

## Cabinet

Minutes of a Meeting of the Cabinet held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **12<sup>th</sup> May 2016**.

### Present:

Cllr. Clarkson (Chairman);

Cllr. Bell (Vice-Chairman);

Cllrs. Mrs Bell, Bennett, Mrs Blanford, Clokie, Galpin, Knowles, Shorter.

### Apologies:

Cllrs. Bradford, Britcher, Hicks.

### Also Present:

Cllrs. Heyes, A Howard, W Howard, Krause, Michael, Sims, Smith, Wedgbury.

Deputy Chief Executive, Corporate Director (Law and Governance), Director of Development, Head of Finance, Head of Health, Parking and Community Safety, Environmental Contracts and Operations Manager, Health, Parking and Community Safety Manager, Community Safety Operational Support Officer, Head of Culture, Tourism, Heritage and Nature Conservation Manager, Facilities Development Manager, Policy and Performance Officer, Head of Housing, Principal Solicitor – Strategic Development, Senior Communications Officer, Member Services and Scrutiny Manager.

Dan Anderson – Fourth Street.

## 423 Declarations of Interest

<b>Councillor</b>	<b>Interest</b>	<b>Minute No.</b>
Smith	Made a “Voluntary Announcement” as the Treasurer of the South Willesborough and Newtown Community Group which had opposed the AIMREC Planning Application.	432
Wedgbury	Made a “Voluntary Announcement” as he was a member of the Kent County Council	431

## **424 Minutes**

### **Resolved:**

**That the Minutes of the meeting of the Cabinet held on the 14<sup>th</sup> April 2016 be approved and confirmed as a correct record.**

## **425 Petitions**

In accordance with Procedure Rule 9 Mr Hickmott, Chairman of Brabourne Parish Council presented a petition containing nearly 600 signatories objecting to a planning application for 125 houses on land adjoining Lees Road and Canterbury Road, Brabourne Lees.

Mr Hickmott explained that the application site was in an Area of Outstanding Natural Beauty and if approved would increase the population of the village of Brabourne by 30% which he believed to be unprecedented. He advised that Kent County Council had concerns in respect of the narrow roads which linked the village to the A20 and also in terms of the level of increased traffic that such a development would create in terms of movements in and out of the village. He explained that both village schools were nearly full and the development would see the loss of valuable agricultural land. Mr Hickmott also explained that in the region of 250 objections had been lodged on the Planning website and he therefore asked that the Borough Council refuse the planning application when it was considered.

Mr Hickmott handed the petition to the Chairman.

The Chairman advised that the Cabinet had no locus in terms of dealing with planning applications and explained that he would refer the petition to the Joint Development Control Managers/Head of Development, Strategic Sites and Design.

## **426 Leader's Announcements**

The Leader of the Council advised that he had made two changes to the membership of the Cabinet for the 2016/17 Municipal Year and explained that Councillors Bradford and Knowles had joined the Cabinet. He also explained that this year would see the continuation of the Borough Council's work to strengthen enforcement activity across all of the Council's activities and said that further information on this issue would be discussed later in the meeting.

The Leader also said that Ashford was the largest land mass borough in Kent and he therefore believed it was important to secure super fast broadband for all areas of the Borough.

## **427 Review of the Council Tax Support Scheme**

The report sought the Cabinet's approval to consult on the proposed Council Tax Support Scheme as recommended by the Council Tax and Welfare Reform Task Group.

The Portfolio Holder advised that the scheme was not a totally new scheme but had been modified during discussions with the Council Tax and Welfare Reform Task Group who had considered options to modify the current Council Tax reduction scheme, details of which were set out in recommendation (ii) (a) to (g). He drew

Members' attention to the Equalities Impact Assessment and he asked the Cabinet to consider this before approving the scheme.

**Resolved:**

- That**
- (i) the recommendation that any new Council Tax Reduction Scheme should be based on the current scheme but with a series of potential modifications upon which the Council should consult be noted;**
  - (ii) a consultation on the potential introduction of a range of modifications to the current Council Tax Reduction Scheme for working age claimants be launched as follows:**
    - a. Increasing the minimum contribution rate for working age claimants between 10% and up to 20%;**
    - b. Introducing a band cap at a band D;**
    - c. Removing Second Adult Rebate;**
    - d. Reducing the capital limit to £6,000;**
    - e. Introducing a standard non-dependant deduction of £10 per week;**
    - f. Introducing a Minimum Income Floor for self-employed claimants (based upon the Statutory National Living Wage at 35 hours per week for full time or 16 hours a week for part-time workers);and**
    - g. Aligning regulations of the current Council Tax Reduction scheme with Housing Benefit and (prescribed) Pension Age Council Tax Reduction scheme.**
  - (iii) through the consultation, views be sought as to whether an Exceptional Hardship Policy should be incorporated as part of the scheme.**
  - (iv) through the consultation, views be sought on other ways of meeting the demands highlighted through the report other than changing the existing Council Tax Reduction Scheme (as set out in paragraph 24 of the report).**
  - (v) the 'first stage' Equality Impact Assessment be noted;**
  - (vi) the proposed arrangements in respect of consultation be agreed and delegated authority be given to the Head of Finance, in conjunction with the Communications team and Portfolio Holder to agree the final version of the material.**

