

TONBRIDGE AND MALLING BOROUGH COUNCIL

OVERVIEW AND SCRUTINY COMMITTEE

MINUTES

Thursday, 23rd January, 2025

Present: Cllr Mrs A S Oakley (Chair), Cllr L Athwal (Vice-Chair), Cllr T Bishop, Cllr C Brown, Cllr R I B Cannon, Cllr A Cope, Cllr P M Hickmott, Cllr M A J Hood, Cllr F A Hoskins, Cllr S A Hudson, Cllr D W King, Cllr A Mehmet, Cllr W E Palmer, Cllr D Thornewell, Cllr C J Williams, Cllr M R Rhodes (substitute) and Cllr J R S Lark (substitute)

Cllrs M D Boughton, R P Betts*, D Keers*, Mrs M Tatton* and M Taylor* were also present pursuant to Council Procedure Rule No 15.21.

(*participated via MS Teams)

Apologies for absence were received from Councillors Mrs S Bell (Vice-Chair) and D A S Davis

PART 1 - PUBLIC

OS 25/1 NOTIFICATION OF SUBSTITUTE MEMBERS

Notification of substitute members were recorded as set out below:

- Cllr J Lark substitute for Cllr D Davis
- Cllr M Rhodes substitute for Cllr S Bell

In accordance with Council Procedure Rules 17.5 to 17.9 these Councillors had the same rights as the ordinary member of the committee for whom they were substituting.

OS 25/2 DECLARATIONS OF INTEREST

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

OS 25/3 MINUTES

RESOLVED: That the Minutes of the meeting of the Overview and Scrutiny Committee held on 14 November 2024 be approved as a correct record and signed by the Chair.

OS 25/4 ANY EXECUTIVE DECISIONS WHICH HAVE BEEN 'CALLED-IN'

Whilst there were no executive decisions 'called-in', the Chair took the opportunity to advise that during 2024 there had been a total of 2 decisions 'called-in' for scrutiny.

The Committee had reviewed decisions related to Parking Proposals and Changes to On and Off-Street Fees and Charges and the NPPF Consultation. A number of recommendations had been made to the executive which had been reflected in revised decision notices being published. This illustrated that the Overview and Scrutiny Committee were successfully holding the executive to account and demonstrated the valuable role undertaken by the Committee.

MATTERS FOR RECOMMENDATION TO THE CABINET**OS 25/5 REVENUE ESTIMATES 2025/26**

The report of the Director of Finance and Transformation and the Cabinet Member for Finance and Housing referred to the responsibility of the Cabinet under the Constitution for formulating initial draft proposals in respect of the Budget and explained that, under the Budget and Policy Framework, one of the responsibilities for the Overview and Scrutiny Committee was to scrutinise the draft Estimates and, where appropriate, make recommendations to Cabinet.

In preparing the Estimates, due regard had been given to the Corporate Strategy and particular consideration given to the need to address a number of key issues including the provision of cost-effective temporary accommodation, the regeneration of Tonbridge, climate change initiatives, transformation to improve efficiency and effectiveness and delivery of the Local Plan.

Other financial considerations included a Settlement Funding Assessment (SFA) for one year only as a result of the recent announcement of a wider Local Government Finance Review due to start in Spring 2025, no further legacy payments for the New Homes Bonus Scheme, under-indexing of the Business Rates Multiplier and an additional grant (Funding Floor) to balance the core spending needs of the Borough Council. Total grant funding for 2025/26 was £5,530,915 which represented a decrease of 8.5% when compared to that received in 2024/25. However, the announcement of a new 'polluter pays' grant meant that the budget position for 2025/26 was positive and options in respect of contributions to the reserves would be presented to Cabinet when finalising the budget.

Attention was also drawn to the ability for district councils to increase council tax up to 3%, or £5 whichever was greater. However, the future financial position remained uncertain and difficult to determine due to the current economic conditions and the lack of detail in respect of future

funding arrangements. It was also anticipated that the Local Government Finance Review would focus on local deprivation factors, as well as need and resources, and Tonbridge and Malling Borough Council were not expected to fair well under this review.

In addition, the recent announcement in respect of 'devolution' and local government reorganisation could bring significant changes in due course. At this point given the relatively uncertainty, financial planning continued in the normal way. The risk would be added to the Strategic Risk Register.

