

TONBRIDGE AND MALLING BOROUGH COUNCIL

FINANCE, REGENERATION AND PROPERTY SCRUTINY SELECT COMMITTEE

MINUTES

Tuesday, 19th November, 2024

Present: Cllr A Mehmet (Vice-Chair, in the Chair), Cllr T Bishop, Cllr P Boxall, Cllr C Brown, Cllr R I B Cannon, Cllr J Clokey, Cllr W E Palmer, Cllr B A Parry, Cllr M R Rhodes, Cllr C J Williams, Cllr K Barton (substitute), Cllr A G Bennison (substitute) and Cllr R W Dalton (substitute)

Cllrs Mrs S Bell*, M D Boughton*, P M Hickmott, M A J Hood, Mrs A S Oakley* and K B Tanner were also present pursuant to Council Procedure Rule No 15.21.

(*participated via MS Teams)

Apologies for absence were received from Councillors D Harman (Chair), L Athwal and W J Mallard.

PART 1 - PUBLIC

FRP 24/18 NOTIFICATION OF SUBSTITUTE MEMBERS

Notification of substitute members were recorded as set out below:

- Cllr Barton substituted for Cllr Athwal
- Cllr Bennison substituted for Cllr Mallard
- Cllr Dalton substituted for Cllr Harman

In accordance with Council Procedure Rules 17.5 to 17.9 these Councillors had the same rights as the ordinary member of the committee for whom they were substituting.

FRP 24/19 DECLARATIONS OF INTEREST

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

However, for reasons of transparency Cllr Clokey reminded Members that in relation to agenda item 10 (Budgetary Control) he was employed by one of the companies who managed a multi asset fund which the Borough Council had invested in and was referenced in the report. As this did not represent either a Disclosable Pecuniary or Other Significant Interest there was no reason for Cllr Clokey to withdraw from the meeting.

FRP 24/20 MINUTES

RESOLVED: That the notes of the meeting of the Finance, Regeneration and Property Scrutiny Select Committee held on 17 September 2024 be approved as a correct record and signed by the Chair.

MATTERS FOR CORPORATE MONITORING

FRP 24/21 KEY PERFORMANCE INDICATORS

The report provided data on Key Performance Indicators for the period July – September 2024 (quarter 2) that were aligned to the Corporate Strategy 2023-27, monitored on a quarterly or annual basis and related to the theme of communities and environment.

This data was a key tool in assessing performance management, helped to delivery positive change and provided Members with an insight into areas where the Borough Council was performing well and areas that needed greater focus.

Members welcomed the positive position in respect of Tonbridge Town Centre vacancy levels and income monitoring. It was also noted that outstanding debt had increased to around £980,000 and the unemployment rate had increased slightly.

RESOLVED: That the positive and negative trends identified in the report be noted.

MATTERS FOR RECOMMENDATION TO THE CABINET

FRP 24/22 REVIEW OF FEES AND CHARGES 2025/26

The joint report of the Director of Finance and Transformation and Director of Central Services set out proposed fees and charges for 2025/26 for the provision of services in respect of legal costs, photocopying charges, street name and numbering, land charges, Tonbridge Castle, events on open spaces, billboards and banners and Council Tax and Business Rate court costs with effect from 1 April 2025.

In bringing forward the charging proposals for 2025/26 consideration had been given to a range of factors, including the Borough Council's overall financial and market positions, trading patterns, the current rate of inflation and customer feedback. A set of guiding principles for the setting of fees and charges had also been taken into account and were summarised in 4.2 of the report.

Particular reference was made to the Borough Council's significant and challenging financial position and as it was becoming increasingly

difficult to achieve further expenditure savings to meet the targets in the Savings and Transformation Strategy it was essential that opportunities to maximise income were taken.

Due regard was given to the overall financial position and potential impacts on the Medium-Term Financial Strategy and on the grounds of ensuring adequate cost recovery in providing street name and numbering, Cllr Clokey proposed that fees and charges for 2025/26 should be rounded up to the nearest £10. This was seconded by Cllr Brown and supported by the Committee.

