



## Cabinet

Notice of a Meeting, to be held in the Council Chamber, Civic Centre, Tannery Lane,  
Ashford, Kent TN23 1PL on Thursday, 14<sup>th</sup> January 2016 at 7.00 pm.

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The Members of the Cabinet are:-

Cllr Clarkson – Leader of the Council

Cllr N Bell – Deputy Leader and Portfolio Responsibility for Government Policy Interface & Democracy

Cllr Mrs Bell – Portfolio Responsibility for Public Interaction and Borough Presentation

Cllr Bennett – Portfolio Responsibility for Planning, Development and Enforcement

Cllr Mrs Blanford – Portfolio Responsibility for Culture, Leisure and Environment

Cllr Clokie – Portfolio Responsibility for Housing and Home Ownership

Cllr Galpin – Portfolio Responsibility for Town Centres Focus and Business Dynamics

Cllr Heyes – Portfolio Responsibility for Highways, Wellbeing and Safety

Cllr Miss Martin – Portfolio Responsibility for Information and Communications

Cllr Shorter – Portfolio Responsibility for Finance, Budget and Resource Management

**NB: Under the Council's Public Participation Scheme, members of the public can submit a petition to the Cabinet if the issue is within its terms of reference or ask a question or speak concerning any item contained on this Agenda (Procedure Rule 9 refers)**

## Agenda

- |   | Page<br>Nos. |
|---|--------------|
| 1. <b>Apologies</b>   |              |
| 2. <b>Declarations of Interest:-</b> To declare any interests which fall under the following categories, as explained on the attached document: | 1            |
| a) Disclosable Pecuniary Interests (DPI)  |              |
| b) Other Significant Interests (OSI)  |              |
| c) Voluntary Announcements of Other Interests   |              |
| See Agenda Item 2 for further details   |              |
| 3. <b>Minutes</b> – To approve the Minutes of the Meeting of the Cabinet held on the 3 <sup>rd</sup> December 2015                              |              |
| 4. To receive any Petitions   |              |
| 5. Leader's Announcements   |              |

### Part I – Matters Referred to the Cabinet

None for this Meeting

## **Part II – Consideration of Reports from the Overview and Scrutiny Committee**

None for this Meeting

## **Part III – Ordinary Decision Items - Key Decisions Annotated\***

- |    |   |           |
|----|---|-----------|
| 6. | Revenues and Benefits Recommended Write-Offs Schedule   | 2-5&29-35 |
| 7. | Managing freight vehicles through Kent – responding to the Highways England consultation on a proposal to create a permanent lorry area adjacent to the M20 at Stanford | 6-14      |

## **Part IV – Information/Monitoring Items**

- |     |  |       |
|-----|--|-------|
| 8.  | Joint Transportation Board – to receive the Minutes of the Meeting held on the 8 <sup>th</sup> December 2015. Note: Link to JTB Reports<br><a href="https://secure.ashford.gov.uk/committeesystem/ViewAgenda.aspx?MeetingId=1930">https://secure.ashford.gov.uk/committeesystem/ViewAgenda.aspx?MeetingId=1930</a> |       |
| 9.  | Local Plan and Planning Policy Task Group – Notes of the Meeting held on 9 <sup>th</sup> December 2015   | 15-18 |
| 10. | Town Centre Regeneration Board – Notes of the Meeting held on the 16 <sup>th</sup> December 2015   | 19-21 |
| 11. | Schedule of Key Decisions  | 22-28 |
| 12. | Items for Future Meetings  |       |

## **Part V – Cabinet Member Reports**

None for this Meeting

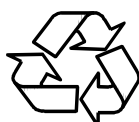
## **Part VI – Ordinary Decision Items**

None for this Meeting

KRF/AEH  
6<sup>th</sup> January 2016

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Queries concerning this agenda? Please contact Keith Fearon:  
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**Declarations of Interest (see also “Advice to Members” below)**

- (a) **Disclosable Pecuniary Interests (DPI)** under the Localism Act 2011, relating to items on this agenda. The nature as well as the existence of any such interest must be declared, and the agenda item(s) to which it relates must be stated.

A Member who declares a DPI in relation to any item will need to leave the meeting for that item (unless a relevant Dispensation has been granted).

- (b) **Other Significant Interests (OSI)** under the Kent Code of Conduct as adopted by the Council on 19 July 2012, relating to items on this agenda. The nature as well as the existence of any such interest must be declared, and the agenda item(s) to which it relates must be stated.

A Member who declares an OSI in relation to any item will need to leave the meeting before the debate and vote on that item (unless a relevant Dispensation has been granted). However, prior to leaving, the Member may address the Committee in the same way that a member of the public may do so.

- (c) **Voluntary Announcements of Other Interests** not required to be disclosed under (a) and (b), i.e. announcements made for transparency reasons alone, such as:

- Membership of outside bodies that have made representations on agenda items, or
- Where a Member knows a person involved, but does not have a close association with that person, or
- Where an item would affect the well-being of a Member, relative, close associate, employer, etc. but not his/her financial position.

[Note: an effect on the financial position of a Member, relative, close associate, employer, etc; OR an application made by a Member, relative, close associate, employer, etc, would both probably constitute either an OSI or in some cases a DPI].

**Advice to Members on Declarations of Interest:**

- (a) Government Guidance on DPI is available in DCLG’s Guide for Councillors, at [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/240134/Openness\\_and\\_transparency\\_on\\_personal\\_interests.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/240134/Openness_and_transparency_on_personal_interests.pdf)
- (b) The Kent Code of Conduct was adopted by the Full Council on 19 July 2012, with revisions adopted on 17.10.13, and a copy can be found in the Constitution at <http://www.ashford.gov.uk/part-5---codes-and-protocols>
- (c) If any Councillor has any doubt about the existence or nature of any DPI or OSI which he/she may have in any item on this agenda, he/she should seek advice from the Head of Legal and Democratic Services and Monitoring Officer or from other Solicitors in Legal and Democratic Services as early as possible, and in advance of the Meeting.

## Cabinet

Minutes of a Meeting of the Cabinet held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **3<sup>rd</sup> December 2015**

### Present:

Cllr. Clarkson (Chairman);

Cllr. Bell (Vice-Chairman);

Cllrs. Bennett, Mrs Blanford, Clokie, Galpin, Heyes, Miss Martin, Shorter.

### Apologies:

Cllrs. Mrs Bell, Michael,

### Also Present:

Cllrs. Britcher, Buchanan, Burgess, Chilton, Hicks, Link, Sims, Wedgbury.

Chief Executive, Deputy Chief Executive, Head of Legal & Democratic Services, Corporate Director – Operations, Principal Solicitor for Property and Projects, Head of Cultural and Project Services, Tourism, Heritage and Nature Conservation Manager, Principal Accountant, Head of Finance, Policy and Performance Manager, Housing Operations Manager, Communications Officer, Member Services and Scrutiny Manager.

## 233 Declarations of Interest

Councillor	Interest	Minute No.
Clarkson	Announced an “Other Significant Interest” in respect of Agenda Item No.11 as he was the Chairman and Director of the Ashford Borough Council Better Choice for Property Company.	242
Shorter	Made a “Voluntary Announcement” as Director of Ashford Borough Council Building Company	242

## 234 Minutes

### Resolved:

**That the Minutes of the meeting of the Cabinet held on the 12<sup>th</sup> November 2015 be approved and confirmed as a correct record.**

## **235 Urgency Provision**

The Chairman advised that in accordance with Section 100B(4)(b) of the Local Government Act 1972 he had accepted the late inclusion of an item entitled “Expansion of Short-Stay Accommodation Provision” as a matter of urgency and by reason of special circumstances, namely that the property concerned was currently on the market and the Council needed to act quickly to secure its purchase.

## **236 Leader’s Announcements**

The Leader advised that as this was the last meeting of the Cabinet before Christmas he wished to wish all Members and Officers a safe and enjoyable festive season.

## **237 Preliminary Draft Budget 2016/17**

The report set the scene for the Cabinet to consider its preliminary draft budget for 2016/17 and explained the important background and contextual information to the Medium Term Financial Plan (MTFP) and next year’s budget. The budget was preliminary as at the time of publication there was no final statement from the Government about the Council’s levels of grant support for next year.

The Portfolio Holder referred to two Tabled Papers, one of which was a briefing note on the Comprehensive Spending Review and the second requested the Cabinet to approve the earmarking of the £77,000 saved from the Management Re-Structure to fund the costs related to the Devolution Agenda as covered in detail in the Comprehensive Spending Review Paper. The Portfolio Holder advised that following agreement by the Cabinet the Budget would be published for consultation with the Business Community, Parish Councils and staff prior to the final Budget being considered in February 2016.

### **Recommended:**

- That**
- (i) the Budget Context be noted.**
  - (ii) the preliminary draft budget for 2016/17 be approved, (noting that it was submitted before the Government’s announcement of the provisional grant settlement).**
  - (iii) the preliminary draft Housing Revenue Account Budget for 2016/17 be approved.**
  - (iv) the report be used as the basis for Budget consultation with the public, the business community, the Parish Councils and staff.**
  - (v) the preliminary draft budget as set out in the report should be submitted to the Overview and Scrutiny Committee’s Budget Task Group for formal scrutiny.**

- (vi) £77,000 saved from the management re-structure be earmarked to fund the costs related to the Devolution Agenda.

