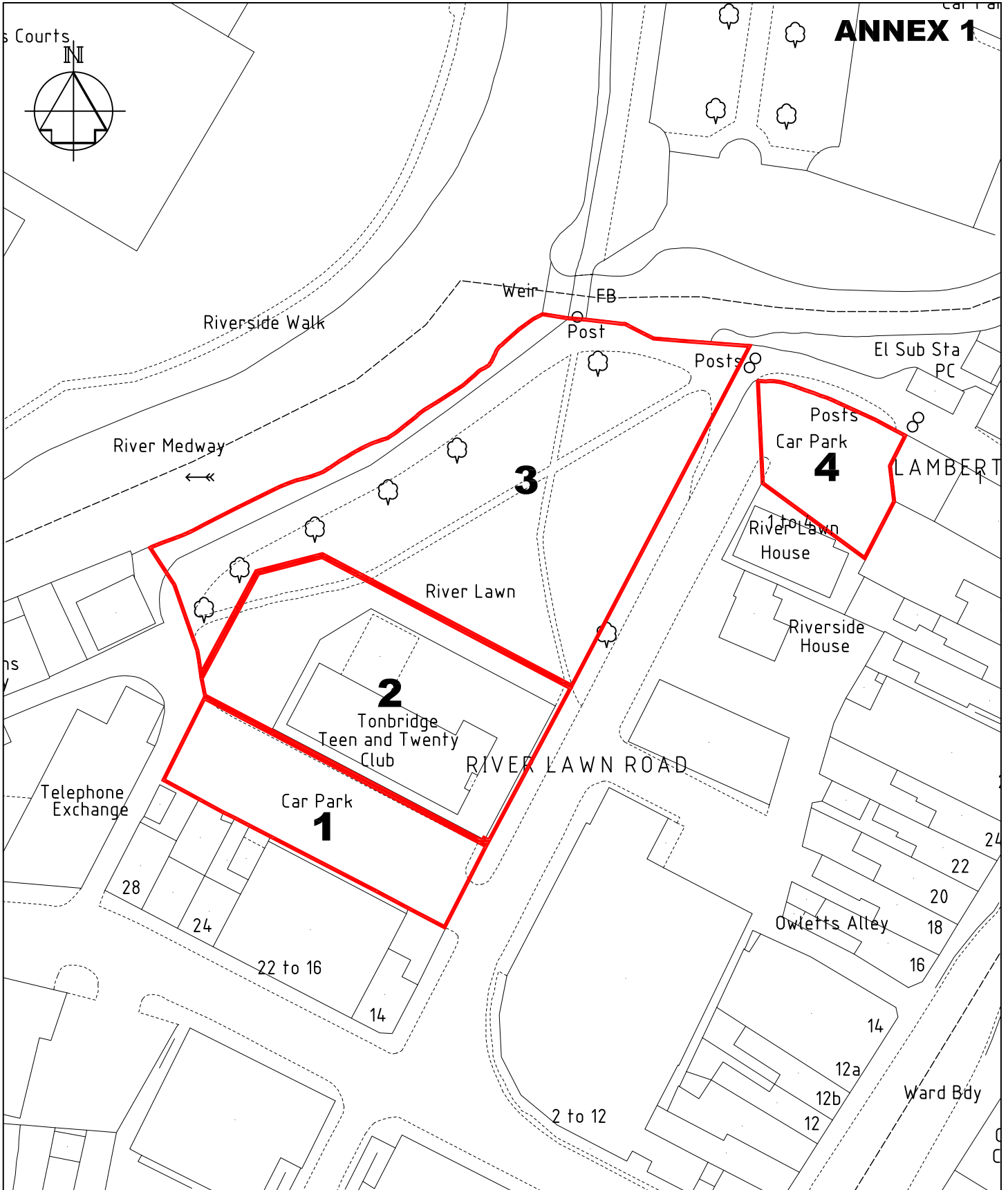
contact: Adrian Stanfield

Background Papers:

Nil

This page is intentionally left blank

ANNEX 1



**ADMINISTRATIVE
& PROPERTY
SERVICES**

ANNEX 1

Land at
River Lawn Road
Tonbridge

Page 191

REVISIONS

Rev	Date	Description

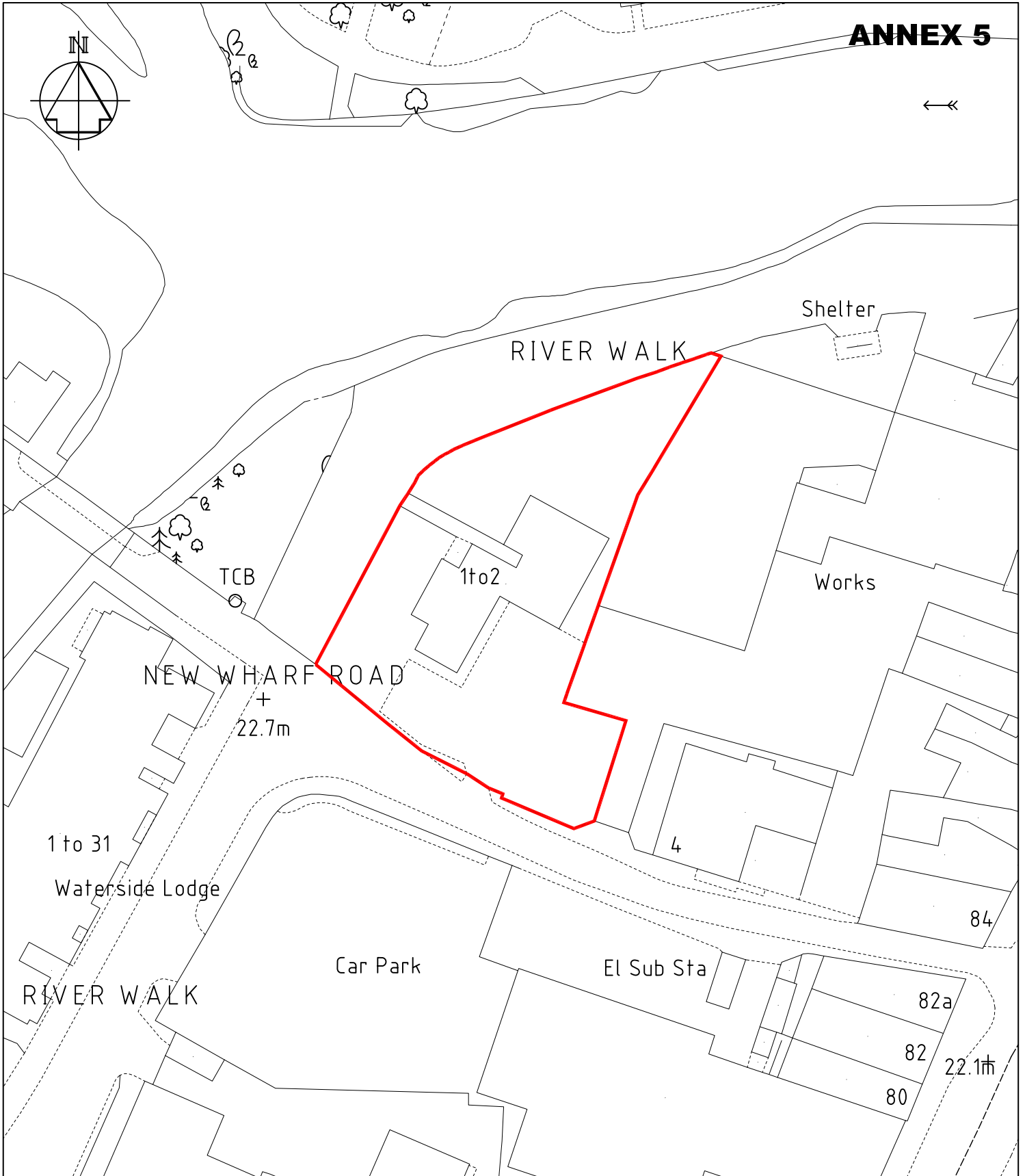
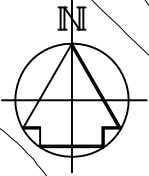
Date JAN2017

Scale NTS

Drawing No. TP1	Rev
---------------------------	-----

For reference purposes only. No further copies may be made. © Crown copyright and database rights 2012 Ordnance Survey 100023300

This page is intentionally left blank



**ADMINISTRATIVE
& PROPERTY
SERVICES**

ANNEX 5

Land at
River Walk
Tonbridge
Page 193

REVISIONS

Rev	Date	Description

Date JAN2017

Scale NTS

Drawing No. RW1	Rev
---------------------------	-----

For reference purposes only. No further copies may be made. © Crown copyright and database rights 2017 Ordnance Survey 100023300

This page is intentionally left blank

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.

This page is intentionally left blank

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**

This page is intentionally left blank

Tonbridge Town Centre – Strategic Asset Review – Annexes

Annexes 2, 3(i) – (iv), 4, 6 and 7 containing exempt information.

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

Agenda Item 15

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

This page is intentionally left blank