

## TONBRIDGE AND MALLING BOROUGH COUNCIL

### CABINET

Thursday, 11th February, 2016

**Present:** Cllr N J Heslop (Chairman), Cllr Mrs J A Anderson, Cllr M A Coffin, Cllr Mrs M F Heslop, Cllr B J Luker and Cllr H S Rogers

Councillors O C Baldock, Mrs S M Barker, R P Betts, P F Bolt, D J Cure, Mrs T Dean, D Lettington, Mrs S L Luck, Mrs A S Oakley, S C Perry, M R Rhodes and R V Roud were also present pursuant to Access to Information Rule No 22.

### PART 1 - PUBLIC

#### **CB 16/1 DECLARATIONS OF INTEREST**

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 Chamber on the grounds of membership of the Board of the Bridge Trust. He withdrew from the meeting during consideration of this matter and the chair was taken by Councillor Coffin.

#### **CB 16/2 MINUTES**

**RESOLVED:** That the Minutes of the meeting of the Cabinet held on 7 October 2015 be approved as a correct record and signed by the Chairman.

#### **CB 16/3 MINUTES**

**RESOLVED:** That the Minutes of the extraordinary meeting of the Cabinet held on 17 November 2015 be approved as a correct record and signed by the Chairman.

### MATTERS FOR RECOMMENDATION TO THE COUNCIL

#### **CB 16/4 SETTING THE BUDGET FOR 2016/17**

The holding report of the Chief Executive and Director of Finance and Transformation updated the Cabinet on issues relating to the setting of the Budget for 2016/17 together with the outcome of the examination of the draft Revenue Estimates and the Capital Plan review process undertaken by the Finance, Innovation and Property Advisory Board and the Overview and Scrutiny Committee.

A more detailed supplementary report prepared in liaison with the Leader and Cabinet Member for Finance, Innovation and Property was

circulated in advance of the meeting. It highlighted adjustments made to the Revenue Estimates presented to the Advisory Board and Committee. The report examined the situation in relation to the Medium Term Financial Strategy (MTFS) and gave details of the necessary procedure to be followed in order to set the budget for 2016/17.

The Director of Finance and Transformation explained the components of the final local government settlement confirmed on 8 February 2016 and the changes made by the Secretary of State as a result of the responses to the consultation, previously reported to the Finance, Innovation and Property Advisory Board. It was noted that transitional funding would now be provided for 2016/17 and 2017/18 and the tariff adjustment in 2017/18 and 2018/19 removed. The Government would also offer a four year funding settlement and the referendum threshold would be set at the higher of 2% or £5. However, Members were advised that whilst this represented a short term respite, the financial baseline for the future remained the same. Illustrative allocations up to 2019/20 were presented and a comparison of the Council's Settlement Funding Assessment for the period 2016/17 to 2019/20 with those of the other Kent district councils demonstrated that Tonbridge and Malling continued to receive one of the lowest, if not the lowest, Assessment both in total and per head.

Attention was drawn to recommendations from Advisory Boards and the decision of the Licensing and Appeals Committee regarding the levels of fees and charges to be implemented from 1 April 2016 which had been incorporated in the draft estimates. Members were reminded of the approach to preparation of the Capital Plan, an updated summary of which was set out at Annex 7 to the report.

The report then described the remaining procedure to be followed in setting the budget for 2016/17 and calculating the council tax. Consideration was given to the updated MTFS based on a council tax increase of £5 (the upper limit for referendum purposes) for the four year settlement period. The Cabinet also deliberated on the most appropriate guidance to offer the Council as to the way forward for updating the MTFS for the next ten year period and setting the council tax for 2016/17. Finally, the Director of Finance and Transformation explained the basis on which the statement as to the Robustness of the Estimates and Adequacy of the Reserves had been made, including an understanding that the savings target based on latest projections of £1.825m would be delivered.

Members recorded their thanks to the Director of Finance and Transformation and colleagues for their work in formulating the response to the provisional local government settlement and the joint response of the 15 authorities similarly affected and acknowledged the efforts on the Council's behalf of the two local Members of Parliament and the LGA.