## **238 The Next Five Years: The Corporate Plan 2015-2020 (final version)**

The report sought approval of the final version of the Corporate Plan 2015-2020: The Next Five Years and to its publication.

The Chairman said that the Corporate Plan reflected the four key areas of the Administration's election manifesto and was based on the principles of Aspiration, Action and Achievement.

A Member referred to the section of the report on employment and said that she was pleased to advise that two Ashford Borough Council Apprentices had received awards as star pupils over the whole of Kent.

The Chairman also advised that information from the Office of National Statistics showed that the wage levels in Ashford were improving.

### **Recommended:**

**That the final version of the Corporate Plan 2015-2020 (and the accompanying appendix) be agreed and that it be published and made available in both printed and digital media.**

## **239 Council Tax Base 2016/17**

The report advised that the Council was required to approve the Tax Base which would be used to calculate the level of Council Tax for 2016/17. It was calculated with regard to the number of domestic properties (including a forecast for new properties) which were then converted into Band D equivalents. The Tax Base had been calculated at 43,750 Band D properties and was an increase of 1,385 (or 3.1%) of the current year's figures.

### **Recommended:**

- That
- (i) **the 2016/17 "Net" Tax Base of 43,750 Band D properties as set out in the Table below be agreed.**
  - (ii) **the distribution across parished areas of the proposed grants to Parish Councils to help compensate them for the negative impact caused by the Council Tax Support Scheme on Parish Councils' tax bases (Appendix D to the report refers) totalling £40,900 be agreed.**
  - (iii) **the possibility of further Cabinet and Council decisions being required before the end of January should any material change in**

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**the tax base be required as a consequence of any further relevant funding announcements from Government be noted.**

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**TAX BASE 2016/2017  
LOCAL TAX BASE (WHOLE/PART AREAS)**

LOCAL TAX BASE 2015/2016	WHOLE AREA	BAND D EQUIVALENT	NEW OCCUPATIONS	1.0% PROVISION	Less discounts Council Tax Support	LOCAL TAX BASE 2016/2017
		47,310.00	502.00	(426.60)	(5,020.40)	42,365.00
	<u>PARISH</u>					
550.90	Aldington & Bonnington	609.40	23.60	(5.80)	(47.40)	579.80
326.00	Appledore	378.70	0.00	(3.30)	(53.60)	321.80
676.80	Bethersden	755.20	15.00	(7.00)	(61.70)	701.50
1,078.40	Biddenden	1,173.70	7.60	(10.90)	(83.50)	1,086.90
143.10	Bilsington	161.20	0.00	(1.50)	(11.80)	147.90
1,038.10	Boughton Aluph and Eastwell	1,124.50	0.00	(10.50)	(70.10)	1,043.90
586.10	Brabourne	625.40	0.00	(5.90)	(29.40)	590.10
150.30	Brook	156.90	0.00	(1.50)	(3.20)	152.20
414.30	Challock	425.30	0.00	(4.10)	(15.80)	405.40
1,204.00	Charing	1,346.90	42.40	(12.80)	(118.20)	1,258.30
716.70	Chilham	785.10	28.30	(7.50)	(65.40)	740.50
92.70	Crundale (PM)	94.50	0.00	(0.90)	(1.10)	92.50
499.80	Egerton	534.00	0.00	(5.10)	(26.20)	502.70
173.80	Godmersham	182.90	0.00	(1.80)	(4.70)	176.40
2,307.00	Great Chart with Singleton	2,628.90	16.00	(24.50)	(200.20)	2,420.20
113.20	Hastingleigh	120.10	0.00	(1.20)	(4.20)	114.70
715.20	High Halden	775.00	0.00	(7.30)	(52.20)	715.50
276.00	Hothfield	348.90	0.00	(2.90)	(58.90)	287.10
102.00	Kenardington	117.20	0.00	(1.00)	(10.10)	106.10
4,076.50	Kingsnorth	4,456.80	181.30	(43.70)	(259.90)	4,334.50
124.10	Little Chart	129.00	0.00	(1.30)	(4.00)	123.70
627.9	Mersham and Sevington	675.00	0.00	(6.40)	(31.50)	637.10
107.2	Molash	116.30	0.00	(1.10)	(11.40)	103.80
104.2	Newenden	108.60	0.00	(0.90)	(4.50)	103.20
554.9	Orlestone	590.40	28.30	(5.70)	(53.10)	559.90
473.6	Pluckley	509.40	0.00	(4.60)	(36.00)	468.80
654.6	Rolvenden	728.70	14.10	(6.90)	(56.80)	679.10
326.3	Ruckinge	343.80	0.00	(3.20)	(22.90)	317.70
489.6	Shadoxhurst	528.80	12.20	(5.10)	(38.40)	497.50
603	Smarden	666.70	0.00	(6.10)	(40.10)	620.50
349.1	Smeeth	392.10	0.00	(3.70)	(31.40)	357.00
711.7	Stanhope	1,024.30	0.00	(7.90)	(233.90)	782.50
209.6	Stone	224.10	0.00	(2.00)	(21.50)	200.60
3433.1	Tenterden (TC)	3,766.30	0.00	(34.60)	(293.20)	3,438.50
171.4	Warehorne	186.50	0.00	(1.70)	(8.10)	176.70
321.6	Westwell	340.10	0.00	(3.20)	(17.40)	319.50
524.1	Wittersham	586.40	0.00	(5.40)	(55.70)	525.30
818	Woodchurch	897.30	0.00	(8.40)	(59.20)	829.70
984.5	Wye with Hinxhill	1,127.90	12.20	(10.40)	(84.40)	1,045.30
15,535.60	Unparished Area	18,149.30	299.00	(162.60)	(2,100.10)	16,185.60
42,365.00		47,891.60	680.00	(440.40)	(4,381.20)	43,750.00



## **240 Council Tax Support Scheme for 2016/17**

The report advised that the Council had a statutory duty to consider annually whether to revise its Council Tax Support Local Scheme or to replace it with another scheme and consult with interested parties if it wished to revise or replace it.

The Portfolio Holder advised that the scheme had been in operation for the previous two financial years and this report reflected what would be the third year of its operation.

### **Recommended:**

- That (i) the proposed Local Scheme for 2016/17 as set out in the conclusions of the report, i.e. there are no major changes to the existing scheme but some minor changes are proposed, be approved.**
- (ii) public consultation on the proposals should run until 11<sup>th</sup> January 2016.**
- (iii) delegated authority be granted to the Deputy Chief Executive, in consultation with the Portfolio Holder and the Leader to make any adjustments to the final scheme by 31<sup>st</sup> January 2016 in relation to the level of grant notified by Central Government in December 2015 and following consideration of the consultation responses.**

## **241 Ashford Dark Sky and International Observatory**

The report addressed the proposals by the Ashford Astronomical Society to consider the provision of an astronomical observatory and the closely and inter-related matter of Ashford's Dark Sky and approved Supplementary Planning Document (SPD). The report also summarised the detailed findings from the "Fourth Street" Consultancy, copies of which had been placed in the Members Room.

The Chairman advised that the area to the south of Ashford had the darkest night skies in the whole of south-east England and that steps were being taken to ensure that this remained by using controls via the Planning system to ensure that lighting for future developments were of the type to reduce the level of light pollution. He believed that the mobile exhibition facility was an excellent idea and said that he understood that the local media was keen to follow up this initiative.

### **Resolved:**

- That (i) the approach by the Ashford Astronomical Society (AAS) be welcomed and supported.**
- (ii) the proposal to commission the Ashford Astronomical Society to work closely with the Council to undertake public consultation to enable an "International Dark Sky Community Designation" to be**

submitted to the International Dark Sky Association on behalf of the Council and the AAS be approved.

- (iii) a capital budget of £25,000 to meet the costs of the proposal be approved.
- (iv) the Head of Culture and the Environment, in consultation with the Leader of the Council, be authorised to take any further action required to give effect to the above recommendations.

## **242 Trading and Enterprise Board – 9<sup>th</sup> November 2015**

**Resolved:**

That the Minutes of the meeting of the Trading and Enterprise Board be received, noted and approved with the exception of Minute No. 195.

**Recommended:**

That Minute No. 195 be approved.

## **243 Local Plan and Planning Policy Task Group – 28<sup>th</sup> October 2015**

**Resolved:**

That the Notes of the Meeting of the Local Plan and Planning Policy Task Group held on the 28<sup>th</sup> October 2015 be received and noted.

## **244 Town Centre Regeneration Board – 18<sup>th</sup> November 2015**

**Resolved:**

That the Notes of the Meeting of the Town Centre Regeneration Board held on the 18<sup>th</sup> November 2015 be received and noted.

## **245 Schedule of Key Decisions to be taken**

**Resolved:**

That the latest Schedule of Key Decisions as set out within the report be received and noted.

## 246 Exclusion of the Public

**Resolved:**

**That pursuant to Section 100A(4) of the Local Government Act 1972, as amended, the public be excluded from the meeting during consideration of the following item, namely Expansion of Short Stay Accommodation Provision, as it is likely in view of the nature of the business to be transacted or the nature of the proceedings that if members of the public were present there would be disclosure of exempt information hereinafter specified by reference to paragraph 3 of Schedule 12A of the Act, wherein the circumstances the public interest in maintaining the exemption outweighs the public interest in disclosing the information.**

## 247 Expansion of Short Stay Accommodation Provision

The report had been accepted onto the Agenda by the Chairman as a matter of urgency. The report explained that following the success of Christchurch House which provided short stay accommodation for homeless families, approval was now sought for the purchase of another property suitable for a similar use.