Careful consideration was given to the Revised Estimates for 2023/24 and the draft Estimates for 2025/26 (attached at Annex 1) within the context of the Medium-Term Financial Strategy (MTFS) and the Council's priorities. Variations were detailed in Annex 1 and at 9.2 and 10.2 of the report. Members sought clarification and reassurance on a number of areas including the waste contract, the future of recycling credits from Kent County Council, the provision of leisure facilities and the future of the Anti-Social Behaviour (ASB) Enforcement Team. In response, the Committee noted that the level of service in respect of the waste contract was high, the Borough Council would continue to receive recycling incentives until the end of the current agreement with Kent County Council, the Leisure Trust provided a good service at value for money and a funding model for the continuation of the ASB Enforcement Team was being explored.

Finally, to support scrutiny of the Revenue Estimates information had been provided as to whether a service was mandatory or discretionary (attached at Annex 2) and this was welcomed by Members.

In closing, the Committee recorded appreciation to the Accountancy Team for their significant contribution in preparing the estimates for consideration.

***RECOMMENDED:** That the Revenue Estimates as drafted (attached at Annex 1) be endorsed for consideration by Cabinet at its special meeting on 11 February 2025.

***Recommended to Cabinet**

OS 25/6 CAPITAL PLAN REVIEW 2024/25

The report of the Director of Finance and Transformation and Cabinet Member for Finance and Housing detailed proposals for the Capital Plan for the remainder of 2024/25 and 2025/26 and sought endorsement of recommendations to the Cabinet.

Members were reminded that the capital plan process provided a means of maintaining a pool (List C) from which schemes could be selected for evaluation and possible implementation. It also provided an opportunity

to review the provisions for schemes which were already in the Capital Plan (List A).

It was explained that capital expenditure was 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. In some circumstances other earmarked reserves were used to fund in full or in part appropriate capital plan schemes. However, it was also noted that based on current approvals that from 2029/30 the Borough Council might need to borrow to fund such expenditure.

Proposals for List C which included the addition of 'fast track' schemes in respect of the acquisition of temporary accommodation, Haysden Country Park site improvements, Tonbridge Racecourse Sportsground improvements, Swanmead Sportsground flood alleviation works, Tonbridge Cemetery vaults, the installation of digital CCTV systems at the leisure facilities and boiler replaced at Poult Wood Golf Course were outlined in 9.4 of the report. Funding arrangements and evaluated details for these schemes were set out in Annex 4 and 10.1 to 10.6 of the report.

Attention was drawn to the scheme for the renewal of the roof at Tonbridge Castle Offices (detailed on List A) and the estimate had been revised to reflect current building costs which had significantly increased following the covid pandemic. The latest estimate for works was now £226,000 (up from £70,000) and the estimates had been revised to reflect this increase.

Careful consideration was given to the existing Capital Plan (List A) and List C (as detailed in Annexes 1 – 3) and officers responded to questions raised by Members related to the River Medway Riverside Improvement Scheme, Leybourne Lakes Country Park resurfacing and Tonbridge Wayfinding. In response the Committee was assured that the Riverside Improvement Scheme was recognised as a priority and local Members would be kept updated on progress. It was also noted that the introduction of a new Annual Service Delivery Plan would enable progress on the Scheme to be monitored and challenged. Other queries raised would be addressed out of meeting and if appropriate necessary adjustments to the schemes would be made.

Members recognised the significant financial implications in respect of a number of schemes and were reassured that the costs, risks, works and valuations associated with the projects would be carefully monitored. It was also commented that projects set out should be implemented as soon as possible in advance of local government organisation so that these could be started/completed if the Borough Council no longer existed.

Finally, the Committee recorded appreciation to Officers in Finance Services for their contribution in preparing both the Revenue Estimates and the Capital Plan.

***RECOMMENDED:** That

- (1) the current Capital Plan (List A) position (attached at Annex 1) be noted;
- (2) List C (attached at Annex 3) be amended by Cabinet as detailed in 8.3 of the report;
- (3) the transfer of the seven fast-track evaluated schemes (shown in 9.4 and Annex 4) from List C to List B be commended to Cabinet for endorsement;
- (4) the remaining seven schemes listed in 9.4 be selected for evaluation;
- (5) Cabinet endorse Capital Plan (List B) totalling £4.7m (detailed in Annex 2 and 11.2) transferring to List A, subject to the remaining finance being identified;
- (6) Cabinet be asked to update the Capital Plan (List A) position as recommended above; and
- (7) the Cabinet be invited to endorse the Capital Strategy (attached at Annex 5) for adoption by the Council and publication on the Council's website.

