



Cabinet

Notice of a Meeting, to be held in the Council Chamber, Civic Centre, Tannery Lane,
Ashford, Kent TN23 1PL on Thursday, 8th September 2016 at 7.00 pm.

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, Environment and Heritage

Cllr Bradford – Portfolio Responsibility for Highways, Wellbeing and Safety

Cllr Clokie – Portfolio Responsibility for Housing and Home Ownership

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

Cllr Knowles – Portfolio Responsibility for Information Technology 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

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| 2. Declarations of Interest:- 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. Minutes – To approve the Minutes of the Meeting of the Cabinet held on the 14 th July 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*

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Part IV – Information/Monitoring Items

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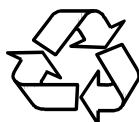
None for this Meeting

Part VI – Ordinary Decision Items

20. That pursuant to Section 100A(4) of the Local Government Act 1972, as amended, the public be excluded from the meeting during consideration of this item as it is likely that in view of the nature of the business to be transacted or the nature of the proceedings that if members of the public were present there would be disclosure of exempt information hereinafter specified by reference to the appropriate paragraphs of Schedule 12A of the Act, where in the circumstances the public interest in maintaining the exemption outweighs the public interest in disclosing the information
- E1 Grounds Maintenance Consultation Update and Review of Associated Potential Pension Costs (Paragraphs 1 and 2) 390-398
-

KRF/AEH
31st August 2016

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

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

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

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

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

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

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

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

Advice to Members on Declarations of Interest:

- (a) Government Guidance on DPI is available in DCLG’s Guide for Councillors, at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/240134/Openness_and_transparency_on_personal_interests.pdf
- (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 **14th July 2016**

Present:

Cllr. Clarkson (Chairman);

Cllr. Bell (Vice-Chairman);

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

Apologies:

Cllr. Michael

Also Present:

Cllrs. Bartlett, Burgess, Hicks, A Howard, W Howard, Krause, Link, Miss Martin, Pickering, Sims, Smith, Wedgbury, White.

Chief Executive, Corporate Director (Law and Governance), Director of Development Services, Head of Finance, Economic Development Manager, Communications and Marketing Manager, Policy and Performance Manager, Senior Commercial Development Manager, Housing Strategy Manager, Head of Housing, Head of Health, Parking and Community Safety, Head of Culture, Senior Policy, Performance and Scrutiny Officer, Member Services Manager.

69 Declarations of Interest

Councillor	Interest	Minute No.
Wedgbury	Made a "Voluntary Announcement" as a member of Kingsnorth Parish Council and Ward Member for Park Farm South.	72

70 Minutes

Resolved:

That the Minutes of the meeting of the Cabinet held on the 9th June 2016 be approved and confirmed as a correct record.

71 Adoption of Chilmington Green Design Code as a Supplementary Planning Document

The report sought Cabinet's approval to recommend to Full Council the adoption of the Design Code to guide the implementation of the Chilmington Green Development as a Supplementary Planning Document to the 2013 Chilmington Green Area Action Plan.

The Portfolio Holder said he commended Officers for the work on the Design Code and considered that the document would guide the development of the individual planning applications which would come forward over time.

The Portfolio Holder for Culture, Leisure, Environment and Heritage said she was pleased in terms of the numbers of comments received on the draft document.

Recommended:

- That**
- (i) the representations received on the content of the draft Design Code document resulting from the public consultation process be noted.**
 - (ii) the recommended changes to the Design Code as set out in Annex 2 to the report be approved.**
 - (iii) the draft Design Code be adopted as a Supplementary Planning Document to the 2013 Chilmington Green Area Action Plan, subject to the identified amendments resulting from the representations received.**

72 Extending Bus Services into Park Farm South and East, Kingsnorth

The report sought authority to commit developer contributions to extending the existing B-Line bus service into Park Farm South and East, Kingsnorth and recommended the use of funding already held by the Council for this purpose.

The Ward Member for Park Farm South said he had concerns about the scheme and expressed a wish that if the scheme went ahead, the bus operators use single decker buses. He advised of a recent issue whereby an HGV had tried to use the link which had caused an accident and traffic problems in that area of Park Farm.

The Ward Member for Weald East said that he supported the scheme and said that it was part of the overall strategy to reduce traffic and provide a bus service to residents.

Resolved:

- That**
- (i) the bid made by Kent County Council for the expenditure of c.£255,000 of SPG6 monies on the provision of the new service be agreed.**

- (ii) **the Corporate Director (Law and Governance) be authorised, in consultation with the Director of Development to conclude a Funding Agreement for a single up-front payment to KCC in the sum of £240,000 for the agreed bus service for the agreed period, upon appropriate terms and conditions including those set out in paragraph 9 of the report.**

73 Section 106 Annual Monitoring Report 2015/16

The report updated Members on the financial contributions negotiated and secured in the financial year 2015/16 and the use and management of financial resources. The report also provided details of new S106 Agreements signed in the financial year and identified the progress that had been made since the last report.

The Portfolio Holder said that it was likely that the following year would see a significant rise in the contributions received as the Agreements in respect of Chilmington Green were concluded.

Resolved:

That the report be endorsed and made available online to provide information to the public and provide a transparent record of Section 106 activity over the last financial year.

74 Data Protection Policy

The report advised that the policy had been brought up to date to ensure that it aligned with national legislation and policy, best practice around the country and across the Council and following a recent internal audit of the Council's data protection arrangements.

The Portfolio Holder said that he supported the revised policy and commended the two recommendations to the Cabinet.

Recommended:

- That
- (i) **the revised Data Protection Policy be approved and the information security policy be withdrawn.**
 - (ii) **the Corporate Director (Law and Governance) be authorised to approve minor amendments to the policy in line with working arrangements.**

75 Revenues and Benefits Recommended Write-Offs Schedule

The report proposed the formal write-off of 122 debts totalling £149,109.45. The proposals were in line with the Council's Revenues and Benefits Service Write-Off Policy and the existing bad debt provisions already more than covered the sums involved.

The Portfolio Holder said that he wished to draw Members' attention to a recent report considered by the Audit Committee which detailed the work undertaken by the Fraud Investigation Team in terms of tracking down and pursuing money owed to the Council.

Resolved:

- That (i) accounts totalling £8,929.91 that had been written-off under delegated powers (Financial Regulation 11.1) be noted.**
- (ii) the write-offs listed in the Exempt Appendices to the report totalling £140,179.54 be approved.**

76 Affordable Housing Provider Protocol

The report presented an updated version of the existing eligibility criteria to develop affordable housing in the Borough. This would allow for a wider range of models to be considered in the future whilst maintaining quality development and management. Specific approval was sought on the revised eligibility criteria that both Registered Providers and Non-Registered Providers of affordable housing would need to fulfil in order to maintain a programme of quality affordable housing delivery in the Borough.

The Portfolio Holder explained that Housing Associations were finding it more difficult to obtain access to funds for housing provision and the revised protocol would ensure the continuing inflow of affordable housing investment.

Resolved:

That the revised eligibility criteria to widen the scope of affordable housing delivery in the Borough to meet local housing needs be approved.

77 Procurement and Appointment of External Audit

The report highlighted the work of the Audit Committee in identifying a preferred route to procure the Council's next External Auditor.

The Portfolio Holder said that the Audit Committee had recommended that the preferred procurement route for the appointment of an external auditor be via a sector-led body.

Resolved:

- That (i) the report be received and noted.**
- (ii) the Audit Committee's recommendation as set out in Minute No. 45/6/16 be endorsed.**

78 Ashford Borough Council Annual Report 2015-16

The report advised that the Annual Report provided a transparent and accessible summary of the achievements and milestones of the Borough Council over the

course of the 2015/16 financial year. The report also sought approval in respect of the intended methods of distribution of the document.

The Portfolio Holder advised that in the future it was hoped that residents would sign up to receive an electronic copy of the Annual Report and also for other messages and information the Borough Council may wish to make available.

Resolved:

- That**
- (i) the contents of the Annual Report for 2015-16 be noted.**
 - (ii) the method of distribution as set out in paragraph 7 of the report be agreed.**

79 Management of the Julie Rose and Conningbrook Lakes and Country Park

The report provided an update on the change in arrangements recommended to and agreed by the Cabinet in March 2016 concerning the lease of the Julie Rose Stadium and Management of the Conningbrook Lakes Country Park. Due to the need to protect pension rights of a number of staff, it had not been possible to transfer the service from ALT to Southern Neighbourhood Community Trust, however, ALT had agreed to enter into negotiations looking at the same legal arrangements previously offered to Southern Neighbourhood Community Trust.

The Portfolio Holder explained that the Stour Centre Redevelopment and Leisure Management Steering Group had met the previous day and intended to push ahead with their work imminently.

The Chairman of the Steering Group explained that the meeting was essentially an update and a discussion regarding the Task Group's remit and indicated that further updates would be provided to the Cabinet in due course.

Resolved:

- That**
- (i) the Council negotiate a concession contract with ALT for the operation of Conningbrook Lakes Country Park and Julie Rose Stadium.**
 - (ii) Officers engage the leisure market with a view to conducting a procurement exercise for these facilities, working with ALT and/or other leisure operators as appropriate, assisted by a dedicated budget of up to £20,000 in consultation with the Stour Centre Redevelopment and Leisure Management Steering Group.**
 - (iii) the Head of Culture and the Corporate Director (Law and Governance), in consultation with the Portfolio Holder for Culture, Leisure, Environment and Heritage be authorised to take all appropriate steps required to give effect to the recommendations and agree the necessary contracts.**

80 Looking After the Town Centre: A Review of T-CAT's Role and Its Needs

The report advised that the Town Centre Action Team (T-CAT) had been formed three years' ago with the intention of having a flexible and reactive resource to keep the Town Centre attractive and well looked after. The review had been undertaken to check that T-CAT was achieving these goals and providing extra worth to the Town Centre.

The Portfolio Holder said that he believed that T-CAT had been a great success and said that he wished to place on record his gratitude to the Civil Enforcement Officer Team Leader and T-CAT Team Leader and the rest of the T-CAT members for their support and work.

In response to a question in terms of the availability of T-CAT in the villages and smaller towns within the Borough, the Chairman explained that they had been formed primarily for the Town Centres and as a general resource to the Borough and he said that extending their services to other areas was a question of balance.

The Portfolio Holder confirmed that they did visit Tenterden regularly and also visited villages.

Resolved:

- That**
- (i) in the interests of better service integration and synergy and support to the Corporate Plan, T-CAT be relocated to the Environmental and Contracts Team and that management responsibilities be transferred to the Environmental and Contracts Manager.**
 - (ii) in support of recommendation (i) above the agreed budget for T-CAT transfer to the Environmental and Contracts Service to be managed and monitored by the Environmental and Contracts Manager.**
 - (iii) once the T-CAT team has settled into its new service location, and the synergy between T-CAT, Biffa and Aspire is better understood, the size of the T-CAT team should be re-assessed in line with Ashford's growth.**
 - (iv) in support of the Corporate Plan and its underpinning principles, the Environmental and Contracts Service consider the best way of raising T-CAT's profile once they are settled into the Environmental and Contracts Service.**

81 Phase 1 Commercial Quarter Office Development (Land Transaction)

The purpose of the report was to highlight the regeneration and economic development benefits which would come from the proposed development and

request the Cabinet recommend to Council that it approves the Transaction, details of which were set out within the report and in the Exempt Appendices.

The Portfolio Holder said he believed that the scheme represented a massive undertaking for the Council and said he wished to acknowledge the work undertaken by the Senior Commercial Development Manager on the project and he believed that moving forward at this stage with the project was the right thing to do.

The Chairman explained that the Chief Executive had recently spoken to the Developer for the Commercial Quarter who were anxious to carry on and take forward the scheme. He said that the site had been vacant for over a decade and he therefore commended the scheme.

Recommended:

- That**
- (i) the advice contained within the report be noted.**
 - (ii) the valuation advice contained in Exempt Appendix A to the report be noted.**
 - (iii) the Transaction as set out in paragraphs 10 to 32 of the report be approved.**
 - (iv) the land disposal values in respect of the Dover Place Land and the South Park Land as contained in Exempt Appendix E to the report be approved.**
 - (v) the disposals referred to in recommendation (iv) above at the undervalue as set out in Exempt Appendix E to the report be authorised on the grounds that the land transactions would help to secure the promotion or improvement of the economic, social or environmental wellbeing of the local area and the undervalue is less than £2m under market value.**
 - (vi) the Chief Executive, in consultation with the Leader of the Council, the relevant Portfolio Holders, the Corporate Director (Law and Governance), the Head of Finance and the Head of Corporate Property and Projects be authorised to take the necessary steps to finalise and complete the legal documentation to enable the transaction to proceed.**

82 Funding to Support the Delivery of the new Ashford Town Centre College Campus

The report advised on progress in delivering a new Further Education College Campus in Ashford Town Centre and asked the Cabinet to recommend to Council the approval of an additional bridging loan of up to £1m to fund phases 1 and 1A of the Ashford College Town Centre Campus. The report also asked the Council to approve the conversion of the bridging loan into a grant of up to £3m to gap fund Phase 1 and 1A of the Campus subject to the College complying with the Conditions of a Funding Agreement.

Tabled at the meeting was a revised set of Prudential Indicators for 2016/17 to 2018/19.

The Chairman advised that construction on the new College was now well under way and indeed work was now being undertaken on the second floor of the building. When completed, he said that it would cater for over 1,000 students. Currently he said over 700 students travelled outside of Ashford for further education and advised that the courses which would be available from the College would help raise Ashford's skills level required to meet the incoming businesses. He referred to the report and said that it was proposed that the Council would fund this grant by the use of capital receipts from Conningbrook land and also by the use of reserves and New Homes Bonus.

Recommended:

- That
- (i) an additional bridging loan be provided to West Kent and Ashford College in the sum of up to £1m to be used for the sole purpose of the development of Phase 1 and Phase 1A of the Ashford College Campus on Elwick Road.**
 - (ii) grant funding be provided to West Kent and Ashford College in the sum of up to £3m to be used for the sole purposes of the development of Phase 1 and 1A of Ashford International College Campus on Elwick Road and to be conditional as set out in the Heads of Terms.**
 - (iii) the allocation of the receipt from the sale of land at Conningbrook towards the proposed £3m grant to West Kent and Ashford College be approved.**
 - (iv) the loans and grant be secured against the West Kent and Ashford College Tonbridge Campus and Elwick Road Campus, subject to the successful completion of due diligence, which confirms there is sufficient security for the loan/grant and no state aid impediment to proceeding in the opinion of the Head of Finance.**
 - (v) delegated authority be granted to the Corporate Director (Law and Governance) in consultation with the Head of Finance to execute and complete all necessary documentation to give effect to the recommendations.**
 - (vi) the revised Prudential Indicators as tabled at the meeting be approved.**

83 Exploring the Merger of the Five East Kent District Councils

The report sought approval in principle, based on the jointly agreed Statement of Intent attached as an Appendix to the report, to explore the merger of the five East Kent District Councils of Ashford, Canterbury, Dover, Shepway and Thanet. This was in response to financial challenges facing Local Government and the opportunity to drive improvements and growth in the East Kent area.

The Chairman gave the background to his involvement in the current position and explained that it stemmed from a discussion between the Kent Districts and the Leader of the Kent County Council in light of the Government's devolution agenda. He emphasised that the work was at a very early stage and any decisions flowing from the work would need to be considered by Cabinet and Full Council.

The Vice-Chairman said the exploration of shared services might achieve cost savings without the requirement for the relevant Councils to merge.

The Chairman said that irrespective of the work to be undertaken, he was strongly of the view that Ashford was some way ahead of the other Districts in terms of its support and care for the elderly and he also referred to a potential issue over the equalisation of the Council Tax throughout the area and said that he would not wish to see Ashford's level of Council Tax increased.

Resolved:

- That**
- (i) the report be received and noted.**
 - (ii) the Statement of Intent (as outlined in Appendix 1 to the report) be approved).**
 - (iii) the five Councils explore the merger of the East Kent District Councils based on the following arrangements:-**
 - (a) The Chief Executives of the Councils' - jointly commission work to prepare a Business Case to examine the advantages, disadvantages and potential mechanism of a merger of the five East Kent District Councils.**
 - (b) Provision of up to £20,000 funding, from each Council to support the preparation of the Business Case (background information as set out in Appendix 2 of the report for developing the draft Business Case).**
 - (c) Delegation to the Councils' Chief Executives in consultation with the Leaders to agree the specific management of the Business Case.**
 - (iv) each Council raise specific points and issues they would like to be considered as part of the specification of work to be covered by the Business Case.**

Recommended:

- That**
- (i) the final version of the Business Case be reported back to each Council once completed but before any formal commitment is made to any further decisions or process.**
 - (ii) the formulation and agreement of any plan or strategy to implement any proposed merger of the East Kent District Councils be a matter of Policy Framework and be reserved for consideration of Full Council pursuant to Article 4.01 (a) of the Constitution of the Council.**

84 Member Training Panel Annual Report 2015/16

The report advised that the Council's Constitution required the Member Training Panel to make an annual report to the Cabinet to review training issues. The report gave an overview on Member training from 2015/16 and expenditure from the Council's Member Training Budget as well as commenting on plans for the future.

The current Chairman of the Member Training Panel said that he wished to thank his predecessor for all her hard work with the Panel and on Member Training in the previous year. He also advised that he was working with Officers with a view to enhancing training for Members and also investigating the provision of accredited training in association with the Kent Association of Local Councils (KALC).

Resolved:

That the Annual Report of the Member Training Panel for 2015/16 be received and noted.

85 Local Plan and Planning Policy Task Group – 11th and 31st May 2016

Resolved:

That the Notes of the meetings of the Local Plan and Planning Policy Task Group held on the 11th and 31st May 2016 be received and noted.

86 Joint Transportation Board – 14th June 2016

Resolved:

That the Minutes of the meeting of the Joint Transportation Board held on the 14th June 2016 be received and noted.

87 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.

(KRF/AEH)
MINS:CAXX1628

Agenda Item No: 6
Report To: Cabinet
Date: 8 September 2016
Report Title: Corporate Property Performance Annual Report 2015/16
Report Author: Stewart Smith, Senior Commercial Development Manager
Portfolio Holders: Cllr Shorter, Portfolio Holder for Finance, Budget and Resource Management



Summary: The revenue generated by the Council's corporate property portfolio contributes significantly to the Council's income. The income generated for the financial year ending March 2016 is shown in the Corporate Property Income Schedule attached at **Appendix 1**.

Exploring options to increase the profitability of the portfolio, as well as opportunities for further investment, are constantly ongoing. Those options currently being considered for implementation during the next financial year are explained in this report.

Key Decision: No

Affected Wards:

Recommendation: That Cabinet is asked to;

- i. note the revenue performance of the Council's corporate property portfolio during the previous twelve months as provided for in the Corporate Property Income Schedule attached at **Appendix 1** and;
- ii. note the options currently being explored to increase profitability during the next financial year.

Policy Overview: The Council's five-year Corporate Plan includes, as one of its underpinning principles supporting the four identified priorities, delivering "*a viable and sustainable replacement for Formula Grant, generating an additional £2m per annum by 2020 through investing in the borough*". The Council's investment in commercial property and development opportunities is crucial to achieving this target and also in facilitating the regeneration of the borough.

Financial The financial implications are considered in detail in the

Implications: Corporate Property Income Schedule attached at **Appendix 1**.

Risk Assessment As part of the medium financial plan and budget process the situation is risked assessed on a regular basis through the monthly reports prepared internally and the budget monitoring updates.

Community Impact Assessment Not applicable.

Exemption Clauses: None.

Appendices: **Appendix 1 – Corporate Property Income Schedule**

Contacts: stewart.smith@ashford.gov.uk - Tel: 01233 330828

Report Title: Corporate Property Performance Annual Report 2015/16

Purpose of the Report

1. This report, which will come to Cabinet annually, will report on the revenue performance of the Council's corporate property portfolio during the previous twelve months. It will also advise of the opportunities being explored to increase the profitability of the portfolio during the coming twelve months where commercial confidentiality allows.

Background

2. In March this year the Government produced a four year financial settlement for Local Government, the net effect of which will be to reduce revenue support grant funding to zero by 2019/20. The Council, having been aware of the impending changes for some time, has been taking steps to mitigate against the impact of this so as to ensure the uninterrupted delivery of Council services.
3. The role that commercial property investment can play in income generation and borough wide regeneration was formally recognised back in January 2014 with the creation of the Property Acquisition, Investment and Disposal Panel, the aim of which was to enable decisions to be made in a timely and efficient manner, following strict criteria, in respect of the acquisition of, and investment in, commercial properties and development opportunities. Subsequently came the Town Centre Regeneration Board and most recently the Economic, Regeneration and Investment Board, all with the same focus. This has resulted in the Council's property portfolio, and the income generated therefrom, increasing significantly in recent years with the most sizable investment returns coming from the purchase of International House in April 2014.
4. The Council's intention is to continue to expand its investment portfolio. Whilst the emphasis so far has been on commercial property, following the result of the EU referendum, there has been increased uncertainty in the commercial market and the prevailing view is that residential development may offer less risk and a more favourable return in the current market. This is something that is being considered. To guide future investment making decisions and, in accordance with the Corporate Plan and existing Council Policy and Strategy, a Commercial Investment Strategy is being prepared and will be reported to Cabinet early next year.

Financial Implications

5. The income generated from the Council's corporate property portfolio during the period April 2015 to March 2016 is provided for in the Corporate Property Income Schedule attached at **Appendix 1**. The return is calculated in respect of the historical cost of the asset (the purchase price). Please bear in mind when considering the income generated by

Park Mall shopping centre, that it was not acquired as an investment but rather for regeneration purposes.

Options being considered to Increase Income;

i. Alternative Property Management Arrangements

6. The Council currently contracts with external providers for the provision of property and facilities management services. Alternative property management arrangements are currently being explored. The potential benefits identified include;

- costs savings - although property management fees are passed on to the Council's tenants via the service charge, any cost saving that can be made will result in a reduction in the service charge, therefore reducing the overall cost of letting the property and making it more attractive to the market,
- improved quality of service, reinforcing the view of the Council as a quality provider of commercial real estate.

7. The property management options currently being considered include;

- moving property and facilities management services in-house – the Council has lots of expertise in the field of property management. It may be that a better more efficient service can be provided by the Council.
- going out to tender for property management services. Testing what the market has to offer will ensure that the best service is procured at the best price available,
- a mix of the above whereby some of the services are provided by the Council and some are contracted to a third party,
- continuing with the existing management arrangements.

ii. The Garage Commercialisation Strategy

8. The Council's garage holding provides a significant income each year (see **Appendix 1** attached). A study is underway to analyse the income and see whether the profitability can be improved upon. This will require a condition survey of the garage stock (see para 12 below) and will result in the preparation of a business case proposing a strategy in respect of which garage sites should be retained and those which are beyond economic repair and may provide for other opportunities. The outcomes from the study will be reported back to Cabinet later this year.

iii. The Ellingham Expansion Plan(s)

9. Three new units (totalling circa 1800 sq ft in total) at Ellingham Industrial Estate are under construction and due to be completed in September this year. Tenants have been found to occupy the units on completion. The gross additional annual income this will produce will be circa £13,500 (representing a 3.2% return on investment). In addition to this, the development will deliver business rates and create employment opportunities in the borough.
10. In addition to the above, the Council is currently appraising an additional light industrial estate development forming part of the Carlton Road site, adjacent to the Grounds Maintenance Depot. Demand for the units at Ellingham exceeds supply and advice received from local agents confirms that there is a general shortage for this type of space in the borough. A further report will be presented to Cabinet once the appraisal is completed.

iv. Commercial Investment Strategy

11. As referred to at paragraph 4 above, a Commercial Investment Strategy is in the process of being prepared which will be reported to Cabinet early next year. The aim of the strategy will be to assist in identifying and guiding future investment making decisions in accordance with the Corporate Plan and existing Council Policy and Strategy. In preparing the Strategy, an updated Corporate Property Income Schedule will be developed incorporating two additional elements to that attached at Appendix 1. Firstly, open market valuations of the Council's assets will be obtained. This will enable the return to be calculated not just in respect of the historical cost of the asset, as is the case now, but in the context of the current value of the asset on the open market. This will enable an investment and return comparison exercise to be carried out across the range of the Council's assets which will in turn feed in to the Strategy and guide future decision making. Secondly, expenditure on assets will be broken down to include capital charges, financing charges and internal re-charges, for example staff costs. Again this will provide for more accurate investment analysis and both will also assist the Council in managing the portfolio against recognised benchmarks so helping to identify areas that require attention/action.

v. Asset Review

12. The garage condition survey (referred to at para 8 above) will form part of a larger piece of work undertaken in respect of all Council owned assets, the Asset Review. This document will report on the condition of the Council's assets so that a planned maintenance and repair programme can be delivered, the costs associated with which will be included in the Medium Term Financial Plan. The forecast service under-spend of £183,000, reported elsewhere in this agenda, is being allocated to a repair and renewal reserve fund to help meet this cost once identified.

Risk Assessment

13. As part of the medium financial plan and budget process the situation is risked assessed on a regular basis through the monthly reports prepared internally and the budget monitoring updates.

Other Options Considered

14. The purpose of this report is to advise on the revenue performance of the Council's corporate property portfolio during the previous twelve months and of opportunities being explored to increase the profitability of the portfolio during the coming twelve months. As such, it is not appropriate to consider alternative options at this time.

Conclusion

15. The Council's is making good progress with its commercialisation agenda. The income currently being generated, when combined with the income forecast to be generated from the proposals referred to above (and those projects which are already underway and which have been the subject of separate reports to Cabinet) should mean that the Council achieves its goal of generating an additional £2m per annum by 2020.

Portfolio Holder's Views

16. I am pleased with the progress the Council in making in respect of its investment and income generating activities. What is being proposed both in terms of the Commercial Investment Strategy and the Asset Review will continue to ensure a consistent and informed approach is taken by the Council when it comes to taking decisions. The income currently being generated, together with that which the Council will earn from the various other projects on the horizon (Elwick Place for example), should mean that the Council not only achieves its goal of generating an additional £2m per annum by 2020, but that also this income is generated as a consequence of inward investment in the borough.

Contact: Stewart Smith, Senior Commercial Development Manager (ext: 828)

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Appendix 1 - Corporate Property Income Schedule

Appendix 1

	*Industrial Estates	*Garages	Stanhope Shops	Wilkinson 1 Park Mall	Park Mall	*Bockhanger Com Props & Centre	*Brookfield Com Prop	International House	*Civic Centre	Tenterden Gateway	Sustainable Energy Project	*Minor Holdings	Total
Total income	(435,322)	(456,727)	(105,662)	(270,341)	(417,640)	(31,554)	(45,400)	(1,223,198)	(92,175)	(64,590)	(22,223)	(57,883)	(3,222,716)
Total expenditure	60,720	27,402	0	16,258	414,391	2,688	4,473	309,709	79,170	63,975	0	51,769	1,030,554
Suprplus/Deficit	(374,602)	(429,324)	(105,662)	(254,083)	(3,249)	(28,867)	(40,927)	(913,489)	(13,005)	(615)	(22,223)	(6,115)	(2,192,162)
Historical Cost	2,780,000	2,820,200	1,032,000	3,560,000	823,500	217,000	467,200	7,900,000	202,900		185,000	1,045,700	
Return	13.5%	15.2%	10.2%	7.1%	0.4%	13.3%	8.8%	11.6%	6.4%		12.0%	0.6%	

* Based on 2007 Historical value

Expenditure does not include capital charges/financing charges or internal recharges for staff costs etc

Civic Centre income based on 5% of building value

Agenda Item No: 7
Report To: **CABINET**
Date: 8 September 2016
Report Title: Updated enforcement policy for Revenues and Benefits
Report Author: Hannah Davies – Corporate Fraud Manager
Portfolio Holder: Cllr Shorter Portfolio Holder for Finance & Budget, Resource Management and Procurement



Summary: This report brings an updated enforcement policy for Revenues and Benefits team for approval. It updates the old policy which focused on Housing and Council Tax benefit and brings the enforcement up to date taking into account changes in legislation and a greater focus on revenues as well as benefits. Following the transfer of the majority of housing benefit investigations to the DWP Single Fraud Investigation Service and the introduction

Key Decision: NO (delete as appropriate)

Affected Wards: ALL

Recommendations: **The Cabinet be asked to:**
i. **approve the updated Revenues and Benefits Enforcement policy (Appendix 1)**

Policy Overview: The Council's five-year corporate plan includes a commitment to ensuring that enforcement powers are used effectively and appropriately hence this update to include updated legislation.

Financial Implications: N/A

Risk Assessment NO - update to existing policy

Equalities Impact Assessment NO - update to existing policy

Other Material Implications: N/A

Background Papers: N/A

Contacts: hannah.davies@ashford.gov.uk – Tel: (01233 330814)

Agenda Item No. 7

Report Title: Updated enforcement policy for Revenues and Benefits

Purpose of the Report

1. The report seeks Cabinet's endorsement of an updated enforcement policy for Revenues and Benefits taking into account changes in legislation and the introduction of the Department for Work and Pensions' (DWP) Single Fraud Investigation Service.

Overview

2. The Corporate Fraud Team focuses on the provision of a resource available to promote a corporate anti-fraud stance in order to protect the taxpayer and Ashford Borough Council. The Council's corporate five year plan includes a commitment to ensure enforcement powers are used effectively and appropriately. This is highlighted by the introduction of the Policy and Compliance Task Group with a positive agenda to deliver a fair but robust approach to enforcement across the Council.
3. The Corporate Fraud Team's remit includes investigating allegations of fraud against public funds for example revenues fraud against council tax and business rates and tenancy fraud including illegal subletting or fraudulent applications for social housing.
4. There is often a link between tenancy, benefit and revenue frauds and by reviewing the information gathered, a more holistic approach to fraud against public funds can be taken.
5. The team annually reports on performance and results to the Audit Committee (Fraud Investigations and Debt Recovery Annual Report 2015/16 – Audit Committee 30 June 2016)

Background

6. The last time the prosecution policy for Revenues and Benefits was updated was 2009. Whilst a corporate anti-fraud policy already exists, there has always been a further policy for revenues and benefits to take account of specific legislation relating to fraud against these areas. Since 2009 there has been new legislation and therefore it is considered an update of the policy is necessary.
7. Additionally, following on from the adoption of the Council's new Enforcement Policy it appeared to be an opportune time to review and refresh the Council's commitment to fraud committed against revenues and benefits.
8. The previous policy focused on benefit fraud as the local authority was entrusted to investigate housing and council tax benefit fraud. The investigations team within Ashford Borough Council also liaised closely with the Department for Work and Pensions (DWP) in order to jointly investigate

benefit fraud where necessary. However, Council Tax Benefit was abolished in 2013 and Local Council Tax Reduction Schemes were adopted. This saw the introduction of new legislation in order to investigate and enforce this scheme, The Council Tax Reduction Schemes (Detection of Fraud and Enforcement) (England) Regulations 2013 which need to be incorporated into the policy.

9. Furthermore, in December 2015, the majority of investigations into housing benefit fraud were migrated to the Single Fraud Investigation Service within the DWP although the authority retains responsibility to prevent fraud and error entering the housing benefit system.
10. With the Council Tax Reduction Scheme being a council tax discount, the focus of the policy covers revenues as well as housing benefit.
11. Taking note of the new legislation together with existing legislation such as the Local Government Finance Act and the Fraud Act, this policy will help to ensure that applications and changes in circumstances relating to council tax discounts, exemptions and business rates are completed correctly and are enforced as necessary in cases where people seek to deceive or defraud the Authority in this area.
12. Prevention of fraud entering either the revenues or benefits system will always be the primary task, however, there will be times when fraud will get through and this updated policy will ensure that it can be dealt with appropriately, fairly and robustly as necessary.