The Portfolio Holder said he believed that the facility would provide quality accommodation for homeless people and said that the proposed acquisition was conveniently located for access by local transport to the town centre.

The Portfolio Holder for Finance, Budget and Resource Management said that during meetings of the Council Tax and Welfare Reform Task Group Members had indicated that should a further opportunity arise to increase the availability of the Council to support families or individuals made homeless, then the issue should be pursued.

**Recommended:**

- That**
- (i) a budget of £1.2m be approved for the purchase of the property as set out within the report to be funded by borrowing or Section 106 Funding whichever is appropriate, subject to due diligence, in consultation with the Head of Legal and Democratic Services, the Chief Executive, the relevant Portfolio Holder and the Leader.**
  - (ii) following the completion of the purchase it be used for short stay temporary accommodation and be known by the name as set out within the report.**
  - (iii) Officers set up appropriate management arrangements, including additional staffing as set out in the budget included within Appendix 2 to the report.**
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Queries concerning these Minutes? Please contact Keith Fearon:  
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**Agenda Item No:** 6

**Report To:** CABINET

**Date:** 14 JANUARY 2016

**Report Title:** Revenues & Benefits Recommended Write-Offs Schedule

**Report Author:** Peter Purcell – Revenues & Benefits Manager

**Portfolio Holder:** Cllr Shorter, Portfolio Holder for Finance, Budget & Resource Management



<b>Summary:</b>	This report proposes the formal write off of 389 debts totalling £278,557.91. The proposals are in line with the Council's Revenues & Benefits Service Write Off Policy. Existing bad debt provisions already more than cover the sums involved.
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**Key Decision:** No

**Affected Wards:** None

**Recommendations :** **The Cabinet be asked to:-**

- 1. Note the action that accounts totalling £81,719.17 have been written off under the delegated powers (Financial Regulations 11.1)**
- 2. Approve the write offs listed in the Exempt Appendices totalling £196,838.74**
- 3. Delegate the approval of the Council's Business Rates estimate for submission to government to the Chief Finance Officer and Portfolio Holder for Finance & Budget, Resource Management and Procurement on an ongoing basis.**

**Policy Overview:** The regular review and writing off of un-collectable debts is part of strong financial management.

**Financial Implications:** None – provision for bad debts has been made in the final accounts.

**Risk Assessment** No

**Exemption Clauses** **The Exempt Appendix is Not for Publication by virtue of Paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972**

**Contacts** peter.purcell@ashford.gov.uk

**Purpose of the Report**

1. To advise Members of debts written-off and obtain approval to write off further individual debts of over £1,000.00 listed in the Exempt Appendices.

**Issues to be Decided**

2. To agree the write off of uncollectable debts.

**Background**

3. The write offs being recommended are in accordance with the Revenues & Benefits Service Write Off Policy that was approved by the Executive Committee on 20 March 2003. Over recent years, due to the economic climate there has been a significant increase in NNDR (Business Rates) write offs, the majority of these relate to companies that have ceased trading.

**Write Offs**

4. Details of the write-offs being recommended are listed in the Exempt Appendices to this report and are summarised along with the debts written off under delegated powers by the Deputy Chief Executive as follows:

	Value of debts written off under delegated powers £	Value of debts recommended for write off (see attached appendices) £	Provision for Bad Debts at 1.4.15 £	Provision for Bad Debts Balance (Current) £	Value of outstanding Debt at 1.4.15 £
Council Tax	47,839	33,596	1,900,431	1,778,953	2,156,914
NNDR	4,749	151,388	611,359	323,507	634,108
HB overpaymts	1,177	2,295	2,342,483	2,330,417	2,465,772
Sundry Debtors	2,708	(5,274)	365,195	361,275	908,334
Housing Rents	25,246	14,834	849,943	777,065	915,068
<b>TOTAL</b>	<b>81,719</b>	<b>196,838</b>	<b>6,069,411</b>	<b>5,571,217</b>	<b>7,080,196</b>

5. The write offs do not have an immediate financial effect on the current year's budget as the bad debt provision is greater than the write-off total. However, the making of that provision did have a cost implication at the time the provision was made; those being sundry debtors at full cost, council tax approximately 10% cost (90% financed by Kent County Council, Police and Crime Commissioner of Kent & Kent Fire Authority), housing benefit overpayments 60% cost due to existing subsidy arrangements and NNDR 40% (50% financed by the Government and 10% by Kent County Council). The Housing accounts are provided for in full in the Housing Revenue Account.
6. Under delegated powers (Financial Regulations 1.1) the Deputy Chief Executive has written off 196 Council Tax accounts (£47,839.56), 18 NNDR accounts (£4,749.02), 7 Housing Benefit Overpayment accounts (£1,176.84), 11 Sundry Debtor accounts (£2,707.86) and 118 Housing accounts (£25,245.89).

### Completion of a Business Rates Estimate

7. Each year the Council submits an estimate for Business Rates yield to government, this is called the NNDR1. This estimate then forms the basis of the Councils budget for business rates income.
8. Government usually release the form at the end of December and this is completed in January and submitted to Government. In previous years a draft return has been reported to Cabinet in January with an annual delegate made to the Chief Financial Officer and Portfolio Holder for Finance & Budget, Resource Management and Procurement.
9. This year government have delayed the release of the form making it more difficult to produce an estimate for submission to cabinet, although early indications are that the estimate will be in line with budget expectations. The table below compares the estimate within the draft budget with the first draft of the NNDR1 form.

	Draft Budget	Preliminary NNDR1
Yield	19,303,550	19,216,040
Tariff	(15,778,600)	(15,623,800)
<b>Net Income</b>	<b>3,524,950</b>	<b>3,592,240</b>

10. In view of the timescales for agreeing an estimate and submitting this to government it is proposed that the delegation agreed last year as mentioned above be continued permanently with the responsibility to submit the Councils NNDR1 being delegated to the Chief Financial Officer and Portfolio Holder for Finance & Budget, Resource Management and Procurement, with the estimate and impact that this will have on the budget being reported to Cabinet as part of the final budget report in February.

## Other Options Considered

11. In most cases a number of methods of collection were attempted before the debt was recommended for write off.

## Consultation

12. Deputy Chief Executive, Finance Manager and Cllr N Shorter Portfolio Holder.

## Implications Assessment

13. The financial implications are given above.

## Handling

14. Debts to be written off are considered on an on-going basis and reported to Committee regularly.

## Conclusion

15. The Service's Write Off policy has been followed and in many cases a number of methods of recovery followed before the debts have been recommended for write off.

## Portfolio Holder's Views

16. This is one of a regular series of reports to Cabinet showing recent write-offs from bad debts over £1,000.00. The total amount of £278,557.91 (which includes all debts over and under £1,000.00) is a significant amount however this should be considered in the context that £130m of debt is raised each financial year and the amount written off each year is less than half of one percent.

Contact:	Peter Purcell
Email:	<a href="mailto:Peter.Purcell@ashford.gov.uk">Peter.Purcell@ashford.gov.uk</a>



**Agenda Item No:** 7

**Report To:** CABINET

**Date:** 14th January 2016

**Report Title:** **Managing freight vehicles through Kent – responding to the Highways England consultation on a proposal to create a permanent lorry area adjacent to the M20 at Stanford**

**Portfolio Holders:** Cllr Mike Bennett - Planning, Development & Enforcement  
Cllr Bernard Heyes - Highways, Wellbeing and Safety

**Report Authors:** Ian Grundy - Principal Policy Planner  
Jo Fox - Health, Parking & Community Safety Manager

<b>Summary:</b>	In response to growing concerns about the impacts of Operation Stack Highways England are currently consulting on proposals to establish a permanent lorry park close to junction 11 on the M20 motorway. This report sets out the Council's formal response to that consultation.
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**Key Decision:** No

**Affected Wards:** All

**Recommendations:** That the Cabinet:

- a) **Welcomes the proposal to provide a permanent lorry parking area adjacent to the M20 to tackle the problems caused by Operation Stack and help to meet the need for over-night lorry parking;**
- b) **Considers that the detailed evaluation of the site location options is a matter primarily for Shepway District Council but considers that in operational terms option 1, with its direct access to the M20, is likely to be the better option;**
- c) **Supports the use of the site for alternative 3 which is for the site to operate as an emergency lorry holding area (with free provision for Operation Stack and Dover TAP/Eurotunnel excess traffic) but with additional chargeable basic overnight parking all year round**

**Policy Overview:** Operation Stack has a significant impact upon the local economy and overnight lorry parking has an adverse impact upon residential amenity – these are both policy objectives that are undermined by the current situation and will be improved if this project is implemented.

**Financial Implications:** None resulting from the report.

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**Report Title: Managing freight vehicles through Kent – responding to the Highways England consultation on a proposal to create a permanent lorry area adjacent to the M20 at Stanford**

**Purpose of the report**

1. The purpose of this report is to agree the Council's response to the current consultation by Highways England on the proposal to create a permanent lorry area adjacent to the M20 at Stanford to deal with the issue of Operation Stack.