**RECOMMENDED:** That

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- (1) the fees and charges set out in Annex 2 to the report, as recommended by the appropriate Advisory Boards (excluding West Malling short stay car park which is the subject of a petition), be endorsed (see Decision Nos D160015CAB to D160019CAB);
  - (2) the Capital Plan be updated as set out in paragraph 1.5.15 to the report as follows and adopted accordingly:
    - (i) the position of the existing Capital Plan (List A) as summarised in Annex 3 to the report be approved noting:
      - the increase in the budget provision in respect of the Tonbridge Town Lock capital plan scheme and how it is to be funded;
      - 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;
      - the increase in the budget provision in respect of the river wall, Wouldham capital plan scheme and how it is to be funded;
    - (ii) the schemes as detailed in Annex 4 to the report be added to List C or deleted from List C;
    - (iii) the selection of those schemes listed in Annex 5 to the report for evaluation over the coming year be approved including one for fast-track evaluation;
    - (iv) the transfer of the schemes detailed in Annex 6 to the report to List A be approved;
    - (v) the updated Capital Plan (List A) as summarised in Annex 7 to the report be approved;
  - (3) the Capital Strategy as presented to the Finance, Innovation and Property Advisory Board on 13 January and the Overview and Scrutiny Committee on 26 January 2016 be endorsed and adopted by the Council;
  - (4) the prudential indicators listed in paragraphs 1.6.5 and 1.6.9 of the report be endorsed and adopted;

- (5) for the financial year 2016/17 the Council's Minimum Revenue Provision, as set out at paragraph 1.6.12 of the report, be noted as nil;
- (6) the high level objectives of the Medium Term Financial Strategy be reaffirmed, taking on board the amendment set out in paragraph 1.8.5 of the report;
- (7) the updates to the Medium Term Financial Strategy, as set out at Annex 11 to the report, based on a council tax increase of £5 for 2016/17 be noted;
- (8) the Council be recommended to approve a council tax increase of £5 per annum as the best way forward in updating the Medium Term Financial Strategy for the next ten-year period and setting the council tax for 2016/17; and
- (9) the Statement provided by the Director of Finance and Transformation as to the Robustness of the Estimates and the Adequacy of the Reserves be noted and endorsed.

**\*Referred to Council**

#### **CB 16/5     SETTING THE COUNCIL TAX 2016/17**

The joint report of the Chief Executive, Director of Finance and Transformation, Leader of the Council and Cabinet Member for Finance, Innovation and Property set out the requirements under the Local Government Finance Act 1992 for a billing authority to set an amount of council tax for each category of dwelling in its area. Members were advised of the position concerning the determination of their respective precepts for 2016/17 by the major precepting authorities.

Consideration was given to a draft resolution identifying the processes to be undertaken in arriving at the levels of council tax applicable to each part of the Borough. The resolution and further information regarding the precepts of the other authorities would be reported to the full Council on 16 February 2016.

**RECOMMENDED:** That the resolution be noted and the Council be recommended to approve a £5 per annum (2.6%) increase in the Borough Council's element of the council tax for 2016/17, representing an annual charge at Band D of £192.51.

**\*Referred to Council**

#### **CB 16/6     SAVINGS AND TRANSFORMATION STRATEGY UPDATE**

Further to Minute CB 15/64 the joint report of the Management Team, Leader and Cabinet Member for Finance, Innovation and Property

presented an updated version of the Savings and Transformation Strategy to address the significant financial challenges facing the Council following the release of the provisional local government finance settlement in December.

It was noted that additional savings of around £700k needed to be achieved by 2021 within the Medium Term Financial Strategy and would be spread across the themes built into the Savings and Transformation Strategy. It was proposed to merge two of the themes under the heading "Income Generation and Cost Recovery" and details were given of additional targets included in the expanded table attached to the new version of the Strategy set out in the Annex to the report. Members were also updated on progress since the November meeting, savings of £200k arising from in-service efficiencies having been delivered and reflected in the Estimates for 2016/17.

Consideration was given to a draft timetable for commencing the review of partnership funding with parish councils including the Scheme of Financial Arrangements and the issue of funding passed to parish councils in respect of the council tax reduction scheme. A Member suggested that the question of a special levy for Tonbridge be considered in this context and was advised that all options were open for examination.

**RECOMMENDED:** That

- (1) the updated Savings and Transformation Strategy, as set out at Annex 1 to the report, be adopted by the Council to sit alongside the Medium Term Financial Strategy; and
- (2) the proposed outline timetable for commencing the review of partnership funding with parish councils be endorsed and delegated authority be given to the Director of Finance and Transformation, in consultation with the Leader and Cabinet Member for Finance, Innovation and Property, to adjust the programme as necessary.