Consultation

13. The Revenues and Benefits Manager and Principal Legal Assistant have both been consulted regarding this updated policy

Portfolio Holder's Views

14. To be given at the meeting.

Contact: Hannah Davies, Corporate Fraud Manager

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APPENDIX 1

ASHFORD BOROUGH COUNCIL

REVENUES AND BENEFITS ENFORCEMENT AND PROSECUTION POLICY

1. Introduction.

- 1.1 Ashford Borough Council has an approved Anti-Fraud and Corruption Strategy. The purpose of the Strategy is to clearly state its commitment to prevent, detect and investigate fraud and corruption, and take appropriate action wherever possible. Ashford Borough Council is committed to protecting public funds through its actions on fraud. No discrimination will be made in determining whether to prosecute.
- 1.2 Fraud can be either opportunistic or more organised. Where verification processes assist with limiting the opportunities for fraudsters, sanctions by way of penalties and prosecution action need to be in place in order to punish wrongdoing and deter offending.
- 1.3 Customers need to be aware that they have a responsibility to provide accurate and timely information about their circumstances in order to ensure the correct entitlement is provided from the public purse.

2. Revenues and Benefits Fraud

- 2.1 The Borough Council has officers who identify, investigate and prevent cases of revenues and benefit fraud.
- 2.2 This policy should give clear guidance on the options available to deal with those who either
 - Through an intentional act or omission commit fraud in relation to council tax, council tax support, council tax benefit, housing benefit or non domestic rates or
 - Negligently make incorrect statements, or without reasonable excuse fail to give a prompt notification of a relevant change of circumstances affecting their entitlement to a council tax discount, exemption or reduction, non domestic rate relief or their council tax benefit and / or housing benefit entitlement and how and when these options should be used.
- 2.3 Customers who receive a council tax discount, exemption or reduction are required to notify of changes in their circumstances affecting their entitlement to the Revenues and Benefits department within 21 days. Customers who receive housing benefit (or Council Tax Benefit up to 31 March 2013) are required to notify of changes in their circumstances affecting their entitlement to the Revenues and Benefits department within one calendar month. For the purposes of this policy, when determining fraud or taking any sanction action,

the timescale of one calendar month will be used in all cases whether council tax or benefit.

- 2.4 Not all claims deemed to be fraudulent are suitable for prosecution. This is because the test applied for the purpose of whether benefit is cancelled or reduced is different to the test applied in the Court to secure a criminal conviction. Claims and overpayments can be classified as fraudulent not only where there is clear and unequivocal evidence of fraud, but also where it appears to the Authority that on the balance of probabilities a fraud has been committed (as per government's definition of fraud).
- 2.5 Consideration will be given to financial penalties as set out in legislation in respect of cases that are believed to reach the civil burden of proof.
- 2.6 The Borough Council has worked jointly with the Department of Work & Pensions on all investigations that affect their benefits where appropriate. The Department of Work & Pensions have their own Prosecution Policy. As from December 2015 the Department for Work and Pensions Single Fraud Investigation Service has responsibility for investigating the majority of housing and council tax benefit fraud.
- 2.7 An effective system needs to be ensured in order that all decisions on matters relating to prosecutions and sanctions are made only after considering fully the facts and circumstances of each case.

3. Sanctions

- 3.1 Where monies have been paid incorrectly whether through fraud or not, recovery of any overpayment will be pursued as appropriate.
- 3.2 Sanctions may include civil fines, cautions, criminal financial penalties or prosecution.
- 3.3 Civil fines may be applied where a customer fails to notify of a change in circumstances or fails to provide information, in respect of a Council Tax account or Council Tax Support claim.
- 3.4 Civil fines act as encouragement for customers to ensure they notify the authority of appropriate information as soon as possible assisting with administration.
- 3.5 Where there is enough evidence of fraud believed to be beyond reasonable doubt and therefore enough to sustain a prosecution then the council will first consider whether it is in the public interest to undertake the prosecution. They will then consider which sanction is most suitable for the offence.

3.6 The test of “Public Interest”

The Council believes that it is not in the public interest to prosecute in most of the following cases:-

- the person is seriously or terminally ill
- made a voluntary disclosure of the offence before the Authority had any suspicions
- has mitigating factors that the Authority considers are relevant

3.7 Local Authority Caution

The Council may issue an Official Local Authority Caution in most cases where:-

- it was a first offence
- the offence is over a short period of time
- a full and frank admittance to the offence has been made

3.8 Criminal Financial Penalty

The Council may issue a Criminal Financial Penalty in most cases where:-

- it was a first offence, and
- there was no planning involved in the process,
- there were no other persons involved in the fraud;
- the person is not in genuine financial hardship or in need of Social Services assistance,

3.9 Prosecution

The Council seek to prosecute in most cases where:

- it was not a first offence, or
- there were other persons involved in the fraud,
- there is sufficient evidence to do so
- where it is in the public interest to do so
- the offence has continued for some time
- the offence is deliberate
- the offence involves collusion
- anyone who has been offered, and refused, a Criminal Financial Penalty or Caution.
- anyone who has been prosecuted for a similar offence
- anyone who obstructs an investigator in their duties

3.10 Having applied the criteria above, if a case is deemed suitable for prosecution a recommendation, together with admissible evidence shall be presented by the Investigation Officer to the Corporate Fraud Manger for consideration.

Following a review the Corporate Fraud Manager will either refer back to the Investigation Officer or refer for legal advice.

- 3.11 It is noted that some cases will not fall into any category. Every case will be considered on its own merits and a review presented to the Corporate Fraud Manager who will decide upon the appropriate course of action.
- 3.12 The Council will consider any mitigating circumstances, social factors, and the suspect's physical and mental condition.

4. Administrating the Prosecution Policy

- 4.1 When deciding whether to prosecute or not, the Council will consider relevant legislation, such as Fraud Act 2006, The Council Tax Reduction Schemes (Detection of Fraud and Enforcement) (England) Regulations 2013, Local Government Finance Act 1992, Social Security Administration Act 1992, Theft Act 1978, and the Human Rights Act 1998. Cases considered for prosecution include those where incorrect or incomplete information is provided in order to gain an advantage or cause loss to the Authority and/ or public funds administered by the Authority.
- 4.2 If the prosecution is agreed, proceedings will be initiated in accordance with any statutory limitations, as soon as possible, as unreasonable delays may result in the case failing at Court.
- 4.3 Prosecutions will be pursued by the Investigation staff along with the Corporate Fraud Manager together with appropriate legal services.
- 4.4 Consideration will be given to publicising all successful prosecutions as a deterrent.

5. Fraud by an employee or Member of the Council

- 5.1 Where any such cases are identified, the Corporate Fraud Manager will immediately report the matter to the Head of Audit Partnership.
- 5.2 In addition to the above procedures, an employee may also be subject to the Council's Disciplinary Procedures and a Member referred to the Monitoring Officer (Legal and Democratic) Ashford Borough Council.
- 5.3 A copy of the Council's Anti Fraud and Corruption strategy will be communicated regularly to staff and all staff will hold an up-to-date copy of the Council's current strategy. A copy of the strategy will be issued to new staff and its use and purpose explained to them as part of their induction.

Agenda Item No: 8

Report To: Cabinet

Date: 8th September 2016

Report Title: Progress Report on Syrian Vulnerable Persons Resettlement Scheme

Report Author: Sylvia Roberts

Portfolio Holder: Cllr Clokie – Portfolio Holder for Housing & Home Ownership



Summary:	This report provides an update to members on progress to date with regard the Syrian Vulnerable Persons Resettlement Scheme.
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Key Decision: NO

Affected Wards: All

Recommendations: **The Cabinet be asked to:-** Note the success of the scheme thus far and re-affirm the council's commitment to continue with the scheme for the duration of the 5 year Government programme.

Policy Overview: Living Ashford: quality housing and homes for all

Financial Implications: There are no financial implications to the Authority as this scheme is fully funded by the Home Office.

Risk Assessment YES – details are contained within the report

Impact Assessment YES see appendix A to this report

Other Material Implications: None

Exemption Clauses: None

Background Papers: None

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Report Title: Syrian Vulnerable Person Resettlement Scheme

Purpose of the Report

1. To provide members with feedback on the progress and development of the borough council's involvement in the Syrian vulnerable person resettlement scheme in Ashford, from commencement to date.

Issue to be decided

2. To note the progress with this scheme so far in Ashford and for members to re-affirm commitment to continue with the scheme for the duration of the 5 year Government programme.

Background

3. The UK is at the forefront of the response to the crisis in Syria. It was recognised that for some vulnerable people the only solution is to bring them to countries like the UK.
4. In 2015, the Government announced it was to expand the existing Syrian Vulnerable Person Resettlement (SVPR) Scheme and intends to resettle up to 20,000 Syrians in need of protection during this Parliament.
5. Individuals who have been identified via this scheme for resettlement in the UK often present signs of trauma and Post Traumatic Stress Disorder; anxiety following family separation; health needs; and 'learned' behaviours following time spent in refugee camps, which are difficult to abandon. Fundamentally, the scheme will aide the transitional needs of the resettled persons and address the need for access to local services in order to fully and permanently integrate into UK society. We, along with partner agencies, will work to empower individuals to achieve their full potential and meet their responsibilities as members of British society.
6. The council began preparing for its involvement in this project in September 2015, ahead of its anticipated participation which had to be ratified by Cabinet members, A dedicated council officer was put in place to co-ordinate matters and work with the families and their immediate support networks.
7. The council's excellent rapport with its public and private sector partners ensured that it was able to quickly put in place matters such as school provision where required, links into the healthcare system and access to other essential items appropriate to each family.
8. The council made the decision early on to not use any of its social housing stock to house the families it was resettling. This was made possible through its excellent ABC Lettings 'social lettings agency' service and its rapport with the private and voluntary sector. The continued sustainability of using housing from the private sector is discussed in more detail later in this report.

9. It was unanimously decided by Ashford Borough Council's Cabinet on 8th October 2015 that the authority would be proud to welcome and help re-settle up to 50 refugees per year for the next five years as part of the Government scheme. This equates to around ten families per year – the authority has been able to request that it resettles families through its extensive contact with the Home Office, as they are who the borough is best equipped to support.
10. The first three families arrived in December at the height of the media's interest in the resettlement scheme. Given the stance taken by Ashford Borough Council, we received a lot of welcome media interest and while the refugees indicated to us that they did not wish to engage in interviews with reporters, the council's marketing and communications team were able to put forward private landlords, volunteers and councillors to talk about how the borough had been preparing for the arrival of the first families.
11. The council would like to thank publicly the print and broadcast media at this point for the mature way in which they have reported on the programme – they have worked with us in respecting the wish of the refugees to integrate without intrusion and have been supportive of the stance taken.
12. Members agreed in October 2015 that the council's involvement in the project would be reviewed after the first year, which is the purpose of this report.

The programme so far

13. To date, we have received seven families, comprising 17 adults and 16 children - a total of 33 people. All the school age children are in school and are generally doing well, with the exception of 2 of the new family who are school age and will be starting in September. The adults are having English classes, which are delivered by Kent Adult Education. The men are desperate to get into employment stating this as their most urgent desire and are being held back only by their struggle to gain a level of English that will enable them to get jobs. The one man who spoke English prior to coming to the UK is already in employment within the borough.
14. The families have been housed in both urban and rural locations and all are in private rented accommodation. Initially, the supplies of properties were generated by publicity and have been offered by landlords as a gesture of goodwill towards this scheme. Although nationally publicity of the plight of many refugees has slowed, we are still working hard to find private sector vacancies that will not impact upon those on the housing register or those households who are homeless.
15. The three most common questions that the families ask on their arrival are: When can we learn English, when can the children go to school and when can we get into employment? The next section addresses these matters.
16. As indicated, we have robust procedures in place to access places for education for 5-16 year olds and have been successful in accessing a pre-school place for the 3-year-old and training opportunities for the 18-year-old who have so far arrived.

17. The biggest barrier to employment is proficiency in English, particularly language skills needed in the work place. A more intensive and employment focussed English course on arrival would enable the families to access employment opportunities more quickly. We are working with partner agencies to be able to deliver this locally. Tuition in a basic level of English prior to arrival would also be of huge benefit to the families in the early days and weeks following arrival so we are working closely with the Home Office, UNHCR and IOM to enable this wherever possible.
18. The families have all expressed the importance of being able to get together periodically to socialise and share their experiences. We have enabled this on a regular basis, working in partnership with Gateway Church, which has kindly provided both the venue and willing volunteers. We plan to continue and further develop this facility.
19. On Friday 12th August 2016 the Ashford meeting hosted all SVP families from all over Kent. The evening was enjoyed by all participants and it was felt it was of particular benefit to those families currently in more isolated situations in other areas of Kent.

The position countywide

20. The table below provides an update on the indicative pledges and arrivals so far for the whole of Kent district authorities

District/Borough	Latest position
ASHFORD	250 people (approx. 50 families) over the 5 years; currently have 7 families (33 people). Resettlement support is provided by ABC staff.
CANTERBURY	10 families over the 5 years.
DARTFORD	Wish to take one at a time and will be reviewed after each family.
DOVER	12 families over the 5 years; two properties found and soon to receive families (end of June). Resettlement support is being provided by Migrant Help.
GRAVESHAM	5 families over the 5 years.
MAIDSTONE	Plan to take 6 single men or women over the 5 years.
SEVENOAKS	To be confirmed.
SHEPWAY	10 families over the 5 years.
SWALE	10 families over the 5 years (2 per year).
THANET	8 families over the 5 years.
TONBRIDGE & MALLING	10 families over the 5 years; 1 family arrived in April. Resettlement support provided by Rethink
TUNBRIDGE WELLS	10 families over the 5 years; 2 families arrived in December; soon to receive another. Resettlement support provided by Rethink
TOTAL	Approx. 130 families over the 5 years, of which Ashford is aiming to support 50 families.

21. As at the end of June 2016, 43 people have been resettled in Kent (10 families). In the UK as a whole 1,854 people had been resettled by end of March 2016.

22. Generally, before the first arrivals, the overwhelming response from the public was that of willingness to help and a media release was issued thanking the public for its first-class response in offering help of all kinds. The positive response has continued as the scheme has welcomed families, and there has been only very limited negative comment on social media and this has quickly faded.
23. Refugees do not get preferential access to benefits and services. They are provided with support to enable them to access those benefits and services efficiently and quickly, in the same way that we would support anyone to return to work. The council has gone to great lengths to ensure publicity or press releases regarding the scheme stress that only private accommodation is being used and explain clearly that funding for the scheme is coming directly from government.
24. Thus far, national support for this scheme has been very positive but we do need to be mindful of any change in government policy which could affect our ability to deliver this support.
25. It should be noted that a report published by the Home Affairs Select Committee on 3rd August indicated that Ashford had received more refugee families through the Government's national programme than any other district authority in Kent. In addition to interviewing the Leader of this authority on the day the report's findings were made public, BBC Radio Kent interviewed Keith Vaz MP, Chair of the Home Affairs Select Committee, who said that "Ashford should be commended" for its work to date.

Finances & Funding

26. The first 12 months of a refugee's resettlement costs, excluding economic integration, are fully funded by central government using the overseas aid budget, in accordance with international guidelines and practice.
27. To ensure that local authorities can plan ahead and continue to respond to the overwhelmingly generous response of the British people, the Home Office will also provide additional funding to assist with costs incurred in future years. The funding is on a decreasing scale. This reflects the fact that the initial set up costs for a household are high however over time, the need for support should reduce as the families gain employment and therefore become self sufficient.
28. It has been recognised that the council will need financial certainty about the financing of the scheme in order to enter into contracts and commit resources. The Home Office therefore will be working closely with local government to develop the process for drawing down the funding in order that this certainty can be given.

Risk Assessment

29. Financially, the funding from central government in support of our work on SVPR means we have very little, if any risk in this regard. However it is important that we monitor this closely should there be any change in policy or central government commitment, and adapt our response accordingly.
30. In many regards, as the Home Affairs report indicates, Ashford has led the way in Kent and the south east with our commitment to supporting these vulnerable people. It has enhanced the council's reputation in terms of both its compassion and 'can do' attitude, as well as practising what it preaches – in that this is an international town and one which is in the top 10% of desirable places to live in the country. Again though, we must continue to ensure we are delivering the scheme properly and competently to ensure this is maintained.

Impact Assessment

31. See appendix A

Other Options Considered

32. ABC have considered operating this scheme in the same manner as the other Kent authorities, where the direct resettlement, support and integration programme are sourced to a third partner agency to carry out.
33. The decision was made to provide the support package to refugee families "in house" using officers employed directly by Ashford Borough Council (although fully funded through the Home Office tariff) working in conjunction with local statutory and voluntary agencies to achieve an holistic integration programme. This decision was made in part because it was felt that, in order to provide a high quality support and integration package, local knowledge and networks are essential.
34. Another factor was that we wanted to be able to monitor the project closely and be able to develop and adapt provisions easily as the project progresses. Both would be more difficult to deliver and complex to manage if support were being provided by a third party organisation located outside the borough, and offer less flexibility in the approach.
35. As the number of resettled families increase, there may be a need for additional staffing resources. Specifically the addition of an Arabic speaking support worker to the team would both cut down interpretation costs and provide extra resources for support tasks. This could in fact become an opportunity for one of the resettled refugees themselves, should they develop adequate English skills.

Consultation

36. The Home Office, United Nations High Commissioner for Refugees (UNHCR) and International Organization for Migration (IoM) have all consulted with the families that have arrived so far in Ashford and feedback has been positive

about their welcome, the way their needs have been met, the support communities in which they have been placed and the level of contact with Ashford Borough Council, which is supporting them to support themselves and integrate as quickly as possible.

37. Feedback from the families already in Ashford is gathered regularly as part of the support activities. As a result, tailored programmes are being developed to increase the intensity of English language support for the adults post - arrival and to shift the emphasis of provision further toward work readiness. We are keen to engage the refugees themselves in the development of future provision and they have proved equally keen to participate.

Implications Assessment

38. There is the need for continued central government commitment of resources for this scheme in terms of both staffing and financial assistance.
39. One of the challenges facing this scheme is that although Ashford has an increasingly diverse ethnic minority population this remains relatively small in comparison to many other areas, including parts of Kent. There is no current established Arabic community and only a small handful of people of Syrian origin or decent. There is a Mosque on Torrington Road in Ashford and an Ashford Muslim Society. There is, within the borough, one small Halal butcher (although there is a slaughterhouse that complies with Halal requirements supplying the wholesale meat market this is only available for those with capacity to purchase meat in considerable bulk). We are working closely with the refugees to ensure that they can maintain and celebrate their own culture whilst working to build their new lives in Ashford.

Handling

40. The borough council's in-house marketing and communications team has liaised closely with colleagues in housing and at the Home Office to report positive publicity and our success stories. Indeed, its 'media pack' has been shared by the Home Office as best practice. Operationally, other councils from Kent and beyond have spoken to our officers in housing and communications to better understand the processes required and to see what has worked well.
41. More publicity work is needed to particularly to maximise potential interest in finding private landlords willing to provide accommodation.

Conclusion

42. The general view thus far is that the scheme has been a success here in Ashford. The families who have arrived are settling well. They are all making good progress in learning English and are able to manage their lives successfully with continuing appropriate support. All have expressed both a desire and will to give back to the communities who have offered them safety and the chance to build new lives.

43. There is a desire to continue with this scheme for the duration of the five-year period of the Government scheme and we would like members to re-affirm this commitment.

Portfolio Holder's Views

44. I am pleased with the progress made in terms of helping these refugees and the enormous difference we are making to the lives of some of those most affected by the troubles in Syria. It is important that we continue this good work and I fully support our continuing efforts to provide this level of assistance, welcoming these families into our communities.
45. I thank all those private landlords who have already helped, and would also like to encourage others to offer suitable properties they may have in support of this project.

Contact: Sylvia Roberts

Email: Sylvia.roberts@ashford.gov.uk



ASHFORD
BOROUGH COUNCIL

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).

Importantly, this does not include reports that are 'for note' or do not propose substantial changes – assessments should only be considered when we propose to do something differently.

Assessments should also be carried out when conducting a large-scale review of **existing policies or practices** to check that they remain non-discriminatory. This does not mean filling out an assessment on every report on a subject – it is up to you to decide if the report's scope or scale warrants an assessment.

1. General Information	
1.1 Name of project, policy, procedure, practice or issue being assessed	Progress Report on Syrian Vulnerable Persons Resettlement Scheme
1.2 Service / Department	Housing Services
1.3 Head of Service	Sharon Williams
1.4 Assessment Lead Officer	Richard Robinson
1.5 Date of Assessment	15 th July 2016
1.6 Is this assessment of an existing or a proposed project, policy, procedure, practice or issue?	Existing policy and practice

2. What is Being Assessed?	
2.1 What are the aims of this project, policy, procedure, practice or issue?	To support the resettlement of vulnerable Syrian refugees into the community
2.2 Who is intended to benefit from this project, policy, procedure, practice or issue?	Vulnerable Syrian refugees
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	Housing staff
- from other agencies	Home Office – provision of funding Kent County Council Private sector landlords; (various) faith groups

3. Possible Sources of Information

In order to assess the impact of proposed decision it is important to bring together all information you have on it to, analyse them and come to conclusions on how it affects those with protected characteristics.

Information on a policy, project or procedure can come in many forms :-

- Census and other demographic information
- User satisfaction and other surveys
- Previous consultation exercises
- Performance Indicators
- Eligibility Criteria
- Service uptake data
- Complaints
- Customer Profiling
- MOSAIC data

In order to come to conclusions on impacts in section 4 you **must** have taken in to account all appropriate information, and be able to provide this if necessary in support of the judgements you make.

Also, it is not enough to have broad information on service users – to meet equalities duties this information **must** be broken down – where applicable – into the relevant protected characteristics which may be affected by this decision. For example, when considering disabled access to a new community facility, overall usage figures are not enough – an understanding of how many disabled users within this total must be demonstrated.

The protected characteristics are :-

Age	Disability	Gender reassignment	Marriage and civil partnership	Pregnancy and maternity
Race	Religion and belief	Sex	Sexual orientation	

More information on the definitions of these characteristics can be found here - <http://www.equalityhumanrights.com/advice-and-guidance/new-equality-act-guidance/protected-characteristics-definitions/>

4. What judgements can we make?				
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 yes, can it be justified (and how)?
Impact Factors:				
Age (please detail any specific groups considered)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	People of a wide range of ages have been helped thus far, from babies to pensioners
Disability (please detail any specific groups considered)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Latest arrival, the eldest son is partially sighted.
Gender (please detail any specific groups considered)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Gender Reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Marriage / Civil Partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Pregnancy & Maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Race (please detail any specific groups considered)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Thus far all people helped have been Syrian nationals, and all have been practicing Muslims, with the exception of one Christian family.
Religion / Belief	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	See above
Sexual Orientation (please detail any specific groups considered)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Other (please specify)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

5. Conclusions	
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 – a key part of the programme has been to help integrate these refugees into their new communities <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> (bearing in mind "fairly" may mean differently) and that no further amendment is required?	<input checked="" type="checkbox"/> Yes – although getting more support than other non-refugee groups this reflects the desperate situations they are fleeing. <input type="checkbox"/> No
If further action is identified to ensure fair impacts please complete the Action Plan available on the intranet and attach it to this form	

6. Monitoring and Review	
How will monitoring of this policy, procedure or practice be reported (where appropriate)?	Regular reports to Cabinet and on-going monitoring of central government policy and funding in support of the SVPR scheme
When is it proposed to next review the project, policy, procedure, practice or issue?	September 2017
Any additional comments?	None

Agenda Item No: 9

Report To: CABINET

Date: 8th September 2016

Report Title: Food Safety Policy

Report Author: William Wilson, Senior Environmental Health Officer

Portfolio Holder: Cllr Bradford, Portfolio Holder for Highways, Wellbeing & Safety.



Summary:	The report presents for approval a Food Safety Policy that incorporates the Enforcement and Sampling Policies.
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Key Decision: No

Affected Wards: The Policy has implications for food premises across the Borough and therefore affects all wards. It also has relevance to members of the public who eat at or purchase food from food businesses within the Borough.

Recommendations: The Cabinet is asked to recommend to the Council approval of the Food Safety Policy.

Policy Overview: The Council's five-year corporate plan includes a commitment to ensuring that enforcement powers are used effectively, to strengthen the approach to enforcement and to take a tougher line on compliance.

The purpose of this policy is to ensure a consistent approach to food safety inspections, enforcement and sampling. The policy provides officers with guidelines to enable them to make decisions consistent with current nationally accepted standards.

The Food Safety Policy also recognises that good businesses should be promoted, whilst poor businesses are encouraged to improve.

The Council's Food Safety Policy was last presented to Members in July 2008. The document appended to this report has been updated to reflect the changes since this date.

Food Safety inspections, enforcement and sampling is relevant to the Community and Wellbeing. Ensuring enforcement is proportionate and undertaken within the broader aspiration of supporting local businesses is also relevant to the Council's economic growth agenda.

Financial Implications:	The report does not suggest any additional expenditure.
Risk Assessment	YES
Impact Assessment	YES
Other Material Implications:	The Policy revisions have no direct environmental implications. The changes take into account current inspection, enforcement and sampling guidance and update existing policies operated by staff within the Health, Parking and Community Safety Service. The Policy amendments do not have staffing implications.
Exemption Clauses:	Not Applicable
Background Papers:	Food Safety Policy – Appendix A
Contacts:	william.wilson@ashford.gov.uk – Tel: 01233 330517

Agenda Item No. 7

Report Title: Food Safety Policy

Purpose of the Report

1. To present to Members an updated Food Safety Policy (subsequently referred to as the Policy). The Policy covers the Council's approach to discharging the statutory duty to enforce relevant food law across the Borough.

Background

2. For many years the Council has worked in accordance with a documented Policy.
3. The document as presented by this report does not represent a significant change in policy, but is updated to reflect revisions of The Food Law Code of Practice and associated guidance, the introduction of the Primary Authority principle and the operation of the national Food Hygiene Rating Scheme.

The Policy

4. Our current Policy has been working successfully since 2008.
5. A copy of the proposed Policy is provided at Appendix A.
6. A copy of the current Policy has not been provided, but is available on the Council's website www.ashford.gov.uk
The proposed Policy is in fact very similar to current version with the principle changes and their effects listed below:
 - The Food Standards Agency issues The Food Law Code of Practice and associated guidance to assist competent Food Authorities discharge their duty to enforce relevant food law. These Codes of Practice are statutory guidance and Food Authorities that do not follow them could be challenged and evidence being ruled inadmissible in a Court hearing.
 - The introduction of Primary Authority by Regulatory Delivery (part of the Department for Business, Energy and Industrial Strategy) also provides statutory guidance that enforcers are required to follow where such partnerships have been set up. Enforcers should follow any guidance and inspection plans agreed between the business and the Local Authority partner.
 - The operation of the national Food Hygiene Rating Scheme.

Risk Assessment

7. Councils are responsible for regulating food law within food businesses within their Borough. Within Ashford we are responsible for just under 1,500 food businesses. During 2015/16 over 700 interventions were

- undertaken at food businesses, twenty seven food and thirty seven hygiene complaints were investigated and one hundred and thirty four samples were analysed as part of national and local studies.
8. Presently over 97% of food businesses inspected within the Borough are broadly compliant (Food Hygiene Rating of 3 or above).
 9. The appropriate use of enforcement powers, including prosecution, is important, both to secure compliance with the law and to ensure that those who have duties under it may be held to account for failures to safeguard the health and safety of those consuming food.

Impact Assessment

10. The Food Safety Policy as presented here has been subject to a Impact Assessment. The findings indicate there are no negative impacts.

Other Options Considered

11. The Food Standards Agency expects competent Food Authorities to have a Food Safety Policy and therefore no other options have been considered. The policy as presented is based on an assessment of the local circumstances and presents a balance of enforcement techniques and approaches in order to ensure the health and safety of the public.

Consultation

12. The Food Safety Policy is in line with current guidelines. A copy of the Policy once approved will be made available to the public and businesses on the Council's website. Feedback on the Policy will be reviewed and where necessary further amendments to the Policy will be made.

Implications Assessment

13. The report does not suggest any additional expenditure.
14. The Policy revisions have no direct environmental implications.
15. The changes take into account current legal provisions, guidance and update existing policies operated by the Council.
16. The Policy amendments do not have staffing implications.

Conclusion

17. This report updates the Council's current Policy.

Portfolio Holder's Views

18. This report seeks authority to accept the updated Food Safety Policy document that embraces recent policy and guidance. It does so in a manner that demonstrates a courteous, measured and open approach, whilst at the same time provides a fair but firm blueprint for the effective discharge of our statutory duties and responsibilities. I commend this report and the Policy to the Cabinet.

Contact: William Wilson

Email: william.wilson@ashford.gov.uk



ASHFORD
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ASHFORD BOROUGH COUNCIL

FOOD SAFETY POLICY

(Incorporating the Food Authority's
Enforcement and Sampling Policy)

1.0 POLICY AIM

It is the Council's policy to strive to ensure that food intended for sale for human consumption, which is produced, stored, distributed, handled or consumed within the Borough is without risk to the health or safety of the consumer.

2.0 SCOPE

- 2.1 This Policy sets out the way in which the Borough Council (subsequently referred to as the Food Authority) will monitor and deal with the conditions in and under which food is handled, processed, manufactured, sold etc. within food establishments in the Borough. Included within this document are the Food Authority's 'Food Establishments and Enforcement Action' policy and 'Food Sampling and Analysis' policy.
- 2.2 The Policy is relevant to those situations in which the Food Authority has food related statutory duties or discretionary powers under the Food Safety Act 1990, the Animal Health Act 1981, the European Communities Act 1972, the Consumer Protection Act 1987, the Trade Descriptions Act 1968, and directly under EC Regulations.
- 2.3 Section three of this Policy lays down the general principles under which the Food Authority will operate, and subsequent sections define the approach to be followed in specific work areas.

3.0 GENERAL PRINCIPLES

National and Local Priorities

- 3.1 The Food Authority acknowledges that food safety and specifically the prevention of food poisoning is an enforcement priority. Food safety is also recognised as a national enforcement priority by the Rogers Review¹.
- 3.2 The Food Authority recognises those targets within the comprehensive area assessment performance framework that are particularly relevant to food work as highlighted below:

Under the general theme of Local Economy

- 'Food establishments in the area which are broadly compliant with food hygiene law' – a range of food safety activity can contribute to achieving this target including the routine inspection of food premises.
- 'Satisfaction of businesses with local authority regulation services' – this target links to the business advice and support work and the promotion of local economic vitality and fair competition.

Under the general theme of Children & Young People

- 'Obesity among primary school age children in reception year and in Year 6' – these targets on childhood obesity link to work on food and nutrition and can be led by the Food Authority with other organisations.

¹ "National enforcement priorities for local authority regulatory services", Rogers Review, Cabinet Office, March 2007

Under the general theme of Adult Health and Wellbeing

- 'Mortality rate from all circulatory disease at ages under 75 and healthy life expectancy at 65' – Food Authority Activity linked to food, nutrition, smoking and life expectancy can help to contribute to these targets.
- 3.3 The Food Authority will give due consideration to these priorities in developing the Health, Parking and Community Safety Service Plan.

