



## 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> April 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 10 <sup>th</sup> March 2016                                |              |
| 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.  | *Pay Policy Statement – Annual Review  | 2-18        |
| 7.  | Safeguarding Policy  | 19-50       |
| 8.  | *Proposed update to the Affordable Housing Programme and Business Case for Remodelling of Danemore Sheltered Housing Scheme                                    | 51-60&82-83 |
| 9.  | *Elwick Place Development (to follow)  |             |
| 10. | *Grounds Maintenance, New Operational Structure: Approval of costs associated with early release of Local Government Pension Scheme Benefits due to redundancy | 61-65       |

## Part IV – Information/Monitoring Items

- |     |   |       |
|-----|---|-------|
| 11. | Joint Transportation Board – to receive the Minutes of the Meeting held on the 8 <sup>th</sup> March 2016. Note: Link to JTB Reports:-<br><a href="https://secure.ashford.gov.uk/committeesystem/ViewAgenda.aspx?MeetingId=1970">https://secure.ashford.gov.uk/committeesystem/ViewAgenda.aspx?MeetingId=1970</a> |       |
| 12. | Local Plan and Planning Policy Task Group – Notes of the Meeting held on 9 <sup>th</sup> March 2016   | 66-67 |
| 13. | Town Centre Regeneration Board – Notes of the Meeting held on the 24 <sup>th</sup> February 2016  | 68-70 |
| 14. | Schedule of Key Decisions   | 71-81 |
| 15. | Items for Future Meetings   |       |

## Part V – Cabinet Member Reports

None for this Meeting

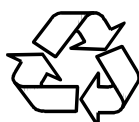
## Part VI – Ordinary Decision Items

None for this Meeting

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

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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 Corporate Director (Law and Governance) 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 **10<sup>th</sup> March 2016**

### Present:

Cllr. Bell (Vice-Chairman in the Chair);

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

### Apologies:

Cllrs. Britcher, Clarkson, Smith

### Also Present:

Cllrs. Bradford, Buchanan, Burgess, Hicks, Krause, Link, Michael, Ovenden, Wedgbury.

Chief Executive, Deputy Chief Executive, Head of Legal and Democratic Services, Head of Planning and Development, Head of Environment and Cultural Services, Communications and Marketing Manager, Cultural Projects Manager, Head of Personnel and Development, Head of Housing, Arts and Cultural Industries Manager, Health, Parking and Community Safety Manager, Head of Health, Parking and Community Safety, Head of Environment and Customer Services, Facility Development Manager, Community Safety Operations Manager, Head of Finance, Principal Solicitor (Strategic Development), Member Services and Scrutiny Manager.

## 357 Declarations of Interest

Councillor	Interest	Minute No.
Hicks	Announced an 'Other Significant Interest' in respect of Agenda Item 9 as she had been appointed by the Council to the Ashford Leisure Trust. She read a statement and then left the meeting for the debate and the vote.	363
Wedgbury	Made a "Voluntary Announcement" as he was a member of the Kent County Council.	361

## 358 Minutes

### Resolved:

**That subject to the inclusion of the Principal Solicitor (Strategic Development) in the list of Officers present at the meeting, the Minutes of the meeting of the**

**Cabinet held on the 11<sup>th</sup> February 2016 be approved and confirmed as a correct record.**

### **359 Leader's Announcements**

The Deputy Leader advised that he wished to share with colleagues an item of good news for the Borough. He explained that the Council had learned that day that it had been successful in bidding for funding in the second round of the Care and Support Specialised Housing Fund (CASSH) and had been awarded £1.92 million towards the cost of providing care ready homes at Danemore in Tenterden. The Deputy Leader further explained that Ashford had been the only successful bid for such funding in Kent. The Fund, which had been first launched in 2012 by the Department of Health and the Homes and Communities Agency, aimed to support the development of specialised housing for older people and adults with physical disabilities, learning difficulties or mental health needs. A total of 79 schemes were set to receive around £84.2 million to develop up to 2,000 affordable homes. The Deputy Leader advised that housing built under this Fund helped people to remain independent for as long as possible in a home suited to their needs. It therefore continued to play a major part in helping reduce costs and dependencies in other parts of the public sector. This success followed on from the £3.6 m the Council had been awarded from the first round of bids to this Fund which had helped with the redevelopment of Farrow Court and was yet another illustration of how Ashford was ahead of the game when it came to being "business ready for housing".

The Deputy Leader then said that colleagues may well have read a recent report in the local media regarding potential cuts to rural bus services. He said that he was sure that all were concerned about the possible consequences on the Borough's rural communities and explained that he had personally received calls from several residents in his Ward who had expressed their concerns. He advised that the Borough Council was fully aware of the importance of bus services, especially to the rural parts of the Borough, in particular as Ashford was the most rural Borough in the County. He said that the Council understood the budgetary pressures which faced Kent County Council and Ashford would look to work closely with them and the voluntary sector to see what could be done to ensure that rural communities could continue to benefit from those vital services. The Deputy Leader understood that KCC would be running a consultation on this matter shortly and the Council would be responding to the consultation in due course after careful consideration of all the options.

### **360 Memorial Safety in Burial Grounds**

The report outlined the duties and responsibilities with regard to the safety of memorials in burial grounds and recommended that the Council update its approach to the testing and inspection of memorials and to develop a forward plan.

The Portfolio Holder explained that it was essential on health and safety grounds that the work be undertaken and she said that it was important that this message be communicated to the public. She advised that a further report would be submitted to the Cabinet in the Autumn following the initial survey.

In response to a comment from a Member, the Portfolio Holder explained that she was aware of the issues that had arisen the last time the Council had endeavoured to take this matter forward and explained that technologies were now in place which allowed memorials to be safely and uniformly assessed. However, the Portfolio Holder could not guarantee that it would not be necessary to lay any memorial stones flat.

**Resolved:**

- That**
- (i) the current position with regard to memorial testing and inspection be noted.**
  - (ii) the updated policy and operational procedures as set out in Appendix 1 of the report for the inspection and safe management of memorials be adopted.**
  - (iii) the following words be added to delegation 17.1 (f):**  
  
*“...and such closed burial grounds that are now, or subsequently become, the responsibility of the Council”.*
  - (iv) a further report be submitted to the Cabinet in the Autumn following the initial survey, with findings, initial costs and proposed changes to the Cemetery Rules and Regulations and Memorial Headstone documentation.**

## **361 Chilmington Gypsy Site**

The report sought authority to finalise negotiations with Kent County Council (KCC) for the future management and disposal of the freehold of Chilmington Gypsy site.

The Portfolio Holder advised that he believed that the report demonstrated a good deal for the Council and explained that the Kent County Council would bring further experience in terms of their management of the site.

The Portfolio Holder for Culture, Leisure and Environment advised that the Great Chart and Singleton Parish Council would need to be briefed on the proposal and she understood that a meeting would take place in the near future.

**Resolved:**

- That**
- (i) the Head of Housing and the Portfolio Holder for Housing and Home Ownership be authorised to negotiate terms for the disposal of Chilmington Gypsy Site for a nominal amount to Kent County Council, such terms to include restrictive covenants, a restriction on title and overage and that, in the event of future disposal, the land would only be used as a Gypsy site.**
  - (ii) the terms of disposal to include:**

- (a) **The site to be kept as a gypsy site in perpetuity with no less than the same number of pitches currently provided unless agreed otherwise.**
  - (b) **Kent County Council should use its best endeavours to keep the site in a lettable condition and to ensure that all plots on the site are let.**
- (iii) **the Head of Legal and Democratic Services be authorised to enter into the necessary documentation to give effect to the decision.**

### **362 Victoria Park and Watercress Fields Concept Masterplan and Heritage Lottery Bid (HLF)**

The report provided an update on the positive progress made on creating a concept Masterplan for Victoria Park and Watercress Fields prioritised as part of the Land Management Improvement Plan adopted in 2014. An opportunity for a first stage development application to the Heritage Lottery Fund was explained which could support timely and beneficial repairs and improvements to the Grade II Listed Hubert Fountain.

The Portfolio Holder explained that the proposals set out within the report stemmed from a workshop exercise and were indicative of how the area could be developed in the future. She also explained that the Indoor Bowling Club had expressed an interest in taking part in the discussions for the area.

In response to a comment, the Portfolio Holder advised that discussions had already been held with Officers regarding further bridges to provide access to the site from the proposed residential areas on the other side of the river. The Portfolio Holder referred to the article in the Kentish Express about an ice rink and said she believed that as Ashford developed this could be a reality but in her view it would be more likely located at one of the strategic entrances to the town centre by a motorway junction, for example.

The Chairman advised that the Ward Members for the area had expressed a wish for the railings to be replaced with ones which reflected the original Victorian installations which had been removed many years ago. The Portfolio Holder said that Officers were mindful of the Ward Members' wishes in this regard.

#### **Resolved:**

- That
- (i) **the Victoria Park and Watercress Fields Concept Masterplan be adopted as an indicative framework to support the future planning of new development, refurbishment and timely partnership working as opportunities arise.**
  - (ii) **the first stage application to the Heritage Lottery Fund with a Council contribution of up to £10,000 be endorsed and a further**

**report be brought forward in due course to consider the second stage application.**

### **363 Management of Leisure Facilities: Corporate Strategy 2015-2020: Priority 3 Active and Creative Ashford**

The report examined matters associated with the future management and appointment process for the operation and development of key leisure facilities namely the Stour Centre, Conningbrook Lakes Country Park and the Julie Rose Stadium. The report also provided an update on the Jasmin Vardimon project and asked that agreement be given to supporting the scoping of a new location.

The Portfolio Holder explained that Ashford had a growing population and therefore there was a need to have an up to date model which would deliver well run sports facilities. The Portfolio Holder emphasised that the purpose of the report was not to remove Ashford Leisure Trust, but explained that no agreement could be reached on the Council's approach in terms of redevelopment of the Stour Centre and a revised three year agreement for the Julie Rose Stadium and Conningbrook Lakes. The Portfolio Holder considered that there was therefore a need to bring in a company who could manage those facilities not currently run by Ashford Leisure Trust for a period of up to 18 months. There would then be a process by which the sporting and leisure facilities under the Council's control would be subject to national tendering exercise. In terms of the Jasmin Vardimon project, the Portfolio Holder emphasised that the Council were very keen to retain the company in Ashford and the Borough Council would be assisting in terms of identifying a performance space.

One of the Ward Members for the Weald South Ward advised that she was speaking as both a Member of the Council and as a Trustee of Ashford Leisure Trust (ALT). She said that she believed that ALT and the Borough Council shared the common purpose of providing high quality value for money sport and leisure services to enhance the health and wellbeing of the local community. The Member explained that the Board wished to advise that they were fully committed to developing a solution which met the Council's aspirations for the management and delivery of its leisure portfolio and had latterly approved resolutions to engage external expertise to facilitate the process of market engagement for options appraisal and selection of a strategic partner organisation. The Member said that the new partner organisation, once selected, would bring strength and experience and resourcing to a new operating model for the Trust and would act as an enabler for refurbishment of the un-modelled areas of the Stour Centre in conjunction with the Borough Council, whilst ensuring that the needs of the local community of Ashford remained the main priority in service delivery.

The Member further explained that ALT were disappointed that as a result of the Cabinet recommendations, if approved, they would not be able to offer up the whole portfolio into a market testing process to deliver a consistent, robust strategic vision for sport and leisure facilities in the Borough. She advised that ALT was a not for profit organisation and was a registered Charity with the Charity Commission and therefore the Trust had been able to make investments in the facilities and services operated under the agreements with the Borough Council amounting to in excess of



a quarter of a million pounds to date including, most recently, nearly £100,000 in a new spin studio at the Stour Centre, in conjunction with the Council, which was due to open the following month. The Member said that the work of the Trust had also been independently recognised within the sports and leisure sector with ALT winning community partnership and participation awards from England Athletics over the last three consecutive years and had also successfully been awarded external funding from Sport England to encourage family participation in activity within the Stanhope Ward. On this occasion the Trust had been only one of 15 within the whole Country to be awarded such funding. In conclusion the Member believed that the performance of and the commitment from ALT in reviewing the operating model and seeking a strategic partner, whilst sharing the aspirations of the Council, made it the appropriate choice for the management of sport and leisure facilities in Ashford both now and in the future.

The Portfolio Holder for Finance, Budget and Resource Management said that he had been party to the discussions with ALT and he said that although at this stage it had not been possible to move forward with them the future procurement exercise was an opportunity for them to bid for the contract. In response to a question, the Head of Environment and Cultural Services explained that in time it was hoped that an indoor tennis facility could be provided and to this end his Officers were working on developing a strategic sport study in conjunction with the review of the Local Plan. In terms of the management of the Kingsnorth Recreation Centre, he explained that this it was hoped that the facility would be subject to the package of facilities included within the national procurement exercise.

In response to a further question about the possible implications on the operation of smaller independent facilities, the Head of Environment and Cultural Services said that the Council would be looking to develop complementary facilities in conjunction with facilities provided by independent organisations.

The Chairman explained that this was the last meeting that Mark Carty, the Head of Environment and Cultural Services would attend before his retirement and he said on behalf of the Cabinet and the Council he wished to express his gratitude for the work undertaken by Mark during his extensive service at Ashford and he wished him all the best for the future.

**Resolved:**

**That (i) the contents of the report be noted.**

**(ii) the Council:**

- (a) Terminate the existing agreements with Ashford Leisure Trust for the operation of the Julie Rose Stadium and Conningbrook Lakes Country Park, and**
- (b) Enter into a concession contract for 18 months (extendable for a further six months) with Neighbourhood Southern Community Trust Ltd and their management agent Serco Leisure Operating Ltd for the operation of Conningbrook**

**Lakes Country Park and Julie Rose Stadium, Pitchside,  
Courtside and Spearpoint Pavilion.**

- (iii) an allocation of £24,650 be made to the Jasmin Vardimon Company for assisting the scoping of a new location.**
- (iv) the Heads of Culture and Legal and Democratic Services be authorised, in consultation with the Leader of the Council and the Portfolio Holder to take all necessary steps including entering into legal Agreements as required to give effect to the above recommendations.**

### **364 CCTV Strategy including Renewals and Investment in the Service**

The report sought a re-affirmation of a commitment to the importance of maintaining and developing CCTV services within the Borough of Ashford and also sought agreement to an investment to replace public space cameras in Ashford and Tenterden, and other updates.

The Portfolio Holder said that he fully supported the recommendations and said that it would provide an opportunity for further investment in the future.

**Resolved:**

- That (i) the Council's commitment to the importance of maintaining CCTV services be re-affirmed.**
- (ii) the method of provision of these services be confirmed.**

**Recommended:**

**That an investment of £250,000 be made to replace public space CCTV cameras in Ashford and Tenterden, to update the back office systems and to provide a single operating platform to facilitate further business development.**

### **365 Local Plan and Planning Policy Task Group – 10<sup>th</sup> and 25<sup>th</sup> February 2016**

**Resolved:**

**That the notes of the meeting of the Local Plan and Planning Policy Task Group held on the 10<sup>th</sup> and 25<sup>th</sup> February 2016 be approved and adopted.**

## **366 Town Centre Regeneration Board – 27<sup>th</sup> January 2016**

**Resolved:**

**That the notes of the meeting of the Town Centre Regeneration Board on the 27<sup>th</sup> January 2016 be approved and adopted.**

## **367 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.**

## **368 Proposed Funding Arrangement with the Homes and Communities Agency to Enable Delivery of M20 Junction 10A**

The report set out the proposed basis of funding agreements with both the Homes and Communities Agency (HCA) and Highways England to put in place the uncommitted part of the funding needed to deliver Junction 10A. Although originally shown on the printed Agenda as an exempt item, the report had been issued as an open item.

The Chairman said that he wished to move an amendment to require the delegations proposed to be recommended to the Head of Legal and Democratic Services in (ii) and (v) be exercised in consultation with the Leader as Portfolio Holder with responsibility for Economic Development and Strategic Projects.

**Resolved:**

- That**
- (i) the funding proposition and terms for the delivery of M20 Junction 10A from the Homes and Communities Agency (HCA) and as set out in the Heads of Terms attached to the report be agreed.**
  - (ii) authority be delegated to the Head of Legal and Democratic Services/Corporate Director (Law and Governance) in consultation with the Chief Executive, the Head of Planning and Development/Corporate Director (Development), Head of Finance and the Leader of the Council as Portfolio Holder to negotiate, finalise and execute a detailed Funding Agreement with the HCA, including the details and mechanisms regarding Starter Homes released by the Junction 10A project and also any related documentation to implement the above.**
  - (iii) any delay to the above decisions becoming implementable would seriously prejudice the Council's and the public's interests for the reasons set out in paragraph 20 of the report and therefore, with**

**the consent of the Chairman of the Overview and Scrutiny Committee, these decisions are being made at this meeting as Urgent Decisions within the Overview and Scrutiny Procedure Rule 15 (j).**

**Recommended:**

- That (i) the Council enter into a consequential funding arrangement with Highways England Company Ltd (HECL) to invest the HCA funding into the Junction 10A project and to secure repayments to meet the Heads of Terms attached to the report.**
- (ii) authority be delegated to the Head of Legal and Democratic Services/Corporate Director (Law and Governance) in consultation with the Chief Executive, the Head of Planning and Development/Corporate Director (Development), the Head of Finance and the Leader of the Council as Portfolio Holder to negotiate arrangements with HECL for funding and repayment, and to finalise and execute a detailed Funding Agreement and any related documentation with HECL to implement all of the above recommendations.**

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(KRF/AEH)

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**Agenda Item No:** 6  
**Report To:** Cabinet  
**Date:** 14 April 2016  
**Report Title:** **Pay Policy Statement- Annual Review**  
**Report Author:** Ian Smith- Personnel Officer  
**Leader of the Council** Gerry Clarkson  
**Port folio holder** Jane Martin – Information and Communications

**Summary:** There is a statutory requirement (as part of the Localism Act 2011) to produce and publish an annual Pay Policy Statement.

The Council recognises the importance and benefits of applying a transparent policy that ensures their staff are and remunerated appropriately, equitably and legally.

This report makes recommendations for:

1. The annual review of the Ashford Living Wage Allowance (ALWA).
2. The annual review of the Ashford Apprentice Wage Allowance (AAWA)
3. The publication of an updated pay policy statement inclusive of these recommendations.

**Key Decision:** Yes  
**Affected Wards:** None  
**Recommendations:** Cabinet be asked to:

- i. **Agree the amendment to the application of the ALWA to take account of the new statutory National Living Wage Rate to be implemented from 1 April 2016, and that the pay rate of our lowest paid employees is maintained at the rate of £8.00 per hour for 2016/17.**
- ii. **Recommend that the Pay Policy Statement (as attached) to be submitted to the Council for approval.**

- iii. **Agree that the AAWA is paid at the rate of 15p per hour above the National Minimum Wage (NMW) rate applicable to the age of the apprentice for 2016/17.**
- iv. **Agree that the AAWA rate is paid at 15p per hour above the statutory National Living Wage Rate for apprentices over the age of 25 for 2016/17.**
- v. **Note the forthcoming Government legislation that will impact on the council's Pay Policy Statement.**

**Policy Overviews:**

- Sections 38 to 43 of the Localism Act 2011 requires local government bodies to prepare a pay policy statement. These statements must articulate an authority's own policies towards a range of issues relating to the pay of its workforce, particularly senior staff and its lowest paid employees.
- The ALWA demonstrates the Council's commitment in ensuring that wages (salaries) of our employees can sustain families and individuals and underpins a thriving economy.
- The AAWA underpins the council's commitment to support lower paid members of staff by providing a fair wage to our apprentices. The council is committed to making apprenticeships accessible to all and encourages its local people to gain worthwhile careers by paying a rate which is comparable with entering any other form of employment; this in turn will benefit the local economy.

**Financial Implications:**

- The full year cost of maintaining the current ALWA rate is approximately £4,000 (including on costs).
- The full year cost of paying the current ALWA of 15 pence per hour more than the applicable NMW and the statutory National Living Wage Rate for our apprentices (7) is estimated to be £20,000 (including on costs).
- Whilst there is no specific provision identified within the 2016/17 budget the costs are relatively small and consequently any costs will be managed within the existing approved budget levels for the services and departments bearing the costs.

**Risk Assessment:** Yes

**Community Impact Assessment:** Yes

**Other Material Implications:** As stated in the body of this report.

**Background Papers:** None

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## **Report Title: Pay Policy Statement- Annual Review**

### **Purpose of the Report**

1. To provide Members with an updated pay policy statement for approval in line with the requirements of the Localism Act 2011 and which applies the provisions of the CLG's supplementary guidance on 'Openness and Accountability in Local Pay' 2013
2. To recommend to Members an amendment to the application of the ALWA that takes account of the impact of the new statutory National Living Wage Rate as well as continuing with its commitment to provide our lowest paid workers with a sustainable wage that supports themselves and their families.
3. To recommend to Members an amendment to the application of the AAWA that takes account of the impact of the new statutory National Living Wage Rate as well as continuing with its commitment to making apprenticeships accessible to all.
4. To provide Members with an overview of forthcoming government legislation that will impact the Council's Pay Policy Statement and Statement on Termination of Employment (Discretionary Compensation) Regulations 2006.

### **Issue to be decided**

5. Members are asked to approve the pay policy statement as attached.
6. Members are asked to approve the recommendation to maintain the current ALWA to provide our lowest paid employees with a minimum pay rate of £8 per hour for 2016/17
7. Members are asked to approve the recommendation to maintain the current AAWA payment of 15 pence per hour more than the NMW rates appropriate to the age of the apprentice for 2016/17.
8. Members to agree that the AAWA rate is paid at 15p per hour above the statutory National Living Wage Rate for apprentices over the age of 25 for 2016/17.