**Background**

2. On average around 10,800 (5,400 in each direction) freight vehicles cross the Dover straits every day and in 2014, the Port of Dover and Eurotunnel handled record numbers of freight vehicles and both predict a potential doubling of freight vehicles over the next decade.
3. A significant cause of congestion and delay on the roads in Kent is delay at the Port of Dover and Eurotunnel, often caused by factors such as severe weather or disruption to services at terminals. Any delay to ferries and Eurotunnel services causes queues of lorries that are too great to be accommodated within those locations. These lorries are currently queued on the M20 using the procedure known as Operation Stack.
4. Operation Stack was first implemented in the 1980s in response to occasional major disruption. Historically it has typically been used for a few days a year and only for a day at a time. However, between January and November 2015 Operation Stack was implemented on a record 32 days. This included three implementations each lasting five days, and on two occasions, both carriageways were closed to general traffic and used to accommodate over 500 vehicles. Operation Stack causes major disruption to residents and businesses in Kent and has a major impact within Ashford. Other traffic is unable to use the motorway and local road become severely congested. This results in disturbance, increased travel times, missed appointments, late or cancelled deliveries, increased air pollution and a general negative impact on residents, businesses and visitors.
5. The Government, Highways England and many local stakeholders have agreed that Operation Stack should be the last not first resort and consequently there is a strong and urgent case for an alternative approach to traffic management in the form of an off road permanent lorry area that would hold freight vehicles currently queued on the M20 during operation Stack, while also helping to maximise freight flows.
6. In the Autumn Statement the Government set funds aside to build a permanent area where lorries can wait their turn to cross the Channel and mitigate disruption to local people or the economy. As a result Highways England have now launched a consultation on a possible location for a lorry park adjacent to junction 11 on the M20.

7. As a related issue, there is a significant shortage of overnight lorry parking spaces in Kent. A number of commercially operated sites exist but these are often full with lorries being turned away. The shortage of spaces leads to inappropriate lorry parking, sometimes known as “fly parking”, where lorries park in areas not intended for them, such as motorway hard shoulder, rural verges, industrial estates or local streets. Sometimes such parking is illegal and can be dangerous requiring action to be taken by the authorities. It can cause damage to verges and pavements and residents are subject to noise and visual intrusion. Litter and waste can be a particular problem given that often toilet facilities are not available. Consequently, as well as seeking to solve the problems associated with the queueing which arises whenever there is a lack of capacity at the port or Eurotunnel, the Highways England consultation is also asking whether a permanent lorry area could help address the issue of illegal and other inappropriate parking.

### **The Proposed Sites**

8. Highways England has focused its search for a possible site on the M20 between junction 8 and Eurotunnel. Within this area there are two potentially suitable sites identified, near junction 11 of the M20 at Stanford, to construct a lorry park with at least 3,600 spaces. It is Highways England’s view that the lorry park should have sufficient capacity to avoid Operation Stack stages 3 and 4 (where London bound carriageways are used) and in most circumstances avoid the need for stage s1 and 2 (where coast bound carriageways are used). With a lorry park with 3,600 spaces, in the scenario of the summer of 2015, it would have resulted in only needing to use the current Operation Stack twice and only on the coast bound carriageway between junctions 8 and 9,
9. The first location is at **Stanford West** to the north and south of the M20 just west of Junction 11. The main entry and exit to the site would be direct from the M20 but with a secondary access through the Stop 24 services via a new bridge. When being used for Operation Stack, the secondary access would enable lorries to approach from the east without having to travel to and turn around at junction 10. Similarly, the secondary access would enable the site to be used for any overnight parking or Truckstop purposes, while minimising the impact on the M20.
10. The alternative site is **Junction 11 North** which would be accessed via junction 11 and the B2068 which would be dualled between the site entrance and M20 junction. There would be improvements to the roundabout and possibly the coast bound on slip road at junction 11. ( a plan of both sites is appended)

### **What would be on the site?**

11. Highways England are consulting on how these sites should operate in terms of how the site should be used and when they would be available. Four main alternatives have been proposed.
  - a) **Alternative 1 - Emergency Use** – an emergency lorry holding area which reduces or removes the need for Operation Stack only. It would only be required to operate only when Operation Stack currently operates. Lorries would not be charged for using the area except, possibly, if they failed to

leave the site when required to do so. It would be used for a similar number of days to the current Operation Stack

- b) **Alternative 2 - General disruption** – an emergency lorry holding area which reduces or removes the need for operation Stack and/or the Dover Traffic Assessment Project (this is the process where port-bound lorries are queued on the A20 approaching Dover, forming a rolling road, to respond to short term freight capacity shortage at the port). It could also take excess HGV traffic from the Eurotunnel terminal. Lorries would not be charged for using the area except, possibly, if they failed to leave the site when required to do so. In this configuration it could be used a few times per week.
- c) **Alternative 3 - General disruption + overnight parking** – this would be for an emergency lorry holding area as above (with free provision for operation Stack and Dover TAP/ Eurotunnel excess) but with additional chargeable basic overnight parking. This would operate as (b) above but also provide overnight parking for about 500 lorries. It is suggested that could be sufficient to meet local needs but HE say they will obtain further evidence before finalising this part of the proposal. The intention is to provide sufficient formal parking to avoid the need for lorries to use informal parking. This would make it easier for local authorities to move on lorries that were parked in inappropriate locations. There would be a charge for overnight parking. In this configuration the lorry area could be used every night.
- d) **Alternative 4 - General disruption + Truckstop** – this would be an emergency lorry holding area as above, with free provision for operation Stack and Dover TAP/Eurotunnel excess but with additional chargeable overnight parking and 24 hour lorry focused motorway service area facilities including hot food and drink. This would operate as per (c) above and also provide a Truckstop and could operate 24 hours a day 365 days a year.

### **The Council's response**

- 12. Firstly, the implementation of Operation Stack has had a considerable impact upon the Borough of Ashford especially when it has lead to the closure of the M20 between junctions 8 and 9. This was particularly acute at times this summer. Therefore it is to be welcomed that the Government has provided funding for a permanent solution.
- 13. Secondly, in terms of actual location, both sites are adjacent to junction 11 of the M20 and lie outside the borough and as such there is no immediate environmental impact upon the Ashford Borough. The local council, Shepway District, is best placed to take a view based on their local understanding of the environmental and social impacts of the proposals but there appear to be more significant environmental impacts associated with Option 2 and it would appear that in operational terms Option 1, with its direct access to the M20, is likely to be the better option.
- 14. This Council does, however, have a strong interest in the site selected being operationally effective to reduce the impacts both of Operation Stack and the

ever present overnight parking. In operational terms the location at Junction 11 north would be accessed from the existing junction 11, utilising local roads which would need to be improved. The ability of this existing junction to handle the volume of lorry traffic exiting the M20 when Stack is in operation needs fully investigating.

15. The Stanford West option would provide a new access directly off the M20 coast bound and there would be access London bound from the existing Stop 24 site via a new bridge. Simply in terms of the ability of the new site to deal most effectively with lorry traffic without disrupting local roads at junction 11 the Stanford West option may be the more efficient option. It also provides the opportunity for Stop 24 facilities to service overnight lorry parking users should the Stanford West site be used simply for overnight parking, without full food/drink and other services.
16. Thirdly, turning to the issue of the type of operation of the lorry park, the complementary use of the site for other types of lorry parking in addition to Operation Stack is of particular significance to the Borough Council. Overnight lorry parking has been a major issue in the borough for some time and whilst recent enforcement efforts have been helpful the Council is faced with the problem of not being able to direct lorry drivers to lorry parks where there is no capacity to accommodate them. The Council has been the pioneer in terms of dealing with fly-parking in Kent and, when other Councils take similar action, the need to have a location where lorries can be parked overnight will become even more pressing.
17. This proposal for a lorry park to deal with Operation Stack lorries would be the ideal opportunity to enable provision to be made for overnight off-road lorry parking. It would be of a size that could deal with a significant Kent-wide problem and could complement the existing paid lorry park facilities (e.g. at Stop 24 in Shepway and at Waterbrook). Highways England will need to undertake further work to ascertain the appropriate scale of provision required to deal with the issue. The consultation indicates that there would be a charge for overnight parking and there would need to be further consideration by Highways England of appropriate pricing to ensure maximum usage without undermining existing operators. It should also be acknowledge that increasing overnight provisions (especially if charges are applied) will not stop some of the most persistent drivers from parking their lorries illegally or inconsiderately. There needs to be an appropriate enforcement framework to enable the authorities to take action when necessary.
18. On this basis it is proposed that the Council supports the use of the site for alternative 3 as this is the only option that proposes dealing with Operation Stack and providing basic chargeable overnight lorry parking – that is that the proposed lorry park should deal with general disruption and operate as an emergency lorry holding area with free provision for operation Stack and Dover TAP/ Eurotunnel excess, but with additional chargeable basic overnight parking. Work is needed with the haulage industry and lorry park operators to test pricing structures and to explore whether providing charged parking with basic facilities for drivers at a lower rate would complement existing overnight lorry parks that offer a wider range of services. Charging structures would need to be kept under regular review.

## **Working together**

19. The Council has been closely involved with the multi-organisation Operation Stack working group convened by KCC and has liaised closely with Shepway District Council and has had detailed discussions with the operators of the Waterbrook Truck Stop site.