In respect of Tonbridge Castle, it was clarified that the repair works to the roof had been rescheduled to early 2025 to lessen the impact on external events over the Christmas/New Year period as the Castle would be enveloped with scaffolding during the repair period.

***RECOMMENDED:** That

- (1) the proposed charges for legal costs, as set out in 5 of the report, be approved with effect from 1 April 2025;
- (2) the current photocopying charges of £0.10 (inclusive of VAT) for each page of the same document or additional copies of the same page plus postage as appropriate, as set out in 5.2 of the report, be retained;
- (3) the Fee Schedule for Street Naming and Numbering, as set out in 5.3 of the report, be rounded up to nearest £10 and adopted with effect from 1 April 2025;
- (4) the proposed scale of fees for local land charges searches and enquiries, as set out in 5.4 of the report, be adopted with effect from 1 April 2025;
- (5) the proposed fees and charges for 2025/26 related to Tonbridge Castle, as set out in 5.5 of the report, be approved with effect from 1 April 2025;
- (6) the proposed fees and charges for 2025/26 related to Open Spaces, as set out in 5.6 of the report, be approved;
- (7) authority be delegated to the Director of Central Services and Deputy Chief Executive to negotiate fees for individual commercial events on Council-owned land;
- (8) the proposed fees and charges for 2025/26 related to Billboards and Banners, as set out in 5.9 of the report, be approved; and

- (9) the amount of costs charged in 2025/26 to recover unpaid council tax and business rates debts remain at the 2024/25 levels, as set out in 5.10 of the report.

***Recommended to Cabinet**

FRP 24/23 PROCUREMENT STRATEGY

Consideration was given to the draft Procurement Strategy (attached at Annex 1) which was intended to ensure a more compliant and efficient approach to procurement, enable opportunities to extract added value and develop a more sustainable approach to procurement in the future. The Strategy would also reflect major new procurement legislation being introduced by Government in 2025.

Particular reference was made to the Mid Kent Procurement Partnership which provided the Borough Council with support, guidance and experience. Since May 2024 the Partnership had worked with Officers on the procurement of a number of contracts across the organisation including waste and recycling, litter enforcement, construction contracts and pest control. A key priority for the new Partnership had been the production of a new Procurement Strategy.

It was recognised that the Strategy ensured best value from Borough Council contracts was achieved, enabled services to continue to be delivered in increasingly challenging economic markets, supported best practice and compliance and helped mitigate the level of risk related to procurement on the Corporate Risk Register.

Members welcomed the production of a Procurement Strategy as it addressed a strategic risk previously identified by external auditors. On the grounds that parish and town councils were bound by the same procurement legislation as all public sector bodies, Cllr Palmer proposed that the list of contractors be made available to parish/town councils. This was seconded by Cllr Bishop and supported by the Committee.

***Recommended:** That

- (1) the draft Procurement Strategy, attached at Annex 1, be commended to Cabinet for adoption; and
- (2) the Borough Council's list of contractors be made available to parish/town councils.

***Recommended to Cabinet**

FRP 24/24 DEBT COLLECTION PRACTICES - POTENTIAL PILOT WITH REACHOUT

Members reviewed and discussed the Borough Council's collection practices for council tax and other debts following the findings of the Money Advice Trust's 'Stop the Knock' research into local authority debt collection. A formal policy covering residents in vulnerable circumstances was included in the Corporate Debt Recovery Policy (attached at Annex 2). It was recommended that this was reviewed to reflect the more challenging financial position of our residents.

Consideration was also given to the proposal to commission a pilot scheme with an organisation called ReachOut to engage with residents struggling with debt and assist them with getting support to improve financial, mental and physical wellbeing. Details of the organisation were set out in Annex 3.

Whilst the Borough Council had a duty to collect public monies it was important to consider the welfare of those in vulnerable circumstances and the recommended pilot with ReachOut provided an opportunity to understand household circumstances and support those in debt. The Committee felt that a sample size of 500 cases for the pilot scheme seemed appropriate as consideration could be given to a further tranche if these was successful.