## Background

9. The pay policy statement must be reviewed and approved each year by Full Council.
10. Sections 38 to 43 of the Localism Act 2011 (“the Act”) require local government bodies to prepare a pay policy statement. These statements must articulate an authority’s own policies towards a range of issues relating to the pay of its workforce, particularly senior staff and its lowest paid employees.
11. There are a number of statutory requirements relating to pay accountability in the Localism Act that need to be taken into account as well as a catch-all within the Act that states that members must have regard to any guidance issued or approved by the Secretary of State.
12. The statement encompasses both the statutory requirements as well as the ‘broader’ elements of guidance.
13. The Act requires the council to prepare a pay policy statement for this year and it must set out the authority’s policies relating to:
  - (a) the remuneration of its chief officers,
  - (b) the remuneration of its lowest-paid employees, and
  - (c) the relationship between:
    - (i) the remuneration of its chief officers, and
    - (ii) the remuneration of its employees who are not chief officers.

The statement must include:

- (a) the definition of “lowest-paid employees” adopted by the authority for the purposes of the statement, and
- (b) the authority’s reasons for adopting that definition.

The statement must also include the authority’s policies relating to:

- (a) the level and elements of remuneration for each chief officer,
- (b) remuneration of chief officers on recruitment,
- (c) increases and additions to remuneration for each chief officer,
- (d) the use of performance related pay for chief officers,
- (e) the use of bonuses for chief officers,
- (f) the approach to the payment of chief officers on their ceasing to hold office under or to be employed by the authority, and
- (g) the publication of and access to information relating to remuneration of chief officers.

14. Pay policy statements may be amended during the course of a financial year to reflect changes or developments in an authority's pay policy. However, section 39(5) of the Act requires that amendments can only be made by resolution of the full Council, or a meeting of members, and that any amended statement must be published as soon as is reasonably practicable.

### **ABC Pay Policy Statement: 2016/17**

15. The statement (attached) reflects our current approach to pay and reward and incorporate the recommendations made in this report

### **Ashford Living Wage Allowance (ALWA) 2016/17**

16. The Council is committed to ensure that the wages (salaries) of our employees can sustain families and individuals as well as underpinning a thriving local economy.
17. This commitment is provided through the ALWA implemented in 2013. As part of the Pay Policy recommendations Members review the ALWA on an annual basis. The rate set for each financial year has taken account of the National Living Wage Foundation's Out of London rate (LWF) in the previous November and the council's budgetary position.
18. It is the Council's stated commitment for the ALWA "to be better" than the LWF rate. This statement is incorporated within the council's current Pay Policy Statement.
19. Since its introduction the ALWA rate has been set at 15p per hour higher than that of the LWF rate. The current minimum pay rate for ABC employees is set at £8.00 per hour. This followed the LWF rate of £7.85 set in November 2014.
20. In the Summer Budget 2015 the Chancellor announced a new extension to the current National Minimum Wage by introducing a statutory National Living Wage of £7.20 for over 25s with effect from 1 April 2016 Employees under the age of 25 and , who are not in the first year of an apprenticeship will receive the National Minimum Wage Rate applicable to their age.
21. This is set to reach £9 an hour by 2020. The target was also described as reaching 60% of median earnings by 2020. This could imply an even higher level; £9.35 an hour according to The Office for Budget Responsibility.
22. The statutory National Living Wage Rate is separate to the rate set by annually by the Living Wage Foundation which is calculated by the Centre for Research in Social Policy at Loughborough University. This takes account of rises in living costs and any changes in what is defined as a 'minimum'. Adoption of the LWF rate is optional for employers.

23. The current LWF rate for outer London is £8.25 per hour. Looking further forward, the Foundation has set a target for the rate to be £10.10 per hour by 2020.
24. Currently there are 13 staff entitled to receive the ALWA. The estimated cost of maintaining the current ALWA rate for 2016/17 is £4000 (including on costs).
25. The impact of continuing with the previous approach of setting the ALWA rate at 15p per hour higher than that of the current LWF rate i.e. £8.40 per hour will result in increased salary costs for 2016/17 of £9,700 (including on costs).
26. Allowing for the ALWA rate to be set at the current LWF rate of £8.25 per hour would result in an estimated increase in salary costs for 2016/17 of £7,300 (including on costs).
27. As the result of the ALWA continuing to track the LWF rate there will likely to be considerable increases in staffing costs over the coming years; particularly at a time when the council's budgetary provision will continue to be under increased pressure. This will also likely to have an impact on the council's pay framework being compromised due the erosion of pay differentials.
28. For the reasons set out above, it is recommended to continue with the current ALWA which provides the lowest hourly pay rate of £8 for 2016/17. This rate continues to achieve the council's commitment, avoids the incurrance of additional salary costs and puts the council in an advanced position in being able to accommodate the forthcoming annual increases to the statutory National Living Wage Rate leading-up to 2020.
29. Consequently, it will no longer be appropriate for the Pay Policy to include the stated commitment that the ALWA will "be better" than the LWF out of London rate.
30. By applying the ALWA the council has been widely recognised as a responsible and considerate employer who has been at the vanguard with other organisations who voluntarily provide a fair and sustainable wage to their lowest paid staff. It is therefore important for the council to be able to continue to make such a strong statement of commitment in this regard.
31. In order to continue with this commitment, it is recommended that this can be ably demonstrated by amending the Pay Policy Statement to introduce the following statement:

*The council will aim to provide our lowest paid staff, irrespective of their age, with a rate of pay that is better than the Statutory National Living Wage rate.*

32. For ease of reference the following table details the pay rates referred to as above :

<b>Wage Rate</b>	<b>Current hourly pay rate</b>
Ashford Living Wage	£8.00
Living Wage Foundation – out of London Rate	£8.25
Statutory National Living Wage rate for over 25's	£7.20
National Minimum Wage Rate for ages 21 and over	£6.70
National Minimum Wage Rate for ages 18-20	£5.30
National Minimum Wage Rate for under 18s	£3.87

### **Ashford Apprentice Wage Allowance (AAWA)**

33. Apprentices are engaged to gain practical training in a job combined with study. The status of their employment is reflected by the fact that the National Minimum Wage (NMW) and the statutory Living Wage Rate is not applicable to them in the first year of their apprenticeship.
34. The current National Wage Rate for apprentices aged 16 to 18 and those aged 19 or over who are in their first year is £3.30 per hour. All other apprentices are entitled to the National Minimum and Statutory Living Wage rates as applicable to their age.
35. The AAWA aims to provide our apprentices with a pay rate that is “better” than the National Minimum Wage (NMW) applicable to the age of the apprentice and irrespective of whether the apprentice is in their first year.
36. Consistent with the approach to be taken with the ALWA rate it is recommended that the current AAWA rate, i.e.15 pence per hour above the respective NMW age rates, is maintained for 2016/17. The same rate will apply to the statutory National Living Wage Rate applicable to apprentices over the age of 25.
37. It is difficult to provide an accurate estimation of costs given the likelihood that more apprentices will be employed throughout the year. However, based on the 7 apprentices (None of which will be over the age of 25 as at April 2016) currently employed by the council the estimated full year cost of paying the above is £20,000 (including on costs).

38. As a consequence of the implementation of the Statutory National Living Wage rate it is necessary to amend the Pay Policy Statement to reflect this in the stated commitment for the AAWA by introducing the following statement:

*The council is committed to making apprenticeships accessible to all by paying a rate applicable to the apprentice's age that aims to be better than the respective Statutory National Living Wage and National Minimum Wage rates.*

## **Forthcoming Government Legislation**

### **Public Sector Exit Payments Cap**

39. Earlier this year the government announced that it intended to end six figure exit payments for public sector workers. Further to this announcement, the government consulted on proposals to cap the total amount of redundancy and other exit payments that can be made to individuals leaving the public sector.
40. The core elements of the proposals are:
- Apply a £95,000 (before tax) cap on the total value of exit payments made to employees in the public sector
  - Apply the cap to all forms of exit payment, including cash lump sums, early access to an unreduced pension, payments in lieu of notice and non-financial and other benefits
  - Apply the cap to all types of arrangements for determining exit payments
  - Establish a waiver process for exceptional circumstances
  - Apply the policy to all public sector bodies, with a small number of bodies granted an exemption from the policy.
41. The Government will take forward these proposals by taking powers in primary legislation as part of the Enterprise Bill. The detail of the measure will be implemented through secondary legislation; this is anticipated to be approved by Parliament in summer/autumn 2016.

### **Exit Payments Recovery**

42. The Government have issued draft regulations concerning the recovery of Exit Payments made to those employees with the public sector and returning to the same within a period of 12 months. The 'minimum salary' to which the recovery provisions will apply will be £80,000 per annum from day one after the employees' termination.
43. Payments to provide unreduced pensions for early retirement under the LGPS will be considered as an exit payment and be subject to recovery.

44. It is the Government's intention for the regulations to take effect from April 2016.
45. As the Pay Policy Statement will be produced and publicised in advance of the implementation of these regulations, it is recommended that account is taken of this by introducing the following statement:

*The council will comply with obligations under the Exit Payment Recovery Regulations'*

**Review of the calculation of the tax free element of severance payments**

46. Alongside a cap on exit payments the Government proposes reforms to the actual calculation of compensation terms.
47. This is an area that has been under review for some time. It was expected that the amount of severance payment that could be granted tax-free could improve from its £30,000 level, as it has been set at that rate for many years. However, the consultation puts forward the idea that the tax-free element could in fact be reduced. It also indicates an intention to remove the current distinction between contractual and non contractual payments in terms of tax treatment so that in principle all payments would be eligible for income tax and national insurance contributions (subject to the new rules on exemption amounts).
48. The Government has confirmed that more information on any changes to the taxation of termination payments will be published later this year.

## **Consultation**

49. UNISON representatives have indicated that they are supportive of the proposals for the ALWA and AAWA.
50. This report together with the proposed pay policy statement was considered at the Joint Consultative Committee on 3 March 2016.

## **Comments of the Leader and the Portfolio Holder**

51. Comment of Gerry Clarkson, Leader of the Council: "I concur with the proposals being advanced."
52. Comment of Cllr Jane Martin, portfolio holder for Information and Communication: "I support the Council's commitment to leading the way in implementing the NLW recommendations and to ensuring that the lowest paid staff and apprentices in our workforce benefit from National living wage rates."

## **Risk Assessment**

53. It is a requirement under the Localism Act that we publish a pay policy statement. We could rely on producing the statutory minimum information. However, this may result in misinterpretation of the pay policy statement which could be damaging to the council's reputation and prompt requests for information under the Freedom of Information Act.

## **Community Impact Assessment**

54. The application of the Pay Policy will not result in any detrimental impact on any particular group of staff.
55. The ALWA benefits the lowest paid groups of staff within the council who have historically been, and still are, predominantly part-time female staff in manual cleaning jobs.
56. The Council's Pay Policy ensures that our staff are remunerated appropriately, equitably and legally.

## **Handling**

57. Following Council approval, the Pay Policy Statement 2016/17 will be published on the transparency section of Ashford Borough Council's website.
58. Written notification will be provided to those staff who are entitled to receive the ALWA and the AAWA to inform them of the respective rates that will be payable to them for 2016/17.
59. When the implications of the forthcoming government legislation become clearer it will be necessary to review and update the Pay Policy Statement.
60. Any subsequent changes to the Pay Policy Statement agreed at by Council in March 2016 will require resolution of the full Council and must be published as soon as is reasonably practicable to do so.

## **Conclusions**

61. The pay policy statement reflects our current approach to pay and satisfies the requirements of the Localism Act.
62. The Ashford Living Wage Allowance endorses the council's commitment to its lowest paid staff by applying an hourly rate which aims "to be better" than the statutory National Living Wage irrespective of individual's age.

63. The Ashford Apprentice Wage Allowance provides a very positive statement that the council is committed to making apprenticeships accessible to all and encourages its local people to gain worthwhile careers by paying a rate which is comparable with entering any other form of employment; which in turn will benefit the local economy.
64. The government has recognised that for pay to be able to sustain families the National Minimum Wage is no longer appropriate. The introduction of the statutory Living Wage now provides a statutory 'benchmark' which to set the ALWA against.
65. There is a raft of forthcoming government legislation that will have a significant impact on public sector employees' entitlements to severance (redundancy) payments. We will continue to abreast on these developments and as things become clearer Members, Management Team and UNISON will be provided with options and recommendations to ensure that the council's Pay Policy Statement and the council's policy for Local Government (Early Termination of Employment ) (Discretionary Compensation Regulations ) are compliant with pay legislation.

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# Ashford Borough Council

## Pay Policy Statement

### Financial Year 2016/17

#### Introduction

ABC is a large and diverse organisation providing a range of statutory and other services to a local community with a population of 123,000. It is responsible for managing a combined annual capital and revenue spend of £113 million.

To ensure the council is effectively led and efficiently managed, it must be able to attract and retain a range of high calibre staff in a competitive job market. The value and composition of the remuneration package offered to senior staff is a key factor in enabling the council to attract, recruit, motivate and retain staff with the skills sets required to deliver the Council's objectives and aspirations, which in turn have a significant impact on the lives of local residents.

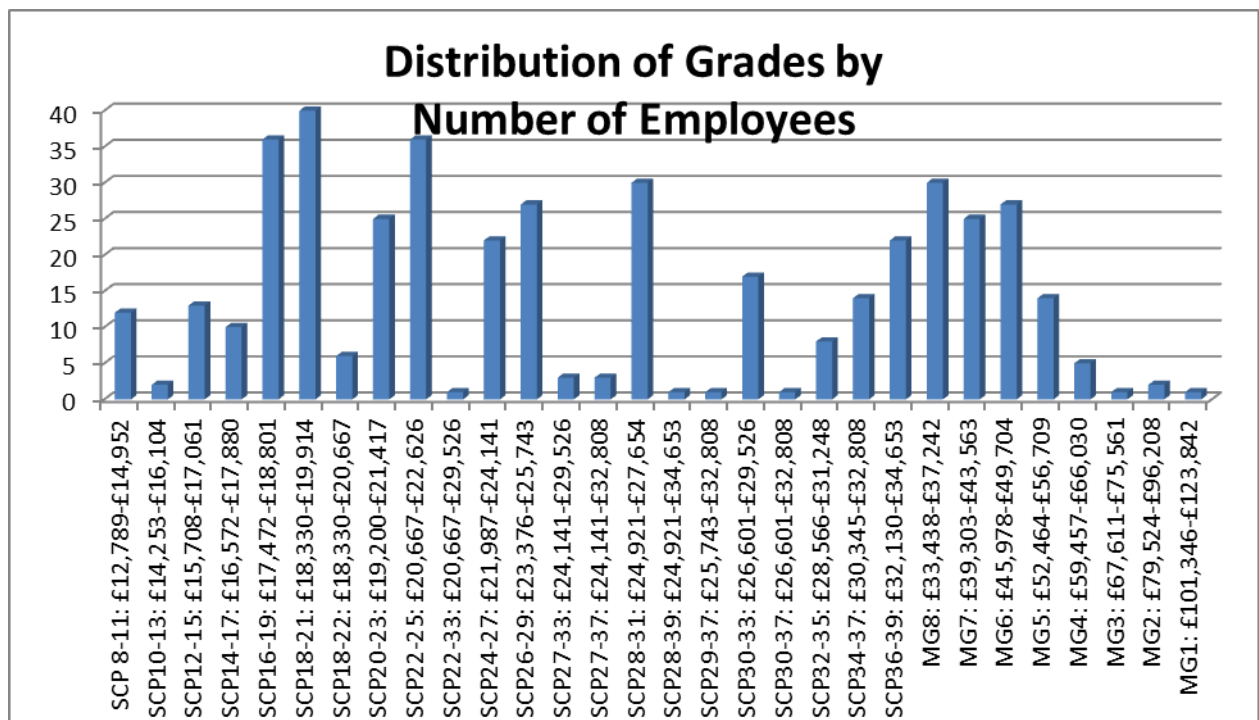
Notwithstanding the statutory requirement to produce and publish this policy, the Council recognises the importance and benefits of applying a transparent policy to ensure that its staff are remunerated appropriately, equitably and legally.

#### Pay Policy

- 1 This policy statement is made in accordance with Section 38 (1) of the Localism Act 2011. The Act requires the authority to set out its policies for the financial year relating to:
  - (a) the remuneration of its chief officers,
  - (b) the remuneration of its lowest-paid employees and
  - (c) the relationship between:
    - i. the remuneration of its chief officers, and
    - ii. the remuneration of its employees who are not chief officers.
  
- 2 **Definitions:**
  - (a) The Definition of '**Chief Officer**' in the Localism Act reflects that in the Local Government and Housing Act 1989 and so is wide enough to include not only the Head of Paid Service, Monitoring Officer and other statutory and non-statutory Chief Officers but also those senior officers who report directly to them. It is not considered necessary to extend the scope of this definition due to any particular local circumstance or reward structure.
  
  - (b) A '**Lowest paid employee**' is an employee who is paid on the lowest pay grade used by the council. The definition does not include postholders engaged in apprenticeships, work placements and posts created through 'job creation schemes' e.g. the Future Jobs Fund as often the pay levels are recommended as part of the scheme and are not determined by the council's usual process.
  
- 3 The policy statement will be reviewed and approved annually by Members and published on the transparency section of the Ashford Borough Council website together with the pay data published in line with the code of recommended practice on data transparency. Data on pay for individuals employed under a 'contract for services' (opposed to contract of employment) can be found under the data on spend.

- 4 The council's pay framework has been in place for many years and the grade for each role is determined by a job evaluation scheme developed by Inbucon Pay Consultants.
- 5 The basic grade of all officers is determined by job evaluation process. Pay and all other elements of the remuneration package for the Chief Executive (Head of Paid Service) , Director or Head of Service posts are approved by Members as part of the recruitment process and other formal approval process such as restructuring reports. The remuneration packages for all other roles are approved by senior managers.
- 6 The incremental progression for all roles, including Chief Officer roles, are automatic unless there are formal concerns over capability.
- 7 Cost of living pay awards are considered on an annual basis and take account of market forces, economic climate measures of inflation and budgetary position. The council is not subject to national pay bargaining. Pay awards are negotiated locally with UNISON and subject to approval by Members. Typically any percentage increase (which can be 0%) is applied equally to all grades.
- 8 The council is committed to ensuring that the pay of its employees can sustain families and individuals and underpin a thriving economy. To support this commitment it is the Council's aim to provide its lowest paid employees (excluding apprentices and those employed through job creation schemes (see para 2c) to receive a wage rate which is better than the Statutory National Living Wage rate irrespective of the age of the employee. As a consequence, the lowest paid employees receive the Ashford Living Wage Allowance (ALWA) as a supplement to the employee's hourly pay rate to provide a minimum rate of £8 per hour. The Council reviews the application of the ALWA on an annual basis.
- 9 Apprentices are engaged to gain practical training in a job combined with study. The council is committed to making apprenticeships accessible to all and aims to pay a rate by paying a rate applicable to the apprentice's age that aims to be better than the respective Statutory National Living Wage and National Minimum Wage rates; the Ashford Apprentice Wage Allowance ( AAWA) is currently set at 15p per hour higher than these rates. The AAWA is reviewed annually and applied to those employed by the Council on an apprenticeship.
- 10 Grades MG1 and MG2 have two additional discretionary incremental points can be applied for recognition of performance, or as part of a retention package. These points are not automatically applied to all MG1 or MG2 roles, but if they are, they require confirmation from the officer's manager that there has been exceptional performance and the increment should be awarded.
- 11 For 2016/17 the Corporate Director (Governance and Law) will act as District Returning Officer for elections in addition to his role. He receives election fees in addition to his salary are payable. These fees are set by the Cabinet Office for national elections and referendums; or for borough and county elections through a countywide arrangement. The fees vary according to the election taking place. Any election fees paid during the year are included in the salary figure published in the council's annual statement of accounts.

- 12 We are required to publish pay related information. This includes the Code of Recommended Practice for Local Authorities on Data Transparency requirements to publish a Pay Multiple and information on senior salaries. The Pay Multiple is the ratio between the highest paid salary and the median average salary of the whole authority's salaries.
- 13 The current ratio between the highest paid employee and the mean average earnings across the organisation is **4.3:1** based on ABC determined pay and benefits (excluding Returning Officer fees as these are determined by the Cabinet Office, or though a countywide arrangement). The fees are only paid in the event of an election. The council intends to maintain a pay multiple of 5 or less (i.e. the highest paid employee is paid no more than 5 times the average salary which is £29,055).
- 14 Ashford pay grades are determined through job evaluation and reflect the breadth of impact the role has for example: the level and complexity of advice given by the postholder as well as the decisions made; the qualifications required to carry out the role, the level of autonomy the postholder has as well as the level of internal and external contacts routinely made by the post-holder.
- 15 The ratio of **4.3:1** is explained by the types of roles we have in the organisation. For example we have very few 'manual' or 'unskilled' workers as most services of this nature are outsourced to contractors, we have streamlined many administrative processes which have reduced the requirement for low level routine clerical type work and the majority of our workforce have roles that are transactional or are professional and technical roles. The chart below shows the current dispersal of grades amongst the council's employees:



- 16 Salary information for senior staff is published annually on the transparency section of the council's website and total remuneration packages for Chief Officers are published in the council's annual statement of accounts also available on the council's website.

- 17 The Chief Executive and Deputy Chief Executive receive an annual mileage allowance to compensate for up to 3,000 work related miles travelled within Kent and are not allowed to submit mileage claims for the first 3,000 miles travelled in Kent.
- 18 For 2016/17 the Head of Finance receives a special responsibility allowance equivalent to Grade MG3 for undertaking the responsibilities of the Section 151 Officer.
- 19 Posts may attract a subsidised lease car or cash alternative. Entitlement is usually determined as part of the recruitment process and the entitlement is intended to assist the officer in carrying out their duties or, in some cases, as a recruitment tool.
- 20 All officers are entitled to be reimbursed for legitimate expenses incurred in the course of their duties. Limits are laid out in the conditions of service and all expense claims must be accompanied by receipts.
- 21 The council does not have a performance related pay scheme or a bonus scheme. Managers do have the ability to make honorarium payments to any level officer in the following circumstances:
- Covering the full/partial duties of a more senior post (other than for annual leave)
  - Taking on additional duties/responsibilities for a limited period
  - Taking on additional responsibilities e.g. project work which would not normally fall within the employee's job description
  - Taking on additional workload, which is not at an additional level of responsibility but which warrants financial recognition
  - One-off merit payments in recognition of exceptional performance.

