

## **TONBRIDGE AND MALLING BOROUGH COUNCIL**

### **FINANCE, INNOVATION AND PROPERTY ADVISORY BOARD**

**Wednesday, 6th January, 2021**

**Present:** Cllr M C Base (Chairman), Cllr Miss G E Thomas (Vice-Chairman), Cllr T Bishop, Cllr J L Botton, Cllr G C Bridge, Cllr C Brown, Cllr R I B Cannon, Cllr A E Clark, Cllr M O Davis, Cllr K King, Cllr Mrs R F Lettington, Cllr H S Rogers, Cllr K B Tanner, Cllr Mrs M Tatton, Cllr F G Tombolis and Cllr C J Williams

Councillors Mrs J A Anderson, Mrs P A Bates, Mrs S Bell, R P Betts, V M C Branson, M A Coffin, M A J Hood, N J Heslop, F A Hoskins, J R S Lark, D Lettington, B J Luker, Mrs A S Oakley, W E Palmer, M R Rhodes, R V Roud, J L Sergison and M Taylor were also present pursuant to Council Procedure Rule No 15.21.

### **PART 1 - PUBLIC**

#### **FIP 21/1 DECLARATIONS OF INTEREST**

Councillor M Tatton declared an Other Significant Interest in the item on the Covid Winter Grant Fund in that she was a Trustee of the East Malling Centre. She withdrew from the online meeting during consideration of the item and took no part in the discussion and voting thereon. Councillor N Heslop declared an Other Significant Interest in the same item in that he was a Trustee of The Bridge Trust. He withdrew from the online meeting during consideration of this item.

Councillors T Bishop and M Davis each declared an Other Significant Interest in the item on the Leybourne Lakes Country Park Lease on the grounds that they were the Borough Council's appointees to the Tonbridge and Malling Leisure Trust. Councillor Bishop further declared that he was appointed to the Leybourne Lakes Country Park User Panel. They withdrew from the online meeting during consideration of the item and took no part in the discussion and voting thereon.

In the interest of transparency, Councillor T Bishop referred to the item on the Proposed Transfer of Public Conveniences and advised that he was the Chairman of the Amenities Committee of East Malling and Larkfield Parish Council. Councillor M Taylor referred to the same item and advised that he was the Chairman of Borough Green Parish Council. Reference was made to both parish councils within the report.

**FIP 21/2 MINUTES**

**RESOLVED:** That, subject to the amendment of item FIP 20/34 (Declaration of Interest) to record that Councillor G Thomas had advised that she volunteered as an advisor at 'Crosslight Debt Advice' and not 'Crossroads Care Kent', the notes of the meeting of the Finance, Innovation and Property Advisory Board held on 16 September 2020 be approved as a correct record and signed by the Chairman.

**MATTERS FOR RECOMMENDATION TO THE CABINET**

**FIP 21/3 REVENUE ESTIMATES 2021/22**

The report of the Director of Finance and Transformation referred to the responsibility of the Cabinet under the Constitution for formulating initial proposals in respect of the Budget. Reference was made to the role of the Advisory Board in assisting the Cabinet and Council in the preparation of the budget within the context of the Medium Term Financial Strategy (MTFS) and the Council's priorities. The report outlined the process for referring the Advisory Board's recommendations to the Overview and Scrutiny Committee prior to consideration by the Cabinet on 11 February and thereafter by the Council at its Budget meeting.

Attention was drawn to the difficulties experienced within the budget setting process of incorporating an estimate of the scale of the impact of the Covid-19 pandemic on the Borough Council's finances in 2020/21 and 2021/22 and over the medium term.

**RECOMMENDED:** That

- (1) the draft Revenue Estimates contained at Annex 1 to the report, be endorsed for consideration by Cabinet at its special meeting on 11 February 2021; and
- (2) the Savings and Transformation Strategy be updated to reflect the latest projected funding gap as part of the budget setting process.

**\*Referred to Cabinet**

**FIP 21/4 CAPITAL PLAN**

Consideration was given to the report of the Director of Finance and Transformation which reviewed the current position of the existing Capital Plan (List A). It also recommended schemes for addition to List C, some existing List C schemes for deletion or evaluation and schemes for inclusion on List B from those List C schemes previously selected for evaluation or in certain circumstances identified for Fast-Track evaluation.

**RECOMMENDED:** That the following be endorsed for consideration by the Cabinet

- (1) the Capital Plan (List A) position as shown in Annex 1 to the report be endorsed;
- (2) the amendment of List C as detailed in paragraph 1.5.3 of the report;
- (3) the selection of those schemes listed in paragraph 1.6.4 of the report for evaluation including the scheme recommended for Fast-Track evaluation (electric/hybrid pool car);
- (4) the transfer of the schemes listed in paragraph 1.7.3 of the report from List C to List B; and
- (5) the Capital Strategy as set out at Annex 4 to the report be endorsed for adoption and publication on the Council's website.

