

TONBRIDGE AND MALLING BOROUGH COUNCIL

FINANCE, INNOVATION AND PROPERTY ADVISORY BOARD

Wednesday, 8th January, 2020

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

Councillors Mrs J A Anderson, R P Betts, M D Boughton, V M C Branson, M A Coffin, N J Heslop, M A J Hood, D W King, D Lettington, B J Luker, Mrs A S Oakley, M R Rhodes and J L Sergison were also present pursuant to Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors J L Botten, K King, H S Rogers, Mrs M Tatton and F G Tombolis

PART 1 - PUBLIC

FIP 20/1 DECLARATIONS OF INTEREST

Councillor G Bridge declared an Other Significant Interest in the item regarding a Proposed Sub-Lease at Tonbridge Angels Football Club on the grounds of being a supporter and shareholder and withdrew from the meeting during its consideration.

Councillor M Davis declared an Other Significant Interest in the item regarding Proposed Disposal of Land at Welland Road, Tonbridge on the grounds that his firm represented the current leaseholder. He withdrew from the meeting during its consideration.

In the interests of transparency Councillors T Bishop and M Davis advised that they were the Council's appointees to the Tonbridge and Malling Leisure Trust to which reference was made in the report on the Revenue Estimates.

FIP 20/2 MINUTES

RESOLVED: That the notes of the meeting of the Finance, Innovation and Property Advisory Board held on 18 September 2019 be approved as a correct record and signed by the Chairman.

MATTERS FOR RECOMMENDATION TO THE CABINET

FIP 20/3 REVIEW OF FEES AND CHARGES 2020/21

The report of the Management Team brought forward for consideration as part of the Budget setting process for 2020/21 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 follow the rates set out at section 1.2 of the report and continue to reflect existing practices highlighted therein;
- (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 2020;
- (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 fee schedule for street naming and numbering set out in section 1.6 of the report be adopted with effect from 1 April 2020; and
- (5) the amount of council tax and business rate Court costs recharged remain as set out at paragraph 1.7.2 of the report for the 2020/21 financial year.

***Referred to Cabinet**

FIP 20/4 TONBRIDGE CASTLE - REVIEW OF FEES AND CHARGES

The report of the Director of Central Services and Monitoring Officer presented a review of fees and charges in respect of the variety of services and functions delivered at Tonbridge Castle and made recommendations to increase revenue streams from a number of different areas. It was noted that it had been agreed to end concessionary fees for Council Chamber bookings following a review by the Overview and Scrutiny Committee.

RECOMMENDED: That

- (1) the new pricing model for the Castle Tour at Tonbridge Castle be approved as set out at paragraph 1.5.6 of the report;
- (2) the new pricing model for Schoolchildren Educational Workshops at Tonbridge Castle be approved as set out at paragraph 1.6.3 of the report; and

- (3) the pricing model for hiring out the Council Chamber and meeting rooms at Tonbridge Castle be approved as set out at paragraph 1.8.3 of the report.

***Referred to Cabinet**

FIP 20/5 REVIEW OF BUILDING CONTROL PARTNERSHIP FEES FOR 2020/21

The report of the Director of Planning, Housing and Environmental Health referred to the partnership arrangement with Sevenoaks District Council for provision of the Building Control Service, overseen by a Management Board. It was noted that a fee increase would not be applied for 2020/21 Building Control Partnership standard charges due to surpluses accrued since 2017/18. However there would be a review of building control services in 2020/21 to ensure that the correct percentage split was being applied between chargeable and non-chargeable services.

RECOMMENDED: That the charges set out at Annex 1 to the report be approved from 1 April 2020.

***Referred to Cabinet**

FIP 20/6 CLASS C EMPTY PROPERTY COUNCIL TAX DISCOUNT AND LONG TERM EMPTY HOMES PREMIUM

Further to Decision No D180061CAB, the report of the Director of Finance and Transformation gave details of the outcome of the trial period of removal of the Class C empty property discount. It also considered whether to increase the Council Tax long term empty homes premium from 1 April 2020 and 1 April 2021 as allowed by regulations.

RECOMMENDED: That

- (1) the change to the Class C discount be continued from 1 April 2020; and
- (2) the long term empty homes premium of 200% be applied from 1 April 2020 and 300% be applied from 1 April 2021.