Where the request for the payment falls outside of the above criteria the Head of Personnel and Development will take the request to Corporate Management Team for discussion.

- 22 The council does have a market supplement scheme to address market pressures that cause recruitment and retention difficulties. Market supplements are applied in exceptional circumstances and any proposed payments for a Management Team post must be approved by Members. For all other roles Management Team is able to give approval.
- 23 If a Chief Officer, or any other officer, chooses to end their employment with the authority there are no termination benefits payable.
- 24 If the council terminates an officer's employment then the council's policy on the Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations 2006 may apply.
- 25 The Council will comply with obligations under the Exit Payment Recovery Regulations.
- 26 Officers may also be entitled to release of their local government pension if they satisfy the Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations 2007.

- 27 Employees who are Local Government Pension Scheme members aged 55 or over are entitled to request flexible retirement in accordance with the council's Flexible Retirement policy. This allows an officer to access their local government pension and continue working in a role at either reduced hours or in a lower paid role to help their transition into retirement. Member approval is required where there is a cost associated with the release of the pension. There must be a benefit to the council in agreeing to a flexible retirement request, the benefits may include: assisting with succession planning, delivering savings etc.
- 28 In exceptional circumstances we may find ourselves in the situation whereby an officer who has been previously employed by the council (or another authority) and who, on ceasing to be employed, was in receipt of a redundancy payment and/or a local government pension is subsequently reemployed by the council. It is not the policy of Kent County Council (the pension scheme administrators) to abate pensions in payment in these circumstances.
- 29 In cases where the council shares staff with other authorities/agencies this often results in different pay scales, terms and conditions between the two parties. The council will ensure that for staff employed by Ashford Borough Council that there is internal comparability. This may result in discrepancies across teams with employees working for other employers.
- 30 The council does not intervene in the pay policy of external contractors; remuneration packages are a matter for the external contractor to determine not the council.
- 31 The Council is committed to tackling all forms of tax avoidance and therefore encourages the direct employment of staff and pays them via the payroll system. When a need arises for a temporary appointment, recruitment is normally secured by using the council's employment agency contract arrangement. In a few circumstances where it is necessary to engage self employed people who can provide exceptional skills/experience, the council will offer a contract for services. Such engagements would be in accordance with HMRC guidelines to ensure that the correct employment status has been applied for PAYE purposes.
- 32 This policy is required to be reviewed at least once a year proceeding the next financial year. Proposals to adjust the policy in a financial year must be approved by Members.

**Agenda Item No:** 7  
**Report To:** Cabinet  
**Date:** 14 April 2016  
**Report Title:** Safeguarding Policy  
**Report Author:** James Hann, Health, Parking and Community Safety Manager  
Nicholas Clayton, Policy and Performance Officer  
**Portfolio Holder:** Bernard Heyes, Highways, Wellbeing and Safety



**Summary:** Recent changes in national policy, most notably the introduction of the Care Act 2014 have prompted a review of the council's existing safeguarding policy.

The purpose of this policy - and its associated procedures - is to protect and promote the welfare of children, young people and adults at risk using or receiving services provided or commissioned by Ashford Borough Council.

The policy has been brought up to date to align with changes in national policy, best practice from around the county and across the council, local working arrangements with the relevant statutory partners and following a recent internal audit of the council's safeguarding arrangements.

Ashford Borough Council believes that safeguarding is 'everybody's business' and is committed to ensuring children, young people and adults at risk are protected from abuse and are provided with opportunities to thrive. As a part of this ambition, officers have undertaken a programme of work to revise the council's policy and procedures, embrace best practice, and support members, employees and volunteers to deliver our responsibilities around this agenda.

**Key Decision:** NO

**Affected Wards:** All

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

- i. Approve the revised Safeguarding Policy**
- ii. Authorise the Head of Health, Parking and Community Safety to approve minor amendments**

**to the policy in the line with working arrangements.**

**Policy Overview:**

The Children Act 1989 states that the child's welfare is paramount and that every child has a right to protection from abuse, neglect and exploitation. Statutory guidance on making arrangements to safeguard and promote the welfare of children under Sections 10, 11 and 13 of the Children Act 2004 specifies what is required of Ashford Borough Council.

The Care Act 2014 codified the principle of wellbeing and placed safeguarding adults' duties on a statutory basis. Ashford Borough Council policies and procedures are governed by this Act, which provides the legal framework for how local authorities (in this case Kent County Council) and other parts of the system such as relevant partners (which includes Ashford Borough Council as a district council) should protect adults at risk of abuse or neglect.

The Counter-Terrorism Act 2015 dictates that local authorities are vital to the Prevent work which exists to reduce the risk of people being drawn into terrorism, while under the Modern Slavery Act 2015 Ashford Borough Council has a statutory duty to report and provide notification to the National Crime Agency about any potential victims of modern slavery or trafficking.

Taken together, these pieces of legislation provide local authorities and their partners with strong responsibilities to the general safeguarding of both children and adults at risk.

**Financial Implications:**

None

**Community Impact Assessment**

Attached

**Other Material Implications:**

None

**Background Papers:**

N/A

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## **Agenda Item No. 7**

### **Report Title: Safeguarding Policy**

#### **Purpose of the Report**

1. The purpose of this policy - and its associated procedures - is to protect and promote the welfare of children, young people and adults at risk using or receiving services provided or commissioned by Ashford Borough Council.
2. The policy has been brought up to date to align with changes in national policy, best practice from around the county and across the council, local working arrangements with the relevant statutory partners and following a recent internal audit of the council's safeguarding arrangements.

#### **Background**

3. Over the last few years the safeguarding agenda has become increasingly high profile. In response to this, duties placed on councils and other agencies have been extended. Whereas previously the focus was on the safeguarding of children and vulnerable adults, responsibilities now encompass domestic abuse, child sexual exploitation, honour based abuse and forced marriage, including female genital mutilation and Prevent (the government's counter terrorism strategy).
4. The introduction of the Care Act 2014, which came in to effect from April 2015 and national guidance including "Working Together" have prompted a review of the existing safeguarding policy.
5. In response, the council has developed this over-arching safeguarding policy, to provide a clear understanding of its approach and to provide reassurance to the local community that the council is responding appropriately to this increasingly developing landscape.
6. The policy supports the council, its officers, elected members and volunteers in fulfilling their statutory responsibilities under the Care Act 2014, the Children Act 2014 and the Working Together to Safeguard Children 2015 statutory guidance.
7. In considering local working arrangements, any policy developed by the council should be compliant with the revised Kent safeguarding procedures. At a county level, there are distinct arrangements for safeguarding adults, and safeguarding children and young people.
8. The council aims to ensure that, by developing this policy, an overarching approach to safeguarding exists within all services across the council and outlines roles and responsibilities to work together with other professionals and agencies to safeguard children and vulnerable adults within the borough.



## **The Policy**

9. As noted above, the policy (see Appendix B) has been brought up to date to align with changes in national policy, local working arrangements with the relevant statutory partners and following a recent internal audit of the council's safeguarding arrangements.
10. The new policy has clear cross-referencing to other council policies or external websites. The key changes are:
  - a. The inclusion of specific references to the Care Act 2014, in particular the definition of an "adult" for the purposes of safeguarding
  - b. Changes to key staff and responsibilities following a recent review of responsibilities.
  - c. For brevity, areas of policy have either been removed or covered by reference to detailed procedures available online.
11. Crucially, the council's notification procedures now also align fully with those of the Kent's Adult and Children Safeguarding Boards.

## **Monitoring and Reporting**

12. A corporate Safeguarding Working Group will meet quarterly (or as required), and its minutes distributed both to the council's Management Team and relevant Kent-wide Safeguarding Boards.
13. The designated safeguarding lead will provide a written update to the council's Management Team every six months.
14. The Overview and Scrutiny Committee will review the council's overall response to the Safeguarding audit, and any subsequent legislative changes – with a report to be considered by the Committee in March 2017.

## **Community Impact Assessment**

15. Attached (Appendix A)

## **Other Options Considered**

16. There are no alternative options if the council is to deliver a robust response to safeguarding. If Cabinet chooses not to approve this policy, there is potential for the local community and partners to view the council as having disregard for the safeguarding agenda. Employees, members, volunteers and those contracted to deliver services on behalf of the council will also be

unclear as to what is expected of them in this regard and the importance of safeguarding to the council.

## **Consultation**

17. In January 2016 the council's Management Team considered and approved updated Personnel policies, revised in light to the recent legislative and policy changes relating to safeguarding.
18. In March 2016 the Joint Consultative Committee also received and approved these changes, noting that they have no adverse impact on the council's staff.
19. A complementary training strategy for all staff has been developed and agreed, and was rolled-out across the council from March 2016.

## **Conclusion**

20. The policy underpins Ashford Borough Council's commitment to safeguarding, and to the principle that it is 'everyone's business'. As such, this revised policy applies to all employees, councillors and those contracted to deliver services on behalf of the council and will be supported by associated procedures and complementary training.
21. The Safeguarding Policy will ensure that the council is exercising fully its responsibilities in this important area, ensuring that the welfare of children, young people and adults, in order to protect them from abuse, neglect and/or exploitation.
22. The council works in partnership with Kent County Council and the Kent Safeguarding Boards and the policy will be reviewed annually or sooner if there is a change in legislation or government guidance.

## **Portfolio Holder's Views**

23. The Portfolio Holder will provide his comments at the Cabinet meeting.

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**Email:** [Nicholas.clayton@ashford.gov.uk](mailto:Nicholas.clayton@ashford.gov.uk)

**Appendix A:** Community Impact Assessment  
**Appendix B:** Ashford Borough Council Safeguarding Policy

## Appendix A – Community Impact Assessment



### When is an assessment needed?

Councils must assess the impact of ***proposed policies or practices*** while they are being developed, with analysis available for members before a decision is made (i.e. at Cabinet).

Broadly, *policies and practices* can be understood to embrace a full range of different activities, such as Cabinet decisions which substantially change the way in which we do something, setting budgets, developing high-level strategies, and organisational practices such as internal restructuring. Assessments should especially be undertaken if the activity relates closely to an equalities group (see next page).

1. General Information	
1.1 Name of project, policy, procedure, practice or issue being assessed	Safeguarding Policy
1.2 Service / Department	Health, Parking and Community Safety
1.3 Head of Service	Sheila Davison, Head of Health, Parking and Community Safety
1.4 Assessment Lead Officer	Nick Clayton, Policy and Performance Officer

1.5 Date of Assessment	21/03/2016
1.6 Is this assessment of an existing or a proposed project, policy, procedure, practice or issue?	Proposed Policy

<b>2. What is Being Assessed?</b>	
2.1 What are the aims of this project, policy, procedure, practice or issue?	<p>The purpose of this policy - and its associated procedures - is to protect and promote the welfare of children, young people and adults at risk using or receiving services provided or commissioned by Ashford Borough Council.</p> <p>Ashford Borough Council believes that safeguarding is 'everybody's business' and is committed to ensuring children, young people and adults at risk are protected from abuse and are provided with opportunities to thrive.</p>
2.2 Who is intended to benefit from this project, policy, procedure, practice or issue?	All residents and those receiving services provided or commissioned by Ashford Borough Council, but specifically children, young people and adults at risk.
2.3 Who else is involved in the provision of this project, policy, procedure, practice or issue? i.e. other sections, public or private bodies	
- within Ashford BC	<p>Safeguarding Lead Officers will hold responsibility for safeguarding within different areas of the council's operations –</p> <ul style="list-style-type: none"> <li>• Domestic Abuse</li> <li>• Child Sexual Exploitation</li> <li>• Prevent</li> </ul>

	<ul style="list-style-type: none"> <li>• Adults at risk</li> <li>• Children</li> <li>• Commissioning &amp; procurement</li> </ul>			
- from other agencies	Relevant pan-Kent safeguarding boards.			
<b>4. What judgements can we make?</b>				
4.1 Does the evidence already available indicate that the project, policy, procedure, practice or issue may affect these groups differently? (please check the relevant box and provide evidence where possible)	Positive Impact?	Negative Impact?	No Differential Impact	If negative, can it be justified (and how)?
<b>Impact Factors:</b>				
<b>Age</b> (please detail any specific groups considered)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Disability</b> (please detail any specific groups considered)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Gender</b> (please detail any specific groups considered)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

considered)				
<b>Gender Reassignment</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Marriage / Civil Partnership</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Pregnancy &amp; Maternity</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Race</b>  (please detail any specific groups considered)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Religion / Belief</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Sexual Orientation</b>  (please detail any specific groups considered)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Other (please specify)</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>5. Conclusions</b>				
5.1 Does the decision maximise opportunities to promote equality and good inter-group relations? If “yes” please state how?			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
5.2 Based on the answers to the above can we confidently say that in its present form the decision treats different groups <u>fairly</u>			<input checked="" type="checkbox"/> Yes	

(bearing in mind “fairly” may mean differently) and that no further amendment is required?	<input type="checkbox"/> No
<b>If further action is identified to ensure fair impacts please complete the Action Plan available on the intranet and attach it to this form</b>	

<b>6. Monitoring and Review</b>	
How will monitoring of this policy, procedure or practice be reported (where appropriate)?	A corporate Safeguarding Working Group will meet quarterly (or as required), and its minutes distributed both to the council’s Management Team and relevant Kent-wide Safeguarding boards. The Overview and Scrutiny Committee will review the council’s overall response to the Safeguarding audit, and any subsequent legislative changes – with a report to be considered by the Committee in March 2017.
When is it proposed to next review the project, policy, procedure, practice or issue?	Senior manager leads will undertake a review of this Safeguarding Policy every six months, or as required. This monitoring will report to the council’s Management Team.
Any additional comments?	N/A

# Appendix B

## Ashford Borough Council

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### SAFEGUARDING POLICY



## Contents

<i>Summary and Purpose</i>	<b>3</b>
<i>Background &amp; Legal Duties</i>	<b>4</b>
<i>The Scope of Safeguarding</i>	<b>8</b>
<i>Our Policy Position</i>	<b>10</b>
<i>“1,2,3” – Our general approach to Safeguarding</i>	<b>12</b>
<i>Further specific procedures</i>	<b>14</b>
<i>Accountability and Governance</i>	<b>16</b>
<i>Annex 1 – General Safeguarding Procedures</i>	<b>18</b>

## Summary and Purpose

Safeguarding is the process of protecting children, young people and adults at risk from abuse or neglect, preventing impairment of their health and development, and ensuring they are growing up and developing in circumstances consistent with the provision of safe and effective care - enabling them to have optimum life chances.

As such, the purpose of this policy - and its associated procedures - is to protect and promote the welfare of children, young people and adults at risk using or receiving services provided or commissioned by Ashford Borough Council. This policy supports the Council, its officers, elected members and volunteers in fulfilling their statutory responsibilities. Ashford Borough Council (from hereon referred to as 'the Council') is not a Children's Services Authority and it is not the role of the Council to investigate allegations of abuse. However, all Elected Members (from hereon referred to as 'Members'), employees, volunteers and contracted services providers have a clear responsibility to take action when they suspect or recognise that a child, young person or adult at risk may be a victim of significant harm or abuse.

***Ashford Borough Council believes that Safeguarding is 'everybody's business' and is committed to ensuring children, young people and adults at risk are protected from abuse and are provided with opportunities to thrive. As a part of this ambition, we have undertaken a programme of work to revise our policy and procedures, embrace best practice, and support Members, employees and volunteers to deliver our responsibilities around this agenda. We will monitor our progress, make improvements and work closely with partners to ensure that Safeguarding is a cornerstone of our services.***

In practical terms, this policy demonstrates how Ashford Borough Council will meet its legal obligations and reassure members of the public, service users, Members, employees, volunteers and those working on behalf of the Council:

- a) What they can expect the Council to do to protect and safeguard children, young people and adults at risk – but also equally what elements are *not* the Council's responsibility
- b) That they are able to safely voice any concerns through an established procedure
- c) That all reports of abuse or potential abuse are dealt with in a serious and effective manner

- d) That there is an efficient recording and monitoring system in place
- e) That Members, employees, volunteers and contractors receive appropriate *training*
- f) That robust 'safer' *recruitment* procedures are in place

## Background & Legal Duties

Safeguarding has long been a consideration for the protection and support of **children**. The Children Act 1989 states that the child's welfare is paramount and that every child has a right to protection from abuse, neglect and exploitation. Statutory guidance on making arrangements to safeguard and promote the welfare of children under Sections 10, 11 and 13 of the Children Act 2004 specifies what is required of the Council, including:

- Senior management commitment to the importance of safeguarding and promoting the welfare of children and young people
- A clear statement of the council's responsibilities towards children and young people be available for staff, members, volunteers, contracted services and the public
- A clear line of accountability within the organisation for reporting safeguarding concerns
- Service development that takes account of the need to safeguard and promote welfare – and is informed by the views of children, young people, and their families
- Safe recruitment procedures
- Training on safeguarding and promoting the welfare of children and young people available for all members, staff and volunteers commensurate with the level of their contact with children and young people
- Clear protocols on safe working practice known to members, staff and volunteers
- All contracted services and grant funded organisations have appropriate safeguarding policies and procedures in place, commensurate with their level of contact with children and young people
- Safeguarding policies and procedures of contracted services and grant funded organisations are regularly monitored
- Effective inter-agency working to safeguard and promote the welfare of children and young people

- Effective information sharing
- The voice of children and young people is heard in service planning, decision-making and service delivery

Under the Children Act 2004 and Working Together to Safeguard Children 2015 (statutory guidance on inter-agency working to safeguard and promote the welfare of children), the Council has a duty to co-operate with Kent County Council (KCC) in discharging its duties as a Children's Services Authority and to promote the well-being of children and young people.

More recently, the Care Act 2014 added responsibility for **adult** safeguarding into legislation – codifying the principle of wellbeing and placing safeguarding adults duties on a statutory basis. The Council's policies and procedures are governed by this Care Act, which provides the legal framework for how local authorities (in this case Kent County Council) and other parts of the system such as relevant partners (which includes the Council as a district authority) should protect adults at risk of abuse or neglect.

The Council has a duty to co-operate with KCC in the exercise of:

- their respective functions relating to adults with needs for care and support
- their respective functions relating to carers, and
- functions of theirs, the exercise of which is relevant to functions referred to in the two points above

Moreover, the Care Act sets down a general duty on all local authorities to promote well-being in relation to how adults are treated - and the following must form part of that:

- personal dignity and respect
- physical and mental health and emotional well-being
- protection from abuse and neglect
- control by an adult over their day-to-day life (including care and support and how it is provided)
- participation in work, education, training or recreation
- social and economic well-being

- domestic, family and personal relationships
- suitability of living accommodation
- the individual's contribution to society

In exercising this function the local authority must have regard to:

- the importance of beginning with the assumption that the adult is best-placed to judge their own well-being
- the adult's views, wishes, feelings and beliefs
- the importance of preventing or delaying the development of needs for care and or support and the importance of reducing needs that may already exist
- the need to ensure that decisions about an adult are made having regard to all of their circumstances and are not based only on age, appearance, condition or behaviour which might lead others to make unjustified assumptions about the adult's well-being
- the importance of the adult participating as fully as possible in decisions and being provided with the information and support to enable this to happen
- achieving a balance between the adult's well-being and that of their representative, involved in care
- the need to protect people from abuse and neglect
- the need to ensure that any restriction on the adult's rights or freedom is kept to the minimum

The Care Act places a requirement (Section 42) on a local authority, to make or cause safeguarding enquiries, *if there is concern that an adult with care and support needs (met or unmet) is experiencing, or is at risk of abuse and or neglect.* This applies regardless of mental incapacity or capacity and setting. The safeguarding duties need to establish the desired outcomes for the adult (or their representative) and their wishes regarding actions that may need to be taken to stop or prevent the abuse or neglect and if so by whom.

The Counter-Terrorism Act 2015 dictates that local authorities are vital to the Prevent work which exists to reduce the risk of people being drawn into terrorism. Local authorities must use the existing counter-terrorism local profiles (CTLPs) provided by Kent Police, to assess the risk of individuals being drawn into terrorism. The Council

incorporates this duty into existing policies and procedures to fulfil safeguarding responsibilities - ensuring there are clear and robust policies to identify and safeguard children, young people and adults at risk. Furthermore, the Council has developed a Prevent action plan should there be a risk identifying interventions to be actioned. The Council must also ensure that appropriate frontline staff, including those of its contractors, have a good understanding of Prevent and are trained to recognise vulnerability to being drawn into terrorism and are aware of available programmes to deal with the issue.

Under the Modern Slavery Act 2015 the Council has a statutory duty to report and provide notification to the National Crime Agency about any potential victims of modern slavery or trafficking that staff encounter. Adult victims are able to remain anonymous should they wish to do so. The Council is under a duty to co-operate with the Commissioner.

Taken together, these pieces of legislation provide local authorities and their partners with strong responsibilities to the general safeguarding of both children and adults at risk.

## The Scope of Safeguarding

*All organisations need to listen and be responsive to the diverse needs of children, young people and their families, and adults at risk – and to recognise that safeguarding people from harm must be everyone’s business.*

### Definitions

A number of services are easily identifiable as having direct responsibility for working with children, young people and adults at risk. However, the Council recognises that there are many other occasions where any staff may come into contact with children and adults at risk. As such, this policy is for **all staff** that may come into contact with children, young people or adults at risk in the course of their work, whether in someone’s home, on Council premises, or in the community – this is why safeguarding is everyone’s business. Those posts with enhanced safeguarding aspects will be identified, and their extent of their contact with children, young people and adults at risk regularly reviewed.

