

TONBRIDGE AND MALLING BOROUGH COUNCIL

FINANCE, INNOVATION AND PROPERTY ADVISORY BOARD

Wednesday, 13th January, 2016

Present: Cllr Mrs F A Kemp (Chairman), Cllr Mrs B A Brown (Vice-Chairman), Cllr O C Baldock, Cllr R P Betts, Cllr T Bishop, Cllr J L Botten, Cllr T I B Cannon, Cllr D J Cure, Cllr M O Davis, Cllr R D Lancaster, Cllr D Lettington, Cllr L J O'Toole, Cllr A K Sullivan and Cllr B W Walker

Councillors Mrs J A Anderson, M C Base, P F Bolt, V M C Branson, M A Coffin, N J Heslop, B J Luker, Mrs A S Oakley, S C Perry, M R Rhodes and C P Smith were also present pursuant to Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors Mrs S Bell and Miss J L Sergison

PART 1 - PUBLIC

FIP 16/1 DECLARATIONS OF INTEREST

Councillor M Davis declared an Other Significant Interest in the items on Applications for Discretionary Rate Relief and Formalising Title and Land Arrangements at Vale Rise on the grounds that his firm acted for clients in each case. He withdrew from the meeting during consideration of these matters.

Councillor N Heslop declared an Other Significant Interest in the item on Review of Fees and Charges in respect of the list of concessionary users of Tonbridge Castle Council Chamber on the grounds of membership of the Board of the Bridge Trust. He withdrew from the meeting during consideration of this matter.

FIP 16/2 MINUTES

RESOLVED: That the notes of the meeting of the Finance, Innovation and Property Advisory Board held on 23 September 2016 be approved as a correct record and signed by the Chairman.

MATTERS FOR RECOMMENDATION TO THE CABINET

FIP 16/3 REVENUE ESTIMATES 2016/17

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. An outline was given of 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.

The report set out the framework for considering the estimates in terms of the MTFS together with a number of Service specific issues. The report indicated the factors to be taken into account when updating the MTFS and referred to the Savings and Transformation Strategy considered by the Cabinet on 17 November 2015 which would provide a structure and focus for addressing the significant financial challenge facing the Council. It was noted that the MTFS would continue to be updated during the Budget cycle as more information became available.

The Director of Finance and Transformation drew attention to the key messages arising from the consultation on the provisional Local Government Finance Settlement including the position regarding New Homes Bonus funding; the new methodology taking into account the amount capable of being raised locally from council tax; and a change in the split of funding between tiers of local government in favour of authorities with responsibilities for social care and larger reductions for district councils. Such an approach would result in the Council's revenue support grant (RSG) being reduced to zero by 2017/18 and, thereafter, further reductions by way of a "tariff adjustment" under the business rates retention scheme.

It was considered that a robust response to the settlement consultation should be submitted by the 15 January deadline in view of the radical and unexpected changes proposed which would place the Council's services at severe risk. The Director of Finance and Transformation circulated and presented the suggested response which was endorsed by Members. The Leader referred to representations made to the Secretary of State by the 15 authorities that would be losing RSG in 2017/18 (earlier than the majority) and commended the work of the Finance team in formulation of the combined response.

RECOMMENDED: That

- (1) the fourth objective of the Medium Term Financial Strategy set out at paragraph 1.2.1 of the report be replaced by the following:

"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 approved by Members."

- (2) the proposed response to the provisional local government finance settlement 2016/17, as circulated at the meeting, be supported and copies be sent to the two local Members of Parliament;
- (3) the draft Revenue Estimates contained in the Booklet be endorsed;
- (4) within the context of the financial pressures outlined in the report, the Overview and Scrutiny Committee be requested to consider the draft Revenue Estimates contained in the Booklet and make appropriate recommendations to the Cabinet for its special meeting on 11 February 2015;
- (5) the Savings and Transformation Strategy be updated to reflect the financial impact of the provisional local government finance settlement; and
- (6) appreciation be conveyed to the Finance team for their work in response to the provisional local government finance settlement.
***Referred to Cabinet**

FIP 16/4 CAPITAL PLAN REVIEW 2015/16

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. Members were reminded that any aspirations in respect of capital schemes needed to be set within the context of the significant financial challenge facing the Council.