## **Risk Assessment**

20. The proposal represents an opportunity to deal with the Stack parking issue that has become a significant issue for the Borough that was particularly acute in the summer of 2015. The risk of not supporting this proposal is the continuation of the existing position whereby Stack lorries continue to be parked on the M20 with the consequent impact on the productivity and economic prosperity of the district and the wider East Kent sub region. If the opportunity is not taken to deliver an overnight lorry park then the risk is the continuation of the local disruption and the constant nuisance caused by inappropriate overnight lorry parking.

## **Other Options Considered**

21. The various other proposals for the actual use of the site have been considered but the recommended approach is deemed to be the most appropriate in the circumstances

## **Handling**

22. It is worth noting that this Highways England consultation is a first, “informal” stage. If there is a case for proceeding with the proposal there will be a report identifying the preferred site and the level of facilities to be provided. This will be followed by a detailed design and further consultation that is likely to be in spring 2016.

## **Conclusion**

23. Operation Stack causes significant disruption in the Borough and the opportunity to deal with the issue in a dedicated new lorry park is to be welcomed. The anti-social parking of lorries in the borough is a significant and constant issue and the opportunity exists in this proposal to provide overnight lorry parking to tackle this problem and as such the Council supports Alternative 3

## **Portfolio Holder’s Views**

24. Will be reported at the meeting.

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## Appendix





## Joint Transportation Board

Minutes of a Meeting of the Joint Transportation Board held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **8<sup>th</sup> December 2015**.

### Present:

Cllr. Bartlett (Chairman);  
Mr. C Simkins (Vice-Chairman);

Cllrs. Burgess, Feacey, Heyes, Mrs Martin, Mrs Webb.  
Mr. M J Angell, Mr. S J G Koowaree, Mr. J N Wedgbury.

Mr. K Ashby – KALC Representative.

### Apologies:

Mr P M Hill, Mr D Smyth, Mr M A Wickham.

### Also Present:

Cllr. Ovenden.

James Flannery (Senior Counter Fraud Officer, KCC), Shelley Etherton (Auditor (Fraud), KCC), Sue Kinsella (Street Lighting Manager, KCC), Chris Hatcher (Project Engineer, KCC), Toby Howe (Highway Manager (East), KCC), Lorna Day (Parking Enforcement Manager – KCC), James Hammond (Development Planner – KCC), Wendy Cooper-Wolfe (Independent Living Support Services Officer – KCC), Jeremy Baker (Principal Solicitor – Strategic Development – ABC), Sheila Davison (Head of Health, Parking and Community Safety – ABC), Jo Fox (Health, Parking & Community Safety Manager – ABC), Mike Cook (Civil Enforcement Officer Team Leader - ABC), Roland Mills (Strategic Applications Team Leader – ABC), Keith Fearon (Member Services & Scrutiny Manager – ABC).

## 248 Declarations of Interest

Councillor	Interest	Minute No.
Wedgbury	Made a 'Voluntary Announcement' as he was a Member of Kingsnorth Parish Council	251

## 249 Minutes

### Resolved:

**That the Minutes of the Meeting of this Board held on the 8<sup>th</sup> September 2015 be approved and confirmed as a correct record.**

## **250 Public Transport Liaison Task Group – 9<sup>th</sup> October 2015**

### **Resolved:**

**That the Minutes of the Meeting of the Public Transport Liaison Task Group held on the 9<sup>th</sup> October 2015 be received and noted.**

## **251 Park Farm South and East Proposed Parking Controls**

The report detailed the outcome of a formal consultation on parking controls for areas of Park South and East for consideration by the Board. Tabled at the meeting as an Update Report, were comments from residents of the area, namely Philip Gager, Joe Bergin and Sam Wiggins and neighbours.

A Member raised two Points of Order. Firstly there was new legislation planned which could affect the scheme, and secondly he stated that in his view this item should not be chaired by the Chairman as the Member considered that he was biased. The Principal Solicitor – Strategic Development advised that the first issue regarding possible new legislation was not a Point of Order but was a matter of substance which the Board could address during its consideration of the item. In terms of the conduct of the Chairman he advised that no matters of concern had been brought to his attention, and that the item should proceed.

In accordance with Procedure Rule 9.3 Mr Mockford, a local resident spoke in objection to the proposals. A copy of his comments, together with photographs had been distributed to Members of the Board prior to the meeting. Mr Mockford explained that he and other residents had attended the Board Meetings in September and December 2014 when, after careful consideration and a site visit, the conclusion had been reached that the planned parking restrictions were impractical and unworkable and had been abandoned. He considered that this decision had not been made lightly and was the right decision to make. However, twelve months later he said that the matter had been raised again. He explained that residents accepted that a bus service had always been planned for the area and the route was also planned during the initial development of the estate. The provision of public transport to serve Park Farm South and East formed part of the agreed planning permission for the development and both the Borough Council and the Kent County Council had been working for many years to deliver bus services in the development in line with the planning approval. He explained that residents also accepted that those residents who lived on the other side of the accommodation bridge at Bridgefield 2 wanted a bus service and believed that their Local Councillor was sympathetic to their views. He said that he could not understand why Stagecoach were not prepared to look at any other route but assumed that their reasons were motivated by the amount of funding they stood to receive. Furthermore he said that they had not heard or seen any sensible or practical answer to the concerns that residents had that if the “on-street” parking on Bluebell Road was removed, where would those vehicles be re-located to? He considered that the displacement of up to 35 vehicles would have disastrous and catastrophic consequences on the neighbourhood and explained that the reason residents parked on the road was

because there was simply nowhere else to park. The courtyards to the rear of the properties were often full to capacity and most homes had only been provided with one allotted space and a garage and he stressed that these areas were not under used. He further explained that the homes on the development housed families that nearly all had at least two cars, which he believed were essential in terms of modern day living. He also referred to the recent installation of restrictions in Kennington, near the Downsview School, which he said had displaced vehicles to other roads nearby. Mr Mockford then said that following the JTB meeting twelve months ago, it was advised that an alternative route would need to be found and he said that to his knowledge four meetings had been held behind closed doors to discuss alternative routes, however no other routes were deemed profitable by Stagecoach.

In conclusion he said that he did not wish to deny neighbours or the community a bus service and he referred to the survey carried out by the Parish Council which he considered underlined that residents on the approach to the bridge were clearly concerned about the safety aspects of the route and the residents on the other side wanted a bus service irrespective of the route.

The Chairman spoke in support of the Officer's Recommendation and advised that the provision of public transport to Bridgefield had formed part of the Local Plan approved in 2000 and included a dedicated bus bridge over the A2070. This provision had furthermore been taken forward in the decisions taken at two Planning Committees when determining the planning applications for the development of Park Farm. He explained that there was an aim to ensure that all properties were located within 400 metres of a bus route. The intention was that the B and K Lines would form a loop service to serve Finberry, William Harvey Hospital and Ashford and would help improve public transport within the area. He also commented that the parking of vehicles on footways was illegal. In terms of other routes considered since December 2014, he advised that the village route via the Queens Head was not suitable due to the nature of the turn from Kingsnorth Road into Church Road and also the difficulties which would be encountered with parking associated with the school. In terms of another alternative route via Violet Road/Poppy Way, he said that the necessary restrictions there would affect six times as many properties as would be affected in Bluebell Road.

A Member said that less than 7% of the population travelled by bus and he referred to new legislation which he said would permit parking on pavements. He also stated that residents in Bridgefield had in the region of 2.4 cars per property. He also said that 96% of residents opposed the proposed route and neither the Parish Council nor the Ward Member supported the proposal. He considered the proposal was a safety concern and referred to potential conflict between horses, pedestrians and buses. He also said that he believed that the proposal breached the Human Rights Act in terms of the rights of residents to enjoy their properties and also the Disability Discrimination Act as, at the rear of properties, there was a need to climb steps to gain access to properties. In conclusion he said that if the current proposals were rejected he was sure the bus company would find an alternative route to serve the area.

The Divisional Member referred to the previous decision of the Board that alternative routes be investigated, and commented that no elected Members had taken part in

any of these discussions. He considered that money set aside for the rail halt, which was unlikely now to happen, could be used as a subsidy to take the route via Finn Farm.

A Member suggested that smaller buses should be examined, and a further Member referred to the danger to pedestrians from the proposed route.

The Chairman explained that work on examining alternative routes had been undertaken and said that the route via the Queen's Head was considered dangerous and the Finn Farm route would cause more problems in terms of displacing car parking.

Another Member referred to the possibility of future legislation which may permit the parking of vehicles on pavements and advised that this was contained within a Private Members' Bill and therefore there was no certainty that it would become law.

A motion to support the Officer's recommendation resulted in a tied vote and the Chairman used his casting vote in favour of the motion.

**Resolved:**

**That the JTB support the implementation of the proposed parking controls, which would facilitate the introduction of bus services to Park Farm South and East to aid a modal shift towards bus travel in line with the agreed transport policy of Ashford Borough Council.**

## **252 HGV Clamping Trial and Overnight HGV Parking Survey Results and Recommendations**

The report gave an update and summary of the pilot scheme to clamp persistently evading illegally parked HGV's in the Ashford Borough.