The phrase **safeguarding and promoting welfare** is defined as:

- Protecting children, young people and adults at risk from maltreatment
- Preventing impairment of a child, young person or adults at risks’ health or development
- Ensuring that children and young people are growing up in circumstances consistent with the provision of safe and effective care
- Undertaking that role so as to have optimum life chances and to enter and participate in adulthood successfully

This policy defines the following:

- **Children and young people:** Under 18 years of age or stated (‘vulnerable’) young people under the age of 25.
- **Adults at risk:** Any person aged 18 years and over who is or may be in need of community care services by reason of mental health issues, learning or physical disability, sensory impairment, age or illness and who is or may be unable to take care of him/herself or unable to protect him/herself against significant harm or serious exploitation.

- **Staff:** Includes all who work with children, young people and adults at risk on behalf of Ashford Borough Council, whether as a permanent or temporary employee, casual worker, volunteer, contractor, or in any other capacity.

**Confidentiality** - Staff should understand that there are limits to confidentiality. These limits relate to ensuring the safety and well being of children, young people and adults at risk. It is essential that any suspicions be reported and followed up, as all officers have a duty towards safeguarding and promoting the welfare of children, young people and adults at risk.

**Inter-agency and partnership working** - Multi agency working is actively promoted through Designated Safeguarding Officer attendance at relevant meetings and sub groups. The details of these arrangements can be found in the *Accountability and Governance* section of this policy. Other multi agency forums such as the Community Safety Unit briefings encourage openness and learning from interventions and are used to inform and improve current and future practice and policies.



## Our Policy Position

*Ashford Borough Council is committed to safeguarding and promoting the welfare of children, young people and adults at risk. We take our protection responsibilities seriously.*

The Council will:

- a) Endeavour to keep residents and service users safe from abuse. Suspicion of abuse will be responded to promptly and appropriately. We will always act in the best interests of the child, young person or adult at risk
- b) Proactively seek to promote the welfare and protection of all children, young people and adults at risk living in Ashford at all times
- c) With regard to recruitment, ensure that unsuitable people are prevented from working with children, young people and adults at risk through robust 'safer recruitment' procedures
- d) Deal with any concern raised by a Member, employee, volunteer, contracted service provider, or member of the public appropriately and sensitively
- e) Safeguarding referrals made by a Member, employee, volunteer or contracted service provider cannot be anonymous and should be made in the knowledge that, during the course of enquiries, the referrers may be required as prosecution witnesses
- f) Not tolerate harassment of any Member, employee, volunteer, contracted service provider or child, young person or adult at risk who raises concerns of abuse or neglect
- g) Work in co-operation with KCC as required under the relevant legislation and will make appropriate changes and amendments to improve the Council's safeguarding policies and procedure in light of changes to the legislative framework or as recommended by the relevant multi-agency Safeguarding Board
- h) Prevent abuse by using good practice to create a safe and healthy environment and avoid situations where abuse or allegations of abuse could occur
- i) Establish an appropriate governance structure, which proactively engages with responsible officers from appropriate departments across the Council to monitor activity and make necessary improvements around this agenda, led by the Designated Safeguarding Officer. Where appropriate, this work will be reported on regularly to the appropriate safeguarding boards, Management Team and Members

The key responsibility for safeguarding lies with the County Council, and it is important to note the following:

- It is **not** the responsibility of any borough council member, employee, volunteer or contracted service provider to determine whether abuse is or has taken place
- The role of the member, employee, volunteer or contracted service provider is to *inform*, not to *investigate* or *judge*
- The district council is not responsible for investigating any safeguarding incidents or allegations, involving a child, young person or adult at risk
- If presented by a safeguarding concern, all that *most* staff who do not engage with safeguarding on an enhanced basis will need to do is record the details on LOCATA as soon as possible, and liaise with the Designated Safeguarding Lead, a Safeguarding Lead Officer or their line manager in order to inform the relevant authority regarding the safeguarding incident. Discrete procedures for those involved with safeguarding more intensively can be found in the *Safeguarding Procedures Pack*
- Where district councils are engaged with partner agencies around cross-cutting issues such as domestic violence, tackling racism and hate crimes or troubled families, issues regarding safeguarding may also emerge and need to be considered by these agencies or partners

Ashford Borough Council delivers a range of services and activities that directly and indirectly engage with children, young people and adults at risk. It is our aim to promote and support such services in order to help residents achieve better outcomes. We want our staff and our services to have a protective ethos. All children, young people and adults at risk, whatever their age, culture, disability, gender, language, racial origin, religious belief and/or sexual identity have the right to protection against abuse. We will also promote the safeguarding of children, young people and adults at risk across all the services that affect them, and we will continue to consult them on policy and service delivery in order to effectively shape our services.

## “1,2,3” – Our general approach to Safeguarding

Safeguarding is everyone's business. While Members, employees, volunteers and contracted services providers have varied levels of contact with children, young people and adults at risk as part of their duties and responsibilities for the Council, everyone should be aware of the potential indicators of abuse and neglect and be clear about what to do if they have concerns. This general policy therefore applies to **all staff**. All staff are responsible for ensuring that the activities in which they are involved during the course of their work are carried out in accordance with this general policy and related procedures. Safeguarding is included within the Conditions of Service of all staff.

Email bulletins and staff briefings will seek to remind staff of Safeguarding responsibilities on a regular basis. Appendix 1 to this general policy sets out key guidance on spotting the signs of abuse and neglect and what to do if staff encounter safeguarding situations.

Whilst all staff are covered by at least category '1', on a day-to-day basis, the further categories '2' and '3' reflect the different levels of engagement with safeguarding across the organisation. All officers will have access to guidance, e-learning and other general resources which support this general Safeguarding policy. Officers under categories '2' and '3' will receive enhanced training and guidance regarding Safeguarding – as set out within the specific procedures related to these areas (our approach to staff training etc.). These three categories also help the Council highlight specific safeguarding actions to be included in Job Descriptions. This information will be used to identify training requirements and posts that require enhanced Disclosure and Barring Service (DBS) checks.

### **Category 1 – Staff, Members, volunteers or contractors with -**

**Ad hoc contact** in public places (e.g. Customer Services, back-office support services). Would never be left alone with a child, young person or adult at risk.

### **Category 2 – Staff, Members, volunteers or contractors with -**

The likelihood of coming into contact with 0-18 year olds, young people or adults at risk through the nature of the role and could be exposed to lone contact, but **no responsibility for supervision** (e.g. housing officers, home visiting, site workers).

### **Category 3 – Staff, Members, volunteers or contractors with -**

Responsibility for the **supervision** of 0-18 year olds, young people or adults at risk as part of their role (e.g. youth workers, lifeguards, events staff).

### **What to do if you have any Safeguarding concerns**

**Safeguarding is ‘everybody’s business’**. Ashford Borough Council’s general safeguarding procedures can be found in **Annex 1**.

## Further specific procedures

This general safeguarding policy (and general safeguarding procedure set out in Appendix 1 (which covers all staff – especially those in Category 1, alongside Members) is underpinned and supported by a range of discrete safeguarding procedures in areas which have an enhanced relationship with the safeguarding agenda. These typically cover Category 2 and 3 officers, certain volunteers and contractors, and are available in full as the *Safeguarding Procedures Pack* – but are listed below. This general policy should be read in conjunction with these documents as appropriate.

## Referral procedures

Ashford Borough Council will follow the Kent-wide referral procedures as set out in Kent County Council's "*Multi-agency Safeguarding Adults Policy, Protocols and Guidance for Kent and Medway*" and "*Kent and Medway Safeguarding Children Procedures*".

## Recruitment

The council's *Recruitment and Selection Policy and Procedure* together with the *Employment of Ex-Offenders Policy* takes into account our safeguarding responsibilities for 'safe recruitment', and includes additional checks to ensure that current legislation and best practice is being followed in the recruitment of staff in key posts affected by safeguarding legislation, namely those working in regulated activities relating to children and adults at risk (or both). The *Employment of Ex-Offenders Policy* reflects the process that is followed with regard to DBS checks.

## Training

All staff who have enhanced contact with children, young people and adults at risk will undertake regular, compulsory training on safeguarding and promoting welfare in line with the level of contact and responsibility they have.

The details of this training programme are contained within a Safeguarding Training Schedule.

## Dealing with complaints and allegations of abuse

It is essential that the Council has clear procedures for dealing with allegations against members of staff, to ensure they are treated fairly and appropriately and to ensure the Council is complying with its statutory duties.

The Council's Disciplinary Policy takes this into consideration. Staff are given confidence through a positive open culture to 'speak-up' and report any safeguarding (or other) concerns and the *Speak Up* Whistleblowing Policy takes this into consideration.

The corporate Complaints, Comments & Compliments Procedure sets out how we deal with customers who wish to complain; Safeguarding complaints will be directed to the Designated Safeguarding Officer in the first instance.

## Procurement, third party service providers and tenants

*Where the Council works with, commissions or grant-funds other organisations which come into contact with those groups covered by this policy, they will be required to have safeguarding arrangements in place or subscribe to the policies and procedures set out in this policy.*

There is an obligation on the council to ensure that any third party service providers whose services are commissioned, procured or grant funded by the council or who occupy property owned by it discharge their duties under the relevant legislation. As noted above, this general policy statement on safeguarding covers all employees of the authority – including contracted service providers. To support this, information about safeguarding and promoting the welfare of children, young people and adults at risk will be distributed to all relevant service providers and Purchase Order Terms and Conditions include a clause around Safeguarding.

All contracts and Service Level Agreements will also take account of the need of those Service Providers in contact with children, young people and adults at risk to be responsible for discharging their duties for safeguarding children, young people and adults at risk.

Grant application forms will also include a requirement for the organisation to supply evidence of their safeguarding policy if responsible for children, young people or adults at risk.

## Accountability and Governance

Ultimately, accountability for safeguarding under the work of Ashford Borough Council falls to the **Chief Executive**. The **Chief Executive** and **Senior Management Team** are responsible for ensuring that this policy and related procedures are implemented, monitored and consistently reviewed. Also, the Chief Executive is responsible for nominating an officer to represent the Council on the Local Child and Adult Safeguarding Boards and relevant subgroups.

The **Designated Safeguarding Officer** is responsible for dealing with reports or concerns about the protection of children, young people and adults at risk appropriately and in accordance with the procedures that underpin this policy.

**Safeguarding Lead Officers** will hold responsibility for safeguarding within different areas of the council's operations –

- Domestic Abuse
- Child Sexual Exploitation
- PREVENT
- Adults at risk
- Children
- Commissioning

**All Members, employees and volunteers** are responsible for carrying out their duties in a way that actively safeguards and promotes the welfare of children, young people and adults at risk. They must also act in a way that protects them from wrongful allegations of abuse as far as possible. They must bring safeguarding concerns to the attention of the Designated Safeguarding Officer.

**Contractors, sub-contractors or other organisations funded by or on behalf of the Council** are responsible for applying the appropriate DBS checks, delivering safeguarding training commensurate with their level of contact with children, young people and adults at risk and ensuring their employees comply with their organisational Safeguarding Policy and Procedures.

Coordination and partnership-working on safeguarding is led by two multi-agency Boards. The Kent Safeguarding Children Board (KSCB) is an independent board

hosted by Kent County Council relating to children, whilst the Kent and Medway Safeguarding Adults Board provides the same responsibilities regarding adults at risk. District councils have a duty to cooperate with the work of these Boards and are expected to fulfil their duties under the Children Act 2004 and the Care Act 2014.

This policy operates within the context of, and supports the policies and procedures of these multi agency Boards.

## **Review and Reporting**

A corporate Safeguarding Working Group will meet quarterly (or as required), and its minutes distributed both to the council's Management Team and relevant Kent-wide Safeguarding boards.

Senior manager leads will undertake a review of this Safeguarding Policy every six months, or as required. This monitoring will report to the council's Management Team.

The Overview and Scrutiny Committee will review the council's overall response to the Safeguarding audit, and any subsequent legislative changes – with a report to be considered by the Committee in March 2017.



## **Annex 1 – General Safeguarding Procedures, ‘Safeguarding is Everybody’s Business’**

### **Introduction**

The procedure for reporting a concern or allegation informs all Council Members, employees, volunteers and those contracted service providers that have accepted this policy, what actions they should take if they have concerns or suspicions, or encounter a case of abuse or neglect in any child, young person or adult at risk.

Even for those experienced in working with child or adult abuse it is not always easy to recognise a situation where abuse may occur or already has taken place. Whilst it is accepted that staff are not experts at such recognition all staff have a duty to act if they have any concerns and discuss with an appropriate Safeguarding representative within the Council.

Abuse is a form of maltreatment that can occur in several forms which are not mutually exclusive. For children, types of abuse include:

- Physical
- Psychological
- Sexual
- Grooming
- Child Sexual Exploitation
- Female Genital Mutilation
- Online Abuse/Cyberbullying/Bullying
- Child Trafficking/Modern Slavery
- Domestic Abuse
- Self-neglect/Self-injurious
- Forced Marriage

Types of adult at risk abuse include:

- Physical
- Psychological
- Sexual
- Exploitation
- Discrimination
- Financial
- Organisational
- Domestic
- Self-neglect/Self-injurious
- Modern slavery/Human trafficking
- Neglect and acts of Omission

- Female Genital Mutilation
- Inappropriate Restraint

Please refer to the procedural guides and information available on the Intranet under 'Safeguarding' or the *Safeguarding Procedures Pack* for further information, advice and the relevant forms.

There are three main situations when Members, employees and contracted service providers may need to respond and report a concern or case of alleged or suspected abuse:

**When a child, young person or adult at risk makes an allegation of abuse or bullying, you should:**

- Stay calm and try to get another witness, if it does not compromise the situation
- If you believe the person is 'at risk' of immediate significant harm, which includes situations which any Member, employee or volunteer would reasonably believe requires the emergency services, **then** you must contact the relevant emergency service and notify the Designated Safeguarding Lead, a Safeguarding Lead Officer or your line manager
- Listen carefully to what is said and allow the person to talk at their own pace, being careful not to compromise potential evidence
- Find an appropriate opportunity to explain it is likely that information will need to be shared with other responsible people, **do not promise to keep secrets**
- Only ask questions for clarification, the use of open questions e.g. what, where, when, who? is advisable, do not ask leading questions (that suggest certain answers as this could compromise evidence)
- Reassure the child, young person or adult at risk that they have done the right thing in telling you
- Tell them what you will do next and who you will inform
- Immediately report to and inform the Designated Safeguarding Officer, Safeguarding Lead, Line Manager or Head of Service (as appropriate and where possible)
- Record all details you are aware of on LOCATA as soon as possible, which is available on the Intranet
- The Designated Safeguarding Officer has a consultation with Kent Contact and Assessment Service (KCAS) or makes formal referral
- Outcome of the consultation/referral to be recorded on LOCATA

*Remember: You may be the first person that a child, young person or adult at risk has trusted and it has probably taken a great deal of courage to tell you that something is wrong*

**When allegations or concerns are expressed about a Member, employee or contracted service provider, you should:**

- Take the allegation or concern seriously
- Record all details you are aware of on LOCATA as soon as possible, which is available on the Council Intranet
- Immediately inform the Designated Safeguarding Lead, a Safeguarding Lead Officer or your line manager
- The Designated Safeguarding Officer, alongside Human Resources will follow the council's "Managing complaints against staff" procedure found within the Personnel's Safeguarding Policy.

**When allegations or concerns are expressed about any other person (e.g. parent, carer, other service user), you should:**

- Take the allegation or concern seriously
- If you believe the child, young person or adult is 'at risk' of immediate significant harm, which includes situations which you would reasonably believe requires the emergency services, then you should contact the relevant emergency service and then notify the Designated Safeguarding Lead, a Safeguarding Lead Officer or your line manager
- Record details on LOCATA, which can be found through the Council intranet
- Consultation with Kent Contact and Assessment Service (KCAS) and/or referral to be made with support from the Safeguarding Officer/Safeguarding Champion/ Line Manager
- Outcome of the consultation/referral to be recorded on the LOCATA

**Who should complete the record on LOCATA?**

It is the responsibility of the person who directly observes or witnesses the event (e.g. living situation) that is being recorded or who has participated in the meeting/conversation, to complete the record. Where this is not possible and records are completed or updated by other people, it must be clear from the record which person provided the information. Preferably, the person with first-hand knowledge should read and sign the record. **There must be clear differentiation between**

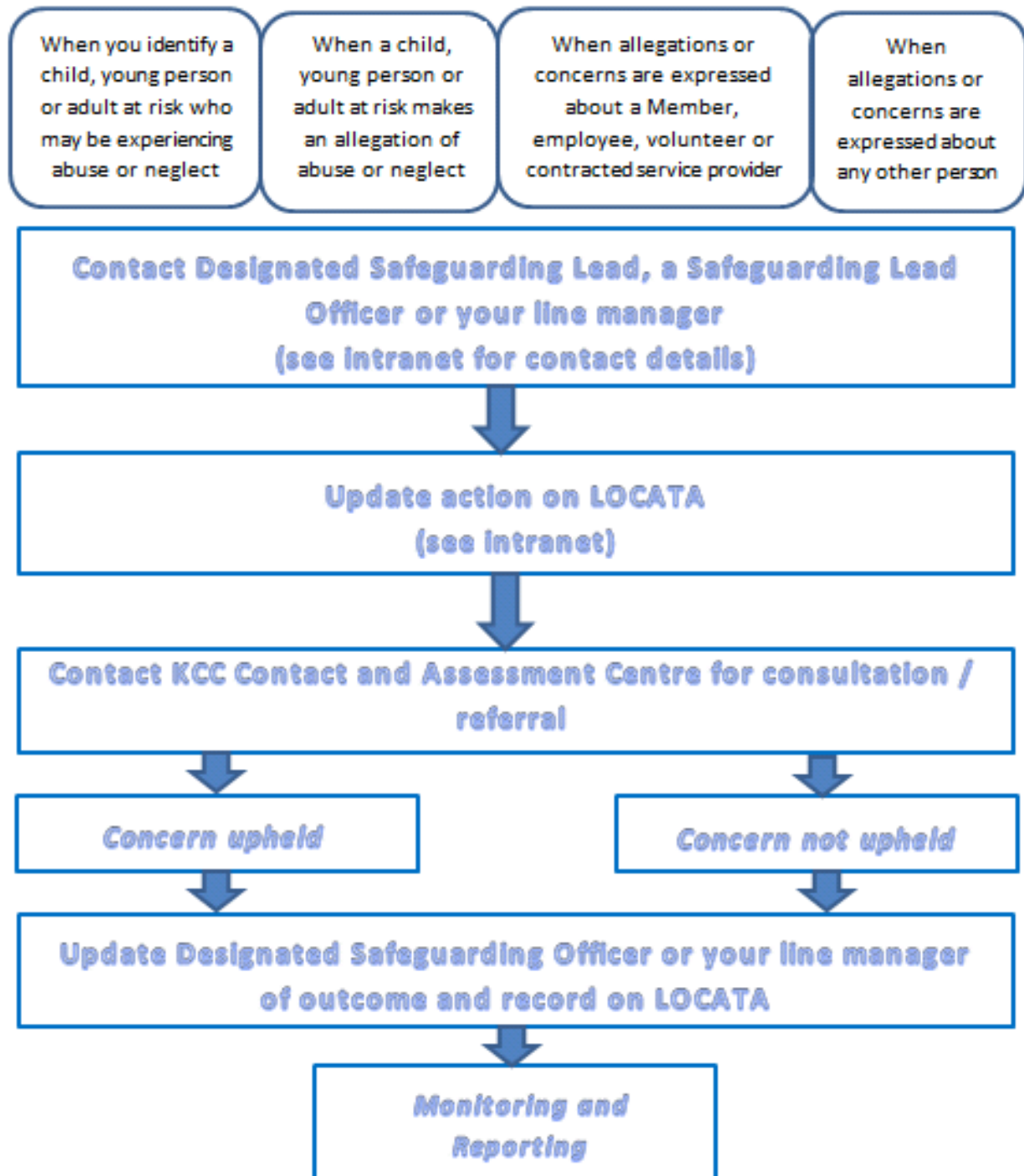
**opinion and fact.** Records of actions undertaken must show who was involved, its basis, the date and time.

### **Recording Concerns**

If any Member, employee or volunteer has concerns about the welfare or safety of a child, young person or adult at risk, or has concerns about the behaviour of a Member, employee or volunteer, it is vitally important to record all relevant details regardless of whether or not the concerns are shared with the Police or KCC. Record the details on LOCATA, which the Designated Safeguarding Lead, Lead Safeguarding Officer And Housing staff have access to.

Records may be used for: Evidence for investigations and inquires; Court Proceedings; Monitoring Quality Assurance; and Disciplinary procedures. The Designated Safeguarding Officer will then manage the process and follow guidance on information sharing, confidentiality, consent and making appropriate referrals to KCC.

## Safeguarding 'Quick View' Procedure



**Agenda Item No:** 8  
**Report To:** Cabinet  
**Date:** 14<sup>th</sup> April 2016



**Report Title:** Proposed Update to the Affordable Housing Programme and Business case for Remodelling of Danemore Sheltered Housing Scheme  
**Report Author:** Richard Robinson  
**Portfolio Holder(s):** Cllr Clokie (Housing & Home Ownership)  
Cllr Shorter (Finance, Budget & Resource Management)

**Summary:**

This report seeks approval from members to update the programme of new build council housing and also seeks approval of the business case for the proposed remodelling of the sheltered housing scheme at Danemore, Tenterden. These updates are necessary in view of the impact of the social housing rent cut announced in July 2015 together with the need to ensure that expenditure remains within the housing revenue account (HRA) debt cap and meets its debt repayment commitment.

Cabinet is also asked to note the successful bid made to the Care and Support Specialised Housing (CASSH) Fund of £1.6m to contribute towards the costs of remodelling Danemore.

**Key Decision:** YES

**Affected Wards:** All

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

- I. Approve the proposed updates to the new build programme between 2016 and 2020, and**
- II. Approve the business case for remodelling of the Danemore sheltered housing scheme in Tenterden**
- III. Note the successful bid for £1.6m from the Department of Health CASSH fund**

**Policy Overview:** Housing Framework 2013-2018: Priority 1- Improve the supply of affordable housing to meet local housing needs in Ashford borough's urban and rural areas.