Human Rights Act 1998 and the Police and Criminal Evidence Act 1984

- 3.4 The Food Authority recognises the need to take meet the requirements of any convention rights relevant to this area of policy. Officers will be able to show that they are familiar with the Convention rights, and that decisions that they take are informed by the principles of proportionality and non-discrimination. It will not be considered enough to show that policies and decisions are reasonable and within the scope of statutory powers, without assessing the validity and sufficiency of the reasons given for any action which interferes with human rights. In particular officers will:
- give proper weight to human rights considerations;
 - consider whether a course of action will involve any breach;
 - show that these considerations have been taken into account in decision-making;
 - document the human rights reasoning behind prosecution decisions.
- 3.5 The Convention Rights of particular note in regard to this Policy are Article 6: Right to a fair trial and Article 8: Right to respect for private and family life. The First Protocol Rights of Article 1: Protection of property is also of importance.
- 3.6 The right to privacy and respect for personal property are key principles of the Human Rights Act 1998. Powers of entry, search and seizure will be fully and clearly justified before use because they may significantly interfere with the occupier's privacy. Officer will consider if the necessary objectives can be met by less intrusive means. Officers will ensure that relevant provisions of the Police and Criminal Evidence Act 1984 are observed.

Regulators' Code

- 3.7 The Food Authority recognises that it has responsibilities to both the consumer and the food trade in the way it discharges its food safety obligations. To the consumer, its obligation is to ensure that food supplied and sold in the Borough is safe and wholesome. To the trade, that enforcement of the law is carried on in an equitable, practical and consistent manner, and is underpinned where appropriate with advice and education. The philosophy of the Regulators' Code² as developed by the Regulatory Delivery (RD), part of the Department for Business, Energy and Industry Strategy (formally Better Regulation Delivery Office (BRDO) gives a framework for how regulators should engage with those they regulate and the Food Authority fully embrace this. The aim of the Code is to embed a risk-based, proportionate and targeted approach to regulatory inspection and enforcement among the regulators it applies to.
- 3.8 This enforcement policy has been developed in accordance with the Regulators' Code. It helps to promote efficient and effective approaches to regulatory inspection and enforcement, which improve regulatory outcomes without imposing unnecessary burdens.

2 "Regulators' Code", Better Regulation Delivery Office, April 2014

Freedom of Information Act 2000, Environmental Information Regulations 2004 and Data Protection Act 1998

- 3.9 The Food Authority will release information as required by the Freedom of Information Act 2004 (FOI) and Environmental Information Regulations 2004 (EIR). The FOI Act gives individuals a legally enforceable general right to know what information is held by public authorities (subject to certain exemptions) and to have this information communicated to them. The EIR 2004 provides a right of public access to a range of environmental information held by public authorities. Requests for copies of food hygiene reports, sampling results, details of complaint investigations etc. about food businesses will normally be dealt with as a request for environmental information under the EIR 2004.
- 3.10 The EIR 2004 has no absolute exemptions on disclosure of information however the reports may attract qualified exemptions i.e. exempt for reasons of law enforcement, commercial interests or confidentiality. Each of these qualified exemptions will be judged against the information held and the public interest test will be applied.
- 3.11 In the event that food hygiene reports (and other similar documents) are made available on the Council's web site it will be emphasised that the information was accurate only at the time of the inspection, remedial action should have been taken to resolve problems and that instances of non-compliance will be of a fairly minor nature so that further enforcement action would not be appropriate. It is acknowledged that EIR 2004 requires a public authority to apply a presumption in favour of disclosure.
- 3.12 Decisions on disclosure will be made having regard to the provisions of the Data Protection Act 1998.

Regional and local liaison

- 3.13 The Food Authority will be represented at meetings of the regional food liaison group i.e. Kent Food Group, to help maintain enforcement consistency with other authorities. This group includes representation from the County Council Food Authority i.e. Trading Standards, Public Health England (PHE), Food Standards Agency and other specialists as necessary.
- 3.14 Matters of legal interpretation and consistency will be discussed with colleagues in the Kent Food Group if appropriate. The Food Authority will avoid taking unilateral decisions on interpretation without seeking the views of other authorities.
- 3.15 The Food Authority will participate in joint exercises and projects with adjoining authorities to improve and assess the consistency of their interpretation and approach. For example by developing joint procedures and operational notes and by undertaking inter-authority auditing exercises.

Liaison with the County Council Food Authority

- 3.16 The Food Authority will ensure that effective day-to-day liaison agreements are in place with the County Council Food Authority. Such arrangements will be documented as necessary. Further guidance is provided within subsequent sections of the document.

Co-ordination of Advice, Enforcement and the Primary/Home Authority Principle

- 3.17 The Food Authority recognises that the co-ordination of advice and enforcement is essential to ensure uniformity of enforcement and consistency in dealing with food businesses, especially those that have more than one branch situation in different Food Authority areas.

- 3.18 The Food Authority endorses the Primary and Home Authority Principles³ and will adopt and implement the principles. In giving advice or taking enforcement action in relation to food businesses that have a Primary/Home Authority, officers will contact the relevant Primary/Home Authority as appropriate.
- 3.19 The Primary Authority scheme gives businesses the right to form a statutory partnership with one Competent Authority, which then provides robust and reliable advice for other Competent Authorities to take into account when carrying out inspections or dealing with non-compliance. A Primary Authority should support its partner business in complying with regulations by issuing assured advice by coordinating enforcement action and by developing an inspection plan.

The Home Authority Principle seeks to maintain and support the essential elements of the regulatory landscape and to rationalise and streamline existing systems of professional support and network communication enabling a coherent framework of business engagement to be developed alongside Primary Authorities. Home Authorities operate in situations when a business does not have a Primary Authority partnership in place (e.g. if a business chooses not to enter into a partnership or is legally unable to have one), but where there remains a clear need for regulatory activity in relation to that business to be co-ordinated.

4.0 FOOD SAFETY OBLIGATIONS

4.1 The Food Authority will meet its obligations by:

- Undertaking food safety inspections of food establishments;
- Approving establishments under Regulation 853/2004 as appropriate;
- Responding to complaints about food and food establishments from or through which it is supplied;
- Providing a response to requests for advice from the public and from food businesses;
- Making available to the public information relating to food establishment inspections through the Food Hygiene Rating Scheme (FHRS);
- Undertaking a programme of food sampling;
- Undertaking, subject to available resources, food safety campaigns including those aimed at healthy eating;
- Providing, subject to available resources, food safety campaigns aimed at helping businesses comply with the law such as Safer Food Better Business;
- Providing, subject to demand and available resources, formalised food hygiene training for food handlers; See Section 9.1 and 9.2)
- Providing a voluntary food surrender service;
- Acting as a Primary/Home Authority as appropriate;
- Undertaking appropriate enforcement activity.

4.2 All officers will work within the requirements of this Policy. Any significant departure will be exceptional, capable of justification and be fully considered by the Lead Food Officer (LFO), unless it is considered that there is risk to the public in delaying the decision. All officers will be fully acquainted with the requirements of the Policy.

³ The Primary Authority scheme allows businesses to form a statutory partnership with a regulator to obtain advice on compliance with regulations. The principle of Primary Authority is set out in The Regulatory Enforcement and Sanctions Act 2008 and statutory guidance was published by BRDO in September 2013. The Home Authority principle is governed by a Joint Statement of Commitment (JSoC) signed in June 2011 by BRDO, the Trading Standards Institute (TSI) and the Chartered Institute of Environmental Health (CIEH).

- 4.3 The Food Authority and individual officers will have regard to the Food Standard Agency (FSA) Food Law Code of Practice⁴ (subsequently referred to as the Agency Code of Practice) and other guidance from the FSA and RD. In particular officers will have regard to published UK or EU Industry Guides to Good Hygiene Practice and to other relevant Food Industry Codes of Practice.
- 4.4 It is expected that authorised officers will be familiar with the law they are appointed to enforce, referring to the law itself as well the Agency Code of Practice and other guidance, understanding what the law actually states and requires, and seeking guidance when either it, or they, are unclear. This requirement also relates to contracted or temporary staff.
- 4.5 The Food Authority will also have regard to the Framework Agreement⁵ on Official Feed and Food Controls by Local Authorities.
- 4.6 Contravention of the Food Safety Act 1990 and other food safety provisions will be dealt with in accordance with the enforcement section of this Policy.
- 4.7 The LFO will arrange for qualitative and quantitative monitoring of fieldwork in accordance with a documented management system. This system will comprise the quality assurance procedure for food safety inspections and this Policy document. The management system will ensure that the interpretation and action taken by officers following an inspection is consistent. Where appropriate joint exercises will be taken with relevant authorities to assess our consistency of interpretation and approach.
- 4.8 The LFO will, in accordance with the relevant Agency Code of Practice, make returns to the FSA in respect to food performance.
- 4.9 The LFO will make other returns as deemed appropriate.

5.0 INTERVENTIONS

Introduction

- 5.1 Interventions are activities designed to monitor, support and increase food safety compliance within food establishments. Interventions include inspections, monitoring, surveillance, verification, audit and sampling. These are known as Official Controls. Education, advice, coaching and information and intelligence gathering are other forms of intervention but are not classed as Official Controls.
- 5.2 Food hygiene interventions are part of the system for ensuring that food meets the requirements of food hygiene law, including microbiological quality; absence of pathogenic micro-organisms; and safe for consumption.
- 5.3 The Food Authority will document, maintain and implement a food hygiene interventions programme that includes all food establishments. The programme will ensure that establishments within the Borough are normally inspected in accordance with their inspection rating(s) at frequencies laid down in the relevant Agency Code of Practice⁶. See section below on interventions by risk category for detailed guidance.

⁴ Particular reference is made to guidance on enforcement action contained the Food Law Code of Practice and Practice Guidance as issued under Section 40 of the Food Safety Act 1990.

⁵ "The Framework Agreement on Official Feed and Food Controls by Local Authorities", published and updated by the FSA (Amendment No. 5, 2010).

⁶ Food Law Code of Practice (England) Annex 5 The Food Hygiene Scoring System (Issued April 2014).

Carrying out inspections

- 5.4 The exact nature of an inspection will depend on the type of business involved. New food establishments that come to the attention of the Food Authority for the first time will be subject to an initial inspection following which the intervention rating(s) for the establishment will be determined.
- 5.5 An officer carrying out the initial inspection of a new food establishment will:
- Establish the scope of the business and the relevant food law that applies to the operations taking place;
 - Thoroughly and systematically gather and record information from the observation of practices, procedures and processes, including procedures based on Hazard Analysis Critical Control Points (HACCP) principles⁷, and discussion with food handlers, contractors, food business operators and managers;
 - Determine whether it is necessary to collect samples of raw materials, ingredients etc. for analysis and/or examination;
 - Identify any actual or potential breaches of food law and, if appropriate, gather and preserve evidence;
 - Determine relevant enforcement action and communicate to the business an intention to carry out such action.
- 5.6 Subsequent food hygiene inspections will depend on the legal requirements and the extent to which the business has documented its food safety management system. In general, an officer conducting a food hygiene inspection will:
- Assess the risk of the enterprise failing to meet food hygiene requirements;
 - Assess the hazards posed by the activities of the business, the food business operator's understanding of those hazards, and the application of appropriate controls; having regard to the nature and size of the business;
 - Establish whether food is being handled and produced hygienically having regard to subsequent processing;
 - Assess and verify appropriate procedures based on HACCP principles appropriate to the nature and size of the business, confirming that controls are in place and operating effectively and that appropriate corrective action is taken when necessary;
 - Establish whether food is being handled and produced hygienically; is safe to eat, and that relevant temperature controls are being observed;
 - Recommend good food hygiene practice in accordance with EU and UK Industry Guides, relevant sector specific codes, and other relevant technical standards, and promote continued improvement in hygiene standards through the adoption of good practice;
 - Check the source and any health or identification marking of raw materials, and the identification marking of destination of finished products.

⁷ Procedures based on HACCP principles are not required in relation to primary production.

- 5.7 In addition to the general requirements detailed above a food hygiene inspection will include if appropriate:
- A discussion with any staff responsible for monitoring and corrective action at critical control points to confirm that control is effective;
 - A physical inspection to determine whether critical controls have been identified and whether the controls are in place, and to assess compliance with relevant food law;
 - An assessment of compliance with the traceability requirements ;
 - A discussion regarding any hazards that have been identified that have not been covered by the business's systems;
 - A discussion regarding any failure to implement or monitor any critical controls that have been identified by the business.
- 5.8 The full scope of the food hygiene inspection is detailed in the relevant inspection form for the business concerned. The officer will draw the food business operator's attention where appropriate to published UK Guides to Good Practice as well as other published recommended industry codes of practice.
- 5.9 Inspections may also include:
- Revisits to check on the progress of measure required after a previous intervention;
 - Visits to investigate food and food establishment complaints where they include verification checks on specific aspects of the food business;
 - Inspections that form part of a food award or food hygiene rating system which include the verification of specific aspects of the food business

Intervention ratings

- 5.10 Following an inspection, officers will consider revising the intervention risk rating of the establishment. Each inspection will be considered on a case by case basis however the intervention risk rating will not normally be revised unless the inspection covers the elements outlined within section 5.5 to 5.7 above.
- 5.11 Inspections types as listed within section 5.9 i.e. revisits and food complaint investigations will not result in revision of the intervention risk rating of the establishment unless this new information leads to a decision to conduct an inspection, partial inspection or audit covering the elements outlined in section 5.5 to 5.7above. In particular the officer must have gathered sufficient information to justify revising the intervention rating and the reasons for revising the rating must be fully documented on the establishment file.
- 5.12 A verification of current compliance must take place before the intervention rating of an establishment is changed. Officers must consider the potential risk posed to public health and use their professional judgement when selecting the type of intervention to use at an establishment.
- 5.13 Where new information arises, in the case for example of a justified complaint or poor sampling result, the Food Authority will reconsider both the intervention rating and intervention choice. The explanation for the choice of intervention will be fully documented in the establishment file in every case.
- 5.14 Food businesses operators will be advised of their intervention risk rating and how this equates to FHRS. See section 9.6 for details of the Food Hygiene Rating scheme.

Interventions by risk category

- 5.15 **Category A and B establishments** will receive an intervention of an inspection, partial inspection or audit at intervals in accordance with the prescribed frequencies specified in Chapter 5 of the Agency Code of Practice.
- 5.16 **Category C establishments** will receive an intervention of an inspection, partial inspection or audit at intervals in accordance with the prescribed frequencies specified in Chapter 5 of the Agency Code of Practice. Where an officer is satisfied that an establishment in these intervention rating categories is broadly compliant with relevant food law, the officer may choose to alternate between inspection, partial inspection, audit and other official controls as outlined above. In such circumstances the reasons for not carrying out an inspection, the justification for and details of the official control selected will be recorded on the establishment file. Such decisions must have the prior approval by the LFO.
- 5.17 **Category D establishments** will receive an intervention at intervals in accordance with the prescribed frequencies specified in Chapter 5 of the Agency Code of Practice. Depending on the type of food and method of handling rating the intervention can alternate between an official and a not official control.
- 5.18 **Category E establishments** may, after an initial inspection be subject to an alternative enforcement strategy. Such establishments are considered “low risk” in that the inherent hazards are not significant by virtue of the type of food / processes involved or the number of consumers they supply. Such “low risk” establishments will be subject to an alternative intervention no less than once in any three year period. Where an establishment rated category E specifically requests an inspection, this will be undertaken. For example those low risk premises who wish to be included within the FHRS and the consequential requirement for an inspection. Refer to the section on low-risk activities and our alternative enforcement strategy for further details.

Monitoring use of other official controls

- 5.19 The decision to alternate between an inspection and other official control must have prior approval from the LFO.

Approach to inspections / interventions

- 5.20 All food hygiene inspections will be conducted in accordance with the Agency Code of Practice, that outlines the structured approach to the inspection, how an inspection is conducted, communication with the food business operator and what needs to be covered at the conclusion of the inspection, for example corrective action and timescales for compliance.
- 5.21 The Food Authority will, as a general rule, carry out inspections without prior warning. When it is necessary that relevant persons are present at the inspection of any establishment, some form of prior notice may be beneficial and will be considered. When it is certain that such persons will be present or it is considered unnecessary for them to be present, or when other considerations take precedence, prior notice will not, in general, apply. Notice may also be necessary when the purpose of the inspection is to see a particular process in operation.
- 5.22 The Food Authority will defer the planned inspection / intervention programme when instructed to do so by the FSA. Such a situation may arise where a food with widespread distribution is found to be contaminated and thereby presents a significant hazard to public health. Other examples are listed within the Agency Code of Practice.

The planned inspection / intervention programme

- 5.23 All food establishments are included in a food hygiene inspection programme that is managed using the Food Authority's computer system. As previously stated, the minimum inspection frequencies as set out in the Agency Code of Practice are, as far as practical, observed. It is recognised that some food establishments and businesses will present a greater risk to the consumer than others. The Food Authority's inspection programme recognises that the frequency of the inspection will vary according to the type of food business, the nature of the food, the degree of handling and the size of the business. Those establishments posing potentially a higher risk are inspected more frequently than those with a lower risk. Special regard is given to food businesses that are involved in methods of preparation including processing, cooking and packaging of food that present particular risks.
- 5.24 Inspections will be planned so that businesses are inspected, as far as is reasonably practicable, within the relevant period determined by the inspection rating. The FSA standard of undertaking inspections within a range of 28 days either before or after a due inspection date will be followed whenever practicable. This standard will not however on all occasions be followed in regard to combined inspections. The inspection of higher risk establishments will always take preference over the inspection of lower risk.
- 5.25 There may be circumstances when it is appropriate to bring forward a programmed inspection. Such circumstances may arise when the Food Authority:
- Receives a new registration application;
 - Receives a consumer complaint of a serious nature;
 - Receives a request to change registration details;
 - Becomes aware of a material change in the ownership, management, layout or nature of operation of a food business;
 - Receives a referral under the Primary/Home Authority Principle;
 - Receives a request or other information from the FSA;
 - Becomes aware of a possible outbreak of food-borne infection;
 - Receives an appeal relating to FHRS;
 - Becomes aware that the business may be closed at the time of the due date because of seasonal closure.

An inspection may also be brought forward in order to combine it with an inspection for other purposes, for example, a health & safety or licensing inspection.

- 5.26 The Food Authority acts in accordance with the Agency Code of Practice Food Hygiene Scoring System. This takes into account the following:
- type of food and method of handling;
 - method of processing;
 - consumers at risk (an additional weighting is added for establishments such as hospitals, nursing homes etc. where more than 20 persons in a vulnerable group are at risk);
 - level of (current) compliance;
 - confidence in management/control systems (including a judgement on "track record", attitude of the present management towards, hygiene and food safety, access to technical knowledge including hazard analysis/HACCP and the control of critical points (an additional weighting is added where there is significant risk associated with the contamination and survival of micro organisms or their toxins that are pathogenic to humans));
 - satisfactory HACCP based procedures.

- 5.27 Officer when requested will advise the proprietor of the inspection rating allocated to the business and discuss the scoring applied. It will be emphasised that the inspection rating is a guide to the minimum frequency of inspection.

Low-risk activities and our alternative enforcement strategy

- 5.28 Food businesses that present little or no risk to public health or safety for food hygiene purposes will not normally be subject to inspection. Such establishments will however be subject to an alternative enforcement strategy not less than one in any 3-year period.
- 5.29 Such establishments shall be contacted at least every three years in order to ensure that they have not changed their trading activity. This will be achieved by issuing a “low-risk” questionnaire. In the event of a questionnaire not being returned a visit will be made to establish the current situation. During the visit the officer will determine whether a “low-risk” assessment remains appropriate. The need for an inspection will also be triggered by criteria other than the planned inspection programme. These criteria include:
- Applications for registration;
 - Consumer complaints;
 - Changes in management and
 - Significant changes in activities.
- 5.30 Where such an establishment specifically requests an inspection, this will be undertaken. For example those low risk premises who wish to be included within the FHRS and the consequential requirement for an inspection.

New businesses and food registration

- 5.31 Under Article 6(2) of Regulation 852/2004, food business operators must register their establishment with the appropriate Food Authority unless they are subject to approval under Regulation 853/2004 or fall outside the scope of Regulation 852/2004. A record will be maintained of all registered and approved premises. Details of those premises registered or approved by the Food Authority will be made available for inspection by the general public at all reasonable times.
- 5.32 All new applications for registration under provisions of Article 6(2) of Regulation 852/2004 will be reviewed to determine whether an inspection is necessary or if they can be covered by the alternative enforcement strategy.
- 5.33 Details of new food businesses as supplied to the Food Authority will be copied to the County Council Food Authority i.e. Trading Standards within 28 days of receipt.
- 5.34 Enforcement action will not normally be taken in respect of businesses that have failed to register their business.

Enforcement action and revisits

- 5.35 Food businesses that fail to comply with significant statutory requirements will be subject to appropriate enforcement action and a revisit inspection. Failure to comply with significant statutory requirements includes:
- Failure to comply with a single requirement that compromises food safety or public health;
 - Failure to comply with a number of requirements that, taken together, indicate ineffective management;
 - Failure to comply with the requirements of a Hygiene Improvement Notice;

- Failure to comply with the requirements of a Hygiene Emergency Prohibition Notice or Order.
- 5.36 Revisits will focus on the significant statutory requirements that were found to be contravened at the previous intervention.
- 5.37 The timing of the revisit will be determined by the action taken as a result of the earlier intervention. Whenever practicable the revisit will be undertaken by the officer who conducted the original intervention.
- 5.38 The risk assessment score for an establishment will not be amended following a revisit.

Combined visits

- 5.39 Wherever possible a food hygiene inspection will be combined with another visit to the same establishment in order to make effective use of resources and to ensure our actions are in line with the Regulators' Code. For example, any health & safety inspection falling due within a twelve-month period of the food inspection will be undertaken as a combined visit. Similarly any food inspection falling due within a six-month period of a health & safety inspection will be undertaken as a combined visit. A food hygiene inspection will also be combined with an inspection carried out under other legislation such as the Licensing Act 2003 and/or combined another visit for food safety purposes, for example, complaints and food sampling.

Trade secrets

- 5.40 When exercising powers to inspect process records officers are aware that it is an offence to disclose any trade secret unless the disclosure is made in the performance of the officer's duty.

Reports

- 5.41 On completion of an Official Control / intervention the officer will discuss with the proprietor or representative a summary of the matters which, in the opinion of the officer, breach the requirement of the Food Safety Act 1990 or regulations and any advice on good food hygiene that is necessary. At all times the officer will ensure that they clearly distinguish between matters that are necessary to meet statutory requirements and those which are recommended as good hygiene practice.
- 5.42 A report will be issued following every inspection. This will take the form of the Food Premises Inspection Report.
- 5.43 All reports, documents, leaflets and guidance notes issued by the Food Authority will distinguish between statutory requirements and recommendations.

Food business establishment records

- 5.44 The Food Authority's establishment record is computer based and is updated after each intervention. Information following each inspection will be maintained on the following:
- The size and scale of the business and its customer base;
 - The type of food activities undertaken by the business, including any special equipment, processes or features;
 - Copies of any correspondence with the business, including documentation associated with approvals or authorisations;
 - Copies of food sample analysis/examination results;
 - An assessment of the business progress in meeting compliance with procedures based on HACCP principles;

- Information of hygiene training undertaken by the employees, including any training on the implementation and operation of the food safety management system.

5.45 Inspection reports will be retained for a minimum of 6 years, or until the next inspection, whichever period is the longer, unless required for longer retention because of litigation, Local Government Ombudsman review or the document management Policy of the Food Authority, or instruction by the FSA. All information will be maintained electronically.

Clothing and equipment

5.46 Officers will be provided with the necessary clean protective clothing including headgear consistent with good industry practice. Officers are required to wear protective clothing, give any relevant information on their health status when requested and adhere to any reasonable precautions that are required by the business being inspected. Officers should wear appropriate protective clothing if it is provided by the business.

5.47 Officers will be provided with all of the equipment and facilities necessary to enable them to carry out their inspections competently and in accordance with food law and the standards in the Agency Code of Practice. All equipment will be properly maintained and calibrated.

Timing of inspections

5.48 Inspections will be undertaken at an appropriate time of the day taking into account the hours of operating of the business and seasonal factors (where applicable). The inspection programme will provide for food business establishments to be inspected at times when they are open for business. This will on occasion require inspections to be undertaken outside the Food Authority's normal hours of work. Food business establishments that are only open for business at night, at weekends or in the early hours of the morning will be inspected at these times.

Interpretation & inconsistency

5.49 Where issues of interpretation and inconsistency arise the areas of difficulty will be discussed within the Food Authority and where necessary with colleagues in other authorities. This will be achieved by referral to the Kent Food Group and if necessary following such referral to FSA.

Specialist food hygiene officers & teams

5.50 The Food Authority will ensure a suitably qualified and experienced Officer is appointed to undertake the role of Lead Officer. Other authorised officers will be appointed to undertake the duties of the Food Authority. The Food Authority will ensure that the FSA is advised of the name of the Lead Officer. A key responsibility for this officer is to ensure compliance with this Policy and to undertake policy review.

5.51 Officers will be authorised in writing to act in matters arising under the Food Safety Act 1990 or Regulations made under the Act. With regard to other specific food Regulations made under the European Communities Act 1972, relevant officers will be specially authorised.

5.52 The Food Authority will ensure that officers authorised in accordance with a documented procedure are:

- suitably qualified;
- experienced, and
- competent to undertake the range of tasks and duties they are required to perform

to comply with the requirements of the Food Law Code of Practice (England) 2015 Chapter 4 and the Food Law Code of Practice Guidance Chapter 4 (issues October 2015).

- 5.53 This requirement will be met in relation to those who are directly employed, to temporary staff and to those employed by or as contractors.
- 5.54 Inspections of establishments will only be undertaken by officers who are suitably qualified and experienced. Officers who are inspecting food business operators' procedures based upon HACCP principles will also possess the competencies set out in Appendix A.
- 5.55 New officers and those whose duties are extended will not be authorised unless they meet the requirements of the Food Law Code of Practice and they have meet any relevant additional requirements relating to specific duties or enforcement responsibilities.
- 5.56 Inspections of approved establishments under Regulation 853/2004 are only to be undertaken by officers who have detailed knowledge of enforcement in approved establishments.
- 5.57 Officers undertaking the inspection of specialist or complex manufacturing processes will have received additional training and have demonstrated their competence to undertake such inspections. Such officers will also have a detailed knowledge of enforcement in approved establishments. An authorised officer who has no previous experience of a particular process that is the subject of an approval application will be accompanied, during the inspection of that process, by an appropriately qualified and experienced officer.
- 5.58 Officers undertaking alternative enforcement strategies are not required to meet the qualification requirements set out within this Policy but they will be appropriately authorised. Any visits by such officers will be confined to information collection and reporting back. The overall management of alternative enforcement strategies as outlined within the Policy will be under the control of the LFO qualified in accordance with this Policy. Any decisions to take other enforcement action and/or intervene further will also be made by such an officer.
- 5.59 The levels of qualification, experience and competency will equally apply to those who are directly employed, to those employed on a temporary basis and to those employed by or as contractors.

Avoiding potential conflicts of interest

- 5.60 Article 4(2) (b) of Regulation 882/2004 requires that staff carrying out official controls are free from any conflict of interest. All officers will be aware of potential conflicts of interest that might affect their enforcement judgements. For example:
- Inspections of the Borough Council's own premises;
 - Relevant personal relationships;
 - Relevant history, for example where an officer is appointed whose previous job was with a food business with premises in the Borough;
 - Financial or other interest in a business covered by the food inspection programme;
 - In the case of contractors, the provision of services to businesses covered by the food inspection programme.
- 5.61 Such potential conflicts of interest that might affect an officer's judgement shall be declared in writing to the LFO in order that appropriate action can be taken to avoid a conflict of interest. This requirement is in addition to any Council policies or legal or contractual requirements of relevance to this issue. This requirement will be met in relation to those who are directly employed, to temporary staff and to those employed by or as contractors.
- 5.62 The Food Authority will ensure that potential or actual conflicts of interest do not arise as a result of Primary/Home or originating authority responsibilities and contracting in services for enforcement purposes.

Enforcement within Local Authority-run establishment

- 5.63 Local Authority-run establishments will be treated in the same way as all other food establishments within the Borough and inspected in accordance with the Agency Code of Practice and will be included within the FHRS. Any enforcement concerns will be brought to the attention of the Head of Health, Parking and Community Safety and serious breaches of food law will be brought to the attention of the Chief Executive without delay.

Co-ordination of advice and enforcement

- 5.64 In respect to food businesses that have more than one branch situated in different food authority areas, officers will be guided by the Primary/Home Authority assured advice for the business and follow any inspection plans.
- 5.65 Officers considering giving detailed advice or taking enforcement action in relation to such businesses will consider whether they need to contact the Primary/Home authority before doing so.

Product specific establishments subject to Regulation 853/2004 approval

- 5.66 Where appropriate, establishments will be approved under Regulation 853/2004. As far as is practicable nationally recognised approval procedures will be followed.
- 5.67 All applications for approval for a food business operator will be dealt with promptly. In order to ensure consistency the food business operator will be asked to submit applications for approval using the appropriate form.
- 5.68 Applications for approval will only be accepted from food business operators that intend to engage in activities for which approval would be required. Under no circumstances will approval be granted to an establishment which is not subject to approval under Regulation 853/2004. Particular note will be made of the exemption provisions of the Regulations.
- 5.69 All relevant information will be required from the food business operator before an application for approval is determined. This information will be obtained from the food business operator in documentation supplied with the application or during the subsequent on-site visit to the establishment as required by Article 31(2) (b) or Regulation 882/2004. It will be a matter for the officer to decide at which stage of the application this information should be provided.
- 5.70 In considering applications care will be taken to fully consider any exemption that may be available to the applicant e.g. retail, marginal, localised and restricted criteria.
- 5.71 Before reaching a decision on the application an on-site visit will be made. This will take the form of a primary inspection to verify that, where necessary, all systems, procedures and documentation meet the relevant requirements of Regulation 852/2004 and Regulation 853/2004. The inspection will be conducted in accordance with, and cover, all aspects of the relevant inspection form for the business concerned, and consider all issues identified by the Regulation as requiring Food Authority consent.
- 5.72 Conditional approval may be given in those situations where an establishment is assessed as not fully complying with the requirements of Regulation 853/2004, but only if the establishment meets all the infrastructure and equipment requirements. The decision whether or not to grant conditional approval to an establishment which does not fully comply, rests with the Food Authority. Professional judgement will be used in deciding whether it would be appropriate to grant conditional approval, on a case by case basis.

- 5.73 In the situation that conditional approval is granted, a further visit will be carried out within three months of the conditional approval being granted. The visit will be considered a secondary inspection. In appropriate circumstances the approval may be extended but will be restricted to a maximum of six months from the date of the initial granting of conditional approval. Once again these decisions will be made on a case by case basis.
- 5.74 When considering an application the officer will take into consideration all activities carried out in the establishment. Where two or more products are covered by an approval the relevant provisions will apply to areas of the establishment where each type of product is produced. All relevant provisions of the Regulation will apply to those areas of the establishment where facilities are shared.
- 5.75 Approval numbers will be given to each food business. The numbers given utilise the Food Authority's unique two-letter code (AS) followed by a three digit approval number. The approval code should be incorporated into an identification mark which approved establishments are required to apply to their productions.
- 5.76 Approved establishments will be listed on the Food Authority's website.
- 5.77 If it is decided to refuse an application, the applicant will be notified in writing of the decision at the earliest opportunity. Reasons for refusal will be given and the matters necessary to satisfy the requirements will be made clear. It will be stated that the activities requiring approval may not be undertaken. The notification will also make the food business operator aware of their right of appeal against the decision to the Magistrates' Court and provide the address of the Magistrates' Court.
- 5.78 Applicants will be notified in writing of their approval, or conditional approval and of the nature and scope of the approval and any conditional or limitations that apply. A copy of notifications will be held on the relevant establishment file and the FSA will be notified of the approval.
- 5.79 The County Council Food Authority i.e. Trading Standards will be notified of establishment approvals within 28 days of the approval being granted. They will also be advised of changes in the operations within an approved establishment and information on any withdrawal, suspension or reinstatement of an establishment's approval within 28 days.
- 5.80 Regulation 853/2004 requires food business operators to provide up-to-date information on significant changes in activities and closures of establishments. Where this does not happen and the Food Authority becomes aware of any significant changes in, for example, ownership or management of the establishment, an inspection will be undertaken and any necessary action taken.
- 5.81 Where the Food Authority becomes aware of a business engaged in activities requiring approval, but that are not approved, it will inform the food business operator, in writing, of the need for approval and consider appropriate enforcement action.