In accordance with Procedure Rule 9.3, Mr Inglis who represented a company in the Wotton Road Industrial Estate spoke on behalf of himself and other businesses located there. Mr Inglis said he had raised this issue three years ago and at that time he had been told that there was no funding available to help resolve the issue and initially had been advised that it was a matter for the Police. The Police had in turn advised that it was a matter for the Council. He said that properties had been damaged and the estate roads were more dangerous and explained that in the region of 26 lorries regularly parked in the area and anti-social behaviour such as drivers urinating against properties regularly occurred. He explained that he had recently spoken to one driver about the matter and had been confronted by five other drivers in an intimidating manner outside his own property. In conclusion he asked what the Council intended to do in terms of Wotton Road and for any ways in which his company could work with the Council to help resolve the situation.

The Health, Parking and Community Safety Manager said that Officers were aware that Wotton Road was a problem location and explained that this matter was being discussed with the Kent County Council, along with other locations. On a

countywide basis Operation Kindle was a scheme involving Local Authorities, Kent County Council and others to examine the general issue of lorry parking. She said that it was clear that there was not enough parking provision for lorries and explained that the recent decision of Shepway District Council to ban overnight, weekend parking could have a detrimental effect on the roads within the Ashford area. She further explained that measures to help alleviate the situation in Wotton Road would be subject to a report to the March 2016 meeting of the Joint Transportation Board.

A Member thanked the Officer for the report and said that following the conclusion of the trial period, the Kent County Council were pleased with the outcome. He believed that the issue of anti-social behaviour would improve as parking for lorries became more controlled. However, he considered that discussions in terms of a lorry park to help alleviate Operation Stack would not solve the issue of overnight parking of lorries generally. The Vice-Chairman advised that the Chairman of the Westwell Parish Council welcomed the report and wanted Westwell to receive attention as well.

A further Member expressed concern that the proposed investigation planned for the Cobbs Wood Industrial Estate might cause problems in terms of displacement of lorries on to residential roads. He also expressed surprise that only three offenders had been clamped during the exercise.

The Health, Parking and Community Safety Manager said that the drivers were aware of the rules in that the Borough Council could only clamp persistent offenders and that in terms of the three offenders who had been clamped it was hoped that this would act as a deterrent. She also explained that the exercise had not seen a trend in the displacement of lorries to parking in residential areas.

**Resolved:**

- That**
- (i) permission both to continue clamping persistent offending HGV's and to extend the scheme to include all necessary locations across the Borough be requested from KCC.**
  - (ii) ABC in partnership with KCC use the results of the pilot scheme to draw up a county wide process, procedure and protocol that can be used by all other Local Authorities in Kent.**
  - (iii) further investigation by means of meetings with HGV drivers to educate and ascertain what is needed to prevent anti-social behaviour problems be carried out, and additional litter bins be placed and methods of enforcement investigated.**
  - (iv) as a result of observations, complaints received and the recent announcement from Central Government regarding investment in a large lorry parking facility in the county, some changes and amendments be made to existing parking restrictions in the areas that were subject to the clamping trial; i.e. Ashford Orbital Park; Sevington Business Park; and Henwood Business Park.**

- (v) **the implementation of HGV and other parking restrictions be investigated in Wotton Road, Ashford; and Ellingham Industrial Estate, Ashford.**
- (vi) **additional no waiting at any time restrictions be investigated for Cobbs Wood Industrial Estate, Ashford.**
- (vii) **ABC and KCC continue to further investigate those other locations set out in the report in order to deliver the best solutions for each individual area.**

## **253 Parking and Waiting Restrictions - Update Summary**

The report provided an update and summarised parking and waiting restrictions and any schemes which had been through the Joint Transportation Board and what stage in the process they had reached since the last meeting.

### **Resolved:**

- That**
- (i) **the Board support the introduction of controls which formed part of the Amendment 5 Consultation, which would address safety concerns by preventing obstructive and dangerous parking in locations defined as unsuitable under the Highway Code.**
  - (ii) **the Board delegate a decision on Amendment 7 to the Chairman, Vice-Chairman and ABC Portfolio Holder for Highways, Wellbeing and Safety if fewer than 10 objections are received related to the statement of reasons for proposing The Order; or if 10 or more such objections are received or any objection is received from any statutory consultee, then to convene a special meeting of the Board in early 2016.**

## **254 Kent County Council Blue Badge Service**

The Board received a presentation from Wendy Cooper-Wolfe, the Independent Living Support Services Officer for Kent County Council regarding the Kent County Council Blue Badge Service. A copy of the presentation slide had been included within the Agenda Papers for the Board. Wendy Cooper-Wolfe explained the two different types of eligibility criteria and how they were applied, and explained that the Government had issued a Blue Badge Guidance Tool which could be applied when assessing applications.

A Member commented that it appeared to him that many of the Blue Badge holders who used supermarkets' disabled bays were able to walk significant distances around the store which he believed should not make them eligible for a Blue Badge.

Wendy Cooper-Wolfe advised that people who had received eight points or more under the "Moving Around" activity of the mobility component of Personal Independence Payment (PIP) were granted Blue Badges automatically and were not

assessed by Kent County Council. Although she accepted that there may be cases of Blue Badge holders being able to walk in excess of 80 metres, they still could be eligible if they could demonstrate that such movement generated extreme pain, breathlessness or considerable difficulty in walking or had a significant impact on their health. She also explained that prior to 2012 General Practitioners were responsible for assessing people for Blue Badges and in certain cases, even if the person's health improved, GP's were reluctant to take away the Blue Badge facility. The Kent County Council now applied an independent and impartial process to this scheme.

The Chairman thanked Wendy Cooper-Wolfe for the presentation.

**Resolved:**

**That the presentation and report be received and noted.**

## **255 Safe and Sensible Street Lighting – Update**

The report provided an update to Members about Phase 1 of the Safe and Sensible Street Lighting Project – Trial Switch Off. In response to a question from a Member, Sue Kinsella confirmed that the report dealt solely with Phase 1, which was a trial switch off of lights.

The Divisional Member referred to the removal of some street lights in Hamstreet, which he believed belonged to the Borough Council, with the fittings belonging to the Parish Council, and asked for their return.

The Health, Parking and Community Safety Manager explained that the Borough Council owned over 1,800 lights and that the Kent County Council was contracted to undertake all inspections on the Borough Council's behalf. Twenty of those lights had been made safe and steps would be taken to assess whether they needed to be replaced or totally removed. A report would be presented to the Board in March 2016 with suggested criteria to be used when determining replacement.

**Resolved:**

**That the report be received and noted.**

## **256 Highway Works Programme 2015/16**

The report updated Members on the identified schemes approved for construction in 2015/16.

**Resolved:**

**That the report be received and noted.**



## **257 Local Winter Service Plan**

The report outlined the arrangements that had been made by Kent County Council to provide a local winter service in the event of an operational snow alert in the district.

In response to a question Toby Howe explained that the Kent County Council's priorities were to clear primary routes, followed by secondary routes if necessary. On occasions of more severe snow and ice, pathways around Doctors Surgeries for example, would also be cleared.

**Resolved:**

**That the report be received and noted.**

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KRF/VS  
JTB Minutes - 08.12.15

# Local Plan & Planning Policy Task Group

Notes of a Meeting of the Local Plan & Planning Policy Task Group held on the **9<sup>th</sup> December 2015**.

## Present:

Councillor Bennett (Vice-Chairman in the Chair);

Cllrs. Mrs Blanford, Britcher, Burgess, Galpin, Hicks, Shorter, Wedgbury.

In accordance with Procedure Rule 1.2(iii) Councillors Burgess and Hicks attended as Substitute Members for Councillors Clokie and Heyes respectively.

## Apologies:

Cllrs. Clarkson, Clokie, Heyes, Michael.

## Also Present:

Cllr. Sims.

Simon Cole – Head of Planning Policy and Economic Development; Ian Grundy – Principal Policy Planner; Daniel Carter – Principal Policy Planner; Carly Pettit – Policy Planner; Jeremy Baker – Principal Solicitor (Strategic Development); Rosie Reid – Member Services & Scrutiny Support Officer.

## 1 Declarations of Interest

- 1.1 Councillor Shorter made a Voluntary Announcement as a Director of Kent Play Clubs and A Better Choice for Consultancy Ltd, and as a Tenant Farmer of Council land at Tudor Farm and West Hawk.
- 1.2 Councillor Wedgbury made a Voluntary Announcement as he was a member of Kingsnorth Parish Council who had been involved in items on the agenda.

## 2 Notes of the Local Plan and Planning Policy Task Group Meeting held on 28<sup>th</sup> October 2015

- 2.1 The Task Group Members agreed that the Notes of the Local Plan and Planning Policy Task Group Meeting held on 28<sup>th</sup> October 2015 were an accurate record, subject to an amendment to reflect that Councillor Shorter had tendered his apologies for the meeting.

## 3 Local Plan to 2030 – Green Corridor

- 3.1 The Principal Policy Planner and the Policy Planner gave a presentation on the Local Plan 2030 Green Corridor Policy and proposed amendments. The presentation covered the current Green Corridor; history, designation and planning; benefits of the Green Corridor; current policy position; Action Plan updating and consultation; successful projects; issues for the Local Plan

2030; NPPF position; how the Local Plan could help; the revised Green Corridor boundary; proposed extensions and removals.