Reform of HRA – Cabinet endorsed five key priorities for further spend as a result of greater freedom within the HRA.

Corporate Plan, Focus 2013-15, High quality homes to meet local need.

Kent Forum Housing Strategy 2012-2015, affordability and choice.

National Housing Strategy 2011 – delivering new homes under the affordable rent model.

**Financial Implications:**

Delivery of new build council housing has been achieved using both grant funding and HRA cash resources. The rent cut to all social housing announced in July 2015, and set to take effect in April 2016, has required a revision of the number of units deliverable within the programme, to ensure the HRA remains within the debt cap and meets its debt repayment commitment.

The same impact, along with the need to reduce the scale of redevelopment at Danemore has resulted in proposals for a smaller scale scheme

**Risk Assessment**

YES – detailed financial assessment has been undertaken within the HRA business plan

**Community Impact Assessment**

YES – a range of factors have been considered in terms of affect on tenants, neighbours and the broader community

**Other Material Implications:**

Design and construction standards will comply with Ashford spatial standards (complying with Residential Space and Layout SPD), Lifetime Homes (a standard we set out for Registered Social Landlords) and Code for Sustainable homes level 3 (which we are committed to for HCA), and level 4 on energy. Emphasis on the building envelope will deliver the greatest benefits for landlord and tenant.

**Exemption Clauses:**

**Appendix A and B – details of Affordable Homes Programme including estimated build costs and grant funding: Not For Publication by virtue of Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.**

**Background Papers:**

None

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**Report Title:** Proposed Update to the Affordable Housing Programme and Business case for Remodelling of Danemore Sheltered Housing Scheme

### **Purpose of the Report**

1. This report seeks approval from members to update the programme of new build council housing.
2. Approval of the business case for the proposed remodelling of the sheltered housing scheme at Danemore in Tenterden. The proposed remodelling is of a smaller scale than anticipated in March 2015.
3. The update is necessary due to the impact of the rent cut to social housing announced in July 2015 and the need to ensure expenditure remains within the housing revenue account (HRA) debt cap and ensure that the HRA meets its debt repayment commitment.
4. Any new build units and remodelling of Danemore will be subject to planning permission in the usual way.

### **Issue to be Decided**

5. Members are asked to approve the updated programme shown at appendix A to this report, which reflects fewer dwellings than originally planned for in March 2015, but continues to provide new affordable housing for people in housing need, whilst remaining affordable within the overall HRA Business Plan. The delivery of fewer units may involve the return of some Homes & Community Agency grant. Appendix B itemises the proposed new build HRA properties by site, using garage and land sites.
6. Agree the business case for the remodelling of the Danemore sheltered housing scheme, based on the improvements in quality of accommodation this will offer, as well as some home ownership sales opportunities.

### **Background**

7. In March 2015, members agreed a programme proposing to deliver 106 units of new affordable homes, including 49 units in total at a remodelled Danemore in Tenterden.
8. These proposals were costed and included funding from the Homes & Community Agency (HCA) to the tune of £1.2 million for the affordable rent homes and £0.92 million towards the new units at Danemore.
9. Additional funding to meet the overall anticipated costs would be met from HRA capital funding and use of '1:4:1' monies (pooled capital receipts available to the council arising from right to buy sales.) More detail is shown at Appendix A



10. The overall cost of these new units was contained within the HRA Business Plan.
11. In July 2015, the Chancellor announced his intention to cut rents across the social sector to help reduce the overall national housing benefit bill. This 1% cut to social rents is to take effect in April each year from 2016 through to March 2020.
12. This rent cut has a significant impact on the income to the HRA between 2016 and 2020, and directly impacts on the funding available to deliver many housing functions, including planned maintenance programmes and new build works.
13. As a result, a cost recovery programme was presented to members in November 2015 as part of the annual review of the HRA business plan. This programme identified some of the necessary measures to be taken to ensure we continued to have a balanced HRA business plan.
14. The cost recovery programme also identified the need to re-consider a number of work programmes once more detail was available e.g. around implications to local authorities of housing association tenant's right to buy, pay to stay, and welfare reform measures.
15. Although some of that detail is still to be published by government, further examination by officers of the business plan and the HRA financial capacity has concluded that some of the proposed AHP proposals can be delivered between 2016 and 2020; and remodelling of Danemore can also be achieved by extending the programmes into another financial year.

## **Affordable Homes Programme**

16. In March 2015, Cabinet considered a report recommending proceeding with delivery of a total of 106 new affordable dwellings, 50 of which were intended at that time to be at Danemore. Funding was to be from HRA reserves, HCA grant and available qualifying capital receipts.
17. With the announcement in July 2015 of the intended social sector rent cut to take effect between April 2016 and March 2020 significant revisions to the proposals have been necessary to ensure we do not exceed the available funding over the 30 year life of the HRA business plan.
18. As a consequence, we have reconsidered the proposed scale of remodelling Danemore (see later in this report) and the number of units and sites we can reasonably afford to deliver elsewhere in the borough.
19. Appendix A shows the breakdown of units and sites (excluding sheltered sites) where we now feel we can deliver a total of 38 new build units over 14 separate sites, a mix of both rural and urban locations. The locations are:

### Urban sites

- Boxley garages
- Noakes Meadow garages

- Towers View garages
- Beecholme Drive garages
- Belmont Place land

#### Rural sites

- Brattle garages
- Carters Wood
- Priors Way land
- Priors Way garages
- Ragstone Hollow garages (2 sites)
- Calland land
- The Weavers garages
- Jubilee Fields land

20. In addition, the business plan is comfortable in being able to afford to purchase a further 11 'street properties' (i.e. existing dwellings) giving a total of 49 further affordable housing units.
21. It can be seen that a number of the proposed new build sites are on council-owned garage sites which are no longer viable as such sites (due to limited local interest) and so it makes sense to put this land to better use in such circumstances. All the land proposed for these new build units is in the council's ownership.
22. Should any particular site become impractical to develop, e.g. planning issues or significant local opposition, we would look to maximise our opportunities to purchase street properties in its place.

### **Danemore Sheltered Scheme Remodelling Business Case**

23. In December 2011 members agreed that remodelling of the borough's sheltered housing stock over a 12 – 15 year period, was to be one of five key priorities within the HRA business plan.
24. The first of these remodelled schemes is Farrow Court and members will be aware that Phase 1 of the scheme was completed and fully occupied by Christmas 2015. Work on Phase 2 is currently underway with anticipated completion of a further 71 units is scheduled for summer 2017.
25. Farrow Court was the first scheme selected for remodelling as it had the opportunity of adjacent land, meaning we could build new without the prior need to decant any tenants.
26. Decanting tenants in large numbers is always a huge undertaking and imposes significant demands on other dwellings within the housing stock, usually (or preferably) in a very short timeframe.
27. In June 2014 the council disposed of the land containing the empty Little Hill sheltered scheme in St. Michael's to Kent County Council (KCC) as part of the most recent round of private finance initiative (PFI) works. This project will deliver a brand new, 41 unit extra care sheltered housing scheme on that site in the summer of 2016.

28. Although the St. Michael's scheme will be owned and managed by the PFI consortium (Galliford Try and West Kent Housing Association) this council has 100% nomination rights for 25 years and as such it presents a golden opportunity to be able to decant a significant number of tenants from nearby Danemore in one go.
29. Aware of this decanting opportunity, officers explored the possibility of redeveloping Danemore. Built in 1977 the scheme as it currently stands consists of 33 dwellings (18 x bedsits; 10 x 1 bed flats; 4 x 1 bed bungalows and 1 x 2 bed house.)
30. The report to members in March 2015 highlighted some of the deficiencies of the scheme – small, very dark flats and even smaller bedsits; all dwellings lack the space to provide fairly basic equipment e.g. full-size ovens and washing machines and although all flats are self-contained it is almost impossible to provide any form of adapted bathing for tenants within these units.
31. The scheme generally does not readily lend itself to straightforward conversion i.e. turning 2 bedsits into a single, larger dwelling. In addition the constraints of the site do not allow for simply extending the existing footprint of the building in such a way that would deliver accommodation fit for modern standards and expectations.
32. The communal spaces within Danemore are also very dark and there are different levels for tenants to negotiate even on the same floors.
33. Members may recall that the HAPPI (Housing our Ageing Population: Panel for Innovation) Report of 2010 (and updated further in 2012) set standards for sheltered and extra care accommodation that addressed many of these design shortcomings, including better space standards, better communal facilities, better use of natural light, economy of operation and a scheme that is part of a community. The redevelopment of Farrow Court applies these HAPPI standards to a very large extent so many members may well have seen the impact they have in practice.
34. In our remodelling proposals we are seeking to deliver on much, if not all of the expectations of the HAPPI report to improve the quality of accommodation and facilities for our older tenants. In so doing, we play a key part in helping address a fundamental aspect of the health and wellbeing agenda in providing quality accommodation which is often directly linked to someone's health. By improving such accommodation we also make it more attractive to many of those older people currently living in family sized accommodation who could therefore free up family units as a consequence.
35. Our intention is to completely demolish and rebuild the scheme. The proposed new scheme will provide 34 flats (23 x 1 bed and 11 x 2 bed units) and a further four 2 bed chalet bungalows which will be made available for private sale, thereby helping cross-subsidise the redevelopment costs. (Officers would seek to place appropriate covenants on the sold units to ensure they were only for sale to people over 55 years of age so that the residents remained compatible with the overall scheme.)

36. All dwellings will meet ABC's space standards. The scheme will also provide a residents communal lounge, guest room, adapted bathing facility, buggy store and communal gardens. This can be achieved by making better use of the existing site at Danemore; and in late 2014 ABC was also able to acquire the adjacent site of the St. John's Ambulance station which provides more land and is likely to better help facilitate the construction works by creating space for a site compound. (Access to Danemore generally is poor and parking has long been an issue for the scheme and residents in neighbouring houses.) Although the works proposed will inevitably cause difficulties whilst in progress, significantly better parking is proposed as part of the redevelopment and upgrading to the road which should result in significantly better access and parking once complete.
37. Each flat will be equipped with a flush floor shower and provide space sufficient for wheelchair users. The chalet bungalows will be ideal for couples or older people with live-in carers and will be built to lifetime homes standard i.e. should the occupier no longer be able to manage the stairs in their home the existing bathroom downstairs will enable them to fully function on the ground floor.
38. Our architects (PRP, who have designed Farrow Court for us and who are widely regarded as amongst the leading architects for older persons design in the country) have made design proposals which are currently being considered by the Council's Planning department. The proposals look to sympathetically blend the scheme into its surroundings, drawing on nearby properties and Tenterden itself for influence, but at the same time coming up with a proposal which is both better, more efficient and spacious, and more appropriate for 21<sup>st</sup> century retirement living. A copy of the current plans for the proposed scheme can be viewed using the following link:

<http://www.ashford.gov.uk/developments-coming-soon>

or via the planning portal at:

<http://planning.ashford.gov.uk/Planning/details.aspx?systemkey=101665&pageindex=0>

39. Based on their design proposal, and from initial market testing, we believe the scheme will cost in the order of £9.5m (gross) to empty demolish, rebuild and equip. However taking into consideration the CASSH funding achieved and the proceeds of the sale of 4 bungalows within the site, the net cost is expected to be in the region of £6.9m. This figure includes the costs of decanting tenants, home loss payments (a statutory obligation) and likely rent loss as some tenants may choose to move sooner and it often makes more sense to leave such vacant flats un-let and thereby avoid further home-loss payments for any subsequent tenants. In all, these costs could be in the region of £200k to £225k depending on length of time we have any unlet flats. The largest part of this estimate is though, made up of home loss and removal costs, which we have to accept as part of the overall cost of delivering a new scheme.

40. Members will also by now be aware of the successful bid to the Care and Support Specialised Housing Fund (CASSH) to contribute to the cost of the work. This money is Department of Health funding used to help deliver housing solutions to help reduce the overall cost of care provision by promoting independence in suitable homes. The bid will contribute circa £1.6m\* towards the cost of the scheme and mirrors the successful £3.6m CASSH contribution made to Farrow Court.

\*we estimate the figure will be reduced slightly as the revised redevelopment proposals see fewer units than anticipated when originally bidding to this CASSH fund

41. There has been considerable assessment as to the value of proceeding with this scheme for a number of reasons, not least the impact on the HRA business plan of the rent reduction to be applied between 2016 and 2020. Further understanding was also needed about the additional impact of caps on rent and service charges in connection with social rents being restricted to local housing allowance rates, which from 2018 will affect new tenancies, including sheltered housing.
42. The business plan also needs to be able to absorb the impact of the sale of a percentage of high value council houses to support the funding of replacement housing association properties sold under 'right to buy 2' and a number of other government initiatives such as 'pay to stay' which will affect the overall HRA.
43. At a total gross cost of £9.5m (£6.9m net costs), and a new scheme with 38 new units, it was only prudent to give thorough consideration before committing to the redevelopment. The scheme is very well located, close to Tenterden town centre, and provides reasonably level access to the town. The short-comings of the current scheme mean that the need to address these is becoming increasingly pressing, and delays will only make this worse. The excellent opportunity of being able to address a large part of the decanting requirements with use of the new extra-care scheme in St. Michael's is unlikely to be repeated. We would also deliver a scheme that would deliver similar sized care-ready apartments to those at Farrow Court, in a part of the borough with very limited numbers of such quality apartments. Over the life of the building, these units will prove attractive to a significant number of tenants in larger homes and will therefore help free up these homes for families in need. Overall, these factors combined suggest we should proceed with the redevelopment sooner rather than later.
44. It is only after careful consideration and reflection that officers are comfortable in recommending we proceed with remodelling Danemore. Extensive work with officers in Finance and Housing has concluded that, even with the impacts mentioned above we can still afford to redevelop the Danemore scheme; and the successful award of CASSH funding from the Department of Health means the net project cost to the council will be further reduced and so more affordable.

## **Community Impact Assessment**

45. An assessment has been carried out and no negative impacts have been identified on either the new build sites or Danemore.

## Other Options Considered

46. We could opt to leave Danemore and do either no work or only minimal works to maintain the scheme in its current form. Whilst this would significantly reduce capital costs associated with the proposed remodelling it would
  - lead to increased maintenance costs
  - fail to provide suitable accommodation to meet growing demand and expectations of an ageing population
  - would fail to grasp the opportunity presented for decanting the scheme, meaning doing such work in years to come will be much harder and prolonged
  - miss the opportunity of maximising the significant grant funding of £1.6m available from the CASSH fund
  - fail to meet the aspirations of members to deliver high quality homes that meet local need

## Consultation

47. Several meetings have already taken place with both tenants of the scheme and residents in nearby properties. As a result revisions to the original proposals have been made and the ward member, Councillor Clokie has also been actively involved in helping with this consultation. Now we are more confident the scheme is financially viable we will continue with more detailed discussions with all relevant parties, including discussions around decanting arrangements for tenants
48. As part of the planning permission process further formal consultation will take place with local residents giving them the opportunity to respond to the proposals.
49. In terms of the AHP work, housing staff will supplement the formal planning consultation work on each site, as has been done on every other site we have developed in previous new build developments. This work gives local residents and other stakeholders an opportunity to understand the proposals and talk through the likely impact in more detail with housing staff. Such previous consultations have proved very successful and we would continue the approach we have adopted thus far to engage local people.

## Conclusion

50. Both the new homes proposed in the AHP work and the proposed remodelling of Danemore are further evidence of the council's ambitions to deliver high quality homes for local people.
51. The 38 new AHP homes across 14 sites set out at paragraph 19 of the report and detailed further at Appendix B, will help further tackle some of the affordable housing need in the borough by delivering lifetime homes standard accommodation built to the Ashford standard.
52. Full regard has been had to the cost of delivering the Danemore scheme, which will greatly improve the quality of accommodation on offer in part of the borough currently with very little other such care-ready accommodation.

53. The opportunity to utilise the new scheme in St Michael's to support the needs of decanting tenants from Danemore will help overcome a significant obstacle in the redevelopment process; and the award of £1.6m from the Department of Health towards the remodelling cost is another key supporting factor.
54. The finished scheme will provide 38 high quality, care-ready dwellings and communal facilities for local people, including some owner-occupiers that will not only promote their independence but also in turn help free up family units of accommodation as the quality offer at Danemore is enhanced.

## **Portfolio Holder's Views**

55. **Cllr Clokie** – 'We have seen the successful delivery of a new standard of accommodation for older people with the completion of phase 1 at Farrow Court in Ashford, and the proposals for Danemore, whilst on a smaller scale, will see the delivery of similar high quality accommodation and facilities in Tenterden. The proposed scheme is further evidence of this council's ambitions to deliver high quality accommodation for local people, including some for home ownership, and our willingness to play our full part in helping address the full range of needs of a growing older population. Additionally, that we can also continue to build more new family homes as part of the Affordable Homes Programme is further evidence of us delivering on our Corporate Plan commitments. At a time when many social housing providers are freezing their development plans Ashford Borough Council continues to deliver such new homes as proof that we are *'housing business-ready.'*
56. **Cllr Shorter** – I am delighted that the council continues to be progressive in seeking high quality solutions to the demands of an ageing population. The delivery of this scheme will continue our significant contribution in enabling people to live independently in care-ready apartments close to Tenterden town centre. The council's success in achieving funding through the CASSH fund further reduces the net cost of this scheme, and this, coupled with the greatly improved quality of accommodation and communal facilities the completed scheme will offer mean I fully support the decision to remodel Danemore. In addition, I endorse the council's proposals to deliver more new-build homes, again using grant funding from the Affordable Homes Programme. This will see us deliver another 49 affordable new homes for local people across a range sites and is further proof of this administration's desire to deliver local housing needs across the borough.

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**Agenda Item No:** 9  
**Report To:** Cabinet  
**Date:** 14<sup>th</sup> April 2016



**Report Title:** **Elwick Place Development**

**Proposal for the:**

- 1. purchase of a mixed use leisure development incorporating cinema, hotel, food, beverage and Car Park and retail use in Elwick Road (the “Development”), and**
- 2. to provide development funding for the Development**

**Portfolio Holders:** Cllr Clarkson, Leader of the Council

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

Cllr Galpin Portfolio Holder for Town Centres Focus and Business Dynamics

**Report Author:** Paul Mckenner

Head of Corporate Property and Projects

**Summary:**

In October 2015 Cabinet members approved the Council’s Five-Year Corporate Plan, in which a key priority is encouraging economic investment and growth. The scheme is vitally important to the town centre’s continuing development and regeneration. By investing to facilitate an early start on development, the Council will ensure the scheme is brought forward without further delay. Whilst this is the primary objective, investment also provides the Council with an opportunity to generate an income stream to assist in achieving its goal of delivering additional income each year, as required in the Medium Term Financial Plan to compensate for expected government grant reductions.

Following the positive reaction from residents and the local and national trade press to planning permission being granted at Elwick Place the council is keen to both continue its sound commercial approach and strengthen its commitment to Ashford town centre. An opportunity to acquire this major town centre development has become available and the proposed involvement by the Council extends to providing development funding over the period of the development’s construction.

The proposed development funding and acquisition is subject to a satisfactory outcome of the detailed due diligence and final negotiation



of the contracts. Please note that while the Council operates as transparently as it can at all times, there are instances such as this where its ability to act commercially would be hindered by the full disclosure of the figures involved and so it is necessary to act in this measured way.

The value of the proposed purchase (the specific details of which are commercially sensitive) exceeds the relevant financial limit and therefore the acquisition needs Council approval.

The proposed acquisition demonstrates the Council's commitment to securing early regeneration of the Town Centre and also improves the Council's support to borough wide service delivery.

**Key Decision:** No

**Affected Wards:** Victoria Ward Ashford

**Recommendations:** **The Cabinet be asked to recommend to Council that it:-**

- I. note the contextual advice contained within the report
- II. note the due diligence advice to date in Appendix C
- III. authorise the Chief Executive, in consultation with the Leader of the Council, the relevant portfolio holders and the Chief Financial Officer and the Director of Law & Governance, be authorised to negotiate measures and take any other steps she considers prudent in the Council's interests in order to enable the transaction to proceed as a sound investment, and to approve final due diligence reports and a final risk analysis schedule which are satisfactory in her view. Subject to those matters recommendations IV- VIII become effective. In the event that these matters are not satisfactory, the proposal be reported back for decision by Cabinet
- IV. agree to entering into an agreement to finance and ultimately purchase the development of Elwick Place with Stanhope PLC at a yield of 5.1% on the income generated by the scheme at an outlay currently estimated in Appendix A.
- V. agree to providing construction finance from a mix of borrowing and internal cash as illustrated at paragraph 60 but with final discretion of the mix of funding delegated to the Chief Financial Officer in consultation with relevant portfolio holder, noting the possible need for a later report containing recommendations to amend Minimum Revenue Provision arrangements with the Council's Treasury Management Policy
- VI. agree to fund the purchase of the Elwick Place development in line with the strategy outlined in paragraph 63 but with final discretion of the mix of funding delegated to the Chief Financial Officer in consultation with relevant portfolio holder

- VII. agree the revised prudential indicators as outlined in Appendix E
- VIII. to give authority to the Director of Law & Governance in consultation with the Head of Corporate Property and Projects to effect and complete all necessary documentation including the Development Funding Agreement to action the above recommendations.

**Policy Overview:**

Primarily the Elwick Place development secures the regeneration of an important town centre site and stands as one of the Council's top corporate priorities. Therefore enabling early commencement of construction of this site is of key importance for economic development in the town. Furthermore, the dynamic public sector environment has seen an ever increasing pressure placed on councils to strategically manage and operate their property assets and to think commercially about property decisions, investment and income-generating opportunities.

At the same time understandably there is continuing pressure to provide better local services – building on Ashford's position within the top 50 places to live in the country and its status as the number one business location in Kent – and raise standards, providing additional regeneration and economic benefits to the Borough whilst operating under financial constraints. Many authorities are now acting to strengthen their funding base and reduce their reliance on Government grant by building asset portfolios that provide a commercial return.

