

## TONBRIDGE AND MALLING BOROUGH COUNCIL

### FINANCE, INNOVATION AND PROPERTY ADVISORY BOARD

Wednesday, 7th January, 2015

**Present:** Cllr H S Rogers (Chairman), Cllr R Taylor (Vice-Chairman), Cllr J Atkins, Cllr O C Baldock, Cllr T Bishop, Cllr P F Bolt, Cllr M O Davis, Cllr Mrs F A Kemp, Cllr Miss A Moloney, Cllr C P Smith and Cllr A K Sullivan

Councillors Mrs J A Anderson, J A L Balcombe, V M C Branson, M A Coffin, D J Cure, N J Heslop, M R Rhodes and A G Sayer were also present pursuant to Council Procedure Rule No 15.21.

Apologies for absence were received from Councillor D A S Davis and also, whilst not a member of the Advisory Board, from Councillor Mrs E A Simpson.

#### PART 1 - PUBLIC

##### **FIP 15/1 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 being a member of the Board of the Bridge Trust. He withdrew from the meeting during consideration of this matter.

##### **FIP 15/2 MINUTES**

**RESOLVED:** That the notes of the meeting of the Finance, Innovation and Property Advisory Board held on 24 September 2014 be approved as a correct record and signed by the Chairman.

#### MATTERS FOR RECOMMENDATION TO THE CABINET

##### **FIP 15/3 POLICY IN RESPECT OF DISCRETIONARY COUNCIL TAX AWARDS**

The report of the Director of Finance and Transformation outlined the provisions of Section 13A of the Local Government Finance Act 1992 under which a local authority had the power to reduce the amount of Council Tax due as it saw fit. A draft policy in respect of Discretionary Council Tax Awards was presented for consideration to ensure that any applications were dealt with consistently and equitably. It was proposed that applications would only be granted in exceptional or unforeseen circumstances that threatened a taxpayer's ability to discharge their liability for Council Tax and to stay in their home.

All applications would be considered on their merits with decisions on eligibility delegated to the Director of Finance and Transformation in a manner consistent with the arrangements for the award of Discretionary Housing Payments.

**RECOMMENDED:** That the Council approve the Section13A policy in respect of Discretionary Council Tax Awards as set out at Annex 1 to the report, subject to inclusion in paragraph 7(b) of a requirement to provide a declaration of savings and assets.

**\*Referred to Cabinet**

#### **FIP 15/4 REVENUE ESTIMATES 2015/16**

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 12 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 Director of Finance and Transformation drew attention to the key messages arising from the provisional Local Government Finance Settlement including the position regarding New Homes Bonus funding. The implications of implementing a Council Tax freeze were discussed together with the threshold set by the Secretary of State for local referenda to approve or veto Council Tax increases of 2% or more.

The report indicated the factors to be taken into account when updating the MTFS and Members were advised of encouraging progress achieved to date towards the savings target. It was noted that the MTFS would continue to be updated during the Budget cycle as more information became available.

**RECOMMENDED:** That


- (1) the draft Revenue Estimates contained in the Booklet be endorsed; and
- (2) 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 12 February 2015.

**\*Referred to Cabinet**

**FIP 15/5 CAPITAL PLAN REVIEW 2014/15**

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 new 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.

Reference was made to the ongoing review by the Overview and Scrutiny Committee of the process by which capital renewals provisions were determined. An updated Capital Strategy was presented and it was noted that the Peer Review Challenge had reinforced the recognition that future strategies would need to take into account the fact that the main source of funding for new Capital Plan schemes, the Revenue Reserve for Capital Schemes, was expected to be exhausted in 2018/19 at which stage the Council would need to borrow to fund such expenditure.