***Referred to Cabinet**

FIP 20/7 LOCAL COUNCIL TAX REDUCTION SCHEME 2020/21

Further to Minute FIP 19/40, the report of the Director of Finance and Transformation gave details of the outcome of the consultation on the Council's Local Council Tax Reduction Scheme (LCTRS) and set out recommendations and reasoning for changes to the Scheme from 1 April 2020.

Members were advised that in relation to the thresholds for the banded discount scheme set out at Annex 2 to the report, the amounts would be updated based on the April 2020 national minimum wage (age 25+).

RECOMMENDED: That the proposed changes set out below be written into the Tonbridge and Malling Borough Council Local Council Tax Reduction Scheme 2020/21:

(1) Proposed change 1 – Paragraph 1.5.1 of the report

- To stop posting decision letters to working age LCTRS claimants
- To stop posting decision letters to pension age LCTRS claimants
- To introduce online applications as the primary method to make a claim for LCTRS for pension and working age claimants
(Subject to paper forms being available on an exception basis);

(2) Proposed change 2 – Paragraph 1.5.7

- To introduce a minimum income floor for self-employed income after one year of making a new claim or starting a business, at a rate of 35 hours per week x national minimum wage;

(3) Proposed change 3 – Paragraph 1.5.14

- To introduce a banded discount scheme utilising thresholds as set out in Annex 2 to the report.

***Referred to Cabinet**

FIP 20/8 ASSET MANAGEMENT PLAN

The report of the Director of Central Services presented the proposed Asset Management Plan for 2020 – 2024 which set out the Council's approach to managing land and property assets to ensure that they were being used effectively and efficiently and contributed to the delivery of services to residents. The Plan also demonstrated how the use of assets aligned with the corporate priorities in the Council's Corporate Strategy.

Members welcomed the document and asked a number of questions which were answered by officers.

RECOMMENDED: That the Asset Management Plan 2020 – 2024 set out at Annex 1 to the report be approved.

***Referred to Cabinet**

FIP 20/9 REVENUE ESTIMATES 2020/21

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 13 February and thereafter by the Council at its Budget meeting.

The Director of Finance and Transformation advised that the provisional Local Government Finance Settlement for 2020/21 was still awaited when the report was prepared and figures had been based on the Technical Consultation published on 3 October 2019 which suggested that the settlement would be similar to that in 2019/20. The subsequent settlement when received confirmed this position although a slight adjustment would be necessary when reported to Cabinet. As a result 2020/21 could be regarded as a "holding year" with future funding dependent on the outcome of the delayed government Spending Review and Fair Funding Review.

It was also expected that the threshold for triggering a referendum on council tax increase would be at the higher of 2% or £5. The report set out the framework for considering the estimates in terms of the MTFS together with a number of Service specific issues which were highlighted.

Details were given of the factors to be taken into account when updating the MTFS and Savings and Transformation Strategy (STS). In October 2019 an interim high level review suggested a funding gap of £800,000. Since then a series of decisions or recommendations had been made by Members and incorporated in the draft Estimates which had, amongst other things, reduced the projected outstanding funding gap to £320,000. It was noted that the MTFS would continue to be updated as more information became available and the targets and timescales within the STS would be revisited and realigned with the latest projected funding gap during the budget setting process.

RECOMMENDED: That

- (1) subject to review each year, the maximum "annual capital allowance" be increased from £200,000 to £250,000;
- (2) delegated authority be given to the Director of Finance and Transformation, in liaison with the Cabinet Member for Finance, Innovation and Property, to respond to the provisional local government finance settlement as appropriate;

- (3) the establishment of a specific earmarked reserve in the sum of initially £250,000 to fund Climate Change initiatives be endorsed;
- (4) the establishment of a Budget Stabilisation reserve in the sum of £3,500,000 be endorsed to manage risk and/or assist in meeting future savings and transformations;
- (5) the draft Revenue Estimates contained at Annex 1 to the report, as amended at (7) below, be endorsed for consideration by the Cabinet at its special meeting on 13 February 2020;
- (6) the Savings and Transformation Strategy be updated to reflect the latest projected “outstanding” funding gap as part of the budget setting process; and
- (7) the budget for Borough Christmas Lighting be capped at £40,000.
***Referred to Cabinet**

FIP 20/10 CAPITAL PLAN REVIEW 2019/20

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) and highlighted amendments made since February 2019. 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.