## **428 Public Toilet Provision via a Community Toilet Scheme**

The report considered the potential future provision of public toilet facilities in and around Ashford Town Centre which involved moving away from offering facilities in

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the ownership of the Borough Council to facilities owned and operated by third parties, with the support of Ashford Borough Council.

The Portfolio Holder referred to the tabled papers which contained an additional recommendation which provided for the New Rents toilets to remain open and be included in the review of the new scheme in due course. The Portfolio Holder said that she believed that the scheme would offer more choice of facilities particularly in the Town Centre and advised that 17 businesses had currently signed up for the scheme.

A Member advised that he was pleased to see the additional recommendation regarding the retention of the New Rents public toilets and he also considered that in terms of the community toilet scheme the provision of appropriate signage was very important.

**Resolved:**

- That**
- (i) the development of a Community Toilet Scheme for Ashford Town Centre be approved.**
  - (ii) the Head of Environmental and Customer Services commence the implementation of a Community Toilet Scheme in support of Priority 4 of the Corporate Plan.**
  - (iii) the New Rents toilets remain open and be included in the review of the new scheme in due course.**

## **429 Equalities Objectives**

The report set out a revised set of Equalities Objectives which laid out how the Council would further the general aims of the Equality Act 2010.

In response to a question, the Policy and Performance Officer advised that the Council had a dedicated Policy for dealing with Freedom of Information requests and considered that there was perhaps a need to cross reference that document with other related documents.

**Resolved:**

**That the revised Equalities Objectives be approved.**

## **430 The Council's Enforcement Policy and the Local Enforcement Plan for Planning**

The report sought the Cabinet's endorsement of an overarching policy statement on enforcement and a service specific plan for planning enforcement.

Tabled at the meeting was an amendment to the recommendation, together with a letter dated 9 May 2016 from Mr Cooper and the response from the Director of Development dated 12 May 2016.

The Chairman drew attention to the tabled papers and advised that the suggested amendment to the recommendation and EIA stemmed from comments made in the

letter submitted by Mr Cooper regarding gypsies and travellers. The Chairman also advised that all Cabinet Members had been given a letter and photographs in respect of a particular site within the Borough and he advised that this issue would be dealt with by the Planning Officers in due course.

The Portfolio Holder explained that the report stemmed from the Policy and Compliance Task Group and their work with Officers to examine ways to strengthen the Council's response to enforcement issues and to make them more robust. He advised that residents of the Borough had expectations that the Borough Council would act in response to breaches in respect of planning, litter and dog fouling.

A Member referred to issues regarding planning and advised that four areas in his particular Ward involved matters covered by the approved Inspectors and not by ABC Building Control.

The Chairman drew attention to the work the Borough Council had undertaken in terms of developing the Space Standards and he also explained that the implementation of planning permissions would be inspected and furthermore the Borough Council would remove any further Permitted Development rights where this was justified when planning permissions were granted.

In response to a question, the Director of Development explained the online reporting and monitoring of enforcement matters would be available in due course.

**Recommended:**

**That “The Borough Council’s Policy on the Use of Enforcement Powers” and the “Local Enforcement Plan for Planning” be adopted subject to the Director of Development being authorised to include further information regarding monitoring and implementation of planning permissions and to make other minor drafting amendments in consultation with the relevant Portfolio Holder.**

## **431 Council Owned Amenity and Footway Lighting**

The report sought approval for up to £1 million capital investment to undertake lighting designs, replace lighting columns and upgrade to KCC's specification in order to allow the transfer of as many of the Borough Council assets as possible to KCC.

The Portfolio Holder for Finance, Budget and Resource Management, emphasised the refurbishment and updating elements of the project but also advised that this was an “Invest to Save” initiative and the investment of £1 million would, after the payback period, assist in the Council achieving net savings. The need for a policy for new developments was also highlighted as important. He also explained that the option would also exist for Parish Councils to take over responsibility for lighting within their areas that were considered outside the suggested criteria for replacement.

In response to a question from a Member, the Chairman advised that as and when the lighting was handed over to KCC, they may wish to investigate the provision of interactive lighting.