**\*Referred to Council**

**CB 16/7 EQUALITY POLICY STATEMENT AND OBJECTIVES 2016-20**

The report of the Director of Central Services referred to the requirement for the Council to prepare an equality policy statement and objectives as part of the duty on public authorities under the Equality Act 2010 to have regard to eliminating discrimination, advancing equality of opportunity and fostering good relations between different people in shaping policy, delivering services and in relation to their own employees.

It was noted that the West Kent Equality Partnership Aims and Commitments, in place during 2012-16 and developed in partnership with Sevenoaks and Tunbridge Wells Councils, were no longer fit for

purpose and in future the three authorities would determine their own objectives. Consideration was given to approval for consultation purposes of the Equality Policy Statement and Objectives for 2016-20 set out in the Annex to the report.

**RECOMMENDED:** That

- (1) the Equality Policy Statement and Objectives for 2016-20 set out at Annex 1 to the report be approved for the purposes of public consultation; and
- (2) a report on the outcome of consultation be submitted to the Overview and Scrutiny Committee for consideration.

**\*Referred to Council**

**CB 16/8 TREASURY MANAGEMENT AND ANNUAL INVESTMENT STRATEGY 2016/17**

The report of the Director of Finance and Transformation provided details of investments undertaken and returns achieved in the first nine months of the current financial year together with an introduction to the Treasury Management and Annual Investment Strategy for 2016/17.

It was noted that investment income was £19,600 above the revised budget for the same period and £36,550 above the original estimate. This was largely attributable to a more favourable pattern of payments to the Government and other recipients of business rates collected by the Council. Reference was made to the modest uplift in returns built into the investment income projection for 2016/17 in anticipation of a Bank Rate rise during the year. However Capita, the Council's treasury advisors, had recently updated their forecast based on a delay in interest rate rise from mid to end of 2016.

It was noted that the Audit Committee had reviewed the matters covered by the report at its meeting on 25 January 2016 and commended the Strategy for adoption. The Chairman of that Committee had also indicated the intention of arranging appropriate training on treasury management, details of which would be given in due course.

**RECOMMENDED:** That

- (1) the treasury management position as at 31 December 2015 be noted; and
- (2) the Treasury Management and Annual Investment Strategy for 2016/17, as set out at Annex 4 to the report, be adopted.

**\*Referred to Council**

**CB 16/9 TECHNICAL CHANGES TO COUNCIL TAX**

The report of the Director of Finance and Transformation drew attention to a technical ambiguity in the Council's local council tax reduction scheme in respect of the Class C discount for empty properties. A suggested amendment to the wording of the scheme was presented to mirror the former statutory provisions.

**RECOMMENDED:** That the following wording be incorporated into the local scheme regarding Class C discounts: "when looking at any day for the purposes of a Class C discount, periods of occupation of less than six weeks are ignored".

**\*Referred to Council**

**CB 16/10 DRAFT SAFEGUARDING POLICY**

Consideration was given to the report of the Chief Executive which set out details of the proposed Safeguarding Policy and Reporting Procedure for Children, Young People and Adults at Risk. It was noted that the draft policy aimed to ensure that an overarching approach to safeguarding was embedded within all Council services and that staff, elected Members, volunteers and those delivering services on behalf of the Borough Council had appropriate understanding of safeguarding guidelines and good practice.

**RECOMMENDED:** That the Draft Safeguarding Policy and Reporting Procedure for Children, Young People and Adults at Risk, as set out at Annex 1 to the report, be adopted by the Council.

**\*Referred to Council**

**CB 16/11 REVENUE ESTIMATES 2016/17**

Item FIP 16/3 referred from Finance, Innovation and Property Advisory Board minutes of 13 January 2016

The Cabinet received the recommendations of the Finance, Innovation and Property Advisory Board at its meeting on 13 January 2016 in relation to the formulation of initial draft proposals in respect of the Budget. The recommendations were endorsed, all budgetary matters being considered in detail in the substantive item on Setting the Budget for 2016/17.

**CB 16/12 CAPITAL PLAN REVIEW 2015/16**

Item FIP 16/4 referred from Finance, Innovation and Property Advisory Board minutes of 13 January 2016

The Cabinet received the recommendations of the Finance, Innovation and Property Advisory Board at its meeting on 13 January 2016 in relation to the initial stage of the Capital Plan review process. The

recommendations were endorsed, all budgetary matters being considered in detail in the substantive item on Setting the Budget for 2016/17.