Members were pleased to note that the Money Advice Trust had found that the Borough Council already took some of its recommended steps in respect of debt collect practices. However, the Committee were asked to consider if other steps could be taken to improve practice including a publicly published commitment to make every possible effort to reduce the use of bailiffs.

Cllr Clokey proposed that the Borough Council should target a reduction in the need to use bailiffs. This was seconded by Cllr Boxall and supported by the majority of the Committee.

***Recommended:** That

- (1) a pilot scheme of up to 500 cases be approved and ReachOut be commissioned to engage with residents struggling with debt, as set out in 7 of the report, and reconnect those residents with the Borough Council's teams in order to resolve their debts;
- (2) a review of the Corporate Debt Recovery Policy be approved to reflect the more challenging financial position of residents; and
- (3) a statement be made highlighting the positive actions being taken by the Borough Council to engage with residents and re-emphasising that referrals to bailiffs were only done as a last

resort and that a reduction in the need to use bailiffs would be targeted.

***Recommended to Cabinet**

FRP 24/25 BUDGETARY CONTROL - SEPTEMBER 2024

(Decision Number D240117MEM)

Members received information on the current financial year position to the end of September 2024 and the position related to savings achieved since the budget was set in February 2024.

Whilst a net favourable variance was reported particular reference was made to homelessness and temporary accommodation spend. The net expenditure incurred by the end of July represented an overspend of £344,000. If the client levels, cost of TA and debt recovery continued at the current levels until the end of the financial year the overspend against the agreed budget would be in the region of £555,000. Members were also advised that the current significant costs of TA continued to be offset by the good performance of the Borough Council's investment and treasury funds.

Details of salary, income, investment income and business rates monitoring to end of September 2024 was set out in the report and noted by Members.

***RECOMMENDED:** That

- (1) as at the end of September 2024, a net favourable variance of circa £296,512 when compared to the proportion of the 2024/25 budget, as shown in 8 of the report, be noted;
- (2) the potential issues surrounding the impact of the current client levels, cost of Temporary Accommodation and debt recovery within the revenue budget for Homelessness Accommodation be noted;
- (3) the current business rate pool position as at the end of September 2024, as set out in 10 of the report, be noted; and
- (4) the current spend on Capital Projects for 2024/25, set out in 11 of the report, be noted.

***Decision taken by Cabinet Member**

MATTERS SUBMITTED FOR INFORMATION

FRP 24/26 PROGRESS WITH DIGITAL AND IT STRATEGY

The report of the Director of Finance and Transformation provided an update on the progress to date of the Digital and IT Strategy 2023-2027.

Members reviewed and noted the progress being made on a number of projects as detailed in Annex 1. The Borough Council had completed the Cyber Assessment Framework which supported secure payments and reduced cyber risk significantly. There had also been a significant reduction in carbon footprint by moving to cloud-based systems.

FRP 24/27 WORK PROGRAMME 2024/25

The Work Programme setting out matters to be scrutinised during 2024/25 was attached for information. Members were invited to suggest future matters for 2025/26 by liaising with the Chair of the Committee.

MATTERS FOR CONSIDERATION IN PRIVATE

FRP 24/28 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

FRP 24/29 MEDIUM TERM FINANCIAL STRATEGY - UPDATE

(Reason: Part 2 – Private: LGA 1972 Sch 12A Paragraph 3 – Financial or business affairs of any particular person)

(Decision Number D240119MEM)

Members were provided with an interim update of the Medium-Term Financial Strategy (MTFS). Attention was drawn to the latest financial pressures, assumptions currently within the MTFS and areas of potential impact on future finances.

As a consequence, the funding gap had grown and three scenarios were detailed in the report. However, significant savings were required in order to preserve the integrity of the authority's financial plans.

It was acknowledged that the position would be likely to change again before the Cabinet and Council set the Budget in February 2025 and therefore a further update would be presented in due course.

***RECOMMENDED: That**

- (1) the current position on the Medium-Term Financial Strategy be noted; and
- (2) the areas identified causing the increase in the funding gap be noted.

***Decision taken by Cabinet Member**

The meeting ended at 10.00 pm