Examples of which are:-

Chorley BC shopping centre with a capital value of £23m

Luton BC generates £620,000 of commercial income per year

Eastleigh BC , has a £100m of commercial assets

Harrow Council approved a new Commercialisation Strategy

Further details can be found in paragraph 20

Ashford Borough Council has adopted this proactive position for some time and already has a Strategic Property Fund allocated for purchases up to £2m in any given year. As this acquisition exceeds the criteria in terms of value, formal agreement needs to be sought from Cabinet and then by full council.

**Financial Implications:**

Subject to the final due diligence, the funding and then purchase of this development is considered sound investment for the Council to secure an important regeneration development, whilst also providing an income stream to increase the Council's financial resilience over time rather than be reliant on ever decreasing Government funding.

Accordingly, this potential income stream will assist the Council in achieving its goal of generating additional revenue each year as required in the Medium Term Financial Plan. The construction phase funding proposed is recommended to be financed from reserves and prudential borrowing with the mix and timing to be at the discretion of the Chief Financial Officer (the Head of Finance) in consultation with the Portfolio Holder for Finance & Budget, and Resource Management.

The funding of the investment is proposed to be funded by utilising a 50 year annuity loan from the PWLB but with final discretion of the mix of funding delegated to the Chief Financial Officer in consultation with relevant portfolio holder.

**Risk Assessment**

A Risk Assessment has been carried out and a draft is contained within Appendix B. This will be revised and completed following completion of the diligence work and consequential negotiations and the final version will be approved in accordance with recommendation III

**Exemption  
Clauses:**

**Exempt Appendix A, B & C Not For Publication by virtue of Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.**

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**Appendices**

Exempt Appendix A – Funding and Investment Opportunity  
Exempt Appendix B – Risk Assessment  
Exempt Appendix C – Advisors reports  
Appendix D - Plan of the Development  
Appendix E - Prudential Indicators

## Report Title: Elwick Place Development

**Proposed purchase of a mixed use leisure development incorporating cinema, hotel, food, beverage, Car Park and retail use in Elwick Road (the “Development”), and to provide development funding for the Development**

### Purpose of the Report

1. To ask Cabinet to recommend to Council that the Development at Elwick Place is funded and purchased as outlined within exempt Appendix C.
2. To demonstrate to members the economic development value of strategic capital investment in the Town Centre, the impact such investments have in placing less reliance on government grants, and underline the clear message it sends out to residents and existing and future businesses of the Council's unwavering commitment to the town centre and the wider community.

### Regeneration and Economic Development

3. The existing leisure offer in the town centre is very limited and the need to regenerate this part of the borough to both tackle decline and to create a new leisure and entertainment hub as part of the wider ambitions of Ashford Borough Council has long been recognised. Hence the Elwick Place site was acquired by SEEDA some years ago for regeneration purposes and SEEDA put in place a Development Agreement in 2010 with Stanhope PLC to construct a new leisure development on the site. In November 2015 the Council acquired the site from HCA, (SEEDA's successor) in order to maintain the focus on regenerating this key site.
4. In 2003 Ashford was identified as one of the 'growth areas' in the Government's Sustainable Communities Plan. The Growth Plan agenda set the context for the current Core Strategy. The Town Centre is at the heart of the Town's growth area role and is the economic driver that will help to provide a strong commercial and service centre to meet the rapidly expanding needs of the growing Town
5. Part of delivering this strategic objective is to ensure that sufficient amounts of development are delivered on sites within the Town Centre. Elwick Place is one of these. It falls within the Town Centre Core and was originally allocated for redevelopment in the Ashford Borough Local Plan 2000. The allocation was carried forward to the Core Strategy and, in turn, the Town Centre Area Action Plan which identifies Elwick Place as one of the largest and most important of the development sites in the Town Centre. It is envisaged to deliver a range of uses including retail, leisure and residential.
6. The Development, consisting of a 6-screen cinema, hotel, restaurants and cafes will revitalise with revitalise this part of the town centre and bring with it many advantages and the Council's involvement will ensure early delivery of the benefits:
  - **Employment opportunities** – short term jobs will be generated during the construction of the Development. Long term the Development will support a range of employment opportunities that can be exploited by the local population. It is anticipated that many of these jobs will be

retained in the Borough. This is based on experience elsewhere that shows that the retail and leisure employment does not have a wide catchment.

- **More choice** - the Development will have a positive impact on the vitality and viability of the Town Centre by delivering an increase in leisure provision. It will provide much needed facilities, increasing choice for the residents of the borough; in particular the post-work and evening offer which is currently very limited.
- **Attracting Visitors from outside of the Borough** – the Development will not only attract visitors from the borough but also those from further afield,
- **Increase in linked trips** – currently there is relatively few linked trips between different shops and other facilities in the Town Centre resulting in significant leakage of spend to other centres (Canterbury, Maidstone). Visitors are often looking for convenience and look to combine leisure, retail and dining experiences. The Development by increasing the leisure offer should prevent this, generating linked trips and increasing Town Centre footfall.
- **Safe family environment** - offering families a safe and fun place to spend time together;
- **Catalyst for wider investment** - it will act as a key catalyst for wider investment and development in the Town Centre. The success of the Development and increased number of visitors to the Town centre will attract wider investment and development in the area.
- **Car Parking** – providing necessary facilities as the town centre grows

## Developing a Commercial Council

7. In addition to approving the council's Five-Year Corporate plan, members have received a number of reports outlining the Council's financial position. Today more than ever, there is increasing pressure being applied on the public sector to strategically manage and operate its property portfolio and to consider corporately property decisions and investment and income-generating opportunities. At the same time the Council must continue to provide better, cost-effective local services and raise standards whilst operating under budgetary constraints.
8. It is becoming clear that asset management is at the heart of achieving and delivering efficiency in the public sector whilst also meeting performance targets and delivering the services residents rightly expect.
9. Asset management is a key part of the business planning that connects strategic level decisions within an organisation's business with the deployment of both its resources and future investment requirements. The economic prosperity of the Borough and the Council's financial position are intrinsically linked and as such underpin the success of the delivery of the corporate plan. This proposal further demonstrates the Council's commitment in helping to shape the needs of the borough now and in the future.
10. The Council currently receives £2.1 m by way of Central Government Formula Grant funding which is just over 15% of the net expenditure budget. Formula grant funding will be £1.3m in 2016/17 reducing to £0 by 2019/20. The Council has had a long held ambition to become independent of government grant and as early as July 2014 this became a stated pillar of the Council's financial strategy. Cabinet report of July 2014 "Informing the Next 5 Years" showed forecasts with government grant being forecast to reduce to nil and the council needing to consider a balance of measures to address the shortfall. This included a commitment to savings totalling £1.6m on service expenditure, controlling inflationary pressures, and having a Borrowing and Acquisitions strategy. This was in addition to the

Council's support for growth in business rates through the Big 8 and other economic development issues.

11. The Council has sought to generate income from commercial sources, looking to increase the income generated from its existing assets (such as the Civic Centre and International House) to the acquisition of the Wilko's store in the town centre. All these initiatives will generate a return to the Council, with International House budgeted to generate a surplus of £867,000 before financing costs, a significant endorsement of its commercial decision-making. These assets have been financed through a combination of internal borrowing and reserves.
12. The Council currently has external long term borrowing (more than one year) of £119,664,000, this all relates to the Housing Revenue Account (the subsidy buy-out arrangement) which had assets valued as at 1<sup>st</sup> April 2015 of £241,575,000. The General Fund does not hold any external long term borrowing, however does have an underlying need to borrow of around £8m (following the purchase of International House) which is being funded from internal cash balances at this time. The Council regularly reviews the borrowing position and will take out borrowing when it is advantageous to do so. The Council takes decisions on borrowing to fund asset purchases on a case by case basis based on the ability of the project cash flows to fund the borrowing.
13. Cabinet has received a number of reports that have documented the impact of central government's policy to control spending and the effect that reducing the national deficit has had on this authority. Over the last parliament the public sector has experienced funding reductions of over 40% and Ashford Borough Council has coped well with this, delivering savings totalling £5.5m through a number of initiatives seeking to review how services are procured and provided. In addition to this the Council has purchased International House and some other smaller commercial investments with a view to growing its income – being proactive and adopting a model that is recognised by central government.
14. The Medium Term Financial Plan was presented to Cabinet in October. That report highlighted the tension between the growing cost base in the council (through inflation and demand-led pressures) and a frozen or reducing funding base with the council forecast to lose £2m in formula grant over the next 3 years and many income streams being capped or controlled centrally. The forecast included the Council setting a target for the generation of additional income along with the implementation of the remaining budget savings previously identified, assumptions on housing and business rate growth and a 2% per annum growth in Council Tax also assumed. With all of these factors taken into consideration the plan still showed that there was a budget gap and the report outlined a strategy to make further savings from the Council's leisure provision and the restructuring of management team, which would focus on closing the gap.
15. The report sought and received members' continued commitment to the Borrowing and Acquisitions strategy that was developed to encourage the identification and pursuit of opportunities that would unlock new income streams for the council.
16. The Chancellor of the Exchequer then announced the outcome of the Comprehensive spending review where he re-affirmed his commitment to enabling local authorities to become self-funding with the removal of formula grant and the commitment for the full retention of business rates (although there is the intention to transfer new responsibilities to the sector). The recent budget contained further fiscal tightening for government spending and some reforms to business rates that will reduce receipts from that funding source. These reforms have also transferred risks to local government from central government.
17. The Medium Term forecast was updated and included within the full budget report to the February Cabinet. The forecast reflected the impact of the spending review and local

government financial settlement along with the proposed changes to New Homes Bonus, and includes business rate growth assumptions for a number of development sites that had progressed through the planning process.

### Medium Term Financial Plan 2016-2021

	2016/17	2017/18	2018/19	2019/20	2020/21
	£'000's	£'000's	£'000's	£'000's	£'000's
<i>Revenue Support Grant</i>	(1,270)	(615)	(213)	0	0
<i>S31 Grant NNDR reliefs</i>	(538)	(549)	(560)	(571)	(582)
<i>Retained Business Rates</i>	(3,410)	(3,478)	(5,248)	(5,316)	(5,422)
<i>New Homes Bonus (50% allocated to support base budget)</i>	(3,782)	(2,947)	(2,380)	(2,760)	(2,439)
<b>Total Government Funding</b>	<b>(9,000)</b>	<b>(7,589)</b>	<b>(8,400)</b>	<b>(8,647)</b>	<b>(8,443)</b>
Council Tax	(6,490)	(6,708)	(6,969)	(7,212)	(7,482)
Total Income Receipts (Including Specific Grants)	(48,037)	(48,080)	(48,137)	(48,283)	(48,430)
Base Budget Gross Expenditure	63,135	63,135	63,916	64,450	65,558
Contribution to/from NHB reserve	311	(992)	(1,428)	(719)	(604)
Budget Increases		822	534	1,108	1,529
Budget Reduction Strategy		(41)	0	0	0
<b>BUDGET GAP</b>	<b>(81)</b>	<b>547</b>	<b>(484)</b>	<b>697</b>	<b>2,128</b>

## Embracing the Commercialisation of Local Government

18. Given the scale of funding reductions from central government witnessed now and anticipated in the future, the Council will need to replace the £2m formula grant it currently receives to be able to budget at a standstill position, maintaining services at their existing level. Given the scale of the reductions proposed there has been a real impetus around commercialism, entrepreneurialism and innovation within local government to meet future challenges in providing effective services.
19. It is important to note that operating in a more commercial way, specifically by investing in assets for economic development purposes, is not a new or unknown exercise for councils. There are examples in Kent of local authorities investing to underpin wider regeneration ambitions. Sevenoaks Council has recently approved a substantial investment in a hotel with car parking; the development has the potential to deliver economic benefits to the District through the provision of a much needed Hotel and additional car parking at Sevenoaks Station.
20. Other examples that are in the public domain include:-
  - In December 2015 **Chorley BC** became the new owner of the town centre Market Walk shopping mall. The 35-unit mall, which houses 26 national retailers plus independent

shops, was bought by the council for £23m after being put up for sale. The town centre site will play a vital role in the council's vision for the town centre, and will bring an income stream from shop rentals that will not only cover the cost of the loan repayments, but will also bring in additional funds to invest in the town centre or council services.

- From early 2013, **Luton BC** adopted a much more commercial approach to managing its property assets. This involved selling off properties that provided a low return on the capital tied up, and investing instead in buildings likely to provide a more substantial rental income. That included investing outside the borough boundary. As a result, Luton council now owns office buildings in neighbouring Milton Keynes as well as in Chatham (Kent). The net income is about £620,000 per annum.
- Similarly, **Eastleigh BC's** main area of commercialisation for the last five years has been in respect of property. By 2015, expenditure (financed principally by borrowing) will have reached over £100 million and includes a range of assets such as shops, banks, pubs and offices (one of which, following refurbishment, is now their headquarters). The Council is landlord to a high profile mix of businesses including B&Q, Lloyds Bank, Weatherspoons, Matalan, Halfords, Pets at Home, Costa Coffee and Travelodge as a result of the freehold purchase of land and buildings. The most ambitious acquisition has been the Ageas Bowl, home of Hampshire Cricket, where the council is investing £40 million, including the construction of a 4 star Hilton Hotel.
- **Harlow Council** recently approved a new 'Commercialisation Strategy', key to which will be a refreshed Investment Strategy, including investigating –“Opportunities for investing in a portfolio of commercial property will also be explored as well as other potential investment opportunities such as energy generation.”

21. The Council has successfully purchased a number of high profile assets in the Borough, which have already delivered significant revenue benefits without which the Council would have had to make significant cuts in services. The foresight of Cabinet Members supported by the Council at large to embrace this new agenda by placing a greater emphasis on the development of a property portfolio which would help balance the budget, providing the risks of carrying out these types of investment were clearly understood and a strategy was in place to mitigate against those risks, should be noted.

## **Economic and Regeneration Benefits and Commercial Opportunity**

22. Members will be aware that last July leading UK developer Stanhope Plc submitted a planning application for the development of Elwick Place with the aim of transforming a vacant brownfield site in the heart of Ashford Town Centre into a potentially thriving leisure and food and beverage area including a boutique cinema, a family hotel and a number of restaurants. The scheme was unanimously approved at Planning Committee in December 2015.
23. This flagship 2.6 hectare (6.42 acre) site, opposite Debenhams was originally part of the location of the town cattle market and will deliver new facilities that will transform the town's night-time economy.
24. The detail of the proposed arrangement with Stanhope Plc is commercially sensitive and therefore is included within an Exempt Appendix A.



## Due Diligence

25. In readiness for the decision, the Council has commenced the due diligence process and has commissioned a number of external leading advisers in their field. Due diligence forms the basis of the risk assessment and risk management work within this report.
26. This scope of work includes the following:-
  - Full valuation and specialist advice on the commercial yield (from CBRE a leading London Commercial agent, who has been involved in the leisure development on Junction 9)
  - Financial review on the structure of the loan finance and proposed purchase (Council's Treasury Management Advisers, Arlingclose)
  - Tenancy reviews and lease investigations and covenant strength of tenants (Craddick Retail)
  - Development and funding agreement review and commentary thereon (lawyers, Thompson Snell and Passmore)
  - Review of the cost of construction, Combination of In-house service and external QS specialists, Pellings
  - Specialist Tax advice including VAT and Stamp duty (KPMG)
  - EU procurement and state aid (external lawyers and HCA)
27. The due diligence process will not have been fully completed when this report is issued, but the work so far is set out in Appendix C. The risk analysis in Appendix B will be finalised when the due diligence work is complete.
28. Progression of the purchase will be subject to full completion of the due diligence work and recommendation III deals with the handling of this.

## Financial

29. The Council's Treasury Management advisers have assessed Stanhope's financial strength and commented on the financial strength of the potential cinema and hotel operators and details are set out in their draft report is contained within Exempt Appendix C.
30. The net annual surplus from this proposal (i.e. after professional fees, the council's finance, management and risk provision costs) will support the revenue budget in future years helping meet the income targets that have been included within the Medium Term Financial Plan.
31. The potential investment has been appraised by the Council's treasury management advisors, utilising a number of options to fund the acquisition and stress test the financial model. A copy of their draft report is contained within Exempt Appendix C
32. The financial model on of the draft report represents a base case of a 50 year PWLB annuity loan for the council against which other and more flexible funding opportunities will be considered, principally using shorter term finance as part of the financing to reduce revenue costs against the base case. However, short term finance may create a re-financing risk (as interest rates could increase in the future) potentially impacting upon the surplus generated for the general fund.
33. The Council does have internal reserves that could be used to fund some of this investment. If the Council does choose to use some internal reserves (similar to the International House

financing) it would forfeit the investment income that would be generated on the cash balance. However, at the present time the Council currently generates between 0.5% and 1% on cash investments. By using balances to support the development finance the council t would save between 2-2.5% in interest costs by comparison with the base case.

34. The Councils debt portfolio is monitored by its Treasury advisors and they will make recommendations to the Chief Financial Officer on ways to optimise the return and manage the re-financing risk.

## Risks

35. There are a number of other risks that need to be taken into account when carrying out the due diligence including making proper checks in relation to the covenant strength of the developer and the proposed tenants and ensuring that the Council is fully and that the terms represent a sound investment at a yield of 5.1%
36. A draft Risk Assessment is attached at Appendix B.

### *The EU referendum*

37. There has been press coverage of the uncertainty over the referendum result, particularly for the possible effects for foreign investment into the London property market. Stanhope Plc has not experienced any changes affecting its views on the development or the level of interest for the remaining leases despite the uncertainty arising from the referendum.
38. The way that the arrangement is structured, provides a measure of risk management within it, as the price to be paid for the purchase is driven by the yield on the leases in place.

### *Development Risks*

39. The Council will fund the construction costs. The risks of cost over run rest with the developer because the price paid for the development will be determined by the income from the leases divided by the yield of 5.1%. (Yield is defined as the income return on an investment). Therefore if the cost of the development were higher this would not affect the price paid for the development. If construction costs (ie: the loan advanced) exceed the price payable for the development, there will be refund or capping provisions in the Agreement. The Council's interests are protected should construction costs be lower than anticipated as there is an overage clause allowing the Council to share in any growth in profit from the development.
40. The structure of the arrangement passes the risk of units being void at practical completion to the developer, if they are unable to let the vacant units the price for the development will be less.
41. The risk assessment highlights these issues in more detail however the main risk that has been highlighted is the concentration risk of the investment in Ashford and the risk to the council if the development were to fail at some future point. The Council has engaged commercial and real estate advisers CBRE to examine the risks within the leisure market, and advise on the recommendation that the council purchases the investment at the offered yield of 5.1%. Further work is being carried out and will not be available until shortly before the Cabinet meeting. This advice will be tabled at the meeting.
42. Voids. Lease terms for the Cinema and, Hotel will be for 25 years and with proposed terms for the restaurants for 10 years. The covenant strength of each of the tenants will be tested

for financial robustness and the same would apply at the commencement of new leases being entered after the initial period has ended. There are requirements within the development funding agreement which permit the Council to have a measure of control over future tenancies. The Council intends to review covenant strengths of the tenants independently each year to allow it to review its Investment Strategy.

43. Maintenance. The individual leases contain provisions where the repairing liability falls with the tenant. The Council would have responsibility for the common parts which would be recovered through a service charge. It is proposed where these costs can not be accommodated within the service charge an allowance should be made within the revenue budget for these eventualities.
44. Inflation. The leasing strategy in place is upwards only rent reviews with a number of caps for the leases for the Hotel and the Car Park. Upward inflation pressure on costs would apply to both service charges and non recoverable costs. This would be more than offset against the additional revenues generated.
45. Consideration has been given to the life expectancy of the cinema and what will happen at the end of the lease period. We need to remember that the town has a cinema at Junction 9 which is over 20 years old. Whilst we are seeing that there is a need for a refurbishment and some re-design of the offer, the life expectancy of a cinema can be viewed at more than 25 years. However the location of the site and other development that is planned within the town and the level of growth that is indicated within the local plan suggest that there will be alternative uses for the site, should social and economic factors become a consideration in the long-term.
46. An important consideration is the concentration risk of having this significant investment within the town centre and with Stanhope Plc. Given that the leases will have to comply with minimum requirements in the funding agreement we can be reasonably confident that this is not a short term risk, however it will be a consideration for the medium term when there are lease events that would need to be managed. It needs to be remembered that in the event that the Elwick Place development deteriorates there will be a significant impact on the council regardless of whether it has a financial interest in the site or not.
47. However it would be prudent to consider ways to mitigate this risk. Arlingclose have advised that it would be a viable strategy to seek to sell or transfer the asset into a property fund which would then provide the council an income stream but diversify the council's geographical risk. It is advised that the Council's treasury advisors be retained to monitor the market to identify when it would be advantageous to the Council to consider such a transaction and provide advice at that time to inform the decision making process. In any event subject to approvals, the site could be redeveloped eg: for residential purposes should the Council decide to do so in the future.

#### *Financing Risk*

48. The Council has access to money markets and can borrow from the Public Works Loans Board whose lending rates are linked to government gilt rates. This means that the Council has the opportunity to fix its borrowing costs and minimise its refinancing and interest rate risk. The Council's treasury advisors have reviewed their outlook for interest rates and considered an optimum strategy for the council to follow to finance the investment, taking advantage of cheaper funding available for short dated borrowing whilst providing certainty for the majority of the funding. It is therefore considered that this risk can be managed within the construction of a loan portfolio for this investment.

## Other Options Considered

The option of not investing in the development would lead to further delay whilst alternative funding was explored. The Council has not been offered the opportunity to provide construction finance in isolation of the investment proposition.