3.2 The Chairman opened up this item for discussion, and the following points were raised:

- Members considered that areas such as Kingsnorth Road and land east of Knights Park should be included in the Green Corridor. Some Members also felt that the Discovery Park and Stubbs Cross Wood were a natural extension to the Green Corridor, but there was a counter-suggestion that sites such as Singleton Lake and the Discovery Park should be protected separate entities in their own right and should not be included in the Green Corridor. The Principal Policy Planner reminded Members that some green spaces would also not necessarily fall within the Corridor but would remain separate with their own protection.
- One Member urged that a purpose-built cycle way from Ashford to Canterbury should be established.
- The Principal Policy Planner said that the Green Corridor was a unique selling point for Ashford, and several Members agreed that this was an excellent resource for parts of the community.
- A Member expressed disappointment regarding the design of the new Designer Outlet car park and considered it took up too much space within the Dykes area.
- There was a question regarding the ownership of the old tip area in Singleton, south of the gypsy site. The Principal Policy Planner said he would make some enquiries about who owned the land.
- The Principal Policy Planner advised that the Green Corridor Action Plan would be circulated shortly for consultation and this would provide Members with an opportunity for further comments and revisions. He explained that the project was still in the early stage of identifying exactly what areas should be included in the Green Corridor, and there was scope to include feedback as appropriate.
- One Member said that connectivity was a concern, and there was also a need to consider implications to wildlife.
- Members generally felt the process and policy were sound.

**Resolved:**

**That Cabinet be asked to agree:**

- a. **the content of the draft policy, which is presented as the basis for a final version of the policy in the Local Plan, and,**
- b. **the proposed revised boundary of the Green Corridor designation.**

#### **4. Local Plan to 2030 – Replacement Dwellings Policy**

- 4.1 The Principal Policy Planner introduced this item. He reminded Members that the draft Replacement Dwelling Policy had been provided at the request of Members to debate at Task Group. The draft policy sought to focus on the impact that a replacement dwelling would have in the area rather than what type of building had originally been on the land.
- 4.2 Members welcomed the report. One Member questioned whether the Prince Albert site would be covered by this policy, and the Principal Policy Planner advised that the Prince Albert site was not currently a residential dwelling so any new building would not be replacing an original dwelling.
- 4.3 One Member considered that the word ‘individual’ should be removed from item a) of the draft policy.

#### **5. Local Plan to 2030 – Windfall Residential Development Policy**

- 5.1 The Head of Planning Policy and Economic Development introduced this item. He reminded Members that at the Task Group meeting on 28<sup>th</sup> September a residential windfall development policy was discussed and it was agreed that it was desirable to extend the scope of settlements within the Borough where development within the built up confines would be acceptable in principle. The Group had agreed to endorse the recommended policy approach, subject to a number of minor amendments being made. The policy now set out criteria to allow some acceptable residential schemes to come forward although they might lie outside the village envelope. This was consistent with the aims of the NPPF. Development must be sustainable and not harmful to the environment or ecology.
- 5.2 A Member expressed concern that this policy could allow some groups within the community to move and settle wherever they wanted within the Borough. The Head of Planning Policy and Economic Development said that there were criteria within the policy to provide tight constraints on the type of site which could be released. There was a comment that the policy was not strong and robust enough, but the Head of Planning Policy and Economic Development said that the policy had to be fitted around what action could be taken under permitted development. A site could be sustainable without being physically within the village envelope. Some brownfield sites or old agricultural buildings could be suitable for limited residential development providing the design was acceptable. The policy was deliberately worded to try to enable this sort of scenario.
- 5.3 Members considered that some aspects of the policy required clarification and tighter wording. This included the exact definition of ‘agricultural building’, ‘brownfield site’, and ‘easy walking distance’. The Head of Planning Policy and Economic Development said that factors such as design and suitability had to be satisfactory in every circumstance, and therefore windfall residential dwellings would need to be appropriate to the setting. With regard to reasonable walking distance, it was not workable to give an exact definition,

and it was better to consider this on a site by site basis rather than making a 'one rule fits all'. Some Members expressed an opinion that the policy should not be imposed as there could be loopholes but the Head of Planning Policy and Economic Development said that while it was impossible to have a loophole-free policy, it would be preferable than to have no policy at all.

- 5.4 One Member suggested that there should be a condition that an access road, of acceptable quality, should be pre-existing in order to preclude undesirable development. The Head of Planning Policy and Economic Development said this could be added to the policy, but it was important to find the balance between suitable access for vehicles and protection of the appearance of the countryside.
- 5.5 A Member said he was pleased to see that the policy encouraged dwellings of 'exceptional quality or innovative design'. He considered that this was highly appropriate for residential development of windfall sites in the urban area. Another Member pointed out that one person's idea of outstanding design may not be another's. He urged that design should always be appropriate to the surrounding area.
- 5.6 There was a suggestion that the policy should include reference to a rural worker's family, but the Head of Planning Policy and Economic Development pointed out that if a family member was involved in the application, this could be taken into account as a material consideration.
- 5.7 A Member questioned the reference to infilling, and the Head of Planning Policy and Economic Development explained that infilling was intrinsically different in different areas and Members could take a view on individual applications.

## **6 Dates of Next Meetings**

- 6.1 The dates of the meetings to the end of the current Municipal Year would be: -

All at 2pm

Wednesday 13 January 2016  
Wednesday 10 February 2016  
Wednesday 9 March 2016  
Wednesday 13 April 2016

Councillor Bennet (Vice-Chairman in the Chair) –  
Local Plan & Planning Policy Task Group

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Queries concerning these minutes? Please contact Rosie Reid:  
Telephone: 01233 330565 Email: [rosie.reid@ashford.gov.uk](mailto:rosie.reid@ashford.gov.uk)  
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# NOTES OF THE TOWN CENTRE REGENERATION BOARD

## 16<sup>th</sup> December 2015

**Attending:** Cllr. Gerry Clarkson (Chair)  
Cllr. Graham Galpin

Ben Lockwood (BL)  
Paul McKenney (PMcK)  
Stewart Smith (SS)  
Steve Parish (SP)  
Dean Spurrell (DS)  
Richard Alderton, (RA)  
Rosie Reid (RR) – minutes

**Apologies:** Cllrs. Ovenden, Shorter  
John Bunnett, Sarah Hartles

<p><b>1. Declarations of Interest</b></p> <p>Cllr Clarkson made a Voluntary Announcement as he was a Director of A Better Choice for Property Ltd.</p>	
<p><b>2. Notes of the Meeting held on 18<sup>th</sup> November 2015</b></p> <p>The Notes of the Meeting held on 18<sup>th</sup> November 2015 were agreed as a correct record. PMcK explained that there was due to be a presentation at today's meeting but the company were unable to attend the meeting.</p>	
<p><b>3. Commercial Quarter Update</b></p> <p>SS advised that a new application for planning permission would be submitted, following some changes to the design. The building would total 60,000 square feet, with 10,000 square feet per floor. The new application would be submitted to Planning Committee in January 2016 and it was hoped that work on site would begin in April/May 2016. Members considered that it was important that all building work in the town should be synchronised as far as possible to keep disruption to a minimum.</p> <p>SS advised that the Heads of Terms for the commercial deal were close to being agreed, and it was agreed that the Chair and SS would discuss this matter further outside the meeting.</p> <p>SS advised that Ashford Furniture Gateway had been notified of termination of lease. Market testing had been commissioned to assess potential for the rest of the commercial quarter. This was important in view of the increasing commercial interest in the area.</p>	

<b>The Chair and SS to discuss Heads of Terms further.</b>	<b>Chair/SS</b>
<p><b>4. Elwick Road Update</b></p> <p>PMcK advised that a detailed planning application was to be considered at Planning Committee that evening, together with an outline application for an extended area. He said there were still issues with KCC over acquiring land, and it was agreed that PMcK would draft a letter from the Leader to the officer concerned, copied to Paul Carter. 282 car parking spaces had been drawn into the plans, 14 of which were for disabled parking. ABC would pay rent to Stanhope for use of the land and retain income from the parking spaces.</p> <p>An application was being prepared for outline planning permission for residential apartments as part of Phase II, and Phase III was still to be worked up in the future.</p> <p>The Leader said that he was very happy with the developers, who had consulted with the public and received positive feedback on proposals.</p> <p><b>PMcK to draft a letter from the Leader, copied to Paul Carter.</b></p>	<b>PMcK</b>
<p><b>5. Conningbrook Update</b></p> <p>SS advised that with regard to the first housing phase (H1), the aim had been to complete agreement by the end of December, but it was now more likely to be finalised in the New Year.</p> <p>PMcK advised that the Chief Executive had withdrawn as lead of the second housing phase (H2) due to his impending move to Bretts, and PMcK would now be taking over as lead. There was some discussion about suitable parking space as part of the H2 phase and PMcK would return to the Board with more information in 2 months' time.</p> <p>Regarding the pub/hotel, SS advised that the exclusivity agreement with the pub operator expired at the end of December. The operator was still expressing interest, although ABC had not been asked to extend the exclusivity agreement. PMcK and SS would meet with a representative from the company in the New Year.</p>	
<p><b>6. Depot Purchase</b></p> <p>PMcK advised that he had explored potential opportunities for a grounds maintenance depot and that he would report back to the Board in the New Year.</p>	
<p><b>7. Downsview Purchase</b></p> <p>PMcK advised that a condition survey had been undertaken and some work was required on the property. The Council's latest offer had been rejected due to a counteroffer from another interested party and it was</p>	

