

TONBRIDGE AND MALLING BOROUGH COUNCIL

CABINET

Thursday, 8th February, 2018

Present: Cllr N J Heslop (Chairman), Cllr M A Coffin, Cllr Mrs M F Heslop, Cllr D Lettington, Cllr P J Montague and Cllr H S Rogers

Councillors Mrs J A Anderson, O C Baldock, M C Base, P F Bolt, D J Cure, B J Luker, Mrs A S Oakley, M Parry-Waller, M R Rhodes, A K Sullivan and T C Walker were also present pursuant to Access to Information Rule No 22.

PART 1 - PUBLIC

CB 18/1 DECLARATIONS OF INTEREST

Councillor N Heslop declared an Other Significant Interest in the item on Tonbridge Castle – Review of Fees and Charges in respect of concessionary users of the Council Chamber on the grounds of membership of the Board of the Bridge Trust. He withdrew from the meeting during its consideration and the chair was taken by Councillor Coffin.

CB 18/2 MINUTES

RESOLVED: That the Minutes of the meeting of the Cabinet held on 11 October 2017 be approved as a correct record and signed by the Chairman.

MATTERS FOR RECOMMENDATION TO THE COUNCIL

CB 18/3 RISK MANAGEMENT STRATEGY

The report of the Management Team invited Members to review the Risk Management Strategy which set out the Council's risk management objectives and detailed the roles and responsibilities of officers, Members and partners in the identification, evaluation and cost-effective control of risks. Attention was drawn to the resourcing pressures in respect of 'Emergency Planning' and the addition of a new strategic risk in relation to potentially contaminated land.

It was noted that the Audit Committee at its meeting on 22 January 2018 had endorsed the updated strategy.

The Director of Finance and Transformation referred to the recent collapse of Carillion which, whilst not directly affecting the Borough Council, highlighted the risk associated with the failure of major partners.

The Strategic Risk Register had been updated to reflect this situation and would be reported back to the Audit Committee in due course.

RECOMMENDED: That 

- (1) the updated Risk Management Strategy be adopted by the Council;
- (2) the impact of ongoing resourcing pressures to respond in respect of the identified risk 'Emergency Planning' and the subsequent report to the 29 January meeting of the General Purposes Committee on resourcing requirements be noted; and
- (3) the emergence of a new strategic risk in respect of the monitoring of potentially contaminated land, which is being added to the Strategic Risk Register, be noted.

***Referred to Council**

CB 18/4 TREASURY MANAGEMENT AND ANNUAL INVESTMENT STRATEGY 2018/19

The report of the Director of Finance and Transformation provided details of investments undertaken and return achieved in the first nine months of the current financial year. The report explored the use of diversified income funds for medium term investment and recommended their inclusion in the 2018/19 Annual Investment Strategy.

It was noted that the Audit Committee had reviewed the matters covered by the report at its meeting on 22 January 2018 and commended the strategy for adoption.

The Cabinet requested that its appreciation be conveyed to the Principal Accountant for his work in treasury management during the year.

RECOMMENDED: That 

- (1) the treasury management position as at 31 December 2017 and the higher level of income incorporated in the 2017/18 revised estimates be noted;
- (2) the Council's exposure to property funds in 2018/19 be increased as additional long term funds become available, for example from selling property;
- (3) the limited use of diversified income funds for medium term investment be endorsed; and
- (4) the Annual Investment Strategy for 2018/19, as set out at Annex 4 to the report, be adopted.

***Referred to Council**

CB 18/5 SETTING THE BUDGET 2018/19

Further to the reports to the Finance, Innovation and Property Advisory Board and the Overview and Scrutiny Committee earlier in the cycle, the joint report of the Chief Executive, Director of Finance and Transformation, the Leader and Cabinet Member for Finance, Innovation and Property updated the Cabinet on issues relating to the Medium Term Financial Strategy (MTFS) and gave details of the necessary procedure to be followed in order to set the budget for 2018/19. It also highlighted adjustments made to the Revenue Estimates presented to the Advisory Board and Committee.

The Director of Finance and Transformation explained that the final local government settlement had now been received and did not differ significantly from the provisional settlement so the figures within the report would stand. Reference was made to the Council's previous decision to accept the four year funding settlement to 2019/20 offered by the Government and to the referendum threshold for 2018/19 which had been set at the higher of 3% or £5.

The favourable position regarding New Homes Bonus funding in 2018/19 was explained and reference made to the successful outcome of the Kent and Medway authorities' bid for pilot status in respect of 100% business rates retention. However, illustrative allocations up to 2019/20 were presented and a comparison of the Council's Settlement Funding Assessment for the period 2018/19 to 2019/20 with those of the other Kent district councils demonstrated that Tonbridge and Malling continued to receive the lowest or one of the lowest Assessments both in total and per head.

The report also suggested a mechanism for responding to the technical consultation on the Fair Funding Review and referred to a forthcoming consultation on "Negative RSG" announced by the Secretary of State.

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 2018 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 2018/19 and calculating the council tax. For the purposes of updating the MTFS a council tax increase of around 3% in 2018/19 had been assumed, followed by an increase of £5 each year up to 2026/27 and 3% in 2027/28. The Cabinet 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 2018/19. Members were advised of details of special expenses

for 2018/19.

An updated copy of the Savings and Transformation Strategy was presented, including revised outline targets and timescales to be revisited and aligned with the latest projected “funding gap”. 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 £1.0m would be delivered. A revised calculation of the council tax requirement for 2018/19 (Annex 18) was circulated in advance of the meeting.