## Conclusion

49. Taking this bold decision makes a significant statement about the borough council's commitment to Ashford town centre. It underlines the importance of the town centre to the Council and shows residents, existing businesses and those considering Ashford as a location for their business that Ashford is a place of positive action with a can-do authority that continues to place its faith in a revived and reinvigorated town centre both during office hours and into the evening.
50. The Council's commercial property portfolio is an important source of funding for Council services and provides a reliable income even during difficult economic conditions.
51. If the Council decides to provide the short term finance and to purchase the Development, it would provide a regular income stream and secure ownership of an important asset for both the Council and the town centre.

## Portfolio Holder's Views

52. This investment has the potential to significantly contribute to the Council's ability to be sustainable with reducing grants. The concept of investing in long-term assets producing a net income is both logical and practicable. The Council would be acting in the community's best interests as it will enable services to be maintained, even enhanced, with the potential of further improvement over time. It is vital that the Council acts in a commercial manner to ensure it achieves the priority for replacing Formula Grant Funding with income from other sources. The due diligence must be complete before the purchase is completed.
53. Additionally, this report emphasises the business acumen of the Council, building on its successful acquisitions of International House from a commercial viewpoint and Park Mall from both a strategic and commercial viewpoint. Furthermore, I ask fellow Cabinet Members to note that the vast majority of this work has been undertaken in-house by our skilled and knowledgeable officers. The paper sets out the continued innovation of this Council and follows the agreed path set out in the "Informing the next 5 Years" document and the Five-Year Corporate Plan. I am therefore pleased to commend the recommendations to the Cabinet.

**Contact:** Paul Mckenner 01233 330419

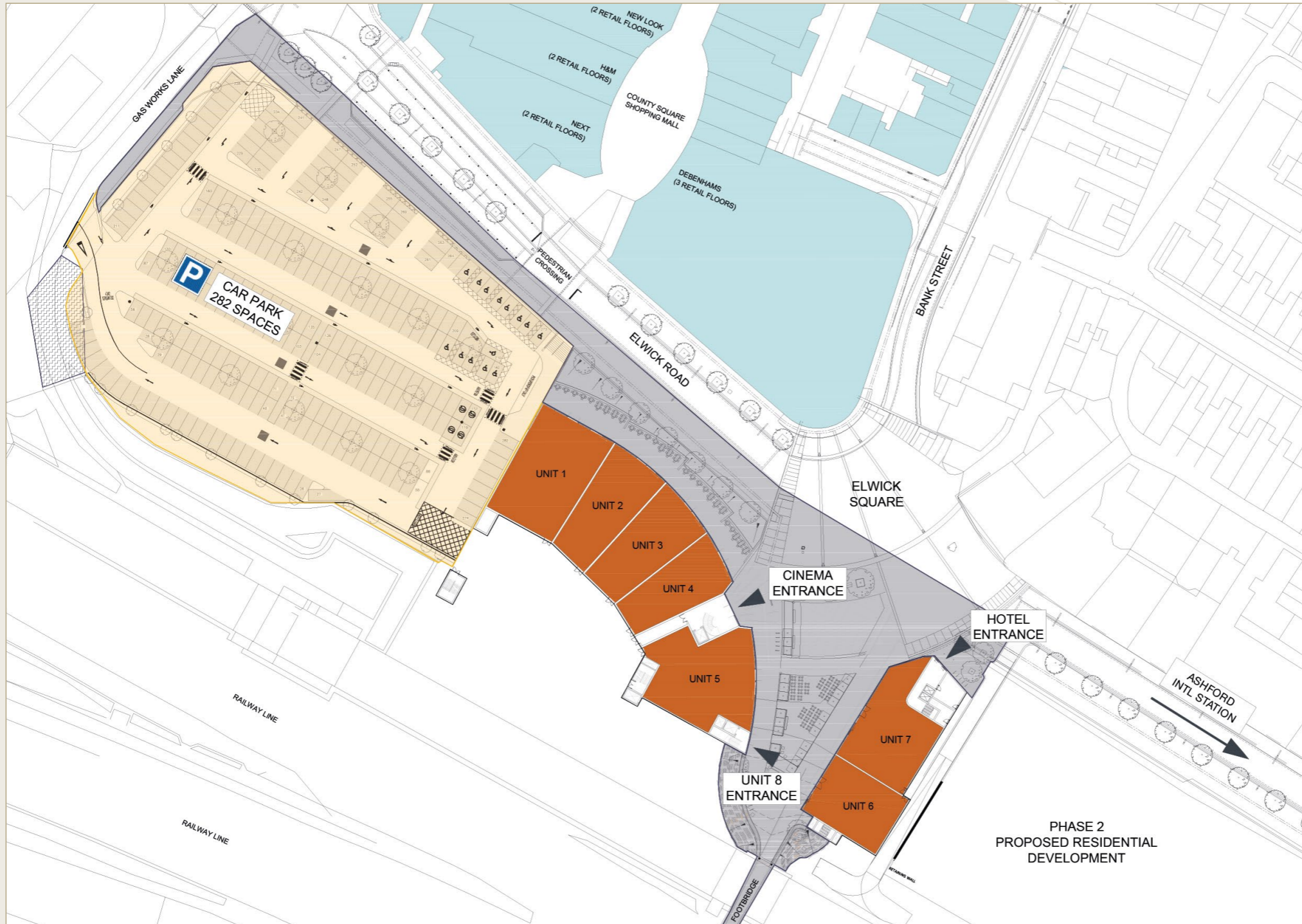
**Email:** paul.mckenner@ashford.gov.uk

## **Appendix D**

### Location Plan

# APPENDIX D

# Location Plan



## Appendix E

### Prudential Indicators 2016/17 to 2018/19 – Revised for Elwick Project

The Local Government Act 2003 requires the Authority to have regard to the Chartered Institute of Public Finance and Accountancy's *Prudential Code for Capital Finance in Local Authorities* (the Prudential Code) when determining how much money it can afford to borrow. The objectives of the Prudential Code are to ensure, within a clear framework, that the capital investment plans of local authorities are affordable, prudent and sustainable, and that treasury management decisions are taken in accordance with good professional practice. To demonstrate that the Authority has fulfilled these objectives, the Prudential Code sets out the following indicators that must be set and monitored each year.

#### Estimates of Capital Expenditure:

Capital Expenditure and Financing	2015/16 Revised £,000	2016/17 Estimate £,000	2017/18 Estimate £,000	2018/19 Estimate £,000
General Fund	6,196	27,986	22,158	45,614
HRA	10,494	9,775	4,962	5,267
<b>Total Expenditure</b>	<b>16,690</b>	<b>37,762</b>	<b>27,121</b>	<b>50,881</b>
Capital Receipts	165	165	165	165
Reserves	6,949	10,240	5,060	5,267
Borrowing	5,233	24,595	20,622	45,129
External Grants	4,342	2,761	1,274	320
<b>Total Financing</b>	<b>16,690</b>	<b>37,762</b>	<b>27,121</b>	<b>50,881</b>

**Estimates of Capital Financing Requirement:** The Capital Financing Requirement (CFR) measures the Authority's underlying need to borrow for a capital purpose.

Capital Financing Requirement	31.03.16 Revised £,000	31.03.17 Estimate £,000	31.03.18 Estimate £,000	31.03.19 Estimate £,000
General Fund	15,464	42,524	65,748	113,128
HRA	146,067	146,067	146,067	146,067
<b>Total CFR</b>	<b>161,531</b>	<b>188,591</b>	<b>211,815</b>	<b>259,195</b>

The CFR is forecast to rise by £12.66m over the next three years as capital expenditure financed by debt outweighs resources put aside for debt repayment.

**Gross Debt and the Capital Financing Requirement:** In order to ensure that over the medium

term debt will only be for a capital purpose, the Authority should ensure that debt does not, except in the short term, exceed the total of capital financing requirement in the preceding year plus the estimates of any additional capital financing requirement for the current and next two financial years. This is a key indicator of prudence.

<b>Debt</b>	<b>31.03.16 Revised £,000</b>	<b>31.03.17 Estimate £,000</b>	<b>31.03.18 Estimate £,000</b>	<b>31.03.19 Estimate £,000</b>
Borrowing	0	35,200	58,424	105,804
HRA	119,664	117,664	114,664	113,664
PFI liabilities	27,159	26,719	26,217	25,649
<b>Total Debt</b>	<b>146,823</b>	<b>179,583</b>	<b>199,305</b>	<b>245,117</b>

Total debt is expected to remain below the CFR during the forecast period.

**Operational Boundary for External Debt:** The operational boundary is based on the Authority's estimate of most likely (i.e. prudent but not worst case) scenario for external debt. It links directly to the Authority's estimates of capital expenditure, the capital financing requirement and cash flow requirements, and is a key management tool for in-year monitoring. Other long-term liabilities comprise finance lease, Private Finance Initiative and other liabilities that are not borrowing but form part of the Authority's debt.

<b>Operational Boundary</b>	<b>2015/16 Revised £,000</b>	<b>2016/17 Estimate £,000</b>	<b>2017/18 Estimate £,000</b>	<b>2018/19 Estimate £,000</b>
Borrowing	123,000	156,000	177,000	223,000
Other long-term liabilities	28,000	27,000	27,000	26,000
<b>Total Debt</b>	<b>151,000</b>	<b>183,000</b>	<b>204,000</b>	<b>249,000</b>

**Authorised Limit for External Debt:** The authorised limit is the affordable borrowing limit determined in compliance with the Local Government Act. It is the maximum amount of debt that the Authority can legally owe. The authorised limit provides headroom over and above the operational boundary for unusual cash movements.

<b>Authorised Limit</b>	<b>2015/16 Revised £,000</b>	<b>2016/17 Estimate £,000</b>	<b>2017/18 Estimate £,000</b>	<b>2018/19 Estimate £,000</b>
Borrowing	344,000	375,000	385,000	495,000
Other long-term liabilities	25,000	25,000	25,000	25,000
<b>Total Debt</b>	<b>369,000</b>	<b>400,000</b>	<b>410,000</b>	<b>520,000</b>



**Agenda Item No:** 10

**Report To:** Cabinet

**Date:** 14<sup>th</sup> April 2016

**Report Title:** Grounds Maintenance, New Operational Structure: Approval of costs associated with early release of Local Government Pension Scheme benefits due to redundancy.

**Portfolio Holder:** Cllr Miss Martin Portfolio Responsibility for Information and Communication

**Report Author:** Joy Cross- Human Resources Manager

**Summary:** In October 2016 the Grounds Maintenance function will become an in-house service and there will no longer be an external contract to manage. As a consequence there will no longer be the requirement for officers to monitor a contract, and contract management posts will become redundant.

This report explains that two affected post holders are entitled to the early release of their Local Government Pension Scheme benefits due to reasons of redundancy.

It is the Council's policy with regard to the application of pension scheme discretions that the costs associated with early release of the Local Government Pension Scheme benefits must be approved by Council.

**Key Decision:** Yes

**Affected Wards:** None

**Recommendations:** The Cabinet be asked to recommend to Council that it:-

**(i) Approve the costs of the early release of Local Government Pensions Scheme Benefits for affected post holders for reasons of redundancy.**

**Policy Overview:** The Council's policy on the application of pension scheme discretions is that all costs associated with early release of the local government pension benefits must be approved by Council.

**Financial Implications:** Cost implication of early release of the LGPS pension  
Total pension liabilities, cost to the Council, is estimated to total £55,583.00 (if paid as a lump sum).

**Risk Assessment** No

<b>Equalities Impact Assessment</b>	Yes
<b>Other Material Implications:</b>	None
<b>Exemption Clauses:</b>	Not applicable
<b>Background Papers:</b>	None
<b>Contacts:</b>	joy.cross@ashford.gov.uk – Tel: (01233) 330 400

## **Report Title:**

### **Grounds Maintenance, New Operational Structure: Approval of costs associated with early release of Local Government Pension Scheme benefits due to redundancy**

#### **Purpose of the Report**

1. The report seeks to gain Council approval for the early release of Local Government Pension Scheme benefits for affected post holders in the event that their employment ends for reasons of redundancy.
2. The report seeks to comply with the Council's policy with regard to the application of pension scheme discretions, in that the costs (liabilities to the Council) associated with early release of the Local Government Pension Scheme benefits must be approved by Council.

#### **Background**

3. In September 2015 Cabinet agreed to take the Grounds Maintenance function in house so that it had greater control over the quality, flexibility and costs of the in-house grounds maintenance service across the borough. This matter was dealt with in the September Cabinet Paper 'Landscape Management: Improving Presentation of the Borough; Creating an In House Service' and this paper provided delegations to Heads of Services to take necessary steps to give effect to the recommendations of this report, including developing and consulting on an operational structure for this new service.
4. In February 2016 a consultation paper was submitted to the JCC stating that:  
  
"As ABC will no longer have a grounds maintenance contract to monitor and manage it is inevitable that some posts, especially the Street Scene and Open Spaces Officers, will no longer be required to monitor the contract".
5. The three affected employees are being consulted with at present and although consultation is ongoing they may have a potential last day of employment of 30th September 2016.

#### **Policy Background - Council's Retirement, Redundancy and Discretionary Compensation Policy statement**

6. All three officers are Local Government Pension Scheme (LGPS) Members. Under the Pension Scheme Regulations, if a scheme member aged 55 or over, is made redundant the individual is entitled to early release of their

pension. Two of the affected officers would be eligible to early release of their pension, i.e. they are aged 55 or over. The Council's policy on the application of pension scheme discretions is that all costs associated with early release of the LGPS benefits must be approved by Council.

7. No other redundancy costs require a full council approval, the Council's Retirement, Redundancy and Discretionary Compensation Policy statement sets out the thresholds at which the approval must be referred to full Council; currently the threshold is £100,000. The Chief Executive, with the concurrence of the Leader, recommendation of the Portfolio Holder and in consultation with Management Team, has the delegated authority to approve amounts where the total capital cost is below this threshold.

## **Communities Impact Assessment**

8. Age related criteria associated with the early release of pension benefits complies with the LGPS scheme rules.

## **Other Options Considered**

9. The early release of Local Government Pension Scheme benefits for affected post holders would only be actioned in the event that no suitable alternative work (as defined under Section 141 of the Employment Rights Act 1996 and as set out in Council's policy Redundancy and Organisational Change) can be found for these affected officers.

## **Consultation**

10. Formal consultation with affected employees commenced on 15<sup>th</sup> January 2016 and has been ongoing since that point. Three formal consultation meetings have taken place thus far with each of the three affected individuals. In the most recent formal consultation meetings, held on the 22<sup>nd</sup> March and 31<sup>st</sup> March 2016, affected employees were advised that their posts would be made redundant and that all future formal consultation would focus on finding suitable alternative employment.
11. Since 15<sup>th</sup> January 2016 affected employees have been placed on the Council's redeployment list and have been invited to complete a Skills Audit to enable them to be best matched to any suitable alternative posts.
12. Suitable alternative employment is being actively sourced by Personnel and all reasonable redeployment opportunities explored.

## **Implications Assessment**

13. The financial implication of agreeing to this early release of LGPS benefits for affected post holders is £55,583.80.

## Handling

14. If Members are minded to approve this report the implications would be effective from end September 2016

## Conclusion

15. Early release of Local Government Pensions Scheme benefits are sought in line with Council policy and would take place in the event that the post holders are displaced, following all reasonable redeployment opportunities being explored.

## Portfolio Holder's Views

16. " I fully support this report as it is line with Council Policy."

**Contact:** Joy Cross, HR Manager

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## 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> March 2016**.

### Present:

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

Cllrs. Farrell, Feacey, Heyes, A Howard, Mrs Martin, Mrs Webb.  
Mr. M J Angell, Mr P M Hill, Mr. D Smyth, Mr. J N Wedgbury.

Mr. K Ashby – KALC Representative.

### Apologies:

Mr S J G Koowaree, Mr M A Wickham.

### Also Present:

Cllrs. Burgess, Miss Martin, Ovenden, Sims.

John Farmer (Project Manager, Major Projects – KCC), Lisa Willoughby (Ashford District Manager – KCC), Jo Fox (Health, Parking & Community Safety Manager – ABC), William Train (Engineering Technical Officer – ABC), Jeremy Baker (Principal Solicitor – Strategic Development – ABC), Danny Sheppard (Senior Member Services & Scrutiny Support Officer – ABC).

## 345 Declarations of Interest

Councillor	Interest	Minute No.
Mr Ashby	Made a 'Voluntary Announcement' as part of the railway track referred to in the report passed through some land that he farmed.	352
Mrs Martin	Made a 'Voluntary Announcement' as a resident of Christchurch Road.	347
Mrs Webb	Made 'Voluntary Announcements' as the Author of the report and as a resident of, and Ward Member for, the Norman (Ashford) Ward.	347

## **346 Minutes**

### **Resolved:**

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

## **347 Beaver Road Bus Gate – Proposal for Trial Suspension**

Councillor Mrs Webb introduced her report which outlined the problems associated with the rising bollard Bus Gate in Beaver Road. This had been an extremely controversial issue since it was first agreed in 1998 and the Gate was regularly out of order causing frustration and increased maintenance costs. At a meeting of this Board in March 2014 the Gate was discussed and it was stated then that the matter of Bus Gates had been being debated for over 12 years and the Gate had been abused and unreliable for over a decade. In its resolution the Board stressed that it was of paramount importance that the relevant officers of ABC and KCC worked together with great urgency towards an appropriate solution, but two years on they appeared no further down the line. Councillor Mrs Webb said that during her canvassing for Election in 2015 one of the main issues raised was the Beaver Road Bus Gate and people had wanted it removed, so she said she felt she would be failing her residents if she did not raise it at this Board. She therefore said she would like to propose that KCC consider disabling the Bus Gate for a six month period and at the end of the trial period to undertake a new survey with residents and businesses to determine if the Bus Gate was still a viable option, or whether it should be disabled on a permanent basis. She said she would not however wish to see the removal of the pinch points which were successful in slowing traffic down. She concluded by saying that she recognised this may be a controversial point, but it was important to do something and the six month trial would allow for proper consultation and to work towards a permanent solution.

Other Members said they supported the points made by the Ward Member. It was considered that the way Ashford had changed in recent years, and this area in particular with the installation of Victoria Way, had alleviated the need for traffic to cut through Beaver Road and there was a need for a re-think. The taxi trade had also become increasingly frustrated as when the Bus Gate was out of order they had to charge an increased fare to go the longer way round and this caused suspicion amongst customers. One Member wondered if a six month period would be long enough to draw any meaningful conclusions and considered that any trial should certainly take in the Christmas period. Another Member said that if KCC did not want to disable the Bus Gate, they should at least re-visit how it was enforced to make it safer. The legislation was now in place to install ANPR cameras and there had already been trials in Tunbridge Wells, so this should also be re-visited for Beaver Road and other Bus Gates in the Borough.

Some Members said they had a concern about the safety effects of disabling the Gate. It had been put in for a reason and traffic did use the road as a rat run and drove extremely quickly. They said they would certainly like to see the pinch points

retained but it may be necessary to move more slowly and seek further advice from Highways and Road Safety Engineers. A Member proposed that the Board seek a further report from Officers before moving forward with any proposals to disable the Gate. There was also some uncertainty about the effect the proposal might have on surrounding roads and that might need some further consideration.

Mrs Willoughby advised that in the 12 months up to November 2015, the Beaver Road Bus Gate had only been out of action on three occasions and these were all due to road traffic incidents. The Gate was checked and inspected quarterly as well as ad hoc reports being responded to. Contrary to some reports, the barrier and parts were not now obsolete and, in the opinion of KCC, the system was not classed as unreliable. The bollards had been installed for safety reasons and the road was subject to a Traffic Regulation Order prohibiting all vehicles except buses and licenced taxis, therefore any re-opening of the road (temporary or permanent) would have to be supported by firm data to make it a priority, and the risk to the safety of highway users would be the paramount consideration. Mrs Fox said that she understood the concerns raised but advised that there were also likely to be objections to the suspension of the Bus Gate from both the Police and bus companies who would be statutory consultees.

**Resolved:**

**That the Board recommends to Kent County Council that: -**

- (i) the Beaver Road Bus Gate should be disabled for a six month trial period.**
- (ii) at the end of the trial period a new survey be undertaken with current residents and businesses to determine if the Bus Gate was still a viable option or it should be disabled on a permanent basis.**

### **348 A28 Chart Road Dualling – Report on Public Engagement**

Mr Farmer introduced the report which gave a full description of the A28 Chart Road Dualling scheme, detailed the public engagement arrangements and a commentary on the outcome and gave factual information around the exhibition and responses. He advised that the comments that had been received during the consultation had been useful but not surprising as Officers had been aware from local knowledge and advice from Ward Members. The majority were from residents associated with specific local issues such as traffic noise and parking. Some issues were being investigated in more detail and the intention was to give personal feedback to those people who provided the comments. There had been further, more detailed discussions regarding the Cobbs Wood Estate and concern by Geerings and their tenants about the need to undertake lengthy 'U' turns. Unfortunately due to the physical constraints of the site and safety reasons it would not be possible to provide an 'all directions' access and any benefits would be more than offset by the dis-benefits to the larger main road traffic flow. Mr Farmer said he thought there was probably now 'reluctant acceptance' on that point but as a result of those further



discussions KCC and ABC Officers had agreed to carry out a safety and parking review of the whole Cobbs Wood Estate to try and mitigate issues with displaced vehicle movements, as well as investigating the existing road surface within the estate.

Despite the specific local concerns that needed to be investigated further as part of the detailed design stage such as parking issues in Loudon Way and noise mitigation measures, Mr Farmer said that the majority of people who had attended the exhibition were considered to be in favour of, or at least understood and accepted the need for, the proposed improvements. There was also perceived to be a similar understanding when the reasons for traffic signals rather than a roundabout at Loudon Way were explained. Subject to the views of this Board he now intended to take the scheme to the KCC Corporate Director for formal approval as a basis for taking forward to the detailed design and land acquisition stages. The scheme was in part supported by Local Growth Funding and the business case had been approved by the Local Enterprise Partnership's Accountability Board in February for release of the funding.