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

- (1) subject to review each year, the maximum “annual capital allowance” be increased from £200,000 to £250,000;
- (2) the Capital Plan (List A) position as shown in Annex 1 to the report be endorsed;
- (3) the amendment of List C as detailed in paragraph 1.5.3 of the report;
- (4) the selection of those List C schemes shown in paragraph 1.6.4 of the report for evaluation or further evaluation as appropriate, including the schemes recommended for fast track evaluation;
- (5) the transfer of the schemes listed in paragraph 1.7.3 of the report from List C to List B; and

- (6) the draft 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 20/11 CORPORATE DEBT RECOVERY POLICY

Decision Notice D200002MEM

The report of the Director of Finance and Transformation gave details of the outcome of a review of the Council's Corporate Debt Recovery Policy which concluded that only minor changes were required to the current policy. Several debt recovery procedures tailored to particular types of debt were annexed to the overall policy.

RECOMMENDED: That the Corporate Debt Recovery Policy set out at Annex 1 to the report be approved for publication on the Council's website.

MATTERS SUBMITTED FOR INFORMATION

FIP 20/12 REVENUES AND BENEFITS UPDATE

The report gave details of recent developments in respect of council tax, business rates, council tax reduction and housing benefits. The collection figures as at 31 December 2019 were updated at the meeting (83.85% council tax and 84.74% business rates) which both exceeded the rates for the same period last year. The council tax base for 2020/21 was also reported.

FIP 20/13 DIGITAL STRATEGY UPDATE

The report provided an update on progress in delivering the digital strategy including ongoing work on the website, business process mapping, mobile working and arrangements for call handling.

MATTERS FOR CONSIDERATION IN PRIVATE

FIP 20/14 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 20/15 DEBTS FOR WRITE OFF

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

Decision Notice D200003MEM

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 £5,000 which had been written-off in accordance with Financial Procedure Rule 18.2 together with cumulative totals of debts in the current and previous financial years and information on budgeted bad debt provision.

RECOMMENDED: That the 13 items shown in the schedule of amounts over £5,000, totalling £251,595.88 be written off for the reasons stated within the schedule.

FIP 20/16 PROPOSED DISPOSAL OF AREA OF LAND AT WELLAND ROAD, TONBRIDGE

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

Decision Notice D200004MEM

The report of the Director of Central Services gave details of a request from the current leaseholder to purchase an area of land at Welland Road, Tonbridge. It was considered that the Council should not dispose of the land but grant a new lease on terms set out in the report.

RECOMMENDED: That the grant of a new lease of the land at Welland Road, Tonbridge be approved on the terms and conditions outlined in the report and a freehold disposal be declined.

FIP 20/17 PROPOSED SUB LEASE OF AN AREA AT TONBRIDGE ANGELS FOOTBALL CLUB

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

Decision Notice D200005MEM

The report of the Director of Central Services gave details of a request to allow for the sub-letting of an area within the land leased to Tonbridge

Angels Football Club in order to construct a new building and create a sub-lease.

RECOMMENDED: That the lease to the Tonbridge Angels Football Club be either varied or other suitable legal means used to allow for a sub-lease to Upz and Downz, a community interest company, as detailed within the report.

**FIP 20/18 CONSIDERATION OF USE OF COMPULSORY PURCHASE
POWERS TO SECURE RESIDENTIAL PROPERTY IN BURHAM**

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

Decision Notice D200006MEM

Consideration was given to the report of the Director of Central Services regarding use of Compulsory Purchase Powers under section 17 of the Housing Act 185 to bring an empty property in Rochester Road, Burham back into use and good repair. Considerable discussion ensued and it was agreed to seek a further more detailed report exploring all options available.

RECOMMENDED: That a decision on the matter be deferred pending a further report to the Advisory Board on all aspects discussed at the meeting, including the options available to the Council and neighbours, costs and legal advice.

The meeting ended at 9.58 pm