Particular reference was made to the increase in budget provision for the Tonbridge Town Lock and Wouldham river wall schemes and the means of funding them. An updated Capital Strategy was also presented for endorsement.

RECOMMENDED: That the following be endorsed for consideration by the Overview and Scrutiny Committee:

- (1) the Capital Plan (List A) position as shown in Annex 2 to the report noting:
 - (i) the increase in the budget provision in respect of the Tonbridge Town Lock capital plan scheme and how it is to be funded;
 - (ii) the additional works in respect of refurbishment of the Health Suite at Larkfield Leisure Centre, at an estimated cost of £20,000, to be met in full by the Tonbridge and

Malling Leisure Trust and the use of the urgency procedure to amend the Capital Plan accordingly;

- (iii) the increase in the budget provision in respect of the river wall, Wouldham capital plan scheme and how it is to be funded;
- (2) the amendment of List C as detailed in paragraph 1.5.2 of the report;
- (3) the selection for evaluation of those List C schemes shown in paragraph 1.6.3 of the report including one for fast track evaluation;
- (4) the transfer of the scheme listed in paragraph 1.7.3 of the report from List C to List B; and
- (5) endorsement of the draft Capital Strategy as set out at Annex 5 to the report for adoption and publication on the Council's website.
***Referred to Cabinet**

FIP 16/5 REVIEW OF FEES AND CHARGES 2016/17

The report of the Management Team brought forward for consideration as part of the Budget setting process for 2016/17 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 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 2016 noting that with effect from 1 February 2016 property search fees, in the main, are to be subject to VAT on the basis set out in paragraphs 1.3.4 and 1.3.5 of the report;
- (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 3 to the report be approved for implementation from 1 April 2016 and the list of concessionary users at Annex 1 to the report be endorsed;

- (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 2017;
- (6) the fees schedule for street naming and numbering set out at paragraphs 1.8.2 and 1.8.3 of the report be adopted with effect from 1 April 2016, subject to the fee for addressing one new in-fill property remaining at £169; and
- (7) the amount of council tax and business rate Court costs recharged to the taxpayer remain as set out at paragraph 1.9.2 of the report for the 2016/17 financial year.

***Referred to Cabinet**

FIP 16/6 APPLICATIONS FOR DISCRETIONARY RATE RELIEF

Decision Notice D160007MEM

The report of the Director of Finance and Transformation gave details of new and renewal applications for discretionary rate relief which were considered in accordance with the previously agreed criteria for determining such applications.

RECOMMENDED: That

- (1) in respect of the re-application for discretionary relief shown at Annex 2 to the report, 20% discretionary rate relief be awarded with effect from 1 April 2015 and time limited to 31 March 2017;
- (2) the new applications for discretionary rate relief be determined as follows:

KWES Kent Woodland Employment Scheme, Field Adjacent Stone Cottage, Maidstone Road, Hadlow – 20% discretionary rate relief be awarded, time limited to 31 March 2017;

Tonbridge Counselling Service, 1st Floor Gilbert House, River Walk, Tonbridge – 20% discretionary rate relief be awarded, time limited to 31 March 2017; and

Marpaul Sports CIC, Cobdown Sports and Social Club, Station Road, Ditton – 90% discretionary relief be awarded, time limited to 31 March 2017.

FIP 16/7 CHECK, CHALLENGE, APPEAL: REFORMING BUSINESS RATES APPEALS CONSULTATION; AND BUSINESS RATES POOLING

Decision Notice D160008MEM

The report of the Director of Finance and Transformation gave details of a Department for Communities and Local Government consultation on proposals for reforming the business rates appeals system to provide a quicker, clearer and more transparent service to businesses. A copy of the response submitted by the 4 January 2016 deadline, following consultation with the Leader, Cabinet Member for Finance, Innovation and Property and Chairman of the Advisory Board, was set out at Annex 1 to the report.