**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;
- (2) the amendment of List C as detailed in paragraph 1.5.1 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 schemes listed in paragraph 1.7.6 of the report from List C to List B noting:
  - (i) in respect of the Tonbridge Town Lock scheme the additional funding requirement of £100,000 to that currently reflected in the Capital Plan, to be met from a pending developer contribution and in the interim from the Council's own resources;
  - (ii) the Tonbridge School Athletics Track Improvements scheme expected to be progressed in 2018/19 subject to the identification of developer contributions/external grant sources;

- (iii) in respect of the Larkfield Leisure Centre Health Suite Refurbishment scheme the additional funding requirement of £60,000 to that currently reflected in the Capital Plan; 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 15/6 REVIEW OF FEES AND CHARGES 2015/16**

The report of the Management Team brought forward for consideration as part of the Budget setting process for 2015/16 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.

In considering the car parking charges, Members expressed concern about illegal on-street parking in various parts of the Borough and the adequacy of enforcement resources. Officers undertook to pass the comments to the Director of Planning, Housing and Environmental Health to be addressed in the future review.

#### **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 set out at paragraph 1.2.1 of the report with effect from 1 April 2015;
- (2) the proposed unchanged scale of fees for local land charges searches and enquiries set out at paragraph 1.3.5 of the report be adopted with effect from 1 April 2015;
- (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 Gatehouse as outlined in paragraph 1.5.3 of the report be approved for implementation from 1 April 2015 and the charges be reflected in the appropriate tourism marketing material;
- (5) the proposed charges for Tonbridge Castle Chamber as set out in Annex 4 to the report be approved for implementation from 1 April 2015 and the list of concessionary users at Annex 2 to the report be endorsed;
- (6) the proposed charges for weddings at Tonbridge Castle as outlined in paragraph 1.7.3 of the report be approved for implementation from 1 April 2016;

- (7) no changes be made to car parking charges this year and they be reviewed again in 12 months' time;
- (8) building control fees be held at the same level as last year for a further 12 months when they will be reviewed again, the current level of fees remaining competitive with the private sector;
- (9) the scale of charges for condemned food certificates, exported food certificates, contaminated land monitoring, sampling private water supplies, stray dog redemption fees and household bulky refuse collection be approved with effect from 1 April 2015 as detailed in paragraphs 1.10 to 1.16 of the report;
- (10) the introduction of a charge for emptying wheeled bins where the contractor is not at fault and the customer requests paying for the service be approved with effect from 1 February 2015 for a trial period of six months; and
- (11) the fees schedule for street naming and numbering set out at paragraph 1.18 of the report be adopted with effect from 1 April 2015.

**\*Referred to Cabinet**

#### **FIP 15/7 APPLICATION FOR DISCRETIONARY RATE RELIEF**

Decision Notice D150001MEM

The joint report of the Director of Finance and Transformation and Cabinet Member for Finance, Innovation and Property gave details of a new application for discretionary rate relief which was considered in accordance with the previously agreed criteria for determining such applications. Further to Decision Number D140052MEM, it was noted that the applicant was relocating from their current address to premises with a significantly higher rateable value.

**RECOMMENDED:** That the new application for discretionary rate relief be determined as follows:

The Charity Bank Limited , Fosse House, 182 High Street, Tonbridge – 30% discretionary relief be awarded, time limited to 31 March 2015.

#### **MATTERS SUBMITTED FOR INFORMATION**

#### **FIP 15/8 BENEFITS UPDATE**

Members were advised of current issues arising in the benefits field including performance and workload of the Benefits Service and progress with various aspects of welfare reform.

**FIP 15/9 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 2014 (council tax 83.7% and business rates 85%, compared with 84.2% and 89.5% respectively in 2013/14). Reference was also made to the Autumn Statement, business rate reform, the Council Tax base for 2015/16 and progress with e-billing.

**FIP 15/10 CHANCELLOR'S AUTUMN STATEMENT 2014**

The report highlighted the main issues of relevance to the Borough Council within the Chancellor's Autumn Statement. Particular reference was made to a number of announcements in respect of business rates and the earmarking by the Government of £17 million for flood defences in Tonbridge and the surrounding area.