RECOMMENDED: That

- (1) the fees and charges set out in Annex 2 to the report, as recommended by the appropriate Advisory Boards, be endorsed (see Decision Nos D18007CAB to D180013CAB);
- (2) the Capital Plan be updated as set out in paragraph 1.6.14 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 and the contribution to the savings target as a result of the reassessment of Disabled Facilities Grant funding be noted;
 - (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 the scheme at Annex 5 to the report for fast-track evaluation over the coming year be approved;
 - (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 3 January and the Overview and Scrutiny Committee on 23 January 2018 be endorsed and adopted by the Council;
- (4) the prudential indicators listed in paragraphs 1.7.5 and 1.7.9 of the report be endorsed and adopted;
- (5) for the financial year 2018/19 the Council’s Minimum Revenue Provision, as set out at paragraph 1.7.12 of the report, be noted as nil;

- (6) the high level objectives of the Medium Term Financial Strategy be reaffirmed as set out in paragraph 1.9.4 of the report;
- (7) the updated Medium Term Financial Strategy, as set out at Annex 11a to the report, including the proposed scale and timing of each of the savings tranches indicated in paragraph 1.9.10 of the report, be noted and endorsed;
- (8) the Council be recommended to approve a council tax increase of 2.99% or £5.91 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 2018/19;
- (9) the updates made to the Savings and Transformation Strategy, as set out at Annex 11c to the report, be endorsed and adopted by the Council as part of the Budget setting process;
- (10) the special expenses calculated in accordance with the Special Expenses Scheme set out in Annex 14b to the report be endorsed;
- (11) 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; and
- (12) delegated authority be given to the Director of Finance and Transformation, in liaison with the Leader and Cabinet Member for Finance, Innovation and Property, to respond to the technical consultation entitled "Fair funding review: a review of relative needs and resources".

***Referred to Council**

CB 18/6 SETTING THE COUNCIL TAX 2018/19

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 2018/19 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 to which any charges under the special expenses scheme would be added. The resolution and further information regarding the precepts of the other authorities would be reported to the full Council on 20 February 2018.

RECOMMENDED: That the resolution be noted and the Council be recommended to approve a 2.99% or £5.91 per annum increase in the Borough Council's element of the council tax for 2018/19, representing a notional "average" charge at Band D of £203.42.

***Referred to Council**

CB 18/7 LOCAL COUNCIL TAX REDUCTION SCHEME 2018/19

Consideration was given to the report of the Director of Finance and Transformation regarding the draft Local Council Tax Reduction Scheme for 2018/19. It was noted that several changes had been made to the 2017/18 Scheme following public consultation and the draft Scheme for 2018/19 showed little change from the previous year.

RECOMMENDED: That the draft Scheme for 2018/19 be approved and adopted from 1 April 2018 as the Tonbridge and Malling Borough Council Local Council Tax Reduction Scheme 2018/19.

***Referred to Council**

CB 18/8 REVENUE ESTIMATES 2018/19

Item FIP 18/3 referred from Finance, Innovation and Property Advisory Board minutes of 3 January 2018

The Cabinet received the recommendations of the Finance, Innovation and Property Advisory Board at its meeting of 3 January 2018 in relation to the formulation of initial draft proposals in respect of the Budget. All budgetary matters were considered in detail in the substantive item on Setting the Budget 2018/19.

CB 18/9 CAPITAL PLAN REVIEW 2017/18

Item FIP 18/4 referred from Finance, Innovation and Property Advisory Board minutes of 3 January 2018

The Cabinet received the recommendations of the Finance, Innovation and Property Advisory Board at its meeting of 3 January 2018 in relation to the initial stage of the Capital Plan review process. All budgetary matters were considered in detail in the substantive item on Setting the Budget 2018/19.

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

CB 18/10 WASTE SERVICES CONTRACT RETENDER

Decision Notice D180007CAB

CB 18/11 REVIEW OF CAR PARKING FEES AND CHARGES

Decision Notice D180008CAB

CB 18/12 REVIEW OF FEES AND CHARGES

Decision Notice D180009CAB

CB 18/13 REVIEW OF CEMETERY CHARGES 2018/19

Decision Notice D180010CAB

CB 18/14 PRE-APPLICATION PLANNING ADVICE CHARGING REGIME AND BUILDING CONTROL APPLICATION FEES

Decision Notice D180011CAB

CB 18/15 REVIEW OF FEES AND CHARGES 2018/2019

Decision Notice D180012CAB

CB 18/16 TONBRIDGE CASTLE - REVIEW OF FEES AND CHARGES

Decision Notice D180013CAB

CB 18/17 SELECT COMMITTEE REVIEW OF EFFECTIVENESS OF LOCAL AUTHORITY OVERVIEW AND SCRUTINY COMMITTEES

Decision Notice D180014CAB

CB 18/18 PARISH CHARTER

Decision Notice D180015CAB

MATTERS SUBMITTED FOR INFORMATION**CB 18/19 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.

Street Scene and Environment Services Advisory Board of 6 November 2017

Communities and Housing Advisory Board of 13 November 2017

Planning and Transportation Advisory Board of 5 December 2017

Finance, Innovation and Property Advisory Board of 3 January 2018

RESOLVED: That the report be received and noted.

CB 18/20 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.

Parish Partnership Panel of 19 November 2017
Joint Transportation Board of 27 November 2017
Tonbridge Forum of 4 December 2017

RESOLVED: That the report be received and noted.

CB 18/21 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 8.33 pm