6.0 FOOD ESTABLISHMENTS & ENFORCEMENT ACTION

- 6.1 This section of the Policy contains the Food Authority's approach to food law enforcement. It is by necessity detailed and therefore a summary of the key features is provided at Appendix B. The summary will be available to food business operators and consumers on the Food Authority's website.

- 6.2 If as a result of a complaint or during an inspection an officer decides that enforcement action is necessary the following will be considered:
- verbal advice/education;
 - the use of informal action i.e. letter;
 - the use of Hygiene Improvement Notices;
 - the use of Hygiene Emergency Prohibition Notices;
 - the use of Voluntary Closure Arrangements;
 - the use of Remedial Action / Detention Notices (for approved establishments);
 - the use of Prosecutions
 - the use of Simple Cautions; and
 - a combination of the above.
- 6.3 In all instances enforcement action will be taken which is proportionate to the risks to public health arising from any contravention identified. In deciding the type of enforcement action to be taken regard will be had to the risks arising from contraventions, the nature of the food business and the nature and type of food handled as well as the nature of the contravention and the history of compliance of the proprietor with food safety legislation.
- 6.4 Officers will take account of the full range of enforcement options. This includes educating food business operators, giving advice, informal action, sampling, detaining and seizing food, serving Hygiene Improvement Notices, using hygiene prohibition procedures and undertaking prosecutions. The Food Authority will however ensure that the number of notices etc served or the number of other legal processes such as prosecutions or simple caution is not used as an indicator of performance.
- 6.5 Except where circumstances indicate a significant risk, officers will operate a graduated and educative approach (the *hierarchy of enforcement*) starting with advice and education and only moving to more formal action whether the informal does not achieve the desired outcome. This it is believed will reduce the likelihood of legal challenge.
- 6.6 In considering whether to initiate enforcement action the Food Authority will take into account the following:
- The Code for Crown Prosecutors;
 - The Regulators' Code;
 - The Authority's Enforcement Policy as contained within this document.
- 6.7 In deciding the type of enforcement action to take an authorised officer will have regard to:
- The nature of the breach;
 - The history of compliance of the food business operator;
 - In the case of new businesses, an assessment of the food business operator's willingness to undertake the work identified as necessary.
- Verbal advice / education**
- 6.8 Verbal advice will be given when there are only minor items which require rectification. Officers will ensure that there is a clear distinction between matters that are necessary to meet statutory requirements and those which are recommended as good hygiene practices.

Informal action

- 6.9 An informal letter will be used when there are contraventions that require rectification and the officer is confident from discussions with the proprietor or from previous dealings with the establishments that the necessary works will be carried out. Reasonable timescales will be given to achieve compliance. Informal approaches to enforcement will make clear all the information that will enable a proprietor to understand that work is necessary and why it is necessary. Letters will indicate the measures that in the opinion of the officer will ensure compliance. Details of the actual statutory provisions being breached will be provided. Letters will also clearly indicate recommendations under a separate heading. All letters will make clear that the information may be released under the provisions of the FOI Act or EIR 2004.

Hygiene Improvement Notices

- 6.10 Hygiene Improvement Notices will be served if the authorised officer is satisfied that:
- There has been a significant contravention of one of the relevant food hygiene or food processing regulations;
 - The proprietor may not carry out the necessary works without the use of formal notices;
 - The contravention, in the opinion of the authorised officer, does not pose an imminent risk to health.
- 6.11 Hygiene Improvement Notices will also be served in situations where a significant contravention highlighted in an informal letter is found on a subsequent intervention not to have been met and it appears that the proprietor does not intend to undertake the works.
- 6.12 All Hygiene Improvement Notices will clearly specify both the measures to be taken and the period of time allowed for compliance. The period given for completion of work will be discussed with the proprietor whenever possible. Account will be taken of the nature of the problem, the risk to health and the availability of solutions before a time limit is set. Requests for time extensions received prior to the expiry date of a notice will be considered although there is no specific provision in the Food Safety Act 1990 to extend the time limits on a Hygiene Improvement Notice. The proprietor will be advised, in writing, of the decision and any new time limits reconfirmed.
- 6.13 Hygiene Improvement Notices will not be used in the following circumstances:
- Where the contravention might be a continuing one, for example, personal cleanliness of staff and a notice would only secure an improvement at one point in time;
 - In transient situations, and it is considered that swift enforcement action is needed, for example, a one day festival or sporting event. A Hygiene Emergency Prohibition Notice would be the only formal remedy which would have immediate effect;
 - Where there is a breach of good hygiene practice but no failure to comply with an appropriate regulation.
- 6.14 It will be made clear within all Hygiene Improvement Notices that there is a provision to allow the proprietor to carry out a measure of an equivalent effect to those specified. When the officer and proprietor agree on alternative works the officer will confirm in writing that they have approved the alternative works. In situations where the manager is not the proprietor, and cannot make decisions with regard to structural repairs and replacements, the officer will, if possible, discuss the detail of the works with the person in a position to authorise repair before issuing a notice. Due consideration will be given to any relevant UK or EC Industry Guides to Good Hygiene Practice when assessing compliance.
- 6.15 Hygiene Improvement Notices will make it clear that the proprietor has a right of appeal against the service of a notice. The relevant information is contained within notes attached to the notice. Whilst the proprietor has a right of appeal, an officer will be prepared to discuss the need for the notice and its requirements informally with the proprietor.

- 6.16 The works required will be checked on the day of expiry of a notice, following notification that the works are complete or as reasonably practicable further to the expiry of a notice or notification that works are complete. Whenever possible the authorised officer who served the notice will check that the works have been carried out to the specified standard.

Hygiene Emergency Prohibition Notices

- 6.17 Hygiene Emergency Prohibition Notices will be used if an authorised officer has evidence that the health risk condition is fulfilled i.e. there is an imminent risk of injury to health. In such situations, a Hygiene Emergency Prohibition Notice will be served on the food business operator, followed by an application to a Magistrates' Court for a hygiene emergency prohibition order.
- 6.18 The use of a Hygiene Emergency Prohibition Notice will only be considered in one or more of the following circumstances:-
- The consequences of not taking immediate and decisive action to protect public health would be unacceptable;
 - An imminent risk of injury to health can be demonstrated. This might include evidence from relevant experts, including a food analyst or food examiner;
 - The guidance criteria, specified in the relevant statutory Agency Code of Practice, concerning the conditions when prohibition may be appropriate, are fulfilled;
 - There is no confidence in the integrity of an unprompted offer made by a proprietor voluntarily to close the establishment or cease the use of any equipment, process or treatment associated with the imminent risk, and
 - A proprietor is unwilling to confirm in writing their unprompted offer of a voluntary prohibition.
- 6.19 The following are examples of situation where use of a Hygiene Emergency Prohibition Notice may be appropriate:
- Infestation by rats, mice, cockroaches, birds or other vermin, serious enough to result in the actual contamination of food or a significant risk of contamination;
 - Very poor structural condition and poor equipment and/or poor maintenance or routine cleaning and/or serious accumulations of refuse,
 - filth or other extraneous matter resulting in the actual contamination of food or a significant risk of food contamination;
 - Drainage defects or flooding of the establishment, serious enough to result in the actual contamination of food or a significant risk of food contamination;
 - Premises or practices which seriously contravene food law and have been or are implicated in an outbreak of food poisoning;
 - Any combination of the above, or the cumulative effect of contraventions which, taken together, represent the fulfilment of the health risk condition.
- 6.20 A Hygiene Emergency Prohibition Notice may also be appropriate for dealing with defective equipment or for unsafe processes that for example pose a serious risk of cross contamination.

Voluntary closure arrangements

- 6.21 Voluntary procedures to remove a health risk condition may be used at the instigation of the food business operator, when the food business operator agrees that a health risk conditions exists i.e. there is an imminent risk of injury to health.

- 6.22 The officer will suggest that the food business operator takes legal advice concerning any offer to voluntarily close their food establishment. The officer will explain that by making the offer to close any right to compensation is lost.
- 6.23 Any voluntary closure must be confirmed in writing by the food business operator or manager and the authorised officer. Such confirmation shall include an undertaking that the establishment will not re-open without the officer's prior approval. If the manager of a food business offers to close voluntarily, the officer should confirm that the manager has the authority of the food business operator to agree to such action.
- 6.24 In advising the food business operator the authorised officer will appreciate that there is a risk that the establishment could be re-opened without the Food Authority's knowledge or agreement and recognise that there is no separate legal sanction against a food business operator who re-opens (although enforcement action for the actual breaches remains available).

Remedial Action / Detention Notices

- 6.25 Remedial Action Notices are used in respect of establishments subject to approval under Regulation 853/2004. They are used if any of the hygiene requirements are breached or an inspection is being hampered. More specifically this provision provides for the prohibition of the use of any equipment or any part of the establishment, the imposition of conditions, upon, or prohibiting, any process and also allows for the rate of an operation to be reduced or, stopped completely. Detention Notices provide for the detention of any food, including the taking of samples for examination.
- 6.26 Note there are powers to suspend or withdraw the approval or conditional approval of an establishment. Refer to section 6.49 to 6.53 below.

Prosecutions

- 6.27 In general, the decision to prosecute will be restricted to those persons who blatantly disregard the law, refuse to achieve even the basic minimum legal requirements and who put the public at serious risk. The decision to initiate a prosecution will be taken at the earliest opportunity.
- 6.28 Before deciding whether a prosecution should be taken the Food Authority will consider a number of factors:
- Whether there is a sufficiency of the evidence (the test for which is set out in the Code for Crown Prosecutors). Of particular note are:
 - The likely cogency of any important witness, and their willingness to cooperate;
 - The alleged person or persons responsible have been identified;
 - Any explanation offered by the suspect;
 - The likelihood of the suspect being able to establish a defence – in particular a due diligence defence.
 - Whether the public interest test has been satisfied (again, the test is set out in the Code for Crown Prosecutors). Prosecutors must note that unless the Evidential Test is satisfied, the Public Interest Test is irrelevant. If the evidence is not present, no amount of argument in favour of it being in the public interest will suffice to justify launching the prosecution, as the Prosecutor will already have decided that it is more likely than not that it will fail in Court on the available evidence.
 - Using the hierarchy of enforcement structure, whether a prosecution is more appropriate as opposed to the use of, say, informal action or an enforcement notice. (Officers will be aware, however, that if a Hygiene Improvement Notice or similar is used, it too is a matter which can go before the Court, and the officer must be able to justify their actions. The criteria below are of assistance).

- That this Enforcement Policy has been adhered to.
- Whether any other action, such as issuing a simple caution in accordance with Home Office Circular 30/2005 would be more appropriate⁸.

6.29 Factors favouring prosecution include:

- The seriousness of the offence;
- The prevalence of that type of offence in the area in which it was committed (if the offence is not serious in itself);
- The suspect's previous convictions or cautions.

6.30 There are various factors against prosecution including:

- The likelihood of a nominal penalty;
- The offence was committed as a result of a genuine mistake or misunderstanding (this must be balanced against the seriousness of the offence).

6.31 Officers will explain the reason for bringing a prosecution and record that reason, which may later be referred to in open Court. The reasons will be documented.

6.32 The sufficiency of the evidence to support proceedings will be a matter of judgement for Ashford Borough Council Legal Services. Authorised officers will however ensure they brief their legal advisers fully on the public health aspect of the case in hand, including the public health basis for the legal requirements which have been breached, so that they can, in turn, if a prosecution is taken impress upon the Court the seriousness of the charges.

Simple cautions

6.33 The purpose of a simple caution is to deal quickly and simply with less serious offenders, to divert them from the criminal courts and to reduce the chances of their re-offending.

6.34 The following conditions must be met before a caution can be administered:

- there must be evidence of the offender's guilt sufficient to give a realistic prospect of conviction;
- the offender must admit the offence;
- the offender must understand the significance of a caution and give informed consent to being cautioned.

6.35 When deciding whether to issue a caution the following will be considered:

- the nature of the offence;
- the likely penalty if the offender was convicted by a court;
- the offender's age and state of health;
- any previous criminal history;
- the offender's attitude towards the offence and steps taken to prevent a recurrence.

⁸ Home Office Circular 30/2005 on the Cautioning of Offenders.
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6.36 If there is insufficient evidence to consider taking a prosecution, then by implication the conditions are not satisfied for the use of a simple caution, it will also be inappropriate to use a simple caution where the suspected offender does not make a clear and reliable admission of the offence. There is no legal obligation for any person to accept the offer of a simple caution and no pressure will be applied to the person to accept a caution. However, where a person declined the offer of a simple caution it will normally follow that a prosecution will be taken.

General guidance on enforcement provisions

6.37 In instances where a risk to public health exists and a prosecution is to be undertaken it may still be appropriate to serve Hygiene Improvement or Hygiene Emergency Prohibition Notices. In addition, if any notices are not complied with within the time period given it will be necessary to consider prosecuting the proprietor for non-compliance with the notice. Where it is intended to prosecute in addition to the service of a Hygiene Improvement Notice this will be made clear to the proprietor at the time the notices are served.

6.38 If a notice is not complied with by the date specified, a letter will be sent to the person on whom the notice was served stating that formal action will be progressed.

6.39 Statutory notices will only be served by authorised officers.

6.40 Hygiene Emergency Prohibition Notices, Remedial Action Notices and Detention Notices will only be served by officers properly qualified, competent and duly authorised.

6.41 In all situations where a notice is not complied with the case officer will liaise with a representative of the Legal Services Section.

6.42 If the enforcement action undertaken was initiated as a result of a complaint, the complainant will be contacted at the close of the investigation and informed of the outcome.

6.43 Included with all statutory notices served on persons who are not English speaking will be an advice note in their own language.

6.44 Where a Primary/Home Authority partnership exists the officer will liaise with the Primary/Home Authority before embarking upon legal action. This helps to provide the officer with essential background information and take note of pre-existing remedial actions.

6.45 All legal proceedings are subject to the provisions of the Police and Criminal Evidence Act 1984 and the Agency Code of Practice. Reference will be made to these in relation to the procedures for gathering evidence.

6.46 During preparation of the case regular discussions will be held with a representative of Legal Services.

6.47 Power to authorise prosecutions and simple cautions rests with the Head of Health, Parking and Community Safety. The appropriate authority is given within The Constitution.

Inspection, Detention and Seizure of Food

6.48 The inspection of food and any decision to detain or seize food will only be taken by appropriately authorised officers.

Enforcement options in product-specific establishments

- 6.49 In addition to the general enforcement powers, authorised officers have additional provisions in respect of product-specific establishments. Powers to suspend or withdraw the approval or conditional approval of an establishment are provided within the Regulations. In considering use of these powers the immediate effect of the suspension or withdrawal on the business will be considered. Other enforcement options will be explored as appropriate and necessary to control the food hazards presented by the establishment. Non-compliance will not necessarily be considered sufficient to justify the immediate suspension or withdrawal of an establishment's approval or conditional approval, and a reasonable opportunity to achieve compliance will be allowed where this is appropriate.
- 6.50 In the case of a suspension of approval or conditional approval, the food business operator can make guarantees about future production. These guarantees must be considered by authorised officers.
- 6.51 An establishment's approval or conditional approval will normally only be withdrawn in circumstances where the food business operator is unable to satisfy the Food Authority to the extent that it has a reasonable expectation that the identified deficiencies will be rectified and acceptable standards will be maintained in the future.
- 6.52 Decisions to suspend or withdraw an establishment's approval or conditional approval will be notified in writing to the food business operator. Reasons for the decision will be given. The notification will also make the food business operator aware of their right of appeal against the decision to the Magistrates' Court and provide the address of the Magistrates' Court.
- 6.53 Following an appeal against a decision to refuse or withdraw and approval the food business operator may continue to use the establishment, pending the results of the appeal, subject to any conditions imposed for the protection of public health. This provision does not extend to appeals against the suspension of an approval. If it is considered that any activities undertaken in an establishment pending the result of an appeal may present a risk to public health, the use of other relevant enforcement powers shall be considered.

7.0 APPROACH TO ENFORCEMENT OF REQUIREMENTS RELATED TO HAZARD ANALYSIS SYSTEMS, FOOD HYGIENE TRAINING AND OTHER REQUIREMENTS

- 7.1 Guidance contained within Agency Code of Practice will be followed.

Hazard analysis systems

- 7.2 A graduated approach will be adopted with respect to hazard analysis and food hygiene training. The first step towards securing compliance will be an educative approach and the officer will discuss the requirements of the legislation relating to hazard analysis and training and supervision with the proprietor. The aim will be to encourage the adoption of a preventive approach to food safety, even where there is no immediate risk to public health apparent at the time of the inspection.
- 7.3 In considering formal approaches to enforcement, account will be taken of whether there is also evidence of a significant breach of other food hygiene requirements. Clear breaches of requirements relating to hazard analysis systems and food hygiene training would normally be expected to lead to significant breaches of other food hygiene requirements. The objective of a hazard analysis system, for example, should be to have effective food hygiene controls in place. Where effective controls are in place which achieve food safety and meet other food hygiene requirements, but a satisfactory hazard analysis system or food hygiene training are not in place, formal enforcement action will be based largely on a judgement of the effect of these breaches on the future safety of food within the business. Officers will take particular care with enforcement action in these situations for low risk businesses. Care will also be taken to avoid an undue emphasis on documentation of hazard analysis systems.

- 7.4 In the absence of any evidence which indicates a significant breach of other food hygiene requirements a formal approach to enforcement may be considered where:
- the businesses involve high risk operations;
 - the breaches of requirements relating to hazard analysis systems or those relating to training and/or supervision would be likely to lead to significant breaches of other food hygiene requirements if not remedied; and
 - the business has failed to respond to an informal, educative approach.
- 7.5 In respect to hazard analysis enforcement, officers will give due consideration to Industry Guides and will have regard to advice issued by the FSA.

Food hygiene training

- 7.6 Where it is necessary to adopt a formal approach to the enforcement of the regulations relating to the training and/or supervision of food handlers, businesses will be invited to participate in food hygiene training that is provided by the Council. Because of the potential conflict of interest in such situations alternative providers will also be brought to the attention of the business.
- 7.7 Any assessment of training levels will give due consideration to relevant UK or EC Industry Guides to Good Hygiene Practice. In assessing whether the level and content of any training provided meets legal requirements consideration will be given to the relative risk of operations. It is recognised that suitable written or oral advice and active supervision may be sufficient to satisfy legal requirements with respect to low risk food establishments.
- 7.8 In giving any advice or guidance on the training of food handlers, officers will not imply that any particular examination or course provided by any training organisation is a mandatory requirement.

Other requirements

- 7.9 It is recognised that while certain requirements of the Regulations impose minimum hygiene standards that apply to all relevant businesses, many other requirements are explicitly related to risk. Officers will have regard to food businesses' own hazard analysis, in determining how the Regulations apply to food businesses.
- 7.10 Regard will be given to the risk presented to the safety and wholesomeness of foodstuffs when assessing the way in which a food business should comply with that requirement. When determining the risk to the safety and wholesomeness of a food, officers will have regard to the manner in which it is handled and packed, and any process to which the food is subjected before supply to the final consumer and the condition under which it is displayed.
- 7.11 Officers will give due consideration to any relevant UK or EC Industry Guide to Good Hygiene Practice in determining how the Regulations apply to food businesses and particularly when the terms "where appropriate" or "where necessary" are used in the Regulations.

8.0 FOOD SAMPLING AND ANALYSIS

- 8.1 The Food Authority believes that effective routine food sampling is an essential part of a well-balanced enforcement service and undertakes to provide the resources necessary to carry out a food sampling programme. Whilst food safety legislation provides a framework for food sampling which is carried out specifically with a view to pursuing legal action, it is important to appreciate that samples are taken for the purposes of surveillance, monitoring and providing advice to food business operators.

- 8.2 The Food Authority will deliver an organised and comprehensive microbiological sampling programme details of which will be made available to local businesses and consumers on the Council's website. This outlines our general approach to sampling and response to specific situations.
- 8.3 Sampling will be carried out in accordance with this policy and programme and will follow a set, documented procedure. This procedure is based on the Kent Food Sampling Protocol for microbiological sampling and includes guidance from PHE and relevant government Food Standards Agency Code of Practice and Practice Guidance.
- 8.4 The Food Authority will participate in European Community Co-ordinated Food Control Programmes and programmes organised nationally through the FSA and the Public Health Laboratory. The Food Authority will also take part in sampling programmes organised by Kent Food Technical Group, as agreed by Kent Environmental Health Managers.
- 8.5 Locally, the Food Authority will target sampling at approved and high-risk businesses and processes, particularly those for which we act as Primary/Home or originating authority and which distribute foods outside the Borough. The sampling programme may include imported foods entering the Borough.
- 8.6 The Food Authority will continue to support the 'shopping basket' approach to food examination, therefore food sampling and environmental swabbing of food premises will be an integral part of food hygiene inspections to help assess hygiene standards and processes. Food sampling will also be used as an important tool when appropriate in the investigation of food complaints and food poisoning incidents.
- 8.7 Central government funding for microbiological food and water samples is allocated by the PHE directly to the Council. This allocation does not cover the cost of sample collection, purchase or any chemical analysis.
- 8.8 Officers carrying out food sampling will ensure that they co-ordinate activities with colleagues in other Food Authorities and related professions such as Trading Standards. The purpose being to prevent duplication of work and share relevant results and findings.
- 8.9 All results and explanations regarding sampling will be given to food businesses or manufacturers as soon as possible. Unsatisfactory results will be followed up as necessary with advice or formal action as appropriate. If food is manufactured outside the Borough, the producer and relevant local authority will be contacted where necessary. Where national food safety is at risk the Food Standards Agency will be consulted and food alerts issued.
- 8.10 In addition to undertaking surveillance and monitoring samples, the Food Authority will take formal samples if necessary. The owner of the food will be notified of any formal sampling activity. The notice will normally be given prior to the sample being taken. Where a certificate of examination indicates that the food does not comply with legal requirements, the Food Authority will refer to and implement any relevant provisions of the Agency Code of Practice and the Primary/Home Authority Principle. A copy of the certificate of examination will if requested be supplied to the owner of the food.
- 8.11 The food sampling programme will be under the direct control of the Lead Food Sampling Officer. All samples will be taken by authorised officers who are properly trained in appropriate techniques and competent to carry out the duties assigned to them. Refer to FSA Code of Practice for detailed qualification requirements.
- 8.12 Details of all food and environmental samples are maintained on the Food Authority's Computer System.
- 8.13 Microbiological samples will be analysed at the PHE Food and Water Laboratory. The laboratory is accredited by United Kingdom Accreditation Service.

- 8.14 Chemical and physical contamination samples will be analysed at the laboratories of either the PHE Food and Water Laboratory or Kent Scientific Service (County Analyst). The Kent Scientific Service laboratory is accredited by UKAS.
- 8.15 In addition to food sampling, certain types of water samples will be taken for analysis at the PHE Food and Water Laboratory.

9.0 FOOD HYGIENE TRAINING AND FOOD SAFETY PROMOTION

Food hygiene training

- 9.1 The Food Authority will offer a programme of food hygiene training. The main course offered is the Chartered Institute of Environmental Health (CIEH) Level 2 Award in Food Safety in Catering. This is a nationally recognised qualification.
- 9.2 Courses will be provided by accredited trainers appointed by the Food Authority. All courses provided or facilitated by the Food Authority will generate a profit for the Council. The LFO will determine the basic charge for all courses. The LFO has the discretion to offer reductions in the fees if necessary for competitive advantage after consultation with the Financial Services Manager and subject to the proviso that the course will not be run at a loss to the Council (Environmental Health & General Purposes Committee 8 June 1993 minute no. 117 refers).

Food safety promotion

- 9.3 The Food Authority will adopt a balance of techniques and approaches in order to achieve its policy aims and does not rely on any one method. It is believed that assisting businesses to comply with the law is every bit as important as detecting non-compliance. It is for this reason that the service emphasises its advisory and promotional work. This Policy is in accordance with FSA guidance.
- 9.4 The primary method of advising businesses is through our intervention programme and by responding to direct enquiries. In addition the Food Authority provides advice on food safety on the Council's website and when necessary issues a food safety newsletter to businesses.
- 9.5 The major food safety promotional programmes are:
- FHRs. This is a national scheme that gives consumers the chance to make informed choices about where they eat or buy their food. FHRs provides a way of finding out about the food hygiene standards of local food businesses which are now given a rating based on how well they meet hygiene criteria with the results available on the Internet. The better the standard, the higher the rating. The FHRs is supported by the FSA and is seen as an important tool for local councils committed to improving food safety. Any business that comes within the scope of FHRs are given a score on how well they perform in terms of hygiene, building structure and confidence in management. The scores range from 5 (very good) to no stars (urgent improvement necessary). The score given to each business reflects the conditions found on the day of inspection.
 - Food Safety Week – this is a FSA national scheme primarily aimed at educating the general public about food hygiene and safety issues.

10.0 FOOD COMPLAINTS/COMPLAINTS ABOUT FOOD ESTABLISHMENTS

- 10.1 The Food Authority will investigate and take enforcement action in cases relating to the microbiological quality of food, contamination by microorganisms and their toxins, and contamination by foreign matter. The Food Authority will also deal with cases relating to chemical contamination when this presents or could present an imminent risk to health. Other cases of chemical contamination are dealt with by the County Council Food Authority i.e. Trading Standards, who also deal with composition, adulteration and labelling matters. Medical and other expert advice will be sought as necessary to establish whether contamination by chemicals is likely to pose an imminent risk to health. In cases where a clearly identified risk to health has been notified by means of a Food Alert issued by the FSA either the District Council or County Council or both may be required to investigate. In such situations responsibility will be defined in the Food Alert.
- 10.2 As a general rule any person who is liable to be prosecuted as a result of a customer complaint will be notified that the complaint has been made as soon as reasonably practicable.
- 10.3 As soon as preliminary investigations suggest that the complaint may be well founded and that prosecution may follow the retailer, supplier, manufacturer or importer will be notified. The initial notification may be oral and will be followed by notification in writing. The written notification will describe the date and nature of the complaint. Other potential defendants will be notified as they emerge.
- 10.4 Exceptionally there may be circumstances in which notification could impede the progress of further investigations. In these circumstances notification will take place as soon as can be achieved without prejudicing further investigations.
- 10.5 In a case where malicious contamination is suspected the FSA will be contacted in accordance with Guidance Document – Principles for Preventing and Responding to Food Incidents (April 2008).
- 10.6 The complainant will be kept informed of the progress of the investigation.

Involvement of other food authorities

- 10.7 If an investigation of a complaint brings to light a food hazard or potential food hazard outside the area of the Council, the other appropriate authorities directly affected (for example the FSA, the authority where the food was manufactured and/or the authority where a company's decision making base is located) will be informed as soon as possible.
- 10.8 If a complaint investigation identifies food that has the potential to cause an adverse effect on the health of consumers and the problem may affect a wide geographical area, the FSA will be informed. Officers will have due regard to the Agency Code of Practice. See section 14 for more details.

Investigation of complaint samples

- 10.9 Authorised officers will need to consider whether any scientific investigation is to be undertaken. If there is any doubt consultations will be held with the Kent Scientific Services (County Analyst) and/or PHE Food and Water Laboratory who will give advice on the form of scientific investigation which may be appropriate for that complaint sample.
- 10.10 All complaint samples will be properly stored and handled. The following points will be noted:
- the storage of samples will ensure that their condition does not deteriorate significantly before inspection by the retailer, manufacturer or importer or before it is sent for further analysis.
 - the sample will be put in a suitable container and sealed.
 - the container or sample will be sealed and marked for identification

- the sample will be submitted for analysis as soon as possible
- the retailer, manufacturer or importer will be informed that the sample has been sent for analysis.

10.11 Upon receipt of results from the analysis full details will be sent to the retailer, manufacturer or importer.

10.12 A Company under investigation may ask that samples be made available to help with an internal inquiry into the complaint. The Council will attempt to comply with any reasonable request provided that it does not impede the proper storage, examination or evidential value of the samples, or otherwise prejudice the Council's position as regards the possible institution of legal proceedings.

11.0 PROSPECTIVE PURCHASERS OF FOOD BUSINESSES

11.11 The following policy will be adopted in respect to advising prospective purchasers of food businesses:

- Officers will not normally undertake site visits prior to the purchase of a business;
- If there are outstanding works the officer will inform the prospective purchaser of their existence and provide relevant documentation as necessary. The release of information will be in line with the requirements of the FOI Act and EIR 2004. The prospective purchaser will also be advised to contact the business proprietor as appropriate. Where a site visit to discuss outstanding works is requested by a prospective purchaser and supported by the current owner an officer will visit.

11.12 The intention of this approach is to ensure that officers do not unfairly interfere in the negotiation between a purchaser and vendor. Where appropriate a letter offering general advice on standards enforced in food establishments will be sent to the prospective purchaser.

11.13 In the situation where a letter is sent to a prospective purchaser to indicate that there are no outstanding works, the letter will clearly state the date of the last inspection undertaken.

12.0 HEALTH CERTIFICATES

12.1 Health certificates may at the request of a food business be issued by the Food Authority for food products which are manufactured within the Borough and are to be exported to countries outside the EC. The requirement for the issue of a certificate is that the establishment has been inspected by an officer who can certify that the establishment meets the requirements of relevant food safety legislation enforced by the Council.

12.2 A charge is made for this service set at a level to recover costs.

13.0 VOLUNTARY SURRENDER OF FOOD

13.1 Voluntary procedures to remove food that is not suitable for human consumption from the food chain may be used, either at the instigation of the owner of the food or at the suggestion of the authorised officer when the owner of the food agrees the food is not suitable for human consumption. A receipt should be issued for food that is voluntarily surrendered to the Food Authority for destruction. The receipt should indicate that the food has been voluntarily surrendered to the Food Authority for destruction and be signed and counter-signed by the authorised officer and the person surrendering the food respectively. The receipt should include space for recording the time, place and method of destruction of the food, and these details should be recorded on the office copy by the authorised officer in due course and retained by the Food Authority.

- 13.2 The Food Authority will secure, as part of the voluntary surrender, an agreement by the owner to pay the reasonable expenses of destruction or disposal as necessary. A charge is made for this service set at a level to recover actual costs.
- 13.3 In dealing with a voluntary surrender of food, the authorised officer will ensure the total destruction of the food by incineration or some other appropriate method. If total destruction is not possible, the officer will ensure such a degree of disfigurement that the food could never re-enter the food chain, e.g. by flattening tin cans for disposal in a suitably licensed landfill site, having regard to the requirements of relevant waste disposal legislation.
- 13.4 A copy of the waste transfer note must be obtained and kept on file for any food that has been disposed of by a licensed waste disposal contractor under these arrangements.