**DECISIONS TAKEN IN ACCORDANCE WITH PARAGRAPH 4,  
PART 3 OF THE CONSTITUTION**

**CB 16/13 REVIEW OF HOUSING, ENVIRONMENTAL HEALTH AND WASTE  
AND STREET SCENE SERVICES FEES AND CHARGES**

Item HE 15/60 referred from Housing and Environment Services Advisory Board minutes of 9 November 2015

Decision Notice D160015CAB

**CB 16/14 REVIEW OF CEMETERY CHARGES 2016/17**

Item COM 16/5 referred from Communities Advisory Board minutes of 11 January 2016

Decision Notice D160016CAB

**CB 16/15 REVIEW OF CAR PARKING FEES AND CHARGES**

Item PE 16/3 referred from Planning and Transformation Advisory Board minutes of 12 January 2016

Decision Notice D160017CAB

**CB 16/16 REVIEW OF PRE-APPLICATION PLANNING PROCEDURES AND  
CHARGING REGIME**

Item PE 16/4 referred from Planning and Transformation Advisory Board minutes of 12 January 2016

Decision Notice D160018CAB

**CB 16/17 REVIEW OF FEES AND CHARGES 2016/17**

Item FIP 16/5 referred from Finance, Innovation and Property Advisory Board minutes of 13 January 2016

Decision Notice D160019CAB

**CB 16/18 NEW HOMES BONUS: SHARPENING THE INCENTIVE**

Decision Notice D160020CAB

**CB 16/19 RECOMMENDATIONS FROM OVERVIEW AND SCRUTINY COMMITTEE: HOLIDAY ACTIVITY PROGRAMMES**

Decision Notice D160021CAB

**CB 16/20 RECOMMENDATIONS FROM OVERVIEW AND SCRUTINY COMMITTEE: COMMUNITY ENGAGEMENT**

Decision Notice D160022CAB

**MATTERS SUBMITTED FOR INFORMATION****CB 16/21 MATTERS REFERRED FROM ADVISORY BOARDS**

The notes of the meetings of the following Advisory Boards were received, any recommendations contained therein being incorporated within the decisions of the Cabinet reproduced at the annex to these Minutes.

With reference to Minute PE 16/7, the Director of Planning, Housing and Environmental Health provided an update on the programme for public consultation on the Local Plan and undertook to notify all Members.

Housing and Environment Services Advisory Board of 9 November 2015  
Communities Advisory Board of 11 January 2016  
Planning and Transportation Advisory Board of 12 January 2016  
Finance, Innovation and Property Advisory Board of 13 January 2016

**RESOLVED:** That the report be received and noted.

**CB 16/22 MATTERS REFERRED FROM ADVISORY PANELS AND OTHER GROUPS**

The Minutes of the meetings of the following Advisory Panels and other Groups were received, any recommendations contained therein being incorporated within the decisions of the Cabinet reproduced at the annex to these Minutes.

Joint Transportation Board of 30 November 2015

**RESOLVED:** That the report be received and noted.

**CB 16/23 RESPONSE TO CONSULTATION ON THE FUTURE OF KCC SERVICES WITHIN TONBRIDGE GATEWAY**

The report of the Director of Central Services gave details of a consultation by Kent County Council on a proposal to relocate its services currently delivered from the Gateway, Tonbridge, bringing to an end the agreement with the Borough Council from July 2017. It was noted that the net financial effect would be a loss of revenue of

approximately £140,000 per annum. The report outlined the Management Team's views which had been communicated in response to KCC's review report in order to make the case for the continuation of the Gateway at Tonbridge.

It was concluded that there would be no benefit in responding to the consultation but more appropriate to concentrate resources on identifying steps to off-set the financial effect of the termination of the agreement. A proposal was therefore being considered for alternative joint occupation of the Castle offices to help mitigate the loss of the Gateway and would be reported in due course. An assurance was given that the Borough Council's customer service teams would remain in place. In the meantime Members were invited to consider responding to the consultation individually if they so wished.

**RESOLVED:** That the report be received and noted.

**CB 16/24 EXCLUSION OF PRESS AND PUBLIC**

There were no items considered in private.

The meeting ended at 8.47 pm