<p>agreed that PMcK would continue to look elsewhere.</p>	
<p><b>8. Any Other Business</b></p> <p>RA advised that the Prince Albert pub had been visited by English Heritage, who had confirmed that the owner could now apply for expedited de-listing.</p> <p>Cll Galpin advised that he was investigating the potential for public realm works in the High Street. Indicative drawings had been obtained and Cllr Galpin would look at obtaining a costing for the works.</p> <p>SP had received requests that a programme of Christmas performances should be advertised on the bandstand over the festive period.</p> <p><b>Cllr Galpin agreed to arrange that a programme of Christmas performances be advertised on the town centre bandstand.</b></p>	<p><b>Cllr Galpin</b></p>

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**Agenda Item No:** 11  
**Report To:** CABINET  
**Date:** 14<sup>TH</sup> JANUARY 2016



**Report Title:** SCHEDULE OF KEY DECISIONS TO BE TAKEN

**Report Author:** Head of Legal and Democratic Services

<b>Summary:</b>	To set out the latest Schedule of Key Decisions to be taken by the Cabinet of Ashford Borough Council.
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**Key Decision:** NO

**Affected Wards:** Where appropriate, individual Wards are indicated.

**Recommendations :** **That the Cabinet receive and note the latest Schedule of Key Decisions.**

**Policy Overview:** Under The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, there is no longer a legal requirement to publish a Forward Plan of Key Decisions, however there is still a requirement to publish details of Key Decisions 28 clear days before the meeting they are to be considered at. The Council maintains a live, up to date rolling list of decision items on the Council's website, and that list will be presented to the Cabinet each month, in its current state, for Members' information.

**Financial Implications:** Nil

**Other Material Implications:** Nil

**Exemption Clauses:** Nil

**Background Papers:** None

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**CABINET  
SCHEDULE OF KEY DECISIONS TO BE TAKEN**

The following Key Decisions will be taken by Ashford Borough Council's Cabinet on the dates stated.

Ashford Borough Council's Cabinet is made up of: - Councillors Gerry Clarkson; Neil Bell; Clair Bell; Mike Bennett; Jessamy Blanford; Paul Clokie; Graham Galpin; Bernard Heyes; Jane Martin; Neil Shorter.

*Copies of the reports and any other relevant documents that are submitted to the Cabinet in connection with a proposed decision will be available for inspection, or on screen, five clear days before the decision date at the Civic Centre, Tannery Lane, Ashford and at Tenterden Gateway, 2 Manor Row, Tenterden, during opening hours, or at [www.ashford.gov.uk/councillors\\_and\\_committees.aspx](http://www.ashford.gov.uk/councillors_and_committees.aspx)*

Decision Item	Report Summary	Relevant Portfolio Holder	Report Author	Open or Exempt	Added to Schedule
<b>14<sup>th</sup> January 2016</b>					
Revenues & Benefits Recommended Write-Offs Schedule	<i>Proposed formal write-off of debts</i>	Cllr Shorter	Peter Purcell	Open (Exempt Appendix)	16/1/15
<b>11<sup>th</sup> February 2016</b>					
Financial Monitoring – Quarterly Report	<i>Quarterly budget monitoring report</i>	Cllr Shorter	Maria Seddon	Open	12/2/15
Revenue Budget 2016/17	<i>To present the draft revenue budget for 2016/17 to the Cabinet for recommendation to Council.</i>	Cllr Shorter	Paul Naylor/Ben Lockwood	Open	12/2/15

<b>Decision Item</b>	<b>Report Summary</b>	<b>Relevant Portfolio Holder</b>	<b>Report Author</b>	<b>Open or Exempt</b>	<b>Added to Schedule</b>
Corporate Performance Report	<i>The report seeks to give members and the Borough's residents an overview of how the Council is performing. It seeks to do this in a transparent and easily-accessible manner, giving a key performance 'snapshot'.</i>	Cllr Shorter	Nicholas Clayton	Open	12/2/15
Climate Change and Sustainable Environment – Annual Progress Report	<i>This report summarises actions and initiatives undertaken throughout the authority during the last year in the complementary areas of a sustainable environment, carbon and energy reduction and responding to the threat of climate change. These had been brought together previously within the Council's Position Statement.</i>	Cllr Mrs Blanford	Paul Naylor	Open	12/2/15
Gambling Policy Revision	<i>Report back following consultation</i>	Cllr Heyes	James Hann	Open	18/11/15
Domestic Abuse Annual Report		Cllr Heyes	Elizabeth Mannington	Open	4/12/15
Anti-Social Behaviour and Enforcement		Cllr Heyes	James Hann	Open	7/12/15
Chief Executive Appointment		Cllr Clarkson	Michelle Pecci	Open (Exempt Appendix)	7/12/15
Flexible Retirement		Cllr Clarkson	Keith Fearon	Exempt	7/12/15

<b>Decision Item</b>	<b>Report Summary</b>	<b>Relevant Portfolio Holder</b>	<b>Report Author</b>	<b>Open or Exempt</b>	<b>Added to Schedule</b>
Waste Composition Analysis		Cllr Mrs Bell	Julie Rogers	Open	17/12/15
<b>10<sup>th</sup> March 2016</b>					
Annual Pay Policy Statement	<i>A review of the annual Pay Policy Statement and Ashford Living Wage Allowance.</i>	Cllr Miss Martin	Ian Smith	Open	13/3/15
T-CAT Update		Cllr Mrs Blanford/ Galpin	Kirsty Hogarth	Open	9/5/14
Chilmington Design Code – Adoption as a Supplementary Planning Document		Cllr Bennett	Mark Chaplin	Open	31/7/15
Cemetery Policy		Cllr Mrs Blanford	Julie Rogers	Open	17/12/15
Chilmington Gypsy Site		Cllr Clokie	Sharon Williams	Open	17/12/15
<b>14<sup>th</sup> April 2016</b>					
Rural Speed Limits		Cllr Heyes	Sheila Davison	Open	23/7/15

Decision Item	Report Summary	Relevant Portfolio Holder	Report Author	Open or Exempt	Added to Schedule
Ashford International Model Railway Education Centre – (AIMREC): Proposed new Major Visitor Attraction		Cllr Mrs Blanford/Mrs Bell	Ben Moyle	Open	17/3/15
<b>12<sup>th</sup> May 2016</b>					
Financial Monitoring – Quarterly Report	<i>Quarterly budget monitoring report</i>	Cllr Shorter	Maria Seddon	Open	13/3/15
<b>9<sup>th</sup> June 2016</b>					
Section 106 Agreements – Annual Progress Report	<i>Focus on s106 contributions received in the last year, contributions secured in new agreements and projects that have been supported by s106 funding</i>	Cllr Bennett	Lois Jarrett	Open	12/6/15
Final Outturn 2015/16	<i>Final budget outturn for previous financial year</i>	Cllr Shorter	Ben Lockwood	Open	12/6/15
Annual Report	<i>The Annual Report will build upon the contents of quarterly performance monitoring, but will also include the following information – An Introduction from the Leader and Chief Executive; Facts and figures about Ashford; Timeline of key achievements in the Borough over the calendar year; Borough achievements; and a Financial Summary.</i>	Cllr Miss Martin	Nicholas Clayton	Open	10/7/15

Decision Item	Report Summary	Relevant Portfolio Holder	Report Author	Open or Exempt	Added to Schedule
<b>14<sup>th</sup> July 2016</b>					
Revenues & Benefits Recommended Write-Offs Schedule	<i>Proposed formal write-off of debts</i>	Cllr Shorter	Peter Purcell	Open (Exempt Appendix)	10/7/15
<b>11<sup>th</sup> August 2016</b>					
Corporate Performance Report	<i>To give Members and residents an overview of how the council is performing with a key performance 'snapshot'.</i>	Cllr Shorter	Nicholas Clayton	Open	28/7/15
Financial Monitoring – Quarterly Report	<i>Quarterly budget monitoring report</i>	Cllr Shorter	Maria Seddon	Open	28/7/15
<b>8<sup>th</sup> September 2016</b>					
<b>13<sup>th</sup> October 2016</b>					
<b>10<sup>th</sup> November 2016</b>					
Financial Monitoring – Quarterly Report	<i>Quarterly budget monitoring report.</i>	Cllr Shorter	Maria Seddon	Open	13/11/15

Decision Item	Report Summary	Relevant Portfolio Holder	Report Author	Open or Exempt	Added to Schedule
Corporate Performance Report	<i>To give Members and residents an overview of how the council is performing with a key performance 'snapshot'</i>	Cllr Shorter	Nicholas Clayton	Open	13/11/15
<b>8<sup>th</sup> December 2016</b>					
Draft Budget 2017/18	<i>To present the preliminary draft service budget and outline MTFP for the purposes of subsequent formal scrutiny by the O&amp;S Task Group and public consultation.</i>	Cllr Shorter	Paul Naylor/Ben Lockwood	Open	4/12/15
Council Tax Base	<i>To present for approval the estimated 2017/18 Council tax base calculation for the Borough and each parished area, on which the major preceptors and local Parish Councils will base their requirements.</i>	Cllr Shorter	Ben Lockwood	Open	4/12/15

***If you wish to contact a Report Author by email, unless stated otherwise, the addresses are;  
first name.surname@ashford.gov.uk***

5/1/16