14.0 FOOD INCIDENTS, HAZARDS AND ALERTS

- 14.1 A food incident occurs when a Food Authority or the FSA becomes aware that food fails or appears to fail to meet food law requirements. An incident can be a relatively minor matter or a major food hazard. A food hazard is a food incident involving a biological, chemical or physical agent in, or condition of, food with the potential to cause an adverse effect on the health or safety of consumers.
- 14.2 Food Hazards will be further categorised according to the following criteria:
- A localised food hazard – one in which food is not distributed beyond the boundaries of the Borough and is not deemed to be a serious localised hazard;
 - A serious localised food hazard - one in which food is not distributed beyond the boundaries of the Borough but which involves *E. coli* 0157, other VTEC, *C. botulinum*, *Salmonella typhii* or *Salmonella paratyphi* or which the Food Authority considers significant because of, for example, the vulnerability of the population likely to be affected, the numbers involved or any deaths associated with the incident;
 - A non-localised food hazard - one in which food is distributed beyond the boundaries of the Borough.

Food hazards associated with foodborne illness

- 14.3 If a food hazard has resulted in an outbreak of foodborne illness, the Food Authority will consider with the PHE Consultant in Communicable Disease Control the activation of the Outbreak Control Plan.
- 14.4 Serious localised outbreaks will also be notified immediately to the appropriate contacts at the PHE and the FSA.
- 14.5 Arrangements are in place to ensure that the PHE Food Examiner and Public Analyst are able to notify the Food Authority promptly if they identify a food hazard during the course of the analysis or examination of a food sample. These arrangements include notification outside normal working hours.
- 14.6 The Food Authority will have regard to the FSA guidance on the management of outbreaks of foodborne illness.⁹ This guidance provides a framework for health professionals to assist them in the management of outbreaks of infectious intestinal disease caused by the ingestion of microbiologically contaminated food.

⁹ Kent, Surrey and Sussex Public Health England Outbreak / Incident Control Plan December 2014.

Action by the Food Authority – Food Hazards

- 14.7 Once a food hazard has been identified, the Food Authority will immediately carry out an assessment to determine the likely scale, extent and severity of the risk to public health or safety of the hazard, involving other agencies as appropriate. For example, Primary/Home, originating and neighbouring authorities, medical specialists, Food Examiners, Public Analysts and microbiologists.
- 14.8 Where the Food Authority becomes aware of a food hazard action will be taken to protect public health and safety at the earliest opportunity, including, if necessary, detaining or seizing the food implicated if it is located within the Borough.
- 14.9 Localised food hazards will be dealt with as necessary but will not be reported to the FSA.
- 14.10 Serious localised food hazards and non-localised food hazards will be reported to the FSA and other relevant agencies at the earliest opportunity and by the quickest available means. Notifications will be confirmed in writing using the appropriate FSA Incident Report Form.

Action by the Food Authority – Food Incidents

- 14.11 Food incidents that are contraventions of food law, but not hazards will be normally resolved by the Food Authority and the food business operator, through the Primary/Home or originating authority as appropriate.

Food Alerts

- 14.12 A food alert is a communication from the FSA to a Food Authority concerning a food hazard or other food incident. A food alert may or may not require the Food Authority to take action. This will be made clear by the FSA on a case-by-case basis.
- 14.13 The Food Authority will ensure that any action specified by the FSA in a food alert is undertaken promptly and in accordance with any risk assessment carried out by the FSA. Any proposal to undertake alternative action will be discussed with the FSA. If the food Authority anticipates difficulties in complying with a request for action given in an alert, it will contact the FSA's Food Incident Team immediately.
- 14.14 The Food Authority will as appropriate ensure liaison with the County Council i.e. Trading Standards, over the handling of food incidents that have implications for both authorities. Liaison arrangements as developed and coordinated by the Kent Food Group will be followed. Note the split in responsibilities between the Food Authority and Council.
- 14.15 Details of food incident investigations will be held on the Services Computer System.
- 14.16 The Food Authority will have appropriate facilities to receive food alerts and updates from the FSA by electronic mail.
- 14.17 Out of hours the LFO may be contacted via the duty officer system. Appropriate contact numbers are provided to the FSA.
- 14.18 The Food Authority will deal with food incidents, hazards and alerts in accordance with the Operational Note – Food Hazard Warnings.

15.0 MONITORING

- 15.1 The LFO will arrange for qualitative and quantitative performance monitoring in order to ensure compliance with this policy and the targets contained within it.

- 15.2 The Food Authority will maintain a documented procedure for monitoring progress of the planned intervention programme and the quality and consistency of interventions undertaken by officers, or staff supplied under contract, to ensure, so far as practicable, that interventions are carried out competently. The procedure will include arrangements for recording in-year changes to the planned intervention programme, newly opened establishments, closed establishments and establishments for which the intervention rating is changed. The monitoring system will include measures to review:
- Adherence to the planned intervention programme;
 - The priority given to interventions with businesses according to intervention ratings;
 - Compliance with FSA guidance;
 - The consistent assessment of intervention ratings;
 - Appropriate use of relevant inspection forms;
 - Compliance with internal procedures and policies;
 - That the interpretation and action taken by officers following an intervention is consistent within the Authority and the FSA guidance;
 - That officers are aware of and have access to published industry codes of practice;
 - That officers have due regard to published UK or EU Guides to Good Practice.

16.0 OFFICER TRAINING & DEVELOPMENT

- 16.1 Appropriate resources will be made available to provide training for officers to enable them to successfully fulfil their food safety duties as detailed within this policy. Relevant structured on-going training will be made available. The minimum ongoing training will be 10 hours per year and be based on the principles of continuing professional development.
- 16.2 Officers whose knowledge or practical experience of food law enforcement is out of date will receive structured revision training and be monitored by the LFO or another authorised food law enforcement officer during the period of training. The revision training will vary according to the experience of the officer and the period that the officer has not been involved in food law enforcement duties. The minimum revision training should be 15 hours based on the principle of continuing professional development.
- 16.3 Officers will be required to satisfy other relevant continuing professional development training requirement appropriate to their qualification in order to maintain their competency and authorisation. Each officer will be responsible for maintaining records demonstrating this achievement.
- 16.4 The LFO will retain a copy of certificates of registration, qualifications and other documents required by this section of the Policy and record on-going and revision training undertaken by their authorised officers.
- 16.5 Officers that are newly qualified or are returning to food law enforcement duties after an absence of more than three years will be monitored for at least three months or for the duration of their revision training period which ever is longer.
- 16.6 The LFO will ensure that contracted or temporary staff meets the same qualification and experience requirements as directly employed by the Food Authority.
- 16.7 The LFO will keep copies of certificates of registration, qualifications and documents required by the FSA Code of Practice.

17.0 PERFORMANCE TARGETS

17.1 The following performance targets are set in relation to this Policy:

Performance Area	Target
Percentage of food establishments inspections undertaken against those scheduled for inspection	100%
Period between inspecting a food establishment and writing to the proprietor	10 working days
Period between the receipt of a food complaint/food establishment complaint and the initial response	2 working days
Maximum period between receiving sampling results and sending the result letter to the food business	10 working days
Maximum period to process a request for a health certificate	24 hours
Percentage achievement of food sampling plan	100%

18.0 POLICY REVIEW

18.1 This Policy will be reviewed and amended as required and amendments approved by Cabinet.

18.2 Amendments to the Policy will only be made upon joint agreement of the LFO and the Head of Health, Parking and Community Safety.

APPENDIX A : HACCP Evaluation Competencies

Standards of Competence for Food Authority Officers in relation to procedures based on HACCP principles

In addition to the qualifications presented within this Policy as relevant to the inspection of food establishments, all officers will be able to demonstrate the following competencies.

1. To identify, through the conduct of an audit, the need for improved food safety control in establishments having regard to the nature and size of the business.
 - 1.1 Assess the quality of food safety hazard identification in a food business.
 - 1.2 Assess the quality of critical control point (CCP) identification in a food business.
 - 1.3 Assess the suitability of controls in place and their monitoring at CCPs.
 - 1.4 Assess the verification and review by business operators of procedures based on HACPPS principles.
2. To promote and support the implementation of procedures based on HACCP principles appropriate to the nature and size of the business.
 - 2.1 Explain the principles of hazard analysis to food business operators or managers in terms appropriate to the nature and size of the business.
 - 2.2 Specify targets for improved control of food safety hazards.
 - 2.3 Provide advice on carrying out hazard analysis and implementing controls in terms appropriate to the nature and size of the business.
 - 2.4 Explain where appropriate, the relationship between HACCP systems (based on Codex) and other procedures based on HACCP principles.
3. To secure compliance with procedures based upon HACCP principles as required by legislation, appropriate to the nature and size of the business.
 - 3.1 Explain the legal requirements in relation to procedures based on HACCP principles.
 - 3.2 Secure progress towards compliance by discussion and persuasion.
 - 3.3 Secure compliance by the issue of notices. Secure compliance through the courts (and gather and preserve evidence in a food usable in court).

APPENDIX B :

SUMMARY OF ASHFORD BOROUGH COUNCIL'S FOOD LAW ENFORCEMENT POLICY

1.0 Introduction

- 1.1 This policy sets out the Council's principles for enforcing and executing its duties as a Food Authority under The Food Safety Act 1990 and other relevant food safety legislation.
- 1.2 Duties fall under three main headings, as follows:
- The regular inspections of all food premises within the Borough to ensure compliance with the law. The minimum frequency of these inspections is laid down by the Food Standards Agency (FSA) according to the risk each premises present.
 - The investigation of complaints about unsatisfactory food or food premises.
 - The regular sampling of food intended for sale in the Borough to ensure that it meets food safety standards.

2.0 Aim of Policy

- 2.1 The Council aims to protect public health and safeguard food standards by ensuring compliance with the relevant legislation whilst recognising the needs of local businesses.

3.0 Policy

- 3.1 The protection of public health will be paramount when enforcing the law, but the difficulties of food businesses in interpreting legal requirements will also be given due consideration. This will apply particularly to smaller businesses that will probably not have the specialist advisors that are available to larger companies.
- 3.2 All enforcement action taken will be proportional to the risk any situation presents and will be in accordance with statutory Codes of Practice, Council procedures, and official guidance from central and local government bodies.
- 3.3 Every effort will be made to ensure compliance with the law by a process of advice and education. Formal action will only be considered in the following circumstances:-
- Where there is a serious risk to public health;
 - Where there is a blatant or deliberate contravention of the law;
 - Where there is a history of non-compliance or co-operation for an informal approach is not forthcoming.
 - Where food businesses fail to take action in the timescales agreed within an informal process.

4.0 Informal Action

- 4.1 During an inspection of a food premises or process, the officer will give the proprietor verbal advice on how to remedy any contraventions of the law and on general good practice.
- 4.2 Timescales will be agreed to carry out any necessary work and at the end of the visit, the proprietor will be given an Inspection Report stating what action will be taken as a result of the inspection.

- 4.3 If the running of the business is satisfactory or there are only limited minor problems, verbal advice may be sufficient.
- 4.4 If however, there are more substantial issues to be addressed, a letter will be written to the proprietor of the business, detailing work that has to be carried out and within what timescale.
- 4.5 A clear distinction will be made in the letter between what is required by law and what is recommended good practice.
- 4.6 The premises will be revisited to ensure that the necessary action has been taken.

5.0 Formal Action

- 5.1 If formal action is required under the criteria listed in paragraph 3.3, the following options are available according to the circumstances:-
- Hygiene Improvement Notices. These are statutory notices used when a food business is failing to comply with food hygiene or food processing regulations. They require the necessary remedial action to be taken by a proprietor of the food business in a relatively short space of time (a minimum of 14 days). A realistic timescale is set to comply with the Notice, which is discussed with the proprietor or their representatives, and wherever possible agreed with them taking into account the risk to public health and the relevant practicalities. The hygiene improvement notice itself can be appealed against, and an extension of time to comply with it can be requested if there are legitimate reasons. Failure to comply with the Notice however is an offence and would normally result in prosecution.
 - Hygiene Emergency Prohibition Notices. Where there is an imminent risk of injury to health posed by a food premises or a process, the authorised officer will serve a Hygiene Emergency Prohibition Notice. This ensures the immediate closure of the premises or stops a particular process. An application must then be made within 3 days in Court to have the Notice confirmed with an Emergency Prohibition Order. If the Court is not satisfied that there was an imminent risk of injury to health at the time the Notice was served, compensation may be payable to the business concerned by the Council.

6.0 Prosecutions

- 6.1 Where formal action is required under the circumstances specified in Paragraph 3.3, a prosecution may be necessary if the alleged offence is serious enough. Any decision to prosecute will be taken strictly in accordance with the Code for Crown Prosecutors, the Regulators' Enforcement Code and FSA Codes of Practice on prosecutions.
- 6.2 In considering a prosecution, the following factors will be taken into account:
- The previous history of the party concerned.
 - The willingness of the party to prevent a recurrence of the problem.
 - The probable public benefit of a prosecution.
 - The likelihood of the defendant being able to establish a due diligence defence, i.e. that they did all they could to prevent the offence and it was someone else who should be proceeded against or they took all reasonable steps to avoid the offence.

- Whether the issuing of a simple caution would be more appropriate or effective.

7.0 Complaints and Appeals Procedures

- 7.1 The Council's complaints procedure will be followed for complaints concerning the officer.
- 7.2 Hygiene Improvement Notices have a statutory appeals procedure, and proprietors of food businesses are entitled to appeal against any refusal of the Council to lift a Hygiene Emergency Prohibition Order.
- 7.3 A business has the right of appeal to the LFO with regard to the rating they received under FHRS. If not satisfied with the result of this appeal they may seek a judicial review.

Updated: August 2016



ASHFORD
BOROUGH COUNCIL

Impact Assessment Form

Assessment of: Food Safety Policy

Date of Assessment: 18th July 2016

Date of Next Review: 18th July 2019

This form can be used to assess the impact of a project, policy, procedure practice or issue against a range of different aspects. It replaces the previous process which had two separate forms but created a great deal of duplication. Hopefully this form, whilst asking you to consider much the same content will flow more logically, consider a broader range of potential impacts on various groups, and reduce some duplication of previous approaches.

Whilst many of the assessments are likely to be conducted in terms of equality and diversity, the form can also be used to carry out an impact assessment on other groups such as communities in particular locations, or other groups e.g. “economic” groups. This should hopefully make it a particularly useful tool in assessing the impact of possible service changes with the advent of localism.

The form should be reasonably self-explanatory and all aspects of service delivery should be subject to an appropriate degree of assessment; this form should be completed as a matter of course prior to the submission of any new or revised change in policy or practice to Members

It will be necessary to complete the Action Plan in order to clearly identify what steps will be taken, by who and when, and how these will be measured and monitored. This should clearly demonstrate what steps we are taking to address any shortcomings in terms of equality and diversity. Having completed the form it will be necessary for the Head of Service and the service Diversity Champion to sign off their agreement of the action plan and the monitoring and review process.

In completing the form, you must have regard to the following issues

Information Required

- Do we need more information?
- Can we access this information from existing sources?
- Is there national data available?
- Is there expert advice available?
- Do partner organisations hold useful relevant information?
- Do we need to undertake further, more targeted consultation?

Concerns with current practice / policy

- Is it legally compliant?
- Is it having a negative impact on diverse groups?
- Is it failing to meet the needs of diverse groups?
- Is it reinforcing negative views of diverse groups
- Does it miss opportunities to promote good relations?

Pre-Consultation

- Have the right groups been consulted?
- Do we need to target different groups of service-users in the future?
- Are the methods of consultation we have used appropriate for the different groups?
- Are other sections carrying out consultation with service users that you could also use?

Post-Consultation

- What information has better consultation provided?
- Will this information change the policy, procedure, practice or issue?
- If so how and when?

1. General Information	
1.1 Name of project, policy, procedure, practice or issue being assessed	Food Safety Policy
1.2 Service / Department	Health Parking and Community Safety
1.3 Head of Service	Sheila Davison
1.4 Assessment Lead Officer	William Wilson
1.5 Date of Assessment	18 th July 2016
1.6 Is this assessment of an existing or a proposed project, policy, procedure, practice or issue?	Proposed policy.

2. What is Being Assessed?	
2.1 What are the aims of this project, policy, procedure, practice or issue?	The aim is to ensure a consistent implementation of standards by Ashford Borough Council inspectors with regard to food safety inspections, food complaints, sampling, the Food Hygiene Rating Scheme (FHRS) and the enforcement of food safety legislation within the Borough.
2.2 Who is intended to benefit from this project, policy, procedure, practice or issue?	Businesses will benefit from consistent decisions about the how they are inspected, food complaints are investigated, sampling undertaken, scoring for the FHRS and the type of enforcement action they maybe subject to.
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	Legal Services
- from other agencies	The Food Standards Agency who provide the codes of practice and guidance relating to these matters. Regulatory Delivery provide guidance on how regulators and businesses interact.

3. What do we already know about this?			
3.1 Do we monitor this project, policy, procedure, practice or issue in relation to any of the following?	<input type="checkbox"/> User Satisfaction <input type="checkbox"/> Service uptake <input type="checkbox"/> MOSAIC Data	<input type="checkbox"/> Performance Indicators <input checked="" type="checkbox"/> Complaints <input checked="" type="checkbox"/> Other: Audit of all inspections.	<input type="checkbox"/> Eligibility Criteria <input type="checkbox"/> Customer Profiling
3.2 From 3.1 above, where we collect data is it broken down into any of the following protected characteristics?	<input type="checkbox"/> Age <input type="checkbox"/> Gender Reassignment <input type="checkbox"/> Race <input type="checkbox"/> Other	<input type="checkbox"/> Disability <input type="checkbox"/> Marriage / Civil Partnership <input type="checkbox"/> Religion or Belief	<input type="checkbox"/> Gender <input type="checkbox"/> Pregnancy & Maternity <input type="checkbox"/> Sexual Orientation
3.3 Has any related consultation with service users taken place in the last 2 years?	No. If "Yes" please provide details of with whom and when. What were the outcomes of the consultation?		
3.4 What other useful data have you considered as part of this assessment? Please briefly state what data has been used	National Codes of Practice and guidance issued by the Food Standards Agency. Guidance from Regulatory Delivery namely the Regulators' Code.		

4. What judgements can we make now?					
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?	Impact not Known	No Impact	Issue and related evidence
Impact Factors:					
Finance				✓	
Public Health	✓				Safer food purchased and consumed.
Environmental			✓		
Safeguarding Vulnerable People				✓	
Staffing				✓	
Localism				✓	
Legal	✓				Consistent enforcement decisions
Equality (inc the following)					
Age (please detail any specific groups considered)				✓	
Disability (please detail any specific groups considered)				✓	
Gender (please detail any specific groups considered)				✓	
Gender Reassignment				✓	
Marriage / Civil Partnership				✓	
Pregnancy & Maternity				✓	
Race (please detail any specific groups considered)				✓	
Religion / Belief				✓	
Sexual Orientation (please detail any specific groups considered)				✓	
Other (please specify)				✓	

5. What conclusions can we make now?	
5.1 Do we have sufficient evidence to properly assess the impact of the project, policy, procedure, practice or issue?	Yes
5.2 If the project, policy, procedure, practice or issue affects any of these groups differently can this be justified? If “yes” please state how?	N/A Does not affect the groups
5.3 Does the project, policy, procedure, practice or issue maximise opportunities to promote equality and good inter-group relations? If “yes” please state how?	No
5.4 Is it possible to easily modify the project, policy, procedure, practice or issue to address any highlighted issues?	No
5.5 If the answer to 5.4 is “yes” how and when could this be done?	Please provide details in Action Plan below
5.6 Based on the answers to the above can we confidently say that in its present form the project, policy, procedure, practice or issue treats different groups <u>fairly</u> (bearing in mind “fairly” may mean differently) and that no further amendment is required?	Yes
If further action has been identified to ensure a fair impact please complete the Action Plan below	

C. Conclusions	
As a result of the actions now taken (or that have been agreed will be taken) does the project, policy, procedure, practice or issue now :	<input checked="" type="checkbox"/> comply with legislation (including if a negative impact has been identified) <input type="checkbox"/> meet needs appropriately <input type="checkbox"/> actively promote wherever possible good relations between groups
Is there an appropriate monitoring system in place to continue to review and assess the impact of the project, policy or practice on diverse groups?	Yes
How will this monitoring be reported?	National annual returns of inspections undertaken, complaints investigated, sampling undertaken and enforcement actions are provided to the Food Standards Agency. All inspections are audited by the Lead Food Officer.
When is it proposed to next review the project, policy, procedure, practice or issue?	In three years unless there are any major changes to legislation, codes of practice and guidance issued by the Government or Food Standards Agency.
Any additional comments?	None.

Signed:	
Assessment Lead Officer: William Wilson	
Head of Service: Sheila Davison	

Report To: Cabinet

Date: 8th September 2016

Report Title: Alcohol, Drugs and Substance Misuse Policy

Report Authors: Joy Cross - HR Manager

Portfolio Holder: Cllr Callum Knowles – Information, Technology & Communications



Summary:

The Council currently deals with issues related to alcohol, drug and substance misuse through the Council's Disciplinary Rules and Sickness Policy.

However, the introduction of a specific policy that sets out clear standards and expectations will (1) form part of the Council's wider approach towards promoting employee wellbeing and (2) ensure that the Council mitigates any health and safety risks to the public, to service users and to employees themselves.

Recommendations

Cabinet are asked to:

- i. Agree the new Alcohol, Drugs and Substance Misuse Policy.**
- ii. Agree the introduction of alcohol/drug testing for employees in Safety Critical posts on health and safety grounds.**
- iii. Heads of Service to be given delegated authority to designate a post as Safety Critical within their service under the Council's Alcohol, Drugs and Substance Misuse Policy, after consultation with the relevant Corporate Director and the Director of Law and Governance and the HR Manager.**

Policy Overview

The aim of this policy is to promote wellbeing and ensure the safety of employees, workers, service users and members of the public by having clear rules in place regarding the use and possession of alcohol and drugs, and to support those who have reported a problem with alcohol or drug dependency.

Financial Implications:

Services with employees in Safety Critical roles (initially those posts within the new grounds maintenance team who are responsible for operating dangerous machinery and then across all services within this financial year) may implement arrangements for dealing with alcohol, drug or substance misuse which may include screening and detection, conducting searches and/or random drug/alcohol testing. The costs of implementing such arrangements would need to be met from existing budgetary provisions.

The policy also states that the Council will offer reasonable support

for an employee with a dependency who seeks help. The costs of this will be met from within existing budgetary provisions.

Costs are approximately £80 per test (per person) although bulk costs are being further identified.

Risk Assessment Yes.

Community Impact Assessment Yes.

Other Material Implications: None.

Exemption Clauses: None.

Background Papers: September 2015 Cabinet Paper 'Landscape Management: Improving Presentation of the Borough; Creating an In House Service'

Contacts: joy.cross@ashford .gov.uk 01233 330 400.

Report Title: Alcohol, Drugs and Substance Misuse Policy

Purpose of the Report

1. To provide the Council with a policy that sets out clear standards and expectations to promote employee well-being and to ensure that the Council mitigates any health and safety risks to the public, to service users and to employees themselves as the result of Alcohol, Drugs and Substance Misuse.
2. This report seeks approval of the new Alcohol, Drugs and Substance Misuse Policy (Appendix 1) and outlines the new policy which includes additional restrictions for those in Safety Critical roles (initially for those posts within the new grounds maintenance team who are responsible for operating dangerous machinery).
3. Fundamental to the policy is the introduction of alcohol/drug testing for employees in Designated Safety Critical posts on health and safety grounds following the agreement of the Corporate Director (Law and Governance) the relevant Head Of Service, following liaison with the HR Manager and proper consultation with unison and the affected employees.

Background

4. The Council is committed to the well-being of its employees and demonstrates this commitment on an ongoing basis.
5. The Council currently deals with issues related to alcohol, drug and substance misuse through the Disciplinary Policy, Sickness Policy and Welfare Policy (referred to in the Conditions of Service). Service users and members of the public have a right to expect that Council employees are not under the influence of alcohol or drugs whilst carrying out their duties.
6. Consultation with the group of employees transferring to the Council as part of the new in-house grounds maintenance service includes information regarding the introduction of appropriate drug and alcohol testing. Consultation, in accordance with TUPE regulations, is ongoing and following formal consultation meetings the affected employees have not expressed any concerns over the proposed testing.

Policy Outline

7. The policy provides guidance and a procedure for the Council, as the employer, for the employee and others working for the Council (as set out within the scope of the policy) to follow in cases of alcohol and substance misuse.
8. The policy will enable the new in-house grounds maintenance service, and other services where Designated Safety Critical posts are identified in the future (within this financial year), to implement appropriate alcohol/drug testing for employees following proper approval and consultation.
9. The policy includes additional restrictions for employees in designated Safety Critical roles including no consumption of alcohol during their normal working hours, including breaks.
10. It is recognised that some employees may have a dependency on alcohol and/or drugs. The policy outlines the Council's duty of care as an employer to provide reasonable support to employees, where appropriate, should they seek help to overcome this dependency.

11. Notwithstanding the above, the policy makes it clear that breaches of policy, particularly where the safety and security of service users and the public is compromised, could lead to disciplinary action up to and including dismissal.
12. The Council also expects agency and casual workers, consultants, contractors, volunteers and others working on its behalf to adopt the standards outlined within the policy, which should be referred to as part of their induction.

Risk Assessment

13. The proposed policy provides guidance and a procedure for the Council, as the employer, and the employee and others working on its behalf as set out within the scope of the policy of this report to follow in cases of alcohol and substance misuse. Failure to follow a fair dismissal process can potentially result in the Employee being able to claim unfair dismissal or discrimination in the workplace. The Policy has taken in to account relevant legislation including, Misuse of Drugs Act 1971, Health and Safety at Work Act 1974, Management Of Health & Safety At Work Regulations 1999, Road Traffic Act 1988, the Data Protection Act 1998 and the Psychoactive Substances Act 2016.
14. The operation of the policy needs to take into account the Human Rights Act 1998. Article 8 is the right to respect for private and family life home and correspondence. It should be noted that Article 8 is a qualified right, so in certain circumstances public authorities can interfere with the private and family life of an individual. These circumstances are set out in Article 8(2). Such interference must be proportionate, in accordance with law and necessary to protect national security, public safety or the economic wellbeing of the country; to prevent disorder or crime, protect health or morals, or to protect the rights and freedoms of others.
15. In determining a Designated Safety Critical post it is therefore important to balance the requirements of the Human Rights Act with other safety legislation to ensure that Designated Safety Critical posts are truly 'safety critical' otherwise these are likely to be the subject of challenge. A draft risk assessment is attached in Appendix Two to demonstrate the process to be followed in identifying whether a post is Safety Critical. Other potential roles which could be classed as Safety Critical involve the driving of vehicles and operation of machinery, working at heights, working with children and adults at risk where the employee assumes responsibility for the child/adult's safety.
16. It is also important to apply the procedure fairly and consistently (and in particular in relation to relevant drug testing) with due regard to protected characteristics under the Equality Act 2010.
17. It is important to ensure that proper consultation takes place regarding testing for designated Safety Critical posts and that contractual paperwork reflecting the requirement for testing is in place (new and existing staff).
18. The risk of litigation may remain if staff do not wish to accept the proposed changes but the Council may mitigate the prospects of this materialising by adopting a fair and reasonable consultation process, to negotiate an agreement that complies with current employment legislation, and then enters into binding agreements with staff individually to effect the changes agreed.
19. Inconsistent and incorrect application of the Policy could result in employee relations issues arising and possible discrimination claims being brought against the council.

Handling

20. An initial draft of the policy attached at Appendix One went to JCC on 7th July (version available on request) and was discussed. The JCC minutes reflect the key matters raised namely:

- widening the scope of the policy regarding random drug testing to all posts rather than just those that are designated as safety critical,
- providing a clearer definition of what it means to be under the influence of alcohol,
- determining how a post is designated as Safety Critical,
- providing further information about prescription drugs (resolved in the meeting),
- initial comments were raised by Unison regarding the reasonableness of potential action over a potentially minor matter such as possession of a bottle of wine purchased at lunch time (for non safety critical posts),
- initial comments were raised by JCC Staff Side regarding whistleblowing and how safety critical posts are defined.

It was agreed for the HR Manager to:

- obtain further legal advice regarding the lawfulness of drug testing for all employees
- provide a clearer definition of 'under the influence' now added at 5.1 in Appendix One and highlighted to the OMT for specific consideration.
- Make minor amendments to the policy around minor matters referred to above (20).
- Produce a draft risk assessment for designating a post as Safety Critical (Appendix Two)

21. Further legal advice has been obtained. Relevant issues arising from the advice are:

- a. the processing of records associated with drugs testing constitute sensitive personal data under the Data Protection Act 1998 and therefore necessitates explicit consent from the employee before it can be processed.
- b. Article 8 of the Human Rights Act 1998 regarding the right to privacy requires justification for drugs testing and such justification could include on the grounds of public safety concerns.
- c. Unjustified drug screening could be relied upon by an employee as representing a breach of trust and confidence and potentially provide the grounds for a constructive dismissal claim.
- d. The implementation of random testing in posts that are not designated as safety critical would be problematic as, should an employee decline their consent, the Council would be powerless in enforcing the test as it would not constitute a reasonable management instruction.
- e. 'for all these reasons, a random screening for all employees in all job roles is not advisable, or considered best practice'.

22. The draft policy document that was presented to the JCC has been revised to reflect the legal advice and the revised policy is attached in Appendix One.

23. Grounds Maintenance staff are being consulted with about the proposed testing at present. Current testing provisions are not in place but it is important to note that quality is a critical element of the in house Grounds Maintenance service going forward. Furthermore, and most importantly, the requirement for appropriate testing is in the best interests of the health and safety of our employees and the public to ensure that employees are operating dangerous machinery in a safe manner.

24. There has been a clear consultation process to ensure all transferring employees are aware of the implications of this policy/testing and other measures associated with the transfer.
25. Going forward employment contracts for new employees in Designated Safety Critical posts will incorporate the new requirements including testing. Job Descriptions/Person Specifications will be amended as necessary.
26. Drug and alcohol awareness campaigns are recommended as part of the introduction of this policy and as part of the Council's wider approach to promote well-being.

Community Impact Assessment

27. No adverse impact is anticipated on any particular group with a protected characteristic. However, managers, with support from the Personnel Team, will need to ensure that the application of alcohol and drug testing for employees avoids discrimination.

Consultation

28. Unison and the JCC have been invited to provide feedback on this new policy.
29. Staff side feel that, based on their research, all employees can not be tested without justification which they do not feel we have. They also wished to understand further the process for designating a post as safety critical.
30. Unison have provided the following feedback ' we are content with the legal stance (in the JCC version of the policy) and accept the reasons for this to be introduced. As discussed with the HR Manager if the need should arise this can be reviewed in the future to include other staff if necessary.
31. Heads of Service are required to consider other Safety Critical posts with a view to put in place a plan for implementation of all appropriate consultation by the end of the financial year.
32. JCC approved the report and policy on 31st August 2016.

Conclusions

33. The introduction of a Grounds Maintenance Service will require the use of heavy machinery and equipment where, if used incorrectly, can put the employee and the public at risk of harm.
34. We have a responsibility to set out the standards expected of our staff, as well a need to be able to act appropriately if there is a concern. Introducing a policy that sets out clear standards and the support that the employee can reasonably expect will ensure we have a fair, consistent and sensitive way to deal with safety issues caused by alcohol or drug misuse.