***Recommended to Cabinet**

OS 25/7 ANNUAL SERVICE DELIVERY PLAN 2025/26

The report of the Chief Executive and the Leader introduced an Annual Service Delivery Plan to strengthen links between the Corporate Strategy 2023-27 and the activities of the Borough Council and which set out priority actions for the year. The Plan also provided the opportunity to realign the Key Performance Indicators, strengthened accountability and aligned priorities with budget setting.

A draft Annual Service Delivery Plan for 2025/26 setting out a wide range of activities, milestones and targets was provided at Annex 1.

Members welcomed the introduction of a Service Delivery Plan as a valuable tool in monitoring performance and tracking progress and suggested a number of amendments and corrections which were noted by the Strategic Economic Regeneration Manager including a request for data related to the housing register and empty properties.

With regard to the Borough Council maximising opportunities to influence the implement of the Government's 'devolution' agenda within Tonbridge and Malling (detailed in 13.1 – Efficient and Effective Council – Active) Members discussed options related to areas that did not have parish/town council representation. It was proposed by Cllr Hood, seconded by Cllr Hoskins and supported by the Committee, that the milestone for 13.1 be amended to include:

- (i) Report on progress of any governance review relating to the unparished part of the Borough and any other boundary review of parished areas.

***Recommended:** That

- (1) the report be noted;
- (2) the draft Annual Service Delivery Plan (attached at Annex 1) be commended to Cabinet for approval, subject to the proposed amendment set out in (i) above;
- (3) any updated information addressing current gaps in information be considered during Quarter 1 reporting of the Annual Service Delivery Plan; and
- (4) the process for reporting updates on the Annual Service Delivery Plan, set out in 5.6 to 5.8 be commended to Cabinet for approval.

***Recommended to Cabinet**

MATTERS FOR INFORMATION

OS 25/8 RECORD OF DECISIONS TAKEN BY THE EXECUTIVE

The decisions taken by the Cabinet and Cabinet Members during November and December 2024 were presented for information and noted by the Committee.

The decisions taken by Cabinet Members during the first half of January 2025 were also noted.

OS 25/9 NOTICE OF FORTHCOMING KEY DECISIONS

The Notice setting out Key Decisions anticipated to be taken during February to March 2025 was presented for information. It was also noted that the Notice was subject to change if adjustments were necessary to the reporting timetable.

If there were any issues that the Committee wished to scrutinise, they were invited to raise these with the Chair.

OS 25/10 WORK PROGRAMME

The Work Programme setting out potential matters to be scrutinised was noted. Members were invited to suggest future items by liaising with the Chair of the Committee.

Reference was made to the further update in respect of the implementation to Agile and it was explained that there might be a need to report this to Cabinet as well as a result of contractual issues.

OS 25/11 UPDATE ON 'ENGLISH DEVOLUTION WHITE PAPER'

The English Devolution White Paper, released by Government on 16 December 2024, set out plans to widen devolution across England, reform local government and introduce elected Mayors and Strategic Combined Authorities and Unitary Authorities for all parts of the country.

Currently, it was understood that Mayoral Strategic Combined Authorities would be offered additional powers and influence in respect of skills and employment support, transport and local infrastructure, housing and strategic planning, economic development and regeneration, environment and climate change, health, wellbeing and public service reform and public safety.

As a consequence of the Government's proposals for local government reorganisation, District and Borough Councils, the County Council and the single Unitary Council would be abolished and new Unitary Authorities established. These new Authorities would cover a population of at least 500,000 and would be created by bringing together the existing tier one and tier two Councils and functions.

The Chief Executive and Leader provided an update in respect of the indicative timetable and confirmation of which areas had been accepted on to a 'priority programme' was expected by the end of January 2025. If Kent and Medway were confirmed as being on the 'priority programme' initial views on unitary geographies would be invited by March 2025, with a deadline of May 2025 for final Unitary reorganisation proposals. It was also emphasised that the deadline for reorganisation proposals from 'non-priority' areas was Autumn 2025 and that the Government would ultimately decide on the geographies for all areas.

Implications for elected Members and Council staff and the potential risks were highlighted and discussed.

In conclusion, the Government's intent in respect of local government reorganisation was clear, things were moving quickly and it was important to maximise influence to shape outcomes, minimise the period of uncertainty to limit damage to services, staff morale and democracy and to achieve the best outcome for residents and staff.

MATTERS FOR CONSIDERATION IN PRIVATE

OS 25/12 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 1035pm