The two ABC Ward Members and the KCC Divisional Member for the area thanked Mr Farmer and his colleague for the time they had spent on the consultation and for taking on board the feedback that had been received. There had obviously been some concern from the residents of Godinton Park about the prospect of a dual carriageway being constructed behind their houses, but concerns had been listened to and the proposed noise mitigation measures were pleasing. The fact that the new railway bridge had been proposed for the east side of the A28 was also better for Godinton Park residents. One of the Members asked about Loudon Way and asked if there was anything that could be done in the meantime to alleviate the parking problems there because the rest of the scheme was at least three years away from being completed. There were problems in this location now, and there had been an accident there with a pedestrian recently. Mr Farmer said that there were possible plans to procure a contractor early to help support the design of the scheme and whilst he did not want to make any promises before the scheme was more advanced, there may be opportunities to do something earlier and he would bear that in mind.

The Chairman said that the potential for pollution from the new road had been raised but there did not appear to be any obvious experts in the list of consultees. He asked for a body such as the Environment Agency or Public Health England to be included to help address those concerns. Mr Farmer pointed out that the biggest contribution to pollution was made by stationary traffic so this new road, with its more free flowing traffic, may actually improve the situation. Mr Farmer said that a commentary on air quality aspects of the scheme would be included in future reports to the Board.

A Member asked about the Tank roundabout and said that she was concerned about the number of exits it had as well as the potential for flooding from surplus water. Mr Farmer said that this particular roundabout did have physical constraints because of the amount of available space and the need to accommodate five awkwardly located legs rather than the ideal number of four equally spaced legs and this had led to the need for a 'lozenge' shaped roundabout. The issue of drainage had been investigated because initially it was thought that lagoons may be needed to hold

surface water, but the investigations had shown that the new drainage system, with larger pipes in places, would provide enough volume to attenuate surface water flows.

Another Member drew attention to a meeting happening in Bethersden on 21<sup>st</sup> March which would include relevant KCC and ABC Officers and representatives of a number of Parish Councils to discuss the possible effects of this scheme and the Chilmington development, particularly during construction phases, in terms of traffic in the villages. He thought it would be useful for all affected Borough and County Members to attend.

**Resolved:**

**That the outcome of the public engagement outlined in the report be noted and, subject to the comments made at this meeting, the scheme shown on drawing 4300246/000/79, go forward to KCC's Corporate Director for Growth, Environment and Transport for formal approval as the Preferred Scheme to take forward for detailed design, land acquisition and statutory procedures including compulsory purchase.**

### **349 Parking and Waiting Restrictions – Update Summary**

The report provided an update and summarised parking and waiting restriction schemes that had been brought through the Joint Transportation Board.

**Resolved:**

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

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

Mrs Fox introduced the report which gave the Board an update and summary of the pilot scheme to clamp persistently evading illegally parked HGVs in the Ashford Borough which was presented to the Board on the 8<sup>th</sup> December 2015. Since the trial KCC had kindly agreed that clamping of persistent evading HGVs could continue. In addition, work had been undertaken to address the parking problems identified at Wotton Road and Ellingham Industrial Estate, South Ashford and details of those recommendations had been included in the previous report on the Agenda. She further advised that the concerns identified at various locations on the A20 at Hothfield were continuing to be investigated with KCC and the residents and a further update report would be submitted to the next Board meeting.

Mrs Fox further advised that they were now at somewhat of a tipping point as lorry parking spaces in the area were now full to capacity on most nights of the week. Enforcement was working and achieving a higher level of compliance than before and as such would continue to enforce and clamp to ensure compliance was as high as it could be. In addition they were working with KCC, other Kent Authorities and the Police to review the areas that had the biggest impact on residents and quality of

life, but they were now at the point where there was simply not enough overnight lorry parking provision across Kent. The question remained, when the problems that are affecting residential areas had been resolved, where else was there to send these HGVs? Some displaced vehicles had begun to park on motorway hard shoulders and laybys and this was causing accidents and had a high probability of causing fatalities so was another cause for concern. The Police had been working to move vehicles on and issue Fixed Penalty Notices where appropriate. It would be important to continue to support all options for further overnight lorry parking in the operation stack consultation and work proactively with other agencies in an attempt to deliver a countywide approach. Both KCC and East Kent Authorities were working collectively and it would now be important to get West Kent Authorities on board as it was currently not seen as 'their problem' although it inevitably would be soon as the number of HGVs continued to grow.

**Resolved:**

**That the report be received and noted and the ongoing work supported.**

### **351 Consultation on Operation Stack Lorry Park**

Further to the previous report on the Agenda the report provided an update on ABC's response to the Transport Committee's request for comments on the evidence it had taken on 14<sup>th</sup> October 2015 on the impact of Operation Stack.

**Resolved:**

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

### **352 Park Farm Rail Halt Update**

Mr Train introduced the report which followed on from a report to the Board in September and provided an update on progress to date regarding the Park Farm Rail Halt, including the outcome of the Rail Halt Procurement Stage 1 actions. He advised that the Stage 1 actions were complete and the Stage 2 actions (as outlined in the report) were now underway.

The item was then opened up to the Board and the following points were made: -

- It was pleasing to note the apparent change of thinking from Network Rail who now seemed more open to the possibility of a Rail Halt at Park Farm. This had always been considered an extremely important development for the people of Ashford and would become even more important as Ashford continued to grow. Pressure should be kept on Network Rail to deliver the Halt.
- The outcome of the Kent Route Utilisation Study and proposals to electrify the Marshlink line and potentially allow HS1 trains to use the line would all have potential impacts on proposals for a Rail Halt. It was noted that HS1 trains were unlikely to stop at the smaller stations on the line, including any new Halt at Park Farm, so it may not be the panacea that many expected.

- Whatever the outcome of the Kent Route Utilisation Study it was likely that trains on the Marshlink line would become faster and the line busier, but there were no plans to dual the line all the way down to East Sussex.
- It was highly unlikely that Lydd Airport would be interested in re-instating their direct line and station. The line was currently used to transport nuclear waste from the Power Station and subject to a speed restriction and a number of road crossings which would make such use unviable.
- If residents of Brighton and East Sussex were able to get to Ashford easier it may become a more attractive option for international travellers than London or Ebbsfleet and may help Ashford's case in retaining or expanding its international offer.

The Chairman said he would like to see the Kent Route Utilisation Study draft report come back to this Board. The draft was due out for consultation in Autumn 2016, with a final report due in early 2017, so he requested that the Board consider the draft and respond to the consultation at its meeting on 13<sup>th</sup> September 2016.

**Resolved:**

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

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

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

A Member advised that the Willesborough Dykes cycleway/footway could now be removed from the Developer Funded Works schedule as it had been completed some time ago.

**Resolved:**

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

### **354 LED Street Lighting Project Update**

The report provided an update on the LED conversion project.

A Member said that he understood that residents could ask for the new lights near their properties to be adjusted if they were too bright and asked for a contact. Mrs Fox advised that Ashford was the first District to have these lights installed and then they would be rolled out across Kent. Following that there would be a published process on how to get lights adjusted. Mr Train advised that there was an option to bolt on shields to individual lights if there were particular problems, so anything immediate should be reported directly to KCC.

In response to a question about ABC's own street lighting Mrs Fox advised that this would be the subject of a report to the Cabinet in May.

**Resolved:**

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

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# 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> March 2016**.

## **Present:**

Councillor Bennett (Vice-Chairman in the Chair);

Cllrs. Blanford; Clokie; Galpin; Michael; Shorter,

## **Apologies:**

Cllr Clarkson, Wedgbury.

## **Also Present:**

Cllrs. Burgess; Hicks

Simon Cole – Head of Planning Policy & Economic Development; Ian Grundy – Principal Policy Planner; Carly Pettit – Policy Planner; Jeremy Baker – Principal Solicitor- Strategic Development; Clare Ricketts – Member Services & Scrutiny Support Officer.

## **1 Declarations of Interest**

- 1.2 Councillor Shorter made a Voluntary Announcement as he had previously expressed an interest in land next to a site in Woodchurch.

## **2. Notes of the Local Plan and Planning Policy Task Group Meeting held on 25<sup>th</sup> February 2016**

- 2.1 The Task Group Members agreed that the Notes of the Local Plan and Planning Policy Task Group Meeting held on 25<sup>th</sup> February 2016 were an accurate record.

## **3 Local Plan Site allocations – Draft Site Policies – Part 2**

- 3.1 The Principal Policy Planner introduced this item and advised that this was the second set of site policies seen by the Task Group. He stressed that these were draft policies, which could be amended prior to publication. As they were going into the draft Local Plan, there would also be further opportunity for amendments after public consultation.
- 3.2 Members discussed the draft site policies put forward in the report. They supported some of the policies, whilst others were highlighted as needing further research and amendments before being re-submitted to the Task Group.

**Resolved:**

- i) The Local Plan and Planning Policy Task Group agreed some of the draft site policies set out in the report for inclusion in the Draft Local Plan.**
- ii) The remaining draft site policies would be revised and re-submitted to the Task Group.**

## **4 Sites for Exclusive Homes – possible site allocations**

- 4.1 The Principal Policy Planner discussed the possible sites that had been identified.
- 4.2 Members agreed that the selected sites had potential and asked the Officers to continue their work on this project.

**Resolved:**

- i) Officers continued working on identifying sites for Exclusive Homes.**

## **5 Dates of Next Meetings**

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

31 <sup>st</sup> March	10am	Council Chamber
13 <sup>th</sup> April	2pm	Council Chamber
29 <sup>th</sup> April*	10am	Council Chamber

\*this meeting would consider the full draft Local Plan prior to the Cabinet considering in May

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

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Queries concerning these minutes? Please contact Clare Ricketts:  
Telephone: 01233 330499 Email: [clare.ricketts@ashford.gov.uk](mailto:clare.ricketts@ashford.gov.uk)  
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# NOTES OF THE TOWN CENTRE REGENERATION BOARD

## 24<sup>th</sup> February 2016

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

Tracey Kerly (TK)  
Ben Lockwood (BL)  
Paul Naylor (PN)  
Andrew Osborne  
Steve Parish (SP)  
Richard Alderton, (RA)  
Dean Spurrell (DS)  
Charlotte Hammersley  
Paul McKenner (PMcK)  
Rosie Reid (RR) – minutes

**Apologies:** Cllr. Ovenden  
Stewart Smith

<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>Cllr Shorter made a Voluntary Announcement as he was a Director of Kent Play Clubs and A Better Choice for Building Consultancy Ltd.</p>	
<p><b>2. Notes of the Meeting held on 27<sup>th</sup> January 2016</b></p> <p>The Notes of the Meeting held on 27<sup>th</sup> January 2016 were agreed as a correct record.</p>	
<p><b>3. Conningbrook Pub/Hotel Presentation</b></p> <p>Representatives from a local pub operator attended and gave a presentation on a potential design for a pub/hotel on the Conningbrook Lakes waterfront, as well as the financial breakdown of the proposals.</p> <p>The Chair opened up the item to discussion and the following questions/points were raised:</p> <ul style="list-style-type: none"><li>• It was clarified that the offer for the land was on the presumption that the site would be service ready. Officers were currently working on the costs of providing services on site.</li><li>• Board Members were concerned that maximum benefits should be achieved for all site partners through joint working. They</li></ul>	



<p>considered that further work needed to be undertaken by all partners to ensure that there was full interplay between the various elements of the country park, the pub offer, the Julie Rose Stadium facility and the future housing development.</p> <ul style="list-style-type: none"> <li>• One Member expressed concerns about what would happen in the event of the proposed pub/hotel not being a success and ceasing trading, or being destroyed by fire or flooding. He wished to see the Council's position protected if the building were to be abandoned in the future for any unforeseen reason. It was agreed that the Council should negotiate 'step-in' rights as a precaution.</li> <li>• In answer to a question, it was confirmed that the orientation of much of the seating area was purposely situated on the eastern part of the main deck, to ensure as much sunlight as possible and encourage visitors to use the outdoor seating facilities.</li> <li>• There was a question about how the operator would cope with rotting vegetation near the pub's waterfront. It was noted that the ecology reports would pick up any potential problems of this nature. SP also advised that because the lake was intended to accommodate triathlon swimming events, there would be a programme of weed management in place.</li> <li>• Board Members considered it was essential that the pub/hotel was promoted correctly. The aspiration for this facility was to provide an experience and destination for the whole community for the wider part of the day, with the emphasis being on inclusion for all.</li> <li>• In response to a question about valuation of the land, PMcK confirmed that he had received valuation advice from Cradicks.</li> <li>• One Member asked about the savings which would accrue to the Council as a result of the pub/hotel facility being built. SP undertook to provide further details.</li> </ul> <p><b><u>Action</u></b></p> <ol style="list-style-type: none"> <li>1. Further soft market research to be undertaken prior to confirmation of sale of land.</li> <li>2. SP to provide further details on savings for ABC as a result of pub/hotel facility.</li> </ol>	<p><b>PMcK</b></p> <p><b>SP</b></p>
<p><b>4. Update Report on Major Projects</b></p> <p><u>Conningbrook</u> – PMcK advised that the legal agreement for the housing phase was nearly finalised and suggested that a PR event should be arranged to celebrate the conclusion of negotiations once the deal was signed off in approximately 2 weeks.</p> <p><u>Commercial Quarter</u> – PMcK explained that the legal agreements were expected to be signed during the 2<sup>nd</sup> week of March. There was a complication with regard to a planning issue but the Board agreed that the project should proceed, whilst bearing in mind the risk.</p>	

Elwick Place Development – PMcK advised that a detailed report would be submitted to the Board at the meeting on 23<sup>rd</sup> March, before going to Cabinet on 14<sup>th</sup> April and full Council on 21<sup>st</sup> April.

The Chair opened up this item for discussion and the following questions/comments were raised:

- In reponse to a question it was confirmed that Arlingclose were providing financial advice to the Council on matters relating to debt, loans and funding. Full clarification of the tax position would be sought from KPMG and all necessary due diligence would be undertaken to ensure that any risks were fully understood.
- With regard to the proposed development, it was noted that the Council was the freeholder and would be leasing facilities to the operators and tenants.

Grounds Maintenance Depot Acquisition – PMcK advised that he had submitted an information report to the Board for today's meeting explaining the need to pursue an exception to the Contract Standing Orders in relation to the acquisition of land and construction of a new grounds maintenance depot. He further explained that the Council was in final negotiations to acquire a suitable site. The Board agreed that the process followed for this project was in the best interest of the Council, taking into account the special circumstances.

Queries concerning these minutes? Please contact Rosie Reid:

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**Agenda Item No:** 14  
**Report To:** CABINET  
**Date:** 14<sup>TH</sup> APRIL 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

**Contacts:** danny.sheppard@ashford.gov.uk – Tel: 01233 330349

**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> April 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
Safeguarding Policy	<i>Approval of a revised Safeguarding Policy for the Council following recent changes in national policy, most notably the introduction of the Care Act 2014 and national guidance.</i>	Cllr Shorter	James Hann	Open	6/1/16

<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>
Affordable Homes Programme Phase 5	<i>To update on the proposed use of HCA monies within the AHP and use of other funding to maximise delivery of affordable housing whilst remaining within our debt cap. The report will also detail the overall cost of redevelopment of the Danemore scheme and seek permission to proceed with an aim to start on site by autumn 2016.</i>	Cllr Clokie	Giles Holloway	Open	15/1/16
Consultation Update regarding Grounds Maintenance Function - Potential Pension Implications	<i>Approval of the costs associated with early release of the Local Government Pension Scheme benefits for two affected post holders due to reasons of redundancy.</i>	Cllr Mrs Bell	Joy Cross	Open	15/2/16
Elwick Road		Cllr Shorter	Paul McKenner	Exempt	26/2/16
<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>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>
A Review of T-CAT's Role and Options for the Future	<i>To propose a review of T-CAT which will determine: - the current functions of the Team; categories of functions carried out by T-CAT and their worth; who tasks T-CAT and how that tasking is done; what else needs to be done (now and during the next five years) and who should do it; what resources need to be available to do this work, and where they should come from.</i>	Cllr Mrs Blanford/ Galpin	Kirsty Hogarth	Open	9/5/14
The Draft Planning & Development Local Enforcement Plan		Cllr Bennett	Richard Alderton	Open	26/1/16
Removal of High Street Parking Charges	<i>To agree changes to parking charges within the Borough aimed at ensuring that the Council's arrangements are fit for purpose in the current climate and supportive of wider corporate objectives.</i>	Cllr Heyes	Jo Fox	Open	26/2/16
ABC Street Lighting	<i>To propose that the Council fund a capital investment programme to replace its lighting columns to adoptable KCC standard in order to transfer as many assets as possible.</i>	Cllr Heyes	Jo Fox	Open	26/2/16
Public Conveniences	<i>To propose a Community Toilet Scheme designed specifically for residents of Ashford.</i>	Cllr Mrs Bell	Tracey Butler	Open	14/3/16

<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>
Council Tax Support Scheme 2017 – Draft for Consultation	<i>To agree a draft scheme that will form the basis of a consultation exercise that will seek to view of stakeholders on the options for the new scheme. Cabinet will then receive a report in the Autumn with the final recommendations for the scheme which once agreed and adopted will then form one of the elements of the 2017/18 budget.</i>	Cllr Shorter	Ben Lockwood	Open	31/3/16
<b>9<sup>th</sup> June 2016</b>					
Final Outturn 2015/16	<i>Final budget outturn for previous financial year</i>	Cllr Shorter	Ben Lockwood	Open	12/6/15
Quarterly Performance Report	<i>Standard Quarterly Performance Report</i>	Cllr Shorter	Nicholas Clayton	Open	4/04/16
Data Protection Policy		Cllr Miss Martin	Nicholas Clayton	Open	6/04/16
Park Farm Bus Subsidy		Cllrs Bennett/Heyes	Lois Jarrett	Open	24/2/16
Waste & Recycling – Costed Forward Education & Promotion Strategy	<i>Further to the report received by the Cabinet in February 2016, presentation of a costed forward education and promotion strategy, including forward recycling options and targets be approved.</i>	Cllr Mrs Bell	Julie Rogers	Open	13/2/16

Decision Item	Report Summary	Relevant Portfolio Holder	Report Author	Open or Exempt	Added to Schedule
Corporate Delivery Plan		Cllr Clarkson	Kirsty Hogarth	Open	26/2/16
Anti-Social Behaviour and Enforcement (including Litter, Dog and Housing Enforcement)	<i>To revise delegations for legislation under the Anti-social Behaviour, Crime and Policing Act 2014 and propose a bespoke support service for enforcement activity.</i>	Cllr Heyes	James Hann/ Tracey Butler	Open	7/12/15
Chilmington Design Code – Adoption as a Supplementary Planning Document		Cllr Bennett	Mark Chaplin	Open	31/7/15
Publication Draft Local Plan to 2030	<i>To seek approval of the new Local Plan as a basis for wide public consultation for a period of eight weeks.</i>	Cllr Bennett	Simon Cole	Open	15/1/16
Draft Community Infrastructure Levy (CIL) Charging Schedule		Cllr Bennett	Simon Cole	Open	14/3/16
Ashford College Funding Phase 1a		Cllrs Clarkson/ Shorter	Ben Lockwood	Open	14/3/16
Ashford International Model Railway	<i>To describe the unique economic &amp; tourism investment proposal to (a) build an</i>	Cllr Mrs Blanford/Mrs	Ben Moyle	Open	17/3/15



Decision Item	Report Summary	Relevant Portfolio Holder	Report Author	Open or Exempt	Added to Schedule
Education Centre – (AIMREC): Proposed new Major Visitor Attraction	<i>international visitor attraction on the former Klondyke railway works site in keeping with priorities 1 &amp; 4 of the corporate plan 2015-2020 and (b) regenerate the former Klondyke railway works and town centre tourism offer.</i>	Bell			
<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
Update on Landscaping Contract		Cllr Mrs Bell	Christina Fuller	Open	26/2/16
Affordable Housing Provider Protocol		Cllr Clokie	Jennifer Shaw	Open	31/3/16
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
Procurement and Appointment of External Audit		Cllr Shorter	Paul Naylor	Open	31/3/16
Annual Report	<i>The Annual Report will build upon the contents</i>	Cllr Miss	Nicholas Clayton	Open	10/7/15

Decision Item	Report Summary	Relevant Portfolio Holder	Report Author	Open or Exempt	Added to Schedule
	<i>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>	Martin			
<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>					
Cemetery Memorial Safety Policy	<i>Report back on adoption of policy and set of operational guidelines to manage the forward process relating to the safe management of memorials in Ashford.</i>	Cllr Mrs Blanford	Julie Rogers	Open	26/2/16
<b>13<sup>th</sup> October 2016</b>					

Decision Item	Report Summary	Relevant Portfolio Holder	Report Author	Open or Exempt	Added to Schedule
<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
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
<b>12<sup>th</sup> January 2017</b>					
Revenues & Benefits Recommended Write-	<i>Proposed formal write-off of debts</i>	Cllr Shorter	Peter Purcell	Open (Exempt)	16/1/15

Decision Item	Report Summary	Relevant Portfolio Holder	Report Author	Open or Exempt	Added to Schedule
Offs Schedule				Appendix)	
<b>9<sup>th</sup> February 2017</b>					
Financial Monitoring – Quarterly Report	<i>Quarterly budget monitoring report</i>	Cllr Shorter	Maria Seddon	Open	13/2/16
Revenue Budget 2017/18	<i>To present the draft revenue budget for 2017/18 to the Cabinet for recommendation to Council.</i>	Cllr Shorter	Paul Naylor/Ben Lockwood	Open	13/2/16
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	13/2/16
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	13/2/16
Domestic Abuse Annual Report	<i>Sets out for comment the progress the Council and its partners are making on projects</i>	Cllr Heyes	James Hann/Elizabeth	Open	13/2/16

Decision Item	Report Summary	Relevant Portfolio Holder	Report Author	Open or Exempt	Added to Schedule
	<i>focusing on domestic abuse over the past 12 months since the agreement by the Council to allocate up to £50,000 per year for three years to support the work on tackling domestic abuse.</i>		Mannington		
<b>9<sup>th</sup> March 2017</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	11/3/16

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1/4/16