Portfolio Holder's Views

35. Portfolio Holder's comments to be advised at the meeting.

Contact: Joy Cross, HR Manager joy.cross@ashford.gov.uk
01233 330 400

APPENDIX ONE – Alcohol, Drugs and Substance Misuse Policy

1. Introduction

- 1.1. The Council is committed to providing a safe, healthy and productive work environment in which all its employees are fit to carry out their jobs safely and effectively.
- 1.2. The inappropriate use of alcohol or drugs can damage the physical health, mental health and well-being of employees and have far-reaching effects on their personal and working lives. At work, alcohol or drug misuse can result in reduced levels of attendance, substandard work performance and increased health and safety risks not only for the employee concerned but also for work colleagues, service users and members of the public.
- 1.3. Service users and members of the public have a right to expect that Council employees are not under the influence of alcohol or drugs whilst carrying out their duties. The Council will not tolerate this behaviour from employees and will act promptly to deal with any situation where this occurs.
- 1.4. Employees who consume alcohol or use drugs whilst on Council business or who are under the influence of alcohol or drugs whilst at work will be subject to the Council's disciplinary procedures.
- 1.5. The Council recognises the right of all employees to a private life and to follow social and leisure activities of their choice. However, these must not impinge on work performance or compromise health and safety whilst at work.
- 1.6. The Council recognises that an employee may have a dependency on alcohol or drugs and that this may be a medical condition. The Council further recognises the link between mental health and alcohol, drug and substance misuse. In such cases, the Council will offer reasonable support to the employee to assist them in addressing their dependency. Notwithstanding this, if performance, attendance or behaviour is unacceptable, and breaches of this policy occur, irrespective of any support and assistance that has been provided or can be offered, this may result in disciplinary action and ultimately dismissal.
- 1.7. Employees in Designated Safety Critical roles, appropriately determined and following proper consultation, are subject to testing provisions and additional restrictions on the consumption of alcohol.

2. Scope

- 2.1 This policy applies to employees at all levels of the Council.
- 2.2 The Council also expects agency and casual workers, consultants, contractors, volunteers and others working on its behalf to adopt the standards outlined within this policy, which should be referred to as part of their induction. Any breaches will be investigated by the service and the nominated officer responsible for the contract/working arrangements and may lead to the working arrangements being terminated.
- 2.3 The policy covers the use and misuse of substances, which include alcohol, solvents, legal and illegal drugs (including so-called "legal highs"), prescription and over-the-counter medicines and other substances that could adversely affect work performance and/or health and safety. Possession of drug associated paraphernalia is also covered within the scope of this policy.

3. Legislation

- 3.1 **Misuse of Drugs Act 1971** is the principal legislation for controlling drugs and covers almost all drugs with the potential for dependency or misuse. The Act makes the possession, supply and production of controlled drugs unlawful.
- 3.2 **Health & Safety at Work Act 1974** places a statutory duty on employers to ensure the health, safety and welfare of their employees, including the provision of a safe and risk-free working environment and systems of work. Employees also have a duty to take reasonable care for themselves and for the health and safety of others who might be affected by their acts or omissions at work (including colleagues, service users and members of the public). If an employer knowingly allows an employee to continue working if they are affected by drugs or alcohol and their behaviour places the employee or others at risk, the employer could be liable for prosecution and/or civil proceedings.
- 3.3 **Management of Health and Safety at Work Regulations 1999** states that an employer has a duty to assess risks to the health and safety of its employees, and to put in place effective health and safety arrangements and training. Employees have obligations to report any work situation which presents a serious danger to health and safety or amounts to a shortcoming in the employer's health and safety protection.
- 3.4 **The Road Traffic Act 1988** establishes a number of criminal offences involving the consumption of alcohol or drugs and the driving of motor vehicles. These offences include driving or attempting to drive a motor vehicle on a road or other public place when unfit to drive through drink or drugs, driving a motor vehicle with alcohol concentration above prescribed limits and driving a motor vehicle with the concentration of a specified controlled drug above specified levels..
- 3.5 **The Data Protection Act 1998** refers to all health and medical information about an individual as 'sensitive personal data' and accordingly all information concerning possible drug or alcohol misuse must be handled securely and confidentially and in accordance with this legislation.
- 3.6 **The Human Rights Act 1998 (Article 8)** describes the right to respect for private and family life. It is a qualified right, so in certain circumstances public authorities can interfere with the private and family life of an individual. Such interference must be proportionate, in accordance with law and necessary to protect national security, public safety or the economic wellbeing of the country; to prevent disorder or crime, protect health or morals, or to protect the rights and freedoms of others.
- 3.7 **The Psychoactive Substances Act 2016** makes illegal the production or supply of so-called "legal highs", defined as substances which are capable of producing a psychoactive effect in a person who consumes them.

4. Employees in Designated Safety Critical posts

- 4.1 Heads of Service are responsible for identifying employees within their service who are in a Designated Safety Critical role.
- 4.2 Services with employees in Designated Safety Critical roles may implement additional arrangements for preventing and dealing with alcohol, drug or substance misuse.

These arrangements may include:

- Specific workplace rules related to the job/service
- Conducting searches (e.g. of lockers, desks, bags, clothing, vehicles)
- Arrangements for drug/alcohol screening and testing. This may be a rolling programme of random drug testing and/or “with cause” testing, i.e. where there is reasonable cause to suspect that an employee has been under the influence of drugs or alcohol at work or that their work has been affected by drug or alcohol misuse.

4.3 Services which wish to designate a post as a Designated Safety Critical post and implement alcohol/drug testing must complete a number of actions first, as outlined below:

- Identify which posts are safety critical, which will normally include posts which involve the operation of machinery, driving vehicles or working at heights and other posts where working under the influence of drugs or alcohol could cause injury to themselves or others.
- Carefully consider the rationale for this designation and undertake a risk assessment.
- Any proposals for a post to be Designated as Safety Critical must be authorised by a Head Of Service in consultation with their Corporate Director and the Corporate Director for Law and Governance, following liaison with the HR Manager.
- If new employees are to be subject to random testing this must be clearly indicated in their employment contract.
- If current employees are Designated as Safety Critical and subject to testing clear and proper consultation must take place involving Unison and the affected employees with a view to agreed variations to their employment contracts.
- If new employees commence employment in Designated Safety Critical roles which are subject to testing, clear and proper information regarding this matter must be communicated to them at the recruitment stage and also included in their contract of employment.
- Employees should be given written guidance on how the arrangements (e.g. random testing) will operate. (example at Appendix Three).
- All testing will be carried out at an external UKAS accredited laboratory and arranged by the Personnel department.

4.4 Employees in Designated Safety Critical roles are prohibited from consuming alcohol at any time during their normal working hours, including breaks.

5. Consumption/Use of Alcohol/Drugs Other Substances

5.1 Employees are expected to report for work and remain, throughout the working day, in a fit and safe condition to undertake their duties and not be under the influence of alcohol or drugs or other substances i.e. not have taken illegal drugs at all OR not be impaired by the

consumption/use of alcohol, drugs or substances as outlined in the scope of this policy. Employees must not be over the legal driving limits if they are required to drive.

5.2 Employees are expressly instructed not to be under the influence of alcohol, drugs or other substances when driving in the course of their duties. See section 7 below.

5.3 Employees must not consume alcohol or drugs or misuse other substances:

- On Council premises
- Whilst engaged on Council business at any time

Note: this does not include drugs prescribed for the employee or over-the-counter medicines used for their intended purpose (in accordance with the instructions given by a GP, pharmacist or manufacturer) and where the safety of the individual or others with whom they come into contact is not compromised.

5.4 Following prior approval from their Head Of Service employees may be permitted to consume a small amount of alcohol at a Council arranged social function. Where employees attend external work-related functions or work-related social events, whether during or outside normal working hours, they are expected to demonstrate responsible behaviour and to act in a way that will not have a detrimental effect on the Council's reputation.

5.5 Employees are expressly prohibited from possessing, storing, trading or selling drugs, other substances or drug associated paraphernalia whilst on Council premises (including vehicles) or whilst engaged on Council business at any time.

5.6 Employees are expressly prohibited from possessing, storing, trading or selling alcohol whilst on Council premises save as in exceptional circumstances and as agreed by the relevant Head Of Service. Employees are permitted to store alcohol purchased in a shopping trip during a work break and intended for consumption after the end of the working period, e.g. a bottle of wine purchased at lunch time for consumption that evening.

5.7 Undertaking any of the above whilst carrying out Council authorised work constitutes gross misconduct, which may lead to dismissal.

6. Prescription Drugs and Other Medication

6.1 Certain medicines available either with or without a prescription can affect an employee's ability to perform their work activities effectively and safely. Employees should inform their GP or pharmacist of the work they do and seek advice on possible side effects.

6.2 Employees should inform their manager of any drugs or medication they are taking, which is likely to affect their ability to carry out their duties effectively and safely. Where there are known and likely side effects that may affect work performance (for example operating machinery or driving) the manager should prohibit, restrict or re-allocate duties as appropriate and following liaison with the Personnel team.

6.3 Similarly, employees who experience side effects as a result of taking prescribed or over-the-counter medicines that impair or may impair their ability to perform their duties safely and satisfactorily must notify their line manager immediately.

6.4 It is recognised that some prescription drugs can be addictive. In such cases, the Council may

offer reasonable support in line with this policy, where appropriate and practicable.

7. Driving

- 7.1 The Road Traffic Act 1988 states that any person who, when driving or attempting to drive a motor vehicle on a road or other public place, is unfit to drive through drink or drugs, or with alcohol or drug concentrations above specified limits, shall be guilty of an offence.
- 7.2 It is expressly prohibited for employees to drive a Council vehicle or their own vehicle whilst on Council business whilst under the influence of alcohol and/or drugs or with alcohol or drug concentrations above specified legal limits.
- 7.3 If an employee receives a driving ban for driving under the influence of drugs or alcohol (or an associated offence) and they are required to drive in the course of their normal duties this matter will revert to the Capability Policy or the Disciplinary Policy for consideration which may result in dismissal.

8. Support for Employees with an Alcohol/Drug/Substance Dependency

- 8.1 Where an employee voluntarily seeks help and support for alcohol, drugs or substance dependency, the manager must:
 - Hold an informal meeting with the employee to ascertain the nature of the problem
 - Seek Occupational Health advice as appropriate
 - Provide reasonable support to assist the employee with rehabilitation, which may include a temporary adjustment to their duties
 - Agree a plan to monitor and improve performance/conduct and confirm this in writing.
- 8.2 Employees should be encouraged to make use of the Council's free 24 hour Employee Assistance Programme 0800 030 5182. This is operated by a third-party organisation and is completely confidential. An additional list of specialist external support agencies is given in Appendix 1
- 8.3 Where an employee accepts help (e.g. for counselling, treatment or rehabilitation) this should take place outside of working hours. Where this is not possible, the employee will be required to take annual leave, flexi-leave or unpaid leave. Any agreed treatment will be for a finite period, where resources allow and where service levels can be maintained.
- 8.4 Employees are expected to co-operate with any support and assistance provided by the organisation to address an alcohol or drug misuse problem.
- 8.5 Confidentiality will be respected as far as is legitimately and legally possible. However, it may be necessary for information concerning the employee to be shared with others, (for example Occupational Health), with the employee's agreement.
- 8.6 If work performance, attendance or behaviour is unacceptable, and the employee breaches this policy, irrespective of any reasonable support and assistance that has been provided or

can be offered, this may result in disciplinary action up to and including dismissal.

- 8.7 Employees who have concerns about a colleague's behaviour or performance being affected by an alcohol or drug-related problem should encourage them to seek assistance through their manager or through Personnel. Employees are encouraged not to cover up a genuine concern they may have about a colleague who they believe to be misusing drugs or alcohol or whose work or behaviour is suffering as a result of an alcohol or drug-related problem. In such circumstances, if the colleague is not willing to seek assistance, employees are encouraged to speak to their line manager (alternatively to Personnel) in the best interests of the health and safety of all.
- 8.8 The Council will provide training, in particular to managers, to develop awareness of the dangers of alcohol, drug and substance misuse as part of its health improvement and wellbeing initiatives. This training will include the impact and linkage with mental health, recognising signs of misuse and understanding why staff may be reluctant to talk about their dependency or usage.

9. Dealing with Breaches of Policy

- 9.1 Employees who are in breach of this policy will be subject to disciplinary action. Each case will be considered on its individual merits and factors such as previous conduct, and any mitigating circumstances will be taken into account.
- 9.2 Where a manager becomes aware, or has grounds for concern, that an employee may be misusing alcohol, drugs or other substances they should seek advice from Personnel on the approach to be adopted.
- 9.3 Managers are expected to deal promptly with any breaches of this policy, including carrying out investigations and instigating the Council's Disciplinary Policy where appropriate.
- 9.4 An employee may be asked, as part of a disciplinary (or accident) investigation, to agree to drug or alcohol testing. If they are not in a Designated Safety Critical post they are under no obligation to agree to this request and the investigation will be concluded based upon the information available. A refusal to participate in drug or alcohol testing following request may be taken into account in determining the outcome of the investigation. Employees in Designated Safety Critical posts are required to comply with all requests for drug or alcohol testing.
- 9.5 If it is apparent that an employee is under the influence of alcohol or drugs, or there are grounds to believe that they are, the Council reserves the right to take immediate action to minimise any risk to the employee, their colleagues, service users and members of the public; see 9.6 below.
- 9.6 Depending on the nature of an employee's work role and the severity of any risk they pose to themselves or to others, a manager may do any of the following:
- Instruct an employee to stop work immediately
 - Transfer the employee temporarily to low risk duties, and arrange for a colleague to cover for them
 - Instruct the employee to leave the workplace and suspend them on full pay whilst an investigation is carried out. Advice should be sought from Personnel before instigating a

suspension.

10. Confidentiality

10.1 Any record of treatment or testing will remain strictly confidential between the employer, the UKAS provider and the employee, unless agreed otherwise. All information will be handled sensitively and only used for its proper purpose and in line with the Data Protection Act 1998.

11. Monitoring and review of policy

11.1 Personnel will be responsible for monitoring the following:

- The number of Designated Safety Critical posts
- The number and type of alcohol/drug tests carried out
- The results of tests
- The reason for the test (e.g. post incident “with cause” tests or random tests on Designated Safety Critical post-holders)
- Equality data concerning disciplinary cases and alcohol/drug tests, including: grade, gender, ethnicity, age, disability and other protected characteristics.

11.2 The application of this policy will be monitored and the policy will be reviewed on a regular basis to take account of operational experience, best practice and legislative changes.

12. Further Support

Further support may be obtained from the following external bodies

- Kent Council on Addiction (KCA) 0300 123 1186
- Turning Point www.turning-point.co.uk
- Addaction www.addaction.org.uk 020 7251 5860
- Alcoholics Anonymous 0845 769 7555 (National help-line) www.alcoholics-anonymous.org.uk
- Al-Anon Family Groups 020 7403 0888 (10am-10pm confidential help-line) www.al-anonuk.org.uk
- Drinkline 0800 917 8282 (Available 24 hours, seven days a week.)
- FRANK campaign helpline 0800 776 600 (Available 365 days a year, 24 hours a day) www.talktofrank.com

13. Further Information

For information on related matters please refer to the following policy documents contained within the Conditions of Service.

- Welfare Policy
- Sickness Policy
- Stress at Work Policy Statement and Code Of Conduct
- Disciplinary Procedure

APPENDIX TWO

ASSESSMENT DOCUMENT TO DESIGNATE A POST AS SAFETY CRITICAL

JOB TITLE		SERVICE	
POST NUMBERS		DATE	
COMPLETED BY		SIGNATURE	

Carefully consider the rationale for designating the post as safety critical by first undertaking a risk assessment as detailed below.

Consider the key tasks and duties that are completed by post holders in this role (based on the job description) and the impact that impairment (due to alcohol, drugs or substance misuse) could have.

The HSE publication Drug Misuse At Work INDG91rev2 states that 'there may be a case for considering the introduction of screening, particularly in certain critical jobs (e.g. staff who have responsibility for making safety-critical decisions such as drivers, pilots and some machinery operators) in which impairment due to drugs could have disastrous effects for the individual, colleagues, members of the public and the environment'.

Key Task / Duty	What are the hazards?	What is the impact of a potential impairment of the post holder due to alcohol, drug and substance misuse?	Who might be harmed and how?	What is already being done to control the risk?	Do you need to do anything else to control this risk?

Rationale (please detail below a summary of the risk assessment as a rationale for the designation of this post as Safety Critical)

Comments from Corporate Director	Comments from Corporate Director Law and Governance
Name	Name
Signature	Signature
Date	Date

Further information Further information on the impact of alcohol, drug and substance misuse can be found on the HSE website and within the following publications; Don't mix it a guide to employers on alcohol at work – INDG240, Drug Misuse At Work INDG91rev2.

APPENDIX THREE

EXAMPLE WRITTEN GUIDANCE

Further to proper consultation which has taken place with you and your colleagues regarding the Safety Critical nature of your post, I write to confirm that your post of XXXXX has been designated as Safety Critical.

Please see attached a revised job description and person specification which confirms this element to your post.

I write to confirm that with effect from DATE you are required to participate in a regular random drugs/alcohol testing.

You will be given advance notice of this testing and testing will take place within your normal working hours.

An appointment for your test will be made at UKAS approved drugs testing centre with SUPPLIER NAME. A location map is enclosed for your reference.

You have been verbally notified of this appointment by your manager.

The test is called a Full Laboratory Test and involves a urine test for illegal drugs and alcohol. During the appointment you can expect to select your own testing pack (random selection) and complete a consent form with a trained nurse.

Please find enclosed an example of the consent form that you will need to complete (*not included within this report*). You will be required to give a urine sample. The sample will be provided into a sealed container and, if you require a B sample, the sample will be split (in front of you) and one half frozen.

If you are unhappy with the outcome of the test (A sample), you can request access to your B sample and another UKAS approved test supplier to conduct a test on your B sample.

The sample (A sample) will be transported to the UKAS laboratory for testing according to the consent form that you have signed. Upon arrival the samples will be checked for tamper and then processed using EMIT (Enzyme Multiplied Immunoassay Technique) testing in the first instance and then any non-negative results will be processed for GC-MS (Gas Chromatography Mass Spectrometry) confirmation using UKAS agreed cut off levels. The report will be issued to the Council directly by SUPPLIER NAME upon receipt of the laboratory result, approximately 48 hours after your appointment.

The result will show a negative result or a positive result. Personnel will advise you of the result as soon as possible.

It is important that you take with you to the test photographic ID. You should also take with you to the test any medication that you are taking, any outpatient appointment cards or appointment letters from hospitals. In addition, if you wear glasses, contact lenses or a hearing aid please ensure you have these with you at your appointment.

If you have any further questions about the testing please speak to any member of the Personnel team.

Report To: Cabinet

Date: 8 September

Report Title: Annualised Hours Policy

Report Author: Joy Cross - HR Manager

**Portfolio Holder: Cllr Clair Bell - Public Interaction & Borough Presentation
Cllr Callum Knowles - Information Technology & Communications**



**ASHFORD
BOROUGH COUNCIL**

Summary:

The introduction of the in-house Grounds Maintenance function and the proposed operating structure includes an annualised hours pattern in order to reflect the seasonality of work of this nature.

Therefore the introduction of an Annualised Hours Policy for all Grounds Maintenance staff is proposed.

Staff currently performing the work associated with the borough's grounds maintenance function are employed by Landscape Services Limited and consultation regarding their TUPE transfer to Ashford Borough Council is ongoing. This grouping of individuals currently work according to an annualised hours working pattern.

Recommendations Cabinet is asked to

- (i) Review, comment on and approve the new Annualised Hours Policy.**

Policy Overview

This policy will form part of the Conditions of Service and will therefore be contractual for those employees who work according to an annualised hours working pattern and are a common way in which an organisation can handle seasonality in demand.

Annualised hours working patterns provide not just flexibility for an organisation, but also stability for both employee and employer as salary costs are fixed and predictable.

The averaging out of working hours across a 12-month period creates some complexities in the way other contractual terms are handled and therefore the proposed policy includes elements such as calculation of hours of work, calculation of salary, holiday entitlement and accrual, overtime payments, sick pay and parental leave payments,

new starters/starting part way through a year and termination of employment.

Financial Implications: No additional financial implications are anticipated although note should be taken of situations in which an employee leaves their employment part way through a leave year and there is a credit or debit of hours. Within the policy managers and employees are encouraged to manage the balance of hours in such situations (where ever possible).

Risk Assessment Yes.

Impact Assessment Yes.

Other Material Implications: None.

Exemption Clauses: None.

Background Papers: None

Contacts: joy.cross@ashford .gov.uk 01233 330 400.

Report Title: Annualised Hours Policy

Purpose of the Report

1. To introduce, and seek approval of a new Annualised Hours Policy (Appendix One) that sets out clear standards and expectations for employees working an Annualised Hours working pattern.

Background

2. In September 2015 Cabinet agreed to take the Grounds Maintenance function in house, 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. An Annualised Hours working pattern, and accompanying Policy, is recommended as part of this operational structure whereby operational staff work longer hours in the summer periods and shorter hours in the winter periods. Such a pattern is intended to maximise productivity and reflect the seasonality of the grounds maintenance work.
3. Annualised Hours working patterns form part of an employee's contract of employment and are a common way in which an organisation can handle seasonality in demand. Annualised hours working patterns reflect seasonal peaks and troughs in working hours yet provide a 'flat payment' for employees averaging out their hours worked across a year period. Annualised Hours working patterns provide not just flexibility for an organisation, but also stability for both employee and employer as salary costs are fixed and predictable.
4. Staff currently performing the work associated with the borough's grounds maintenance function are employed by Landscape Services Limited and should TUPE transfer to Ashford Borough Council as part of the service being taken in-house. These staff currently work 39 or 40 hours per week, according to an annualised hours working pattern. Landscape Services Limited have provided some generic information as to how this working pattern is dealt with, namely:
 - a. *Working Pattern - Annualised Hours. Definition – A set number of hours are worked over a year. Manager and employee agree how the work is covered on a flexible basis to match job demands and employee availability.*
 - b. *To calculate the annual hours to be worked: Number of weeks per year, less annual leave and bank holidays, multiplied by the number of working hours per week.*
 - c. *To calculate Salary: FTE Annual Salary ÷ 37 x average notional hours per week = annual salary.*

(taken from The Blue Book Kent Scheme April 2013).
5. Landscape Services Limited have indicated that local working arrangements are in existence and information about such patterns will come forward as part of the formal TUPE consultation process. Consultation regarding these patterns and the proposed application of the annualised hours policy will feature in the consultation process.

Policy Proposals

6. The policy provides guidance for the Council, as the employer, for the employee to follow in the practical application of Annualised Hours working patterns.
7. The policy will enable the new in-house grounds maintenance service, and possibly other services in the future, to implement Annualised Hours working patterns.
8. The policy includes sections on Scope, Annualised Hours Working Patterns, Calculation of Hours Of Work, Flexible Working Hours, Calculation of Monthly salary, Holiday Entitlement And Accrual, Overtime Payments, Sickness Payments, Parental Leave Payments, Starting Employment Part Way Through an Annualised Hours Year, Termination of Employment.

Risk Assessment

9. The policy takes into account the Council's other relevant Policies, i.e. Annual Leave, Flexible Working Hours Policy, Sickness Policy and Overtime and Associated Allowances Policy, and outlines the application of these policies for employees who have an annualised Hours Working Pattern.
10. The Policy also takes into account employees rights to parental leave and ensures that they are not treated less favourably on the grounds of their Annualised Hours working pattern, thus removing the risk of any claims of indirect discrimination based on the demographic of the working group.
11. There is a risk of litigation from transferring employees if the consultation is not handled in a thorough and legally compliant manner. However, the TUPE consultation process has been carefully planned with Landscape Services Limited and an agreed Consultation Plan is being followed.
12. Inconsistent and incorrect application of the Policy could result in employee relations issues arising and possible discrimination claims being brought against the council.

Handling

13. Prior to implementation of the Policy, there will need to be a clear consultation process to ensure all transferring employees are aware of the implications of this policy and other measures associated with the transfer.
14. Employment contracts for new employees working to an annualised Hours Working Pattern will include reference to their Annualised Hours working pattern and they will have a specific and relevant contract of employment.

Community Impact Assessment

15. No adverse impact is anticipated on any particular group with a protected characteristic.

Consultation

16. The Joint Consultative Committee considered this policy on 7th July 2016 and recommended that it was approved.

Conclusions

17. For an effective and efficient Grounds Maintenance Operation it is necessary to introduce an Annualised Hours working pattern to be able to respond to seasonal peaks in workload. To ensure a fair and consistent application of the Annualised Hours working pattern it is important that we have laid out how this working pattern will impact on other terms and conditions such as annual leave and rights to parental leave etc. The attached policy outlines how officers working an Annualised Hours working pattern can expect some of their related terms and conditions to be managed as well as what to expect when they leave and join the working pattern.

Portfolio Holder's Views

18. I support the introduction of this policy, following appropriate consultation with affected individuals, and understand it to be a reasonable method through which to reflect the practical application of an annualised hours working pattern – Cllr C Bell.

Contact

Joy Cross, HR Manager
01233 330 400
joy.cross@ashford.gov.uk

Appendix One

Annualised Hours Policy

The detail contained within this policy document should only be read in conjunction with your contract of employment (written statement of particulars) if you are employed under an Annualised Hours working pattern.

For clarification as to whether this policy document applies to you please refer to your contract of employment or a member of the Personnel team.

1. Introduction

1.1 Annualised Hours working patterns form part of an employee's contract of employment and are a common way in which an organisation can handle seasonality in demand.

1.2 Annualised Hours working patterns reflect seasonal peaks and troughs in working hours yet provide a 'flat payment' for employees averaging out their hours worked across a 12 month (annual) period.

1.3 Annualised Hours working patterns provide not just flexibility for an organisation, but also stability for both employee and employer as salary costs are fixed and predictable.

2. Scope

2.1 The Annualised Hours Policy applies only to employees contracted to work an Annualised Hours working pattern. An employee's contract of employment (written statement of particulars) will expressly outline whether or not their contract is an *annualised hours contract*.

3. Annualised Hours Working Patterns

3.1 Annualised Hours working patterns can be implemented following an employee's flexible working request which has been accepted by the Council and implemented.

3.2 A wider requirement for an annualised hours working pattern emerges as Services seek to gain stability and reliability in services that either experience predicted, variable demands from service users or require a variable input across a calendar year

3.3 Employee's engaged on an annualised hours contract of employment will be provided with a detailed outline of their specific annualised hours working pattern and applicable future shift pattern. The Council reserves the right to make changes to such specific working patterns following proper consultation with affected employees

3.4 Within an Annualised Hours working pattern a set number of hours are worked over a year. The Head of Service, with advice from the Personnel Team will produce the detailed outline of the specific annualised hours working pattern and the applicable future shift pattern which best meets the demands of the Service and the requirement of service users. Due consideration must be given to appropriate rest breaks and rest days within a shift pattern in accordance with the Working Time Regulations.

4. Calculation of Hours of Work

4.1 The total number of hours to be worked in each year period is agreed at the commencement of employment. Employees will work their contractual hours over an annual period and the number of hours that the employee is required to work is expressed as a net figure after deducting contractual annual leave and statutory bank holiday entitlement.

4.2 *To calculate the annual hours to be worked take the number of weeks per year, less contractual annual leave and statutory bank holiday entitlement, multiplied by the average number of working hours to be worked per week equals the total annual contracted hours. For example 52 weeks – 5.6 weeks x 40 hours per week = 1856 hours.*

4.3 It is the responsibility of the appropriate manager and Head of Service to ensure that employees do not carry anything other than a nominal debit or credit of hours into the following annual period.

5. Flexible Working Hours

5.1 Unfortunately, and in accordance with the Council's Flexible Working Hours Policy, employees engaged on an Annualised Hours working pattern may not utilise the flexi-time system. This is due to the fact that the nature of their work restricts them from working regular hours or they are required to work to a specified shift pattern.

6. Calculation of Monthly Salary

6.1 The Council averages out an annualised hours salary based on total hours contracted to work over the year in addition to annual leave and bank holiday entitlement. This ensures employees receive the same basic amount of pay each calendar month, regardless of actual hours worked in that month.

7. Holiday Entitlement and Accrual

7.1 Annual leave is expressed in units of hours instead of days for all employees regardless of their working pattern in order to ensure fairness for all and equal application of a leave entitlement across a shift pattern.

7.2 All employees on Annualised Hours working patterns must make themselves available to work an appropriate amount of statutory bank holidays as determined by the needs of the service.

7.3 Annual leave and bank holiday entitlement is included as part of the monthly salary for annualised hours contracts. Both contractual annual leave and statutory bank holiday entitlement is deducted from the employees' total available hours and, although it still needs to be booked in accordance with the Annual Leave policy it does not feature within the monthly pay statement.

7.4 Annual leave must be requested and agreed by the employee's line manager in accordance with the Council's Annual Leave Policy.

8. Overtime Payments

8.1 The nature of Annualised Hours working patterns avoid the requirement for significant amounts of overtime to be worked due to the fact that the applicable shift pattern aims to take account of predictable peaks and troughs in work. However, there may be a requirement for overtime to be worked and paid and therefore approval for overtime must be sought in advance from the appropriate Head of Service. Overtime will only be paid if the employee is contractually entitled to receive such payment and only then in accordance with the Council's Overtime and Associated Allowances Policy.

9. Sickness Payments

9.1 Employees engaged on an Annualised Hours contract and working pattern are eligible for normal provisions of the Council's sickness payments scheme. However, entitlement for sickness payment will be based upon the number of days that the employee was scheduled to work, according to the shift pattern, in that sickness period. Payment for that sickness period will be based upon the method of calculating normal monthly salary payments (see above). An appropriate adjustment will be made to the employees bank of contracted hours to be worked.

10. Parental Leave Payments

10.1 Employees are entitled to receive the same rights to parental leave and associated payments as any other employee not engaged on an annualised hours contract of employment. However, owing to the complexity of entitlements in this area employees wishing to gain further information about their specific payments are invited to meet with a member of the Personnel team to discuss this matter or to obtain a specific summary of entitlements and payments. The principal behind this approach is that an employee will not receive less favourable treatment on the basis of their annualised hours contract.

11. Starting Employment

11.1 New employees will receive a pro rata figure for annualised hours from their start date until the end of the Annualised Hours period / year.

12. Termination of Employment

12.1 It is recognised that should an employee on an Annualised Hours working pattern and contract of employment leave the Council's employment within an annualised hours year / period there will be either a credit or debit of hours worked.

12.2 In such situations both employee and manager should endeavour to ensure that the number of hours worked are as near as possible to the number of pro-rata hours required under the terms of the contract.

12.3 The very nature of the annualised hours working pattern means that this may not always be possible but efforts should be made on both sides in a manner which is sympathetic with the reasons for leaving.

12.4 Credits of hours remaining will be paid to the employee within their final payments and similarly any debits of hours will be reasonably deducted from the employee's final payment or recovered separately.

Agenda Item No: 12

Report To: Cabinet

Date: 8 September 2016

Report Title: Micro chipping of Dogs

Report Author: Tracey Butler, Environmental Contracts and Operations Manager
Colin Leek, Canine and Street Scene Officer.

Portfolio Holder: Councillor Clair Bell, Portfolio Holder for Public Interaction and Borough Presentation



Summary:	This report provides information on the new regulations requiring dogs to be micro chipped in the UK and how Ashford Borough Council will enact the provisions in these regulations
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Key Decision: YES

Affected Wards: All

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

- (i) Recommend to full council approval of the policy document at Appendix 1**

Policy Overview: On the 6th April 2016, the provisions of The micro chipping of Dogs (England) Regulations 2015, were enacted. This meant that it became compulsory for dogs in England, that are older than 8 weeks and not certified as working dogs (section 6 (3) of the Animal Welfare Act 2006), to be micro chipped.

This Cabinet paper explains the impact of that enactment on our canine warden service and includes a policy document for Members approval detailing how we will enact those provisions.

Financial Implications: There is a cost implication should formal notices not be adhered to and enforcement action is required in the form of a prosecution.