An update was also provided on the Business Rates Pool for Kent authorities, with Dover District Council leaving and Dartford Borough Council joining the pool.

RECOMMENDED: That the response to the consultation set out at Annex 1 to the report, as agreed with the Leader, Cabinet Member and Chairman, be endorsed.

FIP 16/8 CORPORATE DEBT RECOVERY POLICY

Decision Notice D160009MEM

The report of the Director of Finance and Transformation presented for approval a revised Corporate Debt Recovery Policy and highlighted a number of minor revisions relating to a refinement of the legal considerations in respect of recovery of housing benefit debts.

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

MATTERS SUBMITTED FOR INFORMATION

FIP 16/9 COUNCIL TAX AND BUSINESS RATES UPDATE

The report gave details of recent developments in respect of council tax and business rates including collection rates which were updated at the meeting to indicate the position as at 31 December 2015 (council tax 83.8% and business rates 84.99%). Reference was also made to the Autumn Statement and the Council Tax base for 2016/17 which showed an increase of 1.5% over the previous year arising from fewer taxpayers claiming Council Tax Reduction and a growth in numbers of new properties.

FIP 16/10 BENEFITS UPDATE

Members were advised of current issues arising in the benefits field including performance and workload of the Benefits Service, progress with the rollout of Universal Credit, the updated Local Council Tax Reduction Scheme and various aspects of welfare reform.

FIP 16/11 IT STRATEGY UPDATE

The Advisory Board was updated on key projects within the IT Strategy including e-billing, Skype for Business and Microsoft Exchange Outlook and upgrading of WiFi systems. Members were advised of the impact of a period of staff illness in the IT Technical Support team during the summer of 2015.

MATTERS FOR CONSIDERATION IN PRIVATE

FIP 16/12 EXCLUSION OF PRESS AND PUBLIC

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 16/13 DEBTS FOR WRITE OFF

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

Decision Notice D160010MEM

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

RECOMMENDED: That the 31 items shown in the schedule of amounts over £1,000, totalling £268,007.58 be written-off for the reasons stated within the schedule.

**FIP 16/14 PROPOSED DISPOSAL OF AMENITY LAND ADJACENT TO
CHERWELL CLOSE, TONBRIDGE**

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

Decision Notice D160011MEM

The report of the Director of Central Services gave details of proposed terms and conditions for the disposal of amenity land adjacent to Cherwell Close, Tonbridge to allow extension of the garden of an adjoining property.

RECOMMENDED: That approval be given to the disposal of the area of amenity land adjacent to Cherwell Close on the basis of the conditions outlined in the report.

**FIP 16/15 FORMALISING TITLE AND LAND ARRANGEMENTS AT VALE
RISE, TONBRIDGE**

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

Decision Notice D160012MEM

The report of the Director of Central Services gave details of action necessary to regularise a conveyance in respect of land at Vale Rise, Tonbridge including the grant of a new right of way.

RECOMMENDED: That the discrepancy in the original 1995 conveyance be corrected and a new right of way be granted as outlined in the report.

FIP 16/16 PROPOSED NEW LEASE OF THE SIX IN ONE CLUB, TONBRIDGE

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

Decision Notice D160013MEM

Consideration was given to the report of the Director of Central Services on proposed terms and conditions for a new lease of the Six in One Club, Tonbridge.

RECOMMENDED: That a new lease be granted under the terms and conditions outlined in the report.

**FIP 16/17 PROPOSED LEASE OF LAND AT HAYSDEN COUNTRY PARK
FOR CATERING UNIT**

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

Decision Notice D160014MEM

The report of the Director of Central Services gave details of proposed terms for the lease of an area of land at Haysden Country Park for the siting of a container to enable the expansion of the catering service currently provided.

RECOMMENDED: That the new lease be granted on the terms outlined in the report together with a condition requiring the container to be painted a suitable colour.

The meeting ended at 10.02 pm