**FIP 15/11 BUSINESS RATES RETENTION AND SHALE OIL AND GAS: TECHNICAL CONSULTATION AND BUSINESS RATES POOLING**

The report gave details of a Department for Communities and Local Government technical consultation on draft regulations to allow 100% local retention of business rates on shale gas and oil sites. It was noted that no response had been submitted by the deadline date of 5 December 2014 since on balance the proposals in the paper were considered to be appropriate and a response unnecessary on this occasion.

The report also provided an update on the current situation on the Business Rates Retention Pool for Kent authorities (further to Decision Notice D140122CAB) from which it was noted that the Department for Communities and Local Government had approved the establishment of a new Pool with effect from 1 April 2015 comprising Kent County Council, Kent and Medway Fire and Rescue Authority and 10 district councils including Tonbridge and Malling. Members thanked the Director of Finance and Transformation and team for their work on the pooling 'bid' and recognised the leadership efforts of Maidstone Borough Council in the process.

**FIP 15/12 PRINCIPLES FOR FUTURE WEBSITE REDESIGN**

The report of the Management Team gave details of agreed principles to inform the approach to website redesign. Members were advised that a trial 'web-chat' had begun that day with a significant level of interest shown by customers.

**MATTERS FOR CONSIDERATION IN PRIVATE**

**FIP 15/13 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 15/14 DEBTS FOR WRITE OFF**

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

Decision Notice D150002MEM

The report of the Director of Finance and Transformation sought approval of the writing-off of debts considered to be irrecoverable. It was noted that the majority related to historic debts. 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 63 items shown in the schedule of amounts over £1,000, totalling £311,541.33 be written-off for the reasons stated within the schedule.

**FIP 15/15 PROPOSED NEW LEASE OF 29 MARTIN SQUARE TO CIRCLE ANGLIA (RUSSET HOMES)**

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

Decision Notice D150003MEM

The report of the Director of Central Services gave details of the proposed terms for a new lease of office accommodation at 29 Martin Square, Larkfield.

**RECOMMENDED:** That that a new lease be granted on the terms set out in the report.

**FIP 15/16 PROPOSED NEW LEASE TO TONBRIDGE SAILING CLUB,  
HAYSDEN**

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

Decision Notice D150004MEM

The report of the Director of Central Services gave details of an approach by Tonbridge Sailing Club for a new lease to enable them to apply to outside bodies for grants and funding. The report set out a proposed way forward based on the surrender of the existing lease and the simultaneous grant of a new lease to the Club.

**RECOMMENDED:** That the simultaneous surrender of the existing lease and the grant of a new 28 year lease on the terms and conditions set out in the report be approved.

**FIP 15/17 LICENCE FOR RIVER TRIPS IN TONBRIDGE**

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

Decision Notice D150005MEM

The report of the Director of Central Services gave details of the proposed terms and conditions for a licence of the landing stages at the Big Bridge, Tonbridge and Haysden Country Park to a new operator wishing to offer passenger boat trips and rowing boat hire on the River Medway.

**RECOMMENDED:** That that a licence be granted on the basis set out in the report.

**FIP 15/18 PROPOSED DISPOSAL OF ST JOHN AMBULANCE SITE,  
TONBRIDGE**

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

Decision Notice D150006MEM

The report of the Director of Central Services set out the background to the lease of the St John Ambulance site in Vale Road, Tonbridge, together with a proposal for the joint disposal of the site for development purposes.



**RECOMMENDED:** That negotiations for the disposal of the St John Ambulance site for development be continued as outlined in the report and details of the outcome of negotiations be referred back to the Advisory Board before a final decision is made.

**MATTERS SUBMITTED FOR INFORMATION**

**FIP 15/19 IT STORAGE**

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

The report of the Director of Finance and Transformation gave details of the outcome of tenders and progress on implementation of the new IT storage infrastructure. It was anticipated that the new system would be live and available for use by mid-January 2015.

The meeting ended at 9.33 pm