Risk Assessment See below

Impact Assessment YES

Other Material Implications: N/A

**Exemption
Clauses:** N/A

**Background
Papers:** N/A

Contacts: tracey.butler@ashford.gov.uk – Tel: (01233) 330875

Agenda Item No. 12

Report Title: Micro chipping of Dogs

Purpose of the Report

1. To provide background information on the new regulations and details of the proposed policy to deal with the new regulations.

Background

2. The Environmental Protection Act 1990, provided the duty on Local Authorities to have an officer responsible for collecting dogs, seizing dogs that have been allowed to stray and allow for the rehoming of a dog in the event that the owner of the dog does not come forward (or relinquishes responsibility) after 7 days.
3. Local authorities are able to tender out this responsibility on contract to a third party but Ashford Borough Council has its own designated canine officer.
4. The duties of the canine officer are not required to be fulfilled 24 hours a day and as such we have one officer who provides this service, in office hours. Out of office hours, callers to the council are given advice from the Ashford monitoring Centre.
5. On average we collect approximately 3 stray dogs a week. When they come into our possession without a micro chip they are taken to either our main kennel provider (Lord Whisky animal sanctuary) or, in the event the main kennel are unable to take the dog, East Dean kennels.
6. In the event that a dog is not micro chipped, it is very difficult, time consuming and sometimes controversial when identifying the dogs true owner, to enable us to reunite a dog that has come into our possession, with its owner. In most cases where dogs are successfully reunited with owners, it is because the owner or keeper has phoned us directly and given a description of the dog.
7. The micro chipping of Dogs (England) Regulations 2015 have been created from the provisions of section 12 of the Animal Welfare Act 2006, to ensure that dogs are more quickly reunited with owners, ensuring minimal distress to the dog.
8. From 6th April 2016 it became compulsory for dogs in England that are older than 8 weeks and not certified as working dogs (section 6 (3) of the Animal Welfare Act 2006) to be micro chipped.
9. There are limited exceptions; (a) where a vet has advised otherwise (must be in writing) or (b) where the dog has been imported (in which case there is a grace period of 30 days).
10. These provisions are in addition to the collar and tag requirements covered by the Control of Dogs Order 1992 (where every dog that is out must wear a collar and tag. The tag must have the name and address of the owner and

failure to comply can be enforced under the Animal Health Act 1981 (criminal offence and a fine up to £5000).

11. The proposed policy to deal with dogs that need to be micro chipped appears as Appendix 1. This has been developed since the enactment of the regulations and now comes before Members for approval.
12. When the micro chipping of dogs regulations came into force, the Environmental team worked with the Communications team on an awareness campaign for the change in legislation. Information went in our Housing News publication and Ashford Voice. A press release went out from our portfolio holder, Cllr Clair Bell, as well as information on our webpages. An example appears at Appendix 2.
13. The following is an overview of the regulations for information.
14. The person who is responsible for the micro chipping of the dog is the person with whom the dog normally resides (this may not be the owner).
15. Where the keeper of a dog changes, it is the responsibility of the new keeper to change the registration details on the database.
16. For a dog to be legally micro chipped it must;
 - Have a unique number
 - Be compliant with the specified ISO standard
 - Be readable by defined transponders
 - Must be on a recognised database
17. Should a dog be found not to be micro chipped, a legal notice may be served requiring that dog to be micro chipped inside the next 21 days.
18. There are no enforcement provisions through the use of Fixed Penalty Notices for these regulations. Therefore, a breach of these regulations (legal notice) is prosecutable through the magistrates court. Successful prosecution for a breach of these regulations could amount in a fine up to £500.
19. The proposed policy indicates that we will only pursue keepers of dogs to ensure dog micro chipping where (a) they have come into our possession as a stray or (b) we have repeated complaints of a dog straying and we investigate the case with the known keeper.
20. Our canine officer has received training and has many years of experience in micro chipping dogs.
21. Our micro chips are provided free to us from the Dogs Trust, on the understanding that we provide a free service to encourage responsible dog ownership.
22. Our canine officer is insured to carry out this work on behalf of Ashford Borough Council.

23. Before micro chipping a dog, our canine officer carries out a dynamic risk assessment on a case by case basis. If the dog (bitch) is pregnant or the breed is a very small “toy” breed, the keeper is advised to seek advice from a vet to have the micro chipping carried out.
24. Although, theoretically, the regulations allow the canine officer to stop dog walkers at random to scan their dogs for a micro chip, this is likely to be viewed as an over zealous approach to the spirit of these regulations. Therefore, we have engaged with our kennel providers, our local vets, our street cleansing contractor and our dog breeding licensing officer in the enforcement of this legislation.
25. Our kennel providers both have scanners and the ability to be able to micro chip dogs, as this was a forward consideration when procuring our current kennel provision. There is a small charge levied by the kennel provider for micro chipping as they do not have their micro chips provided for free, from the Dogs Trust.
26. If a dog is injured whilst unattended by its owner and taken to a local vet by a member of the public, in Ashford, they will scan the dog for a micro chip and work with our canine officer in reuniting the dog with its’ keeper.
27. If a dog is unfortunate enough to be run over and killed on our roads and is collected by our street cleansing contractor, they will scan the dog for a micro chip and report the details to our canine officer to make the keeper aware and enable them to collect their pet.
28. The lead officer for animal breeding and boarding licensing has been provided with and trained in the use of a micro chip scanner. In the course of his licence inspections, he will randomly sample dogs of the requisite age for their micro chips and check chip numbers against registration papers whilst on site. Where there is a discrepancy, this will be referred back to the canine warden service for clarification and assistance.

Risk Assessment

29. The risk in micro chipping dogs is very low, due to training and experience of our canine officer. However, he is insured to carry out this task.
30. In each case the minimal risks associated with micro chipping are explained to the dog owner, who signs to say they understand the terms under which the dog is being micro chipped.
31. The fact that we are able to offer a free micro chipping service has led to all those dogs that have come into our possession without micro chips, since these regulations have come into force, being micro chipped by our canine officer. Therefore, it is anticipated that prosecution under these regulations will be minimal.

Equalities Impact Assessment

32. Please see below

Other Options Considered

33. As this policy can be incorporated into the current service with no budget implications, no other options for enforcement of these regulations have been considered.

Consultation

34. This report has been reviewed by our legal services team.

Implications Assessment

35. There are no financial implications other than in the event of a prosecution which is covered by our normal service level agreement with our in house legal team. As previously highlighted, prosecutions are likely to be minimal.
36. It is not anticipated that this policy will have a negative impact, as the micro chipping service is offered to the public free of charge.

Handling

37. It is anticipated that Members support of this policy will be viewed positively as supporting responsible dog ownership.
38. In enforcing these regulations only where dogs come into the possession of the council or where repeated complaints are received about dogs straying, this policy is considered to be a reasonable and proportional approach.

Conclusion

39. This policy is designed to support the ethos of responsible dog ownership and reduce the amount of time a straying dog is away from its owner, to reduce stress to the dog and increase the efficiency of the service.
40. This policy will be reviewed on an annual basis to ensure it remains a reasonable and proportionate approach (based on strays collected and time spent in reuniting dogs with owners).

Portfolio Holder's Views

41. "This policy is a positive step forward in promoting responsible dog ownership. It is important to encourage individual responsibility. This policy should mean an improved efficiency in our canine officer service as well as reduced stress to owners / keepers or dogs when they become separated from their pets." Councillor Clair Bell, Portfolio Holder for Public Interaction and Borough Presentation.

Contact: Mrs Tracey Butler

Email: tracey.butler@ashford.gov.uk

Ashford Borough Council policy on micro chipping dogs.

1. Introduction

2. From 6th April 2016 it became compulsory for dogs in England that are older than 8 weeks and not certified as working dogs (section 6 (3) of the Animal Welfare Act 2006) to be micro chipped. The limited exceptions are where a vet has advised otherwise (must be in writing) or the dog has been imported (in which case there is a grace period of 30 days).
3. The micro chipping of Dogs (England) Regulations 2015 have been created from the provisions of section 12 of the Animal Welfare Act 2006.
4. Ashford Borough Council has a statutory power to be able to enforce these regulations.
5. This document outlines the Councils policy on how it will enforce these regulations.

Statement of Policy

6. This policy is based on the four key principles:
 - Consistency – to ensure that similar incidents are dealt with in the same way. However, each incident will be dealt with on its merits.
 - Fairness – to ensure a fair and even handed approach to ensure decisions are not influenced by gender, ethnic origin, or religious, political or other beliefs.
 - Transparency – to ensure that any enforcement action taken is easily understood by dog owners and keepers.
 - Proportionality – to ensure that any enforcement action taken is in proportion to the actual offence. This policy aims to;
 - Encourage more responsible dog ownership
 - Reunite stray dogs more quickly with their owners to minimise distress by all parties
 - Increase the efficiency of the canine officer service.
7. The micro chipping of Dogs (England) Regulations 2015, dictate the following:

The person who is responsible for the micro chipping of the dog is the person with whom the dog normally resides (this may not be the owner) and where the keeper of a dog changes, it is the responsibility of the new keeper to change the registration details on the database.

The micro chip must:

- a) Have a unique number
- b) Be compliant with the specified ISO standard
- c) Be readable by defined transponders
- d) Must be on a recognised database

8. There are no enforcement provisions through the use of Fixed Penalty Notices for these regulations. Therefore, the following indicates how we will enforce on these regulations.

- a. The lead officer for animal breeding and boarding licensing has been provided with and trained in the use of a micro chip scanner. In the course of his licence inspections, he will randomly sample dogs of the requisite age for their micro chips and check chip numbers against registration papers whilst on site. Where there is a discrepancy, this will be referred back to the canine warden service for clarification and assistance.
- b. Both our canine warden and deputy canine warden are legally able to micro chip dogs and have been trained in the use of micro chip scanners.
- c. If a dog comes to the attention of the warden service as a stray, the dog will automatically be scanned for the existence of a micro chip and this information cross referenced to the relevant databases. It is not envisaged that the canine warden will randomly scan dogs whilst out on patrol.
- d. If an owner is immediately identified through the micro chip scanning process, the dog will be returned to its keeper.
- e. If the dog a) has no micro chip or b) the micro chip information does not relate to the current keeper of the dog, the dog will be taken to our kennelling service for collection by the owner/ keeper if they can be identified.
- f. If the micro chip information is found to be out of date (the dog keeper details have changed) or the dog is not micro chipped at all, the details of the keeper will be obtained when the payment is taken for the kennelling costs for the dog.
- g. On collection of the dog, the keeper will be advised of the micro chipping legislation.
- h. The kennel owners are able to provide a micro chipping service for a small fee. If the keeper of the dog decides to not take advantage of that service, the canine officer will be advised.

- i. The canine officer will serve the keeper of the dog with a 21 day notice (by post), indicating that they are in breach of the law and they have 21 days to remedy the situation (by either having their dog micro chipped or to bring the micro chipping information up to date). Alongside this will be provided details of the canine warden who is able to micro chip the animal for free, on an appointment basis.
 - j. If the keeper of the dog (without reasonable excuse) chooses not to micro chip their dog, it is possible to prosecute the dog keeper for the offence of not having their dog micro chipped.
9. Each case for prosecution will be judged on its merits. It is envisaged that with the offer of a free service for micro chipping that the cases of prosecution will be minimal.
10. It is envisaged that dog owners / keepers will be able to request the services of the canine warden to micro chip their dog (as is currently the case). However, where demand outstrips supply, those owners in possession of a 21 day notice will take priority. The canine warden will not be offering a micro chipping service to owners of businesses running breeding / boarding establishments on a commercial basis.

DID YOU KNOW?

BY LAW ALL DOGS MUST BE MICROCHIPPED

A new government law on compulsory microchipping dogs has now come into force.

Ashford Borough Council's Dog Warden can microchip your pet for free. Alternatively, visit your local vets.

Failure to have your dog microchipped could result in a £500 fine.



For more information
www.ashford.gov.uk/dog-warden-service



ASHFORD
BOROUGH COUNCIL

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).

Importantly, this does not include reports that are 'for note' or do not propose substantial changes – assessments should only be considered when we propose to do something differently.

Assessments should also be carried out when conducting a large-scale review of **existing policies or practices** to check that they remain non-discriminatory. This does not mean filling out an assessment on every report on a subject – it is up to you to decide if the report's scope or scale warrants an assessment.

Impact Assessment

1. General Information	
1.1 Name of project, policy, procedure, practice or issue being assessed	Micro chipping of Dogs
1.2 Service / Department	Environmental and Customer Services Department
1.3 Head of Service	Julie Rogers
1.4 Assessment Lead Officer	Tracey Butler
1.5 Date of Assessment	29 June 2016
1.6 Is this assessment of an existing or a proposed project, policy, procedure, practice or issue?	Assessment of a proposed policy

2. What is Being Assessed?	
2.1 What are the aims of this project, policy, procedure, practice or issue?	To ensure that Ashford Borough Council enforces on the The micro chipping of Dogs (England) Regulations 2015
2.2 Who is intended to benefit from this project, policy, procedure, practice or issue?	The residents of the borough
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	Ashford Borough Council kennel providers and the Dog Breeding Licensing Officer
- from other agencies	

3. Possible Sources of Information

In order to assess the impact of proposed decision it is important to bring together all information you have on it to, analyse them and come to conclusions on how it affects those with protected characteristics.

Information on a policy, project or procedure can come in many forms :

- Census and other demographic information
- User satisfaction and other surveys
- Previous consultation exercises
- Performance Indicators
- Eligibility Criteria
- Service uptake data
- Complaints
- Customer Profiling
- MOSAIC data

In order to come to conclusions on impacts in section 4 you **must** have taken in to account all appropriate information, and be able to provide this if necessary in support of the judgements you make.

Also, it is not enough to have broad information on service users – to meet equalities duties this information **must** be broken down – where applicable – into the relevant protected characteristics which may be affected by this decision. For example, when considering disabled access to a new community facility, overall usage figures are not enough – an understanding of how many disabled users within this total must be demonstrated.

The protected characteristics are :

Age Disability Gender reassignment Marriage and civil partnership Pregnancy and maternity
 Race Religion and belief Sex Sexual orientation

More information on the definitions of these characteristics can be found here - <http://www.equalityhumanrights.com/advice-and-guidance/new-equality-act-guidance/protected-characteristics-definitions/>

4. What judgements can we make?				
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 yes, can it be justified (and how)?
Impact Factors:				
Age (please detail any specific groups considered)			X	
Disability (please detail any specific groups considered)			X	
Gender (please detail any specific groups considered)			X	
Gender Reassignment			X	
Marriage / Civil Partnership			X	
Pregnancy & Maternity			X	
Race (please detail any specific groups considered)			X	
Religion / Belief			X	
Sexual Orientation (please detail any specific groups considered)			X	
			X	
Other (please specify)			X	

5. Conclusions	
5.1 Does the decision maximise opportunities to promote equality and good inter-group relations? If “yes” please state how?	Yes, everyone will be treated in the same way. There is no cost to having a dog micro chipped by our canine officer so there is no discrimination on ability to pay either.
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> (bearing in mind “fairly” may mean differently) and that no further amendment is required?	Yes
If further action is identified to ensure fair impacts please complete the Action Plan available on the intranet and attach it to this form	

6. Monitoring and Review	
How will monitoring of this policy, procedure or practice be reported (where appropriate)?	Reviewed annually
When is it proposed to next review the project, policy, procedure, practice or issue?	A year from approval by Cabinet
Any additional comments?	

Agenda Item No: 13

Report To: CABINET

Date: 8th September 2016

Report Title: Ashford Town Centre, Kingsnorth and Woodchurch Conservation Areas – Revision of Boundaries and Adoption of Appraisals

Report Author: Matthew Nouch, Policy Planner

Portfolio Holder: Cllr Bennett, Portfolio Holder for Planning and Development



Summary:

Local planning authorities are obliged to designate as Conservation Areas any parts of their own area that are of special architectural or historic interest, the character and appearance of which it is desirable to preserve or enhance. There are 43 Conservation Areas (CAs) in the Borough, and appraisals that support them were mostly completed in the 1980s and 1990s. In the context of updated guidance on appraisals by Historic England, and the need to remain consistent with both the changing nature of our Conservation areas and with the NPPF in its requirement for an up-to-date evidence base, a programme of updating the appraisals has begun.

The first three CAs selected were Ashford Town Centre, Kingsnorth and Woodchurch. As part of this process, management suggestions for future policies and improvements are suggested based on a clear understanding of the qualities that give the area its distinctiveness. Adoption of these would provide solid evidence to support development management decisions, and enable better defence of the Council's case at appeal. At the same time, revisions to the boundaries of these three CAs are recommended.

Key Decision: YES

Affected Wards: Victoria, Weald East, Park Farm South, Weald South

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

- i. Adopt the Conservation Area appraisal and Management Plan 2016 (CAMP), relating to Ashford Town Centre, and designate a revised boundary for the Ashford Town Centre conservation area as shown on Map 1 in that document.
- ii. Adopt the Conservation Area appraisal and Management Plan 2016 (CAMP), relating to Kingsnorth, and designate a revised boundary

- for the Kingsnorth conservation area as shown on Map 1 in that document.
- iii. Adopt the Conservation Area appraisal and Management Plan 2016 (CAMP), relating to Woodchurch, and designate a revised boundary for the Woodchurch conservation area as shown on Map 1 in that document.

Policy Overview: These Conservation Area Appraisals and Management Plans are in accordance with the vision set out in Ashford Borough Council's Core Strategy, which gives priority to the "conservation and enhancement of the historic environment and built heritage of the Borough".

Policies in the emerging Local Plan 2030 (notably, Policy ENV14) reflect current advice and guidance contained in the NPPF and PPG (see below). As the Local Plan progresses and gains weight, these policies will be material considerations when determining planning applications.

The NPPF (paragraph 158) requires that "Each local planning authority should ensure that the Local Plan is based on adequate, up-to-date and relevant evidence". It also advises that Conservation Area designation should be a preferred planning device for the protection of character of villages (paragraph 86), but that the concept should be based on sound evidence so it is not devalued (paragraph 127). Finally, the document (paragraph 129) requires local planning authorities to "identify and assess the particular significance of any heritage asset that may be affected by a proposal".

Financial Implications: The initial cost for a consultant to produce these documents was around £18,000 (excl. VAT) plus expenses, but this dealt with the particularly large and complex Town Centre conservation area. Going forward, further CAMPs are intended to be delivered partly in-house, over a longer time period, meaning the cost should be less.

This cost needs to be balanced with the advantages of producing up to date evidence. The completion of the whole suite of CAMPs would provide solid evidence to support development management decisions, and enable better defence of the Council's case at appeal. It is expected that there will be no financial cost to the Council for the formal adoption of these documents or their ongoing use in planning.

Risk Assessment NO

Equalities Impact Assessment YES – No significant issues raised

**Other Material
Implications:**

None

**Background
Papers:**

Ashford Town Centre Conservation Area Appraisal and
Management Plan 2016 (Appendix 1a)

Kingsnorth Conservation Area Appraisal and Management
Plan 2016 (Appendix 1b)

Woodchurch Conservation Area Appraisal and Management
Plan 2016 (Appendix 1c)

Responses to Consultation (Appendix 2)

Maps for comparison of Conservation Area boundaries before
and after review (Appendix 3)

Equalities Impact Assessment (Appendix 4)

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Report Title: Ashford Town Centre, Kingsnorth and Woodchurch Conservation Areas – Revision of Boundaries and Adoption of Appraisals

Purpose of the Report

1. The purpose of the report is to seek Cabinet approval for the adoption of three Conservation Area appraisals and Management Plans (CAMPs), which relate to the Conservation Areas at Ashford Town Centre, Kingsnorth and Woodchurch. It seeks approval for the recommendations of the CAMPs, and specifically the realignment of the boundaries of each of these Conservation Areas. Should Cabinet agree to these recommendations the re-aligned conservation area boundaries (as concluded through the CAMPs) take effect and will be a consideration in determining relevant planning applications.
2. The report will therefore:
 - a. Explain the need for and use of CAMPs in guiding development;
 - b. Outline the logic behind Conservation Area designations, including the professional guidance and requirements for their appraisal and management;
 - c. Set out the process through which Ashford Borough Council is engaging in the programme of appraisals, and how it fits with the recently-produced draft Heritage Strategy;
 - d. Summarise the documents, including their recommendations;
 - e. Detail the comments and suggested amendments from stakeholders and members of the public stemming from public consultation (in appendix 2);
 - f. Invite the Cabinet to agree the content of the documents, including the realignment of the Conservation Area boundaries in each location.

3. Complete copies of each of the CAMPs are appended, along with consultation responses, and maps comparing conservation area boundaries prior to and subsequent to their review.

Background

4. The Civic Amenities Act 1967 originally gave local councils the power to designate as Conservation Areas, "**areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance**". The duty to designate as Conservation Areas those areas that are determined to be of such interest is now contained in Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
5. Designation of an area as a Conservation Area also gives control over the demolition and external appearance of buildings and provides the basis for policies designed to preserve or enhance all the aspects of character or appearance that define an area's special interest. Also, any work planned to a tree in a Conservation Area must be notified to the local planning authority six weeks in advance so that it may determine whether or how the work to the tree should take place.
6. There are currently 43 Conservation Areas (CA) in the borough. However, the appraisals that support them were mostly completed in the 1980/90s and therefore do not follow the current CA appraisal guidance set out by Historic England¹. In order to remain consistent with the NPPF which requires evidence to be up to date, it is considered essential that a programme of updating the Appraisals is begun.
7. The principal purpose of CA Appraisal is to provide a firm basis on which proposals for development within and adjoining a Conservation Area can be assessed, through defining those key elements that contribute to the special historic and architectural character and which should be preserved or enhanced. They also highlight key elements that together give the area its character and objectively analyse how these interact to enhance their individual impact. They also provide management suggestions for future

¹ Historic England, "Conservation Area Designation, Appraisal and Management. Historic England Advice Note 1"

- policies and improvements based on a clear understanding of the special architectural and historic qualities that give the area its local distinctiveness.
8. Conservation Area Appraisals help the Council, those proposing development, and the local community to be able to engage in the conservation and enhancement of the local historic environment and help secure the long-term viability of the Conservation Area as an important heritage asset. Adopted appraisals are material considerations in the determination of development proposals.
 9. Tony Fullwood Associates was instructed to undertake the first three Appraisals and Management Plans (CAMPs), following the most up-to-date Historic England guidance, and engaging the local community and stakeholders in their production. These are attached to this report. They are being presented to the Cabinet for adoption as key guidance documents for planning decisions related to these areas.
 10. A programme of Conservation Area Appraisals for the remainder of the borough's Conservation Areas is planned to run over the next year.

Assessment

11. Designation of a Conservation Area empowers the local planning authority to place particular emphasis on the types and amounts of development affecting the (built) environment and setting of that area, giving it greater control over such matters as demolition, landscaping, trees, and the display of advertisements. Conservation area designation introduces controls over the way owners can alter or develop their properties, but these are considered to be for the public good in preserving a sense of identity in the place. Owners of residential properties generally consider these controls to be beneficial because they also sustain and/or enhance the value of property within it.

Ashford Heritage Strategy

12. Preparation of an Ashford Heritage Strategy has been supported by Members to support the heritage policies of the Local Plan. A draft of this document has passed through the Local Plan and Planning Policy Task Group, and has been supported by Historic England, and following further work and consultation it is intended that it will become a sound evidence base for future

planning decision making, and enhance the role of heritage in the borough in delivering a sustainable future.

13. The draft strategy explains that none of the current Conservation Area Appraisals are publicly available, and that furthermore they are outdated, having been produced predominantly in the 1990s. It recommends that, “Rectifying this situation is an area of work that will need to be addressed early in the life of the Local Plan 2030 in order to strengthen the policy protection for the Borough’s Conservation Areas and to enable the production of a robust evidence base for determination of applications affecting such significant parts of the Borough’s heritage.”
14. This recommendation is being taken forward, as officer resources allow, in order to meet the aims of the draft Heritage Strategy.

Who Produced the CAMPs?

15. The Conservation Area Appraisals and Management Plans were produced by Tony Fullwood, a consultant, with the guidance of Ashford Borough Council. Full copies of the documents are included as *appendices* to this report. The Consultant was funded by the Council, with close scrutiny and regular assessment of the content provided by Ashford Borough Council’s Planning Policy Team working with a range of other stakeholders from other bodies.

The Purpose of the CAMPs

16. Change is inevitable, however, not necessarily harmful and often beneficial, CAMPs set out ways to manage change in a way that conserves and enhances historic areas through conservation area designation, appraisal and management. An appraisal of the area establishes the evidence on which the designation of special character is based. It explains what might be required of owners, businesses and inhabitants of the area, and acts as an informative document for educational purposes generating an increased understanding of the place. It assists development management decisions in providing an analysis of what is positive and negative, and pinpoints opportunities for beneficial change and enhancement or need for additional protection.

Legal Requirements and Project Process

17. The Planning (Listed Buildings and Conservation Areas) Act 1990 defines a conservation area as “an area of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance”. Under section 71 of this Act, the local planning authority has a duty to periodically review its historic areas and to publish proposals for their preservation and enhancement. From this legislation has come further guidance on the need to carry out an appraisal of the character and appearance of conservation areas which justify their designation and to develop management plans to deal with issues relating to the preservation and enhancement which affect each area. It is required that such proposals must be submitted for consideration to a public meeting in the area to which they relate, and that the local planning authority has regard to any views concerning the proposals expressed by persons attending the meeting.
18. To meet these requirements, the consultant was required to produce an appraisal of each of the three CAs, which described the history and character of the area as well as discussing enhancement opportunities for the areas in a management plan. The Consultant worked in accordance with guidance from Historic England (HE) and undertook ‘walkabouts’ in each of the CAs with local residents, Ward Members and Parish Councils/ Community forums, to enable him to understand the local interests and concerns relating to heritage assets within the areas.
19. Following these events, the consultant produced draft appraisals and management plans, which included draft revised boundaries for all 3 areas, along with details of the special interest and key features of the CAs. These draft documents were published for public consultation on the Council’s online consultation portal between 18th November and 21st December 2015. Local residents in all 3 areas were invited to participate through the relevant Parish Council/Community Forum, along with other stakeholders such as local historians.
20. During this consultation period, three separate public events were held at Kingsnorth C of E Primary School Hall between 6-9pm on Thursday 26th November, Woodchurch Memorial Hall between 4:30-7pm on Friday 27th

November and St Mary's Church Hall (Ashford Town Centre) between 10am-1pm on Saturday 28th November.

21. Each event focused on the respective draft Conservation Area Appraisal and provided an opportunity for members of the public to come and express their views on it. The events were advertised in advance in the local press and on the websites of the Borough and relevant Parish Councils. Posters, setting out the details of the relevant event, were also placed within each conservation area, prior to the event.
22. The Consultant and a council officer were in attendance during each event to speak to those attending and answer questions. Consultation forms were made available for the public to make comments on the day, and details of how to provide comments online were also provided. All of the comments made during this time, can be viewed within Appendix 2 of this report. The Cabinet is asked to have regard to all of the relevant comments in making its decisions on the adoption of each CAMP.

General Structure of the CAMPs and Boundary Revisions

23. Each document is produced according to the guidance given in Historic England's publication, "Understanding Place: Conservation Area Designation, Appraisal and Management" (2011). This has now been superseded by the updated guidance, "Conservation Area Designation, Appraisal and Management" (2016), and while subsequent appraisals will be based upon the later guidance, the former is still relevant and NPPF-compliant.
24. Each appraisal gives an outline of the planning context to which the Conservation Area designation relates, and details the types of special controls legally required within such designations. The historical development, setting and topography of these locations are described, while a critical analysis of the CA engages with the character of each area. Negative features – those aspects that detract from the overall appearance and character of the area – are identified; while management proposals for the continued preservation and, if relevant, enhancement of the area are outlined.
25. Historic England guidance advises that the boundaries of Conservation Areas should not be set in stone for all time, and given that the built environment

and general landscape are in constant change, the evidence to support the inclusion of certain land parcels or buildings in the CA may no longer be there. Conversely, the existing boundary may have been drawn too tightly, omitting areas now considered of special interest such as historic rear plots with archaeological potential, later phases of development (such as more recent housing), or parks, cemeteries and historic green spaces. In such cases the existing boundary may need to be extended. This is an intrinsic requirement of the appraisal, thus ensuring the designation accords with paragraph 127 of the NPPF. Each of these reviews proposes that a new Conservation Area boundary is designated based on the balance of current evidence, as shown on Map 1 in each CAMP, and the management and enhancement proposals in each CAMP relate to these revised conservation areas.

26. Ashford Town Centre Conservation Area covers over 20 hectares of the town centre of Ashford. It includes St Mary the Virgin Church and adjoining square, High Street, North Street, Bank Street, adjoining residential streets, Memorial and Vicarage Gardens, and extends down East Hill towards the River Stour. Given the large area covered by this CA, ten character areas which comprise distinctive zones within the CA are identified. It is proposed to tighten the boundary to the east, excluding Ashford School's Brake Hall, and the Flour Mills Car Park; and to the north-west to exclude Park Mall.
27. Management priorities for the enhancement of the Ashford Town Centre CA were identified as: enhancing shopfronts; encouraging redevelopment of larger modern buildings; greening the ring road; enhancing street furniture and the public realm; managing street trees on Bank Street and Lower High Street; and reducing telegraph poles and overhead wiring in residential areas.
28. Kingsnorth Conservation Area currently comprises over 9 hectares within Kingsnorth village, and includes several listed buildings including the parish church, original village school and a number of private dwellings. It is proposed that the CA boundary should no longer extend northwards to cover the main Kingsnorth Primary School Building, but that it should be extended further south beyond Church Hill to incorporate an area of open field south of Mumford House, as well as Old Mumford Farm.

29. Management priorities for the enhancement of the Kingsnorth CA were identified as: reducing telegraph poles and overhead wires; hedge planting along the boundary of the rectory to enhance the sense of enclosure and verdant nature of the streetscene; encouraging a higher quality boundary fence to the school playground; regular clearance of Greensand Way footpath.
30. Woodchurch Conservation Area measures 30 hectares and covers the whole village centre, including the Village Green, All Saints Church and the Windmill, as well as a host of listed buildings. It was split into six character areas that comprise distinct zones within the larger area. The appraisal suggested certain areas of boundary tightening, in particular to exclude the residential development at Cherry Orchard, as well as 80a-82 Front Road and the open field to its east. In parallel, there are modest proposed extensions, most notably to the west of Court Lodge Oast.
31. Management priorities for the enhancement of the Woodchurch CA were identified as: reducing telegraph poles and overhead wires; extending and managing the village green; maintaining the rural appearance of kerbs and edging around the village green; replacing the boundary to the west of the churchyard; and retaining boundary planting and hedge screening on parking bays.
32. The CAMPs proposed that the boundaries of all three Conservation Areas are changed both to reflect and to ensure the continued integrity of their historic character.

Equalities Impact Assessment

33. The requirements of the Equalities Act (2010) must be taken into consideration in the review of Conservation Area Appraisals. The main impacts in relation to this are a critical assessment of the methods used to involve and engage people in the appraisal process as being open and accessible to all (as per consideration of protected characteristics).
34. It is also taken into consideration that Conservation Area boundary extension could impose additional planning requirements for those seeking to make

alterations to their properties, which may have an impact on those on lower incomes, although this is not a statutorily-protected group.

35. The enclosed Equalities Impact Assessment (EIA) demonstrates that adoption of the CAMPs has the potential to impact positively particular protected groups (as per 'age' and 'disability' categories) through promoting accessible historic environments.
36. There are no disproportionate impacts on those with protected characteristics proposed within the report, and with the consideration noted above on consultation, there are no equalities implications arising from this item.

