

TONBRIDGE AND MALLING BOROUGH COUNCIL

CABINET

MINUTES

Tuesday, 5th December, 2023

Present: Cllr M D Boughton (Chair), Cllr R P Betts, Cllr M A Coffin, Cllr D Keers, Cllr K B Tanner and Cllr M Taylor

M A J Hood, Mrs A S Oakley, R W G Oliver, B A Parry and M R Rhodes were also present pursuant to Access to Information Rule No 23.

Apologies for absence were received from Councillors

PART 1 - PUBLIC

CB 23/104 DECLARATIONS OF INTEREST

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

MATTERS FOR RECOMMENDATION TO THE COUNCIL

CB 23/105 MEDIUM TERM FINANCIAL STRATEGY AND SAVINGS UPDATE

The report provided an update on the Medium Term Financial Strategy (MTFS) and set out the savings identified that would assist in meeting 'tranche 1' of the latest savings targets. Proposals for the allocation of the one-off windfall sum, highlighted in the 'Financial Planning and Control 2023/24' report to Cabinet in October were also set out.

As the budget cycle for 2024/25 was in progress, the financial issues impacting on the MTFS were highlighted and included uncertainty around the level of inflation, the local government financial settlement, the Fair Funding Review and the future of New Homes Bonus as well as many other factors. Whilst uncertainty regarding future settlements and economic factors did not help with financial planning, it was possible that the Borough Council could benefit from a later Fair Funding Review and Business Rates reset. Current calculations, based on best information to date and savings identified and incorporated into Estimates (as detailed in 1.5.1), the funding gap was now in the region of £1.78m.

Particular reference was made to the savings target and it was reported that it was unlikely that Tranche 1 would be fully met by the time the Budget was set in February 2024. Given the change in administration and make-up of the Borough Council since the local elections in May 2023, it was proposed by Councillor Tanner and seconded by the

Leader that the Tranche 1 target be divided into 2 parts, with the Tranche 1a target being set at £195k and Tranche 1b at £305k. This was supported by Cabinet on the grounds that provided that the full tranche was met by the time the budget was set for 2025/26 there would be a limited effect on the overall MTFs. It was felt appropriate that the Finance, Regeneration and Property Scrutiny Select Committee give consideration to potential savings for Tranche 2 onwards and how these could be implemented.

To ensure the continued financial sustainability of the Borough Council, urgent and concerted effort was necessary in identifying significant savings targets for tranches 2 onwards.

Finally, reference was made to the 'one-off' windfall of almost £2m received from HMRC in respect of the treatment of sports and leisure activities. A number of proposals for the use of this 'windfall' were detailed in 1.6.3.

RECOMMENDED*: That

- (1) the latest forecast of the Medium Term Financial Strategy and the funding gap, now estimated to be £1.78m after incorporating £120k of savings into Draft Estimates, for 2024/25 (as detailed in 1.5.1) be noted;
- (2) the progress with the Savings and Transformation contributions for Tranche 1, as set out in 1.5.1 be noted;
- (3) the Tranche 1 savings target be divided into two parts, with a target saving of £195k in Tranche 1a and £305k in Tranche 1b;
- (4) the Finance, Regeneration and Property Scrutiny Select Committee give consideration to potential savings for Tranche 2 onwards and how these could be implemented; and
- (5) the proposals set out in 1.6.3 in respect of the windfall sum be commended to Council for approval.

***Recommended to Council**

CB 23/106 COUNCIL TAX PREMIUM CHANGES FOR EMPTY AND SECOND HOMES

Following the recent Royal Assent of the Levelling Up and Regeneration Bill, consideration was given to proposals to introduce a Council Tax premium for second homes from 2025/26 onwards and to amend Council Tax empty home premiums from 2024/25 onwards.

The previous recommendation of Cabinet to Council (CB 23/3) in respect of these proposals had been deferred pending enactment of the

Bill. Whilst the criteria for both empty homes and second homes premium charges remained unchanged the effective date for implementation of the latter had changed due to the delay in the Bill being enacted.

Due regard was given to the financial and value for money considerations, the legal implications and the summary of perceived risks set out in the report. In addition, it was recognised that these premiums could strengthen the incentive of owners of empty properties to bring them back into use and might encourage the sale or even private rental of properties in support of the Borough Council's priorities in respect of housing options.

RECOMMENDED*: That

- (1) the amendments to Council Tax empty home premiums from 2024/25 financial year onwards, as set out in 1.3.1 be adopted; and
- (2) a Council Tax premium to second homes from 2025/26 financial year onwards, as set out 1.4.3, be introduced.

***Recommended to Council**

DECISIONS TO BE TAKEN IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION

EXECUTIVE NON-KEY DECISIONS

CB 23/107 FUTURE OF THE ANGEL CENTRE, TONBRIDGE

(Decision Notice: D230106CAB)

Consideration was given to recommendation FRP 23/27 of the Finance, Regeneration and Property Scrutiny Select Committee in respect of the future of the existing Angel Centre building.

Due regard was given to the operational, building fabric and climate change considerations, together with the views expressed by the Leisure Trust and the Scrutiny Select Committee. The financial implications and advantages and disadvantages of both refurbishment and new facility options were also taken into account.

Members recognised that, due to the age, design and changing nature of leisure provision, the Angel Centre was no longer fit for purpose without significant investment in both plant and equipment. In addition, substantial investment would be required to reduce the carbon footprint of the building to achieve the Borough Council's carbon neutral aspirations for its leisure facilities. At this stage, any decision was 'in-

principle' only to allow phase 2 of the Tonbridge Town Centre asset review work to progress.

On the grounds of providing clarity regarding the Borough Council's review of its assets in Tonbridge, supporting climate change and ensuring that leisure facilities in the town were fit for purpose and represented value for money, the Leader proposed that the Angel Centre be demolished and replacement leisure facilities be provided; and in-principle, all options be kept on the table for the future location of the replacement leisure facilities within Tonbridge and the nature of such replacement facilities. This was seconded by Councillor Betts and supported unanimously.

RESOLVED: That the Angel Centre be demolished and replacement leisure facilities be provided in Tonbridge and, in principle, all options be kept on the table for the future location and nature of such replacement leisure facilities within Tonbridge.

MATTERS SUBMITTED FOR INFORMATION

CB 23/108 DECISIONS TAKEN BY CABINET MEMBERS

Details of the Decisions taken in accordance with the rules for the making of decisions by executive members, as set out in Part 4 of the Constitution, were presented for information.

CB 23/109 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

MATTERS FOR INFORMATION

CB 23/110 FUTURE OF THE ANGEL CENTRE, TONBRIDGE - ANNEX 1

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

Members had regard to Annex 1 – Legal Implications, set out in Part 2 of the agenda, during consideration of the Future of the Angel Centre, Tonbridge (Minute CB 23/107 refers).

RESOLVED: That the report be received and noted.

The meeting ended at 8.23 pm