\*Referred to Cabinet

**FIP 21/5 KINGS HILL PARISH COUNCIL - REQUEST FOR ADVANCE OF PRECEPT MONIES**

The joint report of the Chief Executive and the Director of Finance and Transformation set out details of a request received from Kings Hill Parish Council for an advance of £60,000 from part of the 2021/2022 local precept. The request, dated 17 December 2020 and attached at Annex 1, indicated that income from usage of community facilities had been decimated due to the coronavirus pandemic. It was noted that an 'interest free' advance of the sum requested would have minimal financial implications for the Borough Council and that the Parish Council had suggested that this would be repaid in two instalments in April and September. The report confirmed that the advance would be automatically recovered through the biannual payment of precept and, therefore, there was no risk to the Borough Council.

**RECOMMENDED:** That the request from Kings Hill Parish Council for an advance of £60,000 and repayment as set out in the report be endorsed for consideration by the Overview and Scrutiny Committee and recommended to Cabinet for approval.

\*Referred to Cabinet

**FIP 21/6 REVIEW OF FEES AND CHARGES 2021/22**

The report of the Management Team brought forward for consideration, as part of the Budget setting process for 2021/22, 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.

**RECOMMENDED:** That

- (1) in respect of the recovery of legal fees payable by third parties, the Council's charges remain the same for 2021/22 and continue to reflect existing practices as highlighted in paragraph 1.2 of the report;
- (2) the proposed scale of fees for local land charges searches and enquiries set out at Annex 1 to the report be adopted with effect from 1 April 2021;
- (3) 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 be retained;
- (4) the fee Schedule for Street Naming and Numbering set out in section 1.5 of the report be adopted with effect from 1 April 2021;
- (5) the amount of council tax and business rates Court costs recharged remain the same for the 2021/22 financial year (as set out at paragraph 1.6.4 of the report); and
- (6) the fees and charges 2021/22 related to Tonbridge Castle tours (as set out at paragraph 1.7.2), fees for schools (as set out at paragraphs 1.7.6 and 1.7.7) and the fee models for ceremonies (as set out at paragraphs 1.7.8 to 1.7.12 of the report) be approved.

\*Referred to Cabinet

**FIP 21/7 APPEALS - EXPANDED RETAIL DISCOUNT**

Decision Notice D210001MEM

The report of the Director of Finance and Transformation gave details of businesses appealing the decision to not award the Expanded Retail Discount for the 2020/21 financial year and invited determination of these appeals. Guidance from the Ministry of Housing, Communities and Local Government (MHCLG) was attached at Annex 1.

**RECOMMENDED:** That

- (1) the appeal from Countryside Properties PLC be dismissed for the reasons set out in the report;
- (2) the appeal from Watts Farm Catering Limited be dismissed for the reasons set out in the report; and
- (3) the appeal from Green Parking Limited be dismissed for the reasons set out in the report.

---

**FIP 21/8 REVISION TO THE IT STRATEGY (2018-2022)**

Decision Notice D210002MEM

The report of the Director of Finance and Transformation set out details of a number of revisions made to the IT Strategy (2018-2022) to reflect the changing environment the Borough Council operated within. Particular reference was made to the Digital Strategy, adopted in 2019, which continued until 2023. It was recommended that the Strategies should have aligned timescales to underpin the Borough Council's Corporate Strategy.

**RECOMMENDED:** That the revised IT Strategy, attached as Annex 1 to the report, be approved and extended until 2023 to align with the Digital Strategy.

**FIP 21/9 PROGRESS WITH NEW COUNCIL WEBSITE**

Decision Notice D210003MEM

The joint report of the Director of Finance and Transformation and the Director of Central Services provided an update on the progress made with the technical implementation and the preparation of content for the new website and advised that, in liaison with the Member Working Group, the launch of the new website had been deferred until June 2021. The delay would mitigate the risk related to local County Council and Police and Crime Commissioner Elections in May 2021 and allow sufficient time for the development of website content and enhanced digital services for local residents.

**RECOMMENDED:** That:

- (1) the progress in delivering the technical aspects of the website be noted;
- (2) the deferral of the launch of the website until June 2021 for the reasons set out in the report be endorsed; and
- (3) the additional costs of the deferral of the launch of the website be built into draft Estimates for 2021/22.

**FIP 21/10 COVID WINTER GRANT FUND**

Decision Notice D210004MEM

The joint report of the Chief Executive and the Director of Finance and Transformation provided details of the new Winter Grant Fund and set out a process to ensure that vulnerable households, particularly those with children, were not struggling to pay for food or fuel over the winter

months. Full guidance for the grant was attached at Annex 1 to the report.

Groups and organisations working in the community had been invited to submit bids based on a number of requirements, as detailed in 1.1.3 of the report. A summary of the applications received was set out in 1.2.1 of the report. The report highlighted that the application by Aylesford Parish Council had not met the scheme criteria but could be incorporated with the application submitted by St Peter and St Paul's Church, Aylesford in respect of a new food bank.

**RECOMMENDED:** That:

- (1) Covid Winter Grants be awarded in accordance with the approved bids listed in 1.2 of the report, with the exception of the Aylesford Parish Council bid of £3,000 which was to be added to the bid from St Peter and St Paul's Church; and
- (2) the balance of £5,600.55 be held on reserve for use as necessary within the parameters of the Scheme under direction of the Chief Executive or the Director of Finance and Transformation.