Other Options Considered

37. The following options have been considered:
 - a. Do not adopt the updated CAMPs – Officers do not recommend this option. The national policy position is clear in that the NPPF (paragraph 158) requires that “Each local planning authority should ensure that the Local Plan is based on adequate, up-to-date and relevant evidence”. It also advises that Conservation Area designation should be a preferred planning device for the protection of the character of villages (paragraph 86), and that the concept should be based on sound evidence so it is not devalued (paragraph 127). Finally, the document (paragraph 129) requires local planning authorities to “identify and assess the particular significance of any heritage asset that may be affected by a proposal”.
 - b. Produce generic guidance for Ashford’s Conservation Areas. While all Conservation Areas in the borough are designated to a greater or lesser degree a result of their historic interest, there is a wide variety of criteria used to base this designation upon. Accepting that the borough is diverse, as are its Conservation Areas and, without the evidence that establishes the parameters through which this diversity is defined, there is a risk that this may be inadequate to protect the material and immaterial qualities of these specific areas. There would be a potential to ‘cluster’ functionally and aesthetically-similar CAs in future assessments.

- c. Do not revise the boundaries of the Conservation Areas as proposed. There is a clear imperative within the NPPF for up-to-date evidence to support Conservation Area designations, and the current evidence, as set out in the CAMPs, clearly indicates that revisions to the areas designated as CAs are now required.

Consultation

38. Following consultant-led workshops and walkabouts in each Conservation Area, draft CAMPs went out to public consultation between 18th November and 21st December 2015 as detailed above. The main issues and responses to each document are detailed below, while the complete public responses are to be found in appendix 3 to this report.

Ashford Town Centre Consultation Responses

39. The Ashford Town Centre Conservation Area Appraisal and Management Plan recommended the exclusion of the late twentieth-century Park Mall development, as well as Ashford School's Brake Hall, and the Flour Mills Car Park. Walkabout events and exhibitions were held for this area, and the six responses received here and during the subsequent public consultation expressed unanimous support for the review. One response bemoaned the perceived historic apathy in the Council's approach to Ashford Town Centre, but the remainder, including that from the Central Ashford Community Forum, supported the continued development of the CAMP and suggested it be promoted more widely.

Kingsnorth Consultation Responses

40. The Kingsnorth Conservation Area Appraisal and Management Plan advocated contracting the Conservation Area to the north, thus omitting the more modern primary school, but expanding the area to the south-west and thereby maintaining the setting of the listed buildings on Church Hill and recognising important hedgerows, landscape views into and out of the area, and the rationalisation of boundaries.

41. Responses to the Consultation (as detailed in the appendices) were universally positive, and supportive of the document's recommendations to rectify those features detracting from the Conservation Area. The exercise also provided an opportunity for local people to ask for the correction of minor errors and omissions.
42. Kingsnorth Parish Council was supportive of the document and the changes to the boundaries, and particularly commented on the importance of particular views into and out of the Conservation Area, at Church Hill looking up to Bond Lane and down to Mill Hill. The importance of these views has been emphasised in the final document.
43. As a result of local Ward Member input, it was judged appropriate to reintroduce a small area immediately to the north of the Church to retain a number of mature specimen oak trees within the Conservation Area boundary. However, the extensive area further to the north previously included within the Conservation Area boundary could only be said to comprise the setting of the Conservation Area as opposed to the settlement's historic core as per national guidance. This area retains protection as the Kingsnorth Buffer Zone.
44. There was a keen desire to preserve the surrounding rural landscape of Kingsnorth. There was a suggestion to designate this as an Area of Outstanding Natural Beauty, and to introduce some measures for the protection of local wildlife. However, such designations and proposed interventions are outside the scope of a Conservation Area Appraisal and Management Plan (CAMP). It is noted, however, that the landscape does retain some level of protection as the Kingsnorth Buffer Zone.

Woodchurch Consultation Responses

45. The Woodchurch Conservation Area Appraisal and Management Plan advocated pinching the Conservation Area at various points to ensure a more integrated and cohesive area is defined. This involved the removal of modern development at Cherry Orchard; the northern side of Bourne's Place; and a small area to the east of 82-102 Front Road. This also involved the addition of an area to the east of Court Lodge Farm.

46. Responses to the Consultation (as detailed in the appendices) were varied, with some supportive and others not. In addition to this exercise, views were aired in two Parish Council meetings in late 2015. Many respondents said they did not understand the need for the Conservation Area's review or the boundary realignments, but the logic for both is outlined in the Planning (Listed Buildings and Conservation Areas) Act 1990 and in Historic England guidance. The other main issue raised was the feeling that this designation would protect the village from unwanted development.
47. The removal of Bourne's Place was challenged on the basis that any modification of this area could be detrimental to the setting of The Green. However, important trees at the entrance to Bourne's Place are to be retained within the Conservation Area and are more important to the setting of the Conservation Area than the 1980s development excluded. It is important for the integrity of a Conservation Area designation only to focus on a historic core, but this area's setting will remain controlled.
48. The removal of Land between 82-120 Front Road is recommended given Historic England guidance that Conservation Area boundaries should follow logical field or property boundaries. This area was an anomaly given that the boundary did not follow a natural boundary or any physical features. Respondents felt that the removal of this area would give developers carte blanche to construct poorly designed and low quality dwellings on the site. This is not the case, given the plot's proximity to the designated Conservation Area, such that it would fall within its setting, and that the area is subject to the recommendations of the Woodchurch Village Design Statement, and is bound by Ashford's strong design policies.
49. Other respondents used the consultation as an opportunity to suggest improvements to individual buildings within the village, or question the money spent on the production of the CAMP.
50. It is to be stressed that, whether or not a parcel of land is within or outside of a Conservation Area designation, the provisions of the Town and Country Planning Act 1990 (as amended) still apply. Added to this, there is a clear imperative within the NPPF for up-to-date evidence to support Conservation Area (and other) designations, as this CAMP provides. Without this evidence,

including the identification and management of particular character areas within the Conservation Area, planning controls can become obsolete.

Implications Assessment

51. As set out in the “Background” section above, the statutory designation of Conservation Areas affects land both within it and nearby.
52. If Cabinet decides to approve the changes to the Conservation Area boundaries as set out above and as per the maps at Appendix 3, this will have immediate effect once the Cabinet’s decision becomes effective, and the statutory notifications and press notices will then be given.
53. If Cabinet decides to adopt the CAMPs, these will guide the design and nature of development within and, to some extent, adjacent to each Conservation Area.
54. It is to be noted that these documents relate to the Conservation Area designation only, and development management decisions will still be subject to the provisions of the Town and Country Planning Act 1990 (as amended). In addition, listed buildings benefit from extra protection and requirements as per the Planning (Listed Buildings and Conservation Areas) Act 1990.

Handling

55. In each of the three locations, ‘walkabout’ events were held with local residents, Ward Members, Parish Councils, Community Forums and other interested groups. From this, each of the draft appraisals and management plans resulted in suggestions for revised boundaries for each of the three CAs. As noted above, these drafts went out to public consultation between 18th November and 21st December 2015. The documents were made available online, and community workshops with stakeholders were held.
56. Views expressed formally in the consultation, and officer responses to these are appended, and in many cases the documents were amended accordingly.
57. These documents, their findings, and the outcomes of the consultation events were presented and agreed at Local Plan and Planning Policy Task Group on 30th June 2016.

Conclusion

58. In light of the above, it is recommended that Cabinet agrees to adopt these Conservation Area Appraisals and Management Plans (CAMPs) as key guidance documents for informing planning decisions related to these areas. It is also recommended that the revised boundaries of each of these Conservation Areas be designated as per the recommendations contained therein.

Portfolio Holder's Views

59. **Cllr Bennett – Portfolio Holder for Planning** commented as follows;

“THIS excellent and detailed document outlines our first three Conservation Area appraisals and management plans, that will be extended to all 43 such areas across the Borough. These have been agreed by the Planning Policy Task Group after public consultation and will form a firm basis to support development decisions in the future, and I support their formal adoption.”

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ASHFORD TOWN CENTRE

CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN 2016



1.0 Introduction

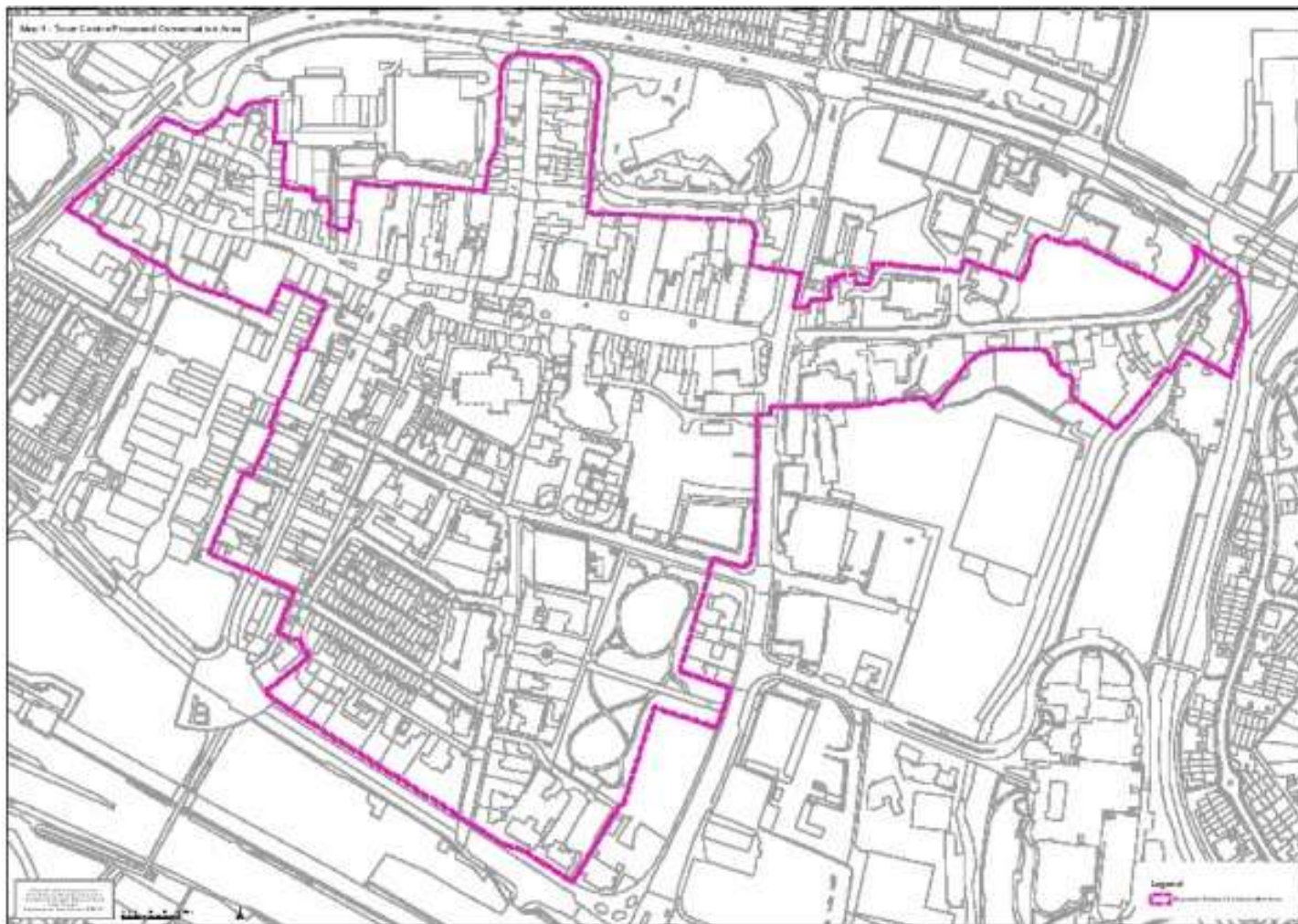
The Planning (Listed Buildings and Conservation Areas) Act 1990 defines a conservation area as ‘an area of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance’. This Conservation Area Appraisal and Management Plan is the first to be produced for the area and has been produced in collaboration with Borough Council Members and officers and representatives of the Central Ashford Community Forum. Local authorities are required by law to regularly review their conservation areas and produce Conservation Area Appraisals and Management Plans. These explain what is important about the area and what improvements are needed.

This Appraisal and Management Plan is based on best practice contained within the Historic England guidance on Understanding Place: Conservation Area Designation, Appraisal and Management (2011, with Revision Note June 2012).

1.1 Conservation Area Boundary

The evaluation of the Ashford Town Centre Conservation Area has involved an assessment of historic maps and documents and comprehensive site surveys including a walkabout involving a Ward Councillor; representatives of the Central Ashford Community Forum and Ashford Museum where the group observed and recorded the key positive and negative features which made up the character and appearance of the area. This extensive process has informed the proposed boundary of the Conservation Area. A review of the boundary of the Conservation Area has been conducted in preparing this Appraisal in order to establish whether the boundary remains appropriate. In general, it has been concluded that the boundary is the correct one for defining the area of special architectural or historic interest but a number of amendments are recommended as a result of this Appraisal.

Map 1 (overleaf) shows the proposed revised Conservation Area boundary.



MAP 1 PROPOSED REVISED CONSERVATION AREA BOUNDARY

1.2 Definition and Purpose of Conservation Areas

Designation as a Conservation Area empowers the local authority to pay particular attention to proposed development within, and affecting the setting of, a Conservation Area and gives greater control over such matters as demolition, landscaping and trees, and the display of advertisements.

Designation also raises the awareness of local residents and businesses to the quality of their surroundings and is intended to encourage an active interest in the care and maintenance of their properties and surrounding land, thereby fostering a sense of communal pride.

The purpose of designation of a conservation area is to preserve or enhance an area of special architectural or historic interest - and enhancement measures are proposed in this Conservation Area Appraisal and Management Plan (CAMP).

1.3 Purpose of Appraisals and Management Plans

The principal purpose of this Appraisal is to provide a firm basis on which proposals for development within and adjoining the proposed Ashford Town Centre Conservation Area can be assessed, through defining those key elements that contribute to the special historic and architectural character and which should be preserved or enhanced. The Appraisal will be a key document in maintaining character and promoting appropriate, sensitively sited and designed proposals in the Conservation Area.

The appraisal and management plan defines the key elements that together give the area its character and objectively analyses how they interact to enhance their individual impact. It then provides management suggestions for future policies and improvements based on a clear understanding of the special architectural and historic qualities that give the area its local distinctiveness.

The plan will help the Borough Council, those proposing development and the local community engage in the conservation and enhancement of the local historic environment and help secure the long-term viability of the Conservation Area as an important heritage asset.

As an adopted CAMP, the plan is a material consideration in the determination of development proposals.

2.0 Planning Context

2.1 National Guidance

Government advice concerning conservation areas and historic buildings is set out in the National Planning Policy Framework. This states that one of the Government's Core Planning Principles is to conserve heritage assets, including conservation areas and listed buildings, in a manner appropriate to their significance so that they can be enjoyed for their contribution to the quality of life of this and future generations. The Government states that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.

The Government advises local planning authorities to take account of the different roles and character of different areas and always seek to secure high quality design.

In determining applications, the Government advises that local planning authorities should identify and assess the particular significance of a Conservation Area affected by a proposal (including by development affecting its setting). The Government states that when considering the impact of a proposed development on a Conservation Area, great weight should be given to its conservation.

2.2 The Development Plan

The Saved Local Plan (2000) policy - Development in Conservation Areas, and Ashford Core Strategy (2008) contains the following policies which apply to Conservation Areas.

EN16: Development or redevelopment within Conservation Areas will be permitted provided such proposals preserve or enhance the character or appearance of the area. Proposals must fulfil each of the following criteria:

- a) the scale and detailed design of new work has respect for the historic, architectural and landscape context of the established character of the area;
- b) the materials proposed to be used are appropriate to the locality and in sympathy with existing buildings;
- c) the following are retained – buildings and streets of townscape character, trees, open spaces, walls, fences or any other features which contribute positively to the character and appearance of the area;
- d) the development does not generate levels of traffic, parking, or other environmental problems which would damage the character or appearance of the area; and
- e) the use proposed is appropriate.

POLICY CS1: Guiding Principles

Sustainable development and high quality design are at the centre of the Council's approach to plan making and deciding planning applications.

Accordingly, the Council will apply the following key planning objectives:

B. The conservation and enhancement of the historic environment and built heritage of the Borough...

POLICY CS9: Design Quality

Development proposals must be of high quality design and demonstrate a positive response to each of the following design criteria:

- a) Character, Distinctiveness and Sense of Place
- b) Permeability and Ease of Movement
- c) Legibility
- d) Mixed use and Diversity
- e) Continuity and Enclosure
- f) Quality of Public Spaces
- g) Flexibility, Adaptability and Liveability
- h) Richness in Detail
- i) Efficient use of Natural Resources

Ashford Town Centre Area Action Plan (2010) contains the following policy which applies to Conservation Areas:

Policy TC1: Guiding Principles

The following key planning objectives will apply to all development proposals within the Town Centre. These objectives complement the more general objectives in the Core Strategy.

- A) Conserve and enhance the Town Centre's heritage and character, especially the two Conservation Areas and their settings, in particular by respecting the scale and bulk of existing buildings and protecting important views of the town's skyline and St. Mary's Church;
- B) Create a balance and mix of uses within sites and around the town centre as a whole that helps to generate a varied and interesting urban environment that best meets the needs of all its users;
- C) Protect existing residential environments and residents' quality of life and create new living environments of lasting quality;
- D) Deliver an attractive and safe urban environment with a strong sense of place by the high quality design of buildings and public spaces to help attract investors, residents, employees, visitors, shoppers and tourists alike;
- E) Create a network of public spaces in the town centre linked to the agreed hierarchy of streets and open spaces and built to an agreed quality standard;
- F) Create attractive and vibrant main streets by achieving appropriate building forms fronting these streets, with active ground floor frontages, proportionate heights, and uses that respond to the agreed hierarchy of streets and open spaces;
- G) Secure the inclusion of public art as an integral part of development proposals on allocated and other prominent sites;
- H) Protect and enhance the Town Centre's existing green open spaces, and the river corridors by enhancing their wildlife, biodiversity and landscape value;
- I) Where development, on sites within the 100 year undefended floodplain, is otherwise acceptable, ensure that this can be achieved without worsening flood conditions on site or elsewhere;
- J) Protect and enhance the existing cycle/pedestrian network and create additional attractive and safe routes as opportunities arise, to increase the attractiveness of the town centre and create new routes between it and the green spaces and river corridors.

The Town Centre Conservation Area is located within the Town Centre Core and the Civic Quarter areas as defined in the **Ashford Town Centre Area Action Plan** where specific allocations are made for a range of town centre uses.

Policy TC4 allocates the Park Mall site where proposals will:

‘Investigate the potential to move the building line forward to front Somerset Road and create a significantly more attractive street frontage here in any event’ and ‘Provide an appropriate scale and massing of development that relates well to surrounding buildings but also helps to mark key entrances to the town centre’

Policy TC5 allocates Vicarage Lane Car Park where proposals will:

‘Make a positive contribution to the Conservation Area, including providing an appropriate building form and a fine grain network of streets/ paths that helps to connect and knit this site into the historic core - providing important new and enhanced links to the Lower High Street and the Churchyard’ and ‘provide a strong street frontage to Station Road with an attractive façade and active ground floor uses’. for a range of town centre uses.

Policy TC6 allocates the corner of Elwick Road & Station Road where proposals will:

Respect and enhance Memorial Gardens through careful integration of the new built form, and creating an attractive sense of enclosure to the Gardens’ and ‘Create an especially high quality building on the corner of Elwick Road and Station Road which marks this important entrance to the town and helps create a more formal street pattern by moving the building line forwards to front the streets and improve the public realm at the junction’ and ‘Seek to retain the existing Swanton Villa buildings’.

Policy TC3 allocates the Elwick Place site immediately to the south of the Conservation Area where *‘all proposals will be designed sensitively to enhance the setting of the Conservation Area’.*

This CAMP helps define the distinctive character of the different parts of the Ashford Town Centre Conservation Area and the importance of its setting and, in turn, helps the Borough Council apply the above policies within the conservation area and its setting.

Development proposals will be judged against their overall contribution to the preservation and enhancement of the character and appearance of the area and its setting as set out in this Appraisal. Context and quality design is vitally important in reinforcing the character of this area and the character must not be lost through undue pressure for inappropriate or poorly designed development or redevelopment of an unacceptable nature.

2.3 Special Controls in the Conservation Area

Designation of a Conservation Area does not mean that development cannot occur, but rather that any change should preserve or enhance the features which make up its special character.

Some minor development can be carried out without the need to obtain planning permission – generally referred to as ‘Permitted Development’. These are subject to the proposal meeting strict criteria, for example relating to size and detailed positioning. As the law relating to planning permission is complex, and the rules governing ‘Permitted Development’ are changing, you are strongly advised to seek advice from the Council before carrying out any development.

The Planning Portal: Information can be found under Do you need permission? section on the planning portal website (<http://www.planningportal.gov.uk/permission>)

Nevertheless, the principles contained in this Appraisal promote good practice and should be relevant whether planning permission is required or not.

Within a Conservation Area, controls are imposed which are additional to normal planning restrictions, in order to maintain the character and appearance of the area. These are outlined here for information. However other planning controls may still apply and are not altered by conservation area status.

Houses and their alteration

The size of an extension that may be built without the need to apply for planning permission is more restricted within a conservation area. Any proposals should always be discussed with the Council at an early stage. Planning permission may be required for the erection of a building or structure within the garden of the house subject to size or siting, for example, a workshop, pavilion, greenhouse and so on.

Cladding of the exterior of a residential property with stone, artificial stone, timber, plastic or tiles will require submission of a planning application. Any enlargement of a house by way of additions to the roof, e.g. a dormer window to the front elevation, will require a planning application to be made.

A planning application is needed for a satellite antenna where it is to be installed on a chimney, wall, or a roof slope which faces onto, and is visible from, a road.

Other commercial premises and flats

Any extension or alteration to other commercial premises or residential flats, which materially affects the external appearance of the building, will require a planning application to be made. This is particularly important within conservation areas, where even small alterations can materially affect the character and appearance of the area. For instance, such alterations can include rendering brickwork, replacement of slates with concrete tiles, and replacement windows.

Demolition

Conservation Area Consent is required for the demolition of any building, whether in whole or in part, within a conservation area, except the following:

- any building with a total cubic content not exceeding 115m³ or any substantial part of such building
- any wall of fence (or substantial part) less than 1m high fronting onto the street or less than 2m high elsewhere
- any building subject to a formal order requiring demolition

This consent is in addition to any planning permission which you may require to replace the building.

Trees

6 weeks written notice must be given to the Council of intent to cut down, top, lop, uproot or destroy a tree within a Conservation Area. The Council will then advise if it wishes to raise an objection. If a response is not received from the Council within 6 weeks of the notice being given, work may go ahead. This requirement does not apply to trees which have a diameter less than 75mm when measured at a height of 1.5m above the ground and trees already covered by a Tree Preservation Order, in which case any works will require consent.

Unauthorised Works and development

Sometimes, landowners and others carry out works without first obtaining any necessary consent from the Borough Council. The Council does have certain legal powers to deal with such situations, but can only take enforcement action once it is aware of any alleged unauthorised works and after detailed investigation.

Maintenance and Repairs

The Council has a duty to pay special attention to the character or appearance of conservation areas, in exercising its planning powers. However, these powers are limited. The principal guardians of the character and appearance of the area are the residents and business people who live and work in the conservation area and who are responsible for maintaining their individual properties.

The character of conservation areas can be altered or lost through the use of inappropriate materials, not only on the buildings themselves but also on the ground, roads, and along boundaries. The introduction of features, such as street furniture, signs, lights, and hard surfacing, can change an area's character. Within the conservation area the buildings are part of a wider street scene, often of buildings of similar style and size. Altering the appearance, form or size of any one building can affect not only the individual building, but the whole street. Unsympathetic replacement windows (particularly where the size of the openings are changed or inappropriate materials or designs are used) can alter the appearance of a building considerably. Where a number of different designs are used along a street, the rhythm and unity of its original appearance can be spoilt.

Painting or rendering over original brickwork is another alteration which can dramatically change a property's appearance and irreparably affect the street scene. As well as covering up attractive brickwork, it can obscure original architectural and brick detailing and requires regular redecoration to maintain an attractive appearance. In older buildings paint or render can also trap moisture which may cause damage to walls.

Boundary treatments

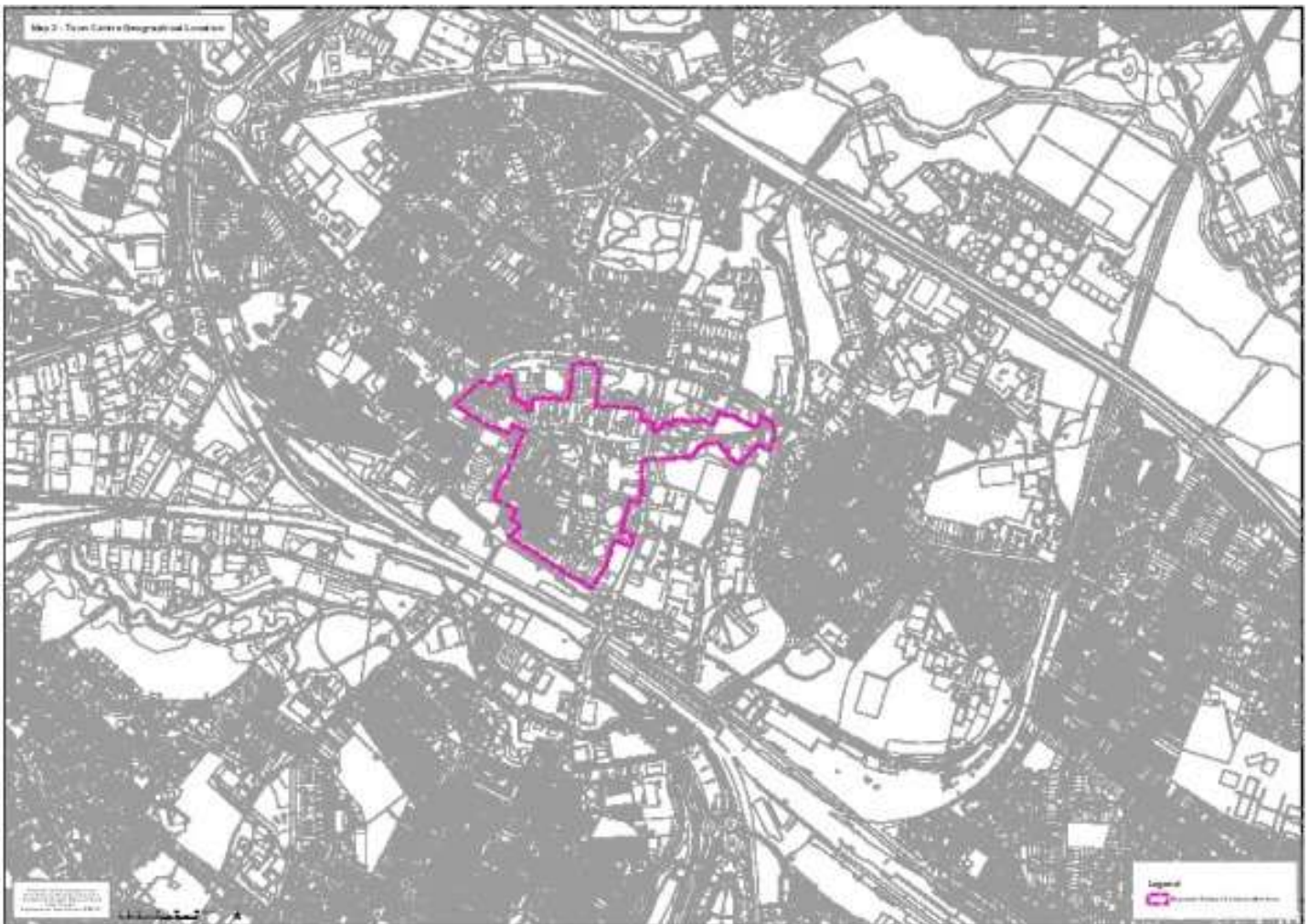
Boundary treatment, especially to the street, is an essential feature of any property. Original boundaries, whether a brick or ragstone wall, railings, white painted picket fencing, or hedge should be retained wherever possible and every effort made to reinstate missing boundary treatments with a sympathetic replacement. The particular design and the materials used should take account of the character of the property and the surrounding area.

3.0 Context and Development

3.1 General Description

The Conservation Area covers over 20 hectares of the town centre, including the Church and adjoining square, High Street, North Street, Bank Street, residential streets, Memorial and Vicarage Gardens, extending down East Hill towards the River Stour. There are many listed buildings within the Conservation Area, particularly around St Marys Church and Middle Row.

MAP 2 GEOGRAPHICAL LOCATION



3.2 Historical Development

Located strategically on a rise in the land of the Stour river valley, close to a river crossing point and on the route of an important Roman road linking Tenterden to Canterbury (along the line of the current Beaver Road and Station Road), the area has been populated in some form since the Iron Age period. Ashford town probably originates from a settlement established around 893AD. It became large enough to have a mention in the doomsday book in 1086, listed with a church and two mills under the name 'Essetesford'. The name may derive from 'Eshset', an early name proposed for the upper River Stour (on the ford of which the town is located), or from the Old English words 'aescet' or 'aescseat', meaning a collection of ash trees, or a corner angle where ash trees grow.

The settlement developed in a linear fashion along the main east-west highway, now the High Street, which linked eastwards down East Hill to an ancient bridge crossing near the confluence of the Rivers East Stour and Great Stour. North Lane, now North Street, led out of town towards Canterbury and Faversham, an important port in earlier times, and Marsh Street, now Station Road, led south across the River Stour towards Beaver and Kingsnorth. St. Mary's Church, now a grade I Listed building, which has been the town's key landmark since medieval times formed the town's southern boundary until expansion in the 18th Century. A church has probably been located on this site since the 11th century, but the current building seems to have been constructed some time in the late 14th or early 15th century. Certainly, by 1500 St Mary's had already been remodelled several times, with the nave rebuilt and a 37m high bell tower with pinnacles added in c.1475. Remnants of earlier fabric have been found in the building, including Caen stone quoins in the northeast and southeast nave, and a blocked 14th century window in the west wall of the south transept.

Ashford officially became a market town with a charter granted in 1243 primarily for livestock. A weekly Saturday market was held in the High Street as well as an annual fair. The market led to the further development of the east-west running High Street, known as the King's Highway at this time, with the establishment of a variety of new businesses lining the street including butchers, fishmongers and corn merchants. Carpenters, tanners and blacksmiths also serviced the needs of those living in the town or visiting from the surrounding countryside. By 1500 some permanent stalls had been established in the market and a purpose-built market hall had been constructed where North Street, the route into town from Canterbury and the High Street meet.

This area, known as Middle Row, incorporated the town cage (re-discovered in 1981), permanent shops and a meeting hall at first floor level. There were also a number of inns, such as The George on the High Street (still in use as an inn today), and several local breweries. As the primary thoroughfare of the town and the town's market place, the High Street created a predominantly linear urban form, widening out in the centre to accommodate the market buildings and spaces. High Street and North Street were lined with narrow long, 'burgage' plots (plots leased to town residents, or 'burgesses', by the local lord). The narrow street frontage would have been used for trading with residential and warehouse space located at the rear accessed via a narrow alleyway between the buildings or from a rear service lane. The plots were narrow as the frontage space onto busy streets was at a premium and therefore limited. The constraints of space on the High Street resulted in the increasing encroachment of buildings onto the Churchyard. This area had remained open land until