**Recommended:**

- That**
- (i) a £1 million capital investment be funded through borrowing to upgrade or replace as appropriate Council-owned amenity and footway lighting and transfer agreed necessary lighting columns to KCC.**
  - (ii) the removal of amenity and footway lighting be agreed where deemed not necessary by KCC and/or the Borough Council and subject to any alternative adoption eg by a Parish Council; delegated powers be given to the Head of Service in consultation with the Portfolio Holder to make this decision.**
  - (iii) the need for a Policy to be devised on the criteria on when street lights were required for new developments be supported and a jointly created protocol between KCC and ABC be devised as part of the District Deal and be brought back to the Cabinet to consider.**

## **432 Support for the Ashford International Model Railway Education Centre (AIMREC)**

The report sought the support of Members to provide a mortgage loan to the Ashford Model Railway Museum (AIMREC) for the purchase of a site on terms set out in the Exempt Appendix to the report.

The Portfolio Holder welcomed representatives from AIMREC and also Dan Anderson who was the Borough Council's Technical Adviser from Fourth Street who had reviewed AIMREC's Business Plan. The Portfolio Holder said that she believed this was a very exciting project and would boost tourism in the whole of the Borough.

A Member asked why the Borough Council was considering granting the mortgage loan when from the Business Plan the scheme looked viable and therefore funding could be obtained externally. The Member also asked why the term of the loan was 50 years.

In response, the Chairman explained that when an organisation such as AIMREC tried to raise funds they generally sought support from the National Heritage Lottery Fund and if the hosting Authority had already demonstrated their support this helped support the organisations application. The Chairman also said that there was an option for AIMREC to repay the loan early if they so wished.

Another Member said that he considered that the Borough Council should use their funds to support the older buildings within the Town Centre and also the cluster of buildings on the former Newtown Railway Works.

The Chairman explained that the Borough Council, in terms of the Elwick Place scheme were using Public Works Loan Board finance and would be achieving a return on the investment. This would help keep the overall Council Tax rate lower and help the Council to be financially independent.

The Ward Member said he had some concerns regarding the effect of parking on areas within his Ward and he also believed that AIMREC should be encouraged to

pay back the loan earlier than the full term. The Chairman acknowledged that the issue of parking needed to be considered.

Dan Anderson, representing Fourth Street said that his Company believed that the model village concept had proven very successful over the years as parts of other attractions in the country. He believed that the scheme would also benefit Ashford in terms of a retail destination and in particular with its close proximity to the Designer Outlet. In terms of a comment raised earlier in terms of private sector funding, Dan Anderson explained that traditional private sector lenders did not generally understand the nature of tourism ventures and it was for this reason that the funding was being sought from the Borough Council. Following the purchase of the land, AIMREC intended to make a bid to the Heritage Lottery Fund and he said he was confident that AIMREC would raise the appropriate funding to allow the development to proceed.

**Resolved:**

**That support be given to the Ashford International Model Railway Education Centre (AIMREC).**

**Recommended:**

- That
- (i) a mortgage loan be granted on the broad terms and up to the maximum sum specified in the Exempt Appendix C to the report to the Ashford Model Railway Museum to enable their purchase of land at the former Klondyke Railway Works.
  - (ii) authority be given to the Heads of Culture, Finance and the Director of Law and Governance, in consultation with the appropriate Portfolio Holders, to approve the finalised Business Plan and any amendments or subsequent documents and to agree final terms and conditions and to make variations to terms in Appendix C to the report if they consider it prudent to do so.
  - (iii) authority be given to the Director of Law and Governance, in consultation with the Heads of Finance and Culture to effect and complete all necessary documentation to action the above.

**433 Local Plan and Planning Policy Task Group –  
31<sup>st</sup> March and 13<sup>th</sup> April 2016**

**Resolved:**

**That the notes of the meetings of the Local Plan and Planning Policy Task Group held on the 31<sup>st</sup> March and 13<sup>th</sup> April 2016 be approved and adopted.**

**434 Ashford Strategic Delivery Board – 22<sup>nd</sup> April 2016**

**Resolved:**

**That the notes of the meeting of the Ashford Strategic Delivery Board held on the 22<sup>nd</sup> April 2016 be received and noted.**

## **435 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.**

## **436 Items for Future Meetings**

A Member referred to the slight downturn in terms of overall recycling figures and asked whether it would be appropriate to consider producing additional promotional material or providing new guidance stickers for placement on the various recycling bins.

The Portfolio Holder advised that leaflets were produced and in due course a “wheel of waste” would be sent to residents and a community programme would be developed.

The Member expressed a hope that the material sent to residents did not form part of the normal bulk delivery of promotional material etc which the Post Office delivered in one bundle.

The Chairman said he was sure that the Portfolio Holder would take the comments expressed by the Member on board and would report back to the Cabinet in due course.

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