## **FIP 21/11 PROPOSED TRANSFER OF PUBLIC CONVENIENCES**

Decision Notice D210005MEM

The report of the Director of Central Services and Deputy Chief Executive set out the proposed terms of the freehold disposal of public conveniences to Parish and Town Councils. It was noted that West Malling Parish Council had indicated that it did not wish to proceed with the transfer but that this had yet to be formally confirmed. It was also noted that Borough Green Parish Council had requested the transfer to them of two areas of public open space and that this matter would be investigated and reported to a future meeting of the Advisory Board.

**RECOMMENDED:** That

- (1) subject to the receipt of formal confirmation from West Malling Parish Council as to whether or not it wishes to proceed with the transfer, the public conveniences at Borough Green, East Malling and Larkfield, East Peckham and West Malling be transferred to the respective Parish Councils in line with the terms outlined in the report;
- (2) the request by Borough Green Parish Council regarding the transfer of land at Crowhill and Staleys Acre, Borough Green be investigated and a report submitted to a future meeting of the Advisory Board; and

- (3) options for the disposal/alternative use of any public convenience sites not transferred to Parish/Town Councils be investigated.

**MATTERS SUBMITTED FOR INFORMATION**

**FIP 21/12 TEST AND TRACE SUPPORT PAYMENTS**

The report of the Director of Finance and Transformation provided details of the local introduction and operation of the National Government Test and Trace Support Payment Scheme.

**FIP 21/13 BUSINESS GRANT SCHEMES**

The report of the Director of Finance and Transformation provided details of the latest Government schemes to assist businesses and charities affected by the Covid-19 lockdown and 'tiered' measures. It was noted that 9 schemes were being operated within the Borough with approximately £1.72 million paid out since 1 December 2020. Members commended the officer teams for their exceptional administrative work and speed of delivery of funding and support to local businesses.

**FIP 21/14 REVENUE AND BENEFITS UPDATE REPORT**

The report provided details of recent developments in respect of council tax, business rates, council tax reduction and housing benefits.

**FIP 21/15 BUSINESS CONTINUITY INCIDENT - IT DISASTER RECOVERY**

The report of the Director of Finance and Transformation provided a record of the issues arising from the disruption of the Council's IT systems for part of the day on 26 November 2020. A detailed timeline of the incident was set out at Annex 1 to the report.

**MATTERS FOR CONSIDERATION IN PRIVATE**

**FIP 21/16 EXCLUSION OF PRESS AND PUBLIC**

The Chairman moved, it was seconded and

**RESOLVED:** That as public discussion would disclose exempt information, the following matters be considered in private.

**PART 2 - PRIVATE**

**MATTERS FOR RECOMMENDATION TO THE CABINET**

**FIP 21/17 DEBTS FOR WRITE-OFF**

(Reasons: LGA 1972 Sch 12A Paragraph 2 – Information which is likely to reveal the identity of individual)

Decision Notice D210006MEM

The report of the Director of Finance and Transformation sought approval to the writing-off of debts considered to be irrecoverable.

**RECOMMENDED:** That the 4 items shown in the schedule of amounts over £5,000 (as set out in Annex 1 to the report), totalling £28,733.95 be written off the reason stated within the schedule.

**FIP 21/18 USE OF SCAPE FRAMEWORK**

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

Decision Notice D210007MEM

The report of the Director of Central Services and Deputy Chief Executive set out the proposed use of the Scape Minor Works Framework to deliver the conversion of properties at Pembury Road, Tonbridge for use as temporary accommodation.

**RECOMMENDED:** That the conversion scheme at Pembury Road, Tonbridge be progressed via the Scape Minor Works Framework.

**FIP 21/19 LEYBOURNE LAKES COUNTRY PARK LEASE**

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

The report of the Director of Central Services and Deputy Chief Executive set out the proposed terms of a lease to the Tonbridge and Malling Leisure Trust in respect of Leybourne Lakes Country Park.

**RECOMMENDED:** That a lease for Leybourne Lakes Country Park be granted to the Tonbridge and Malling Leisure Trust as detailed in the report of the Director of Central Services and Deputy Chief Executive.

\*Referred to Cabinet

**FIP 21/20 ANGEL INDOOR BOWLS ASSOCIATION LEASE**

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

Decision Notice D210008MEM

The current position regarding a lease to the Angel Indoor Bowls Association was outlined and options to progress the matter were set out for consideration in the report of the Director of Central Services and Deputy Chief Executive.

**RECOMMENDED:** That delegated authority be given to the Director of Central Services and Deputy Chief Executive, in consultation with the Cabinet Member for Finance, Innovation and Property, to set out the proposed terms for a new lease in a Section 25 notice (or by way of a response to the purported s26 notice if it is deemed to be valid) and that a further report be brought back to the Finance, Innovation and Property Advisory Board to agree the final terms of any lease renewal.

The meeting ended at 8.41 pm  
having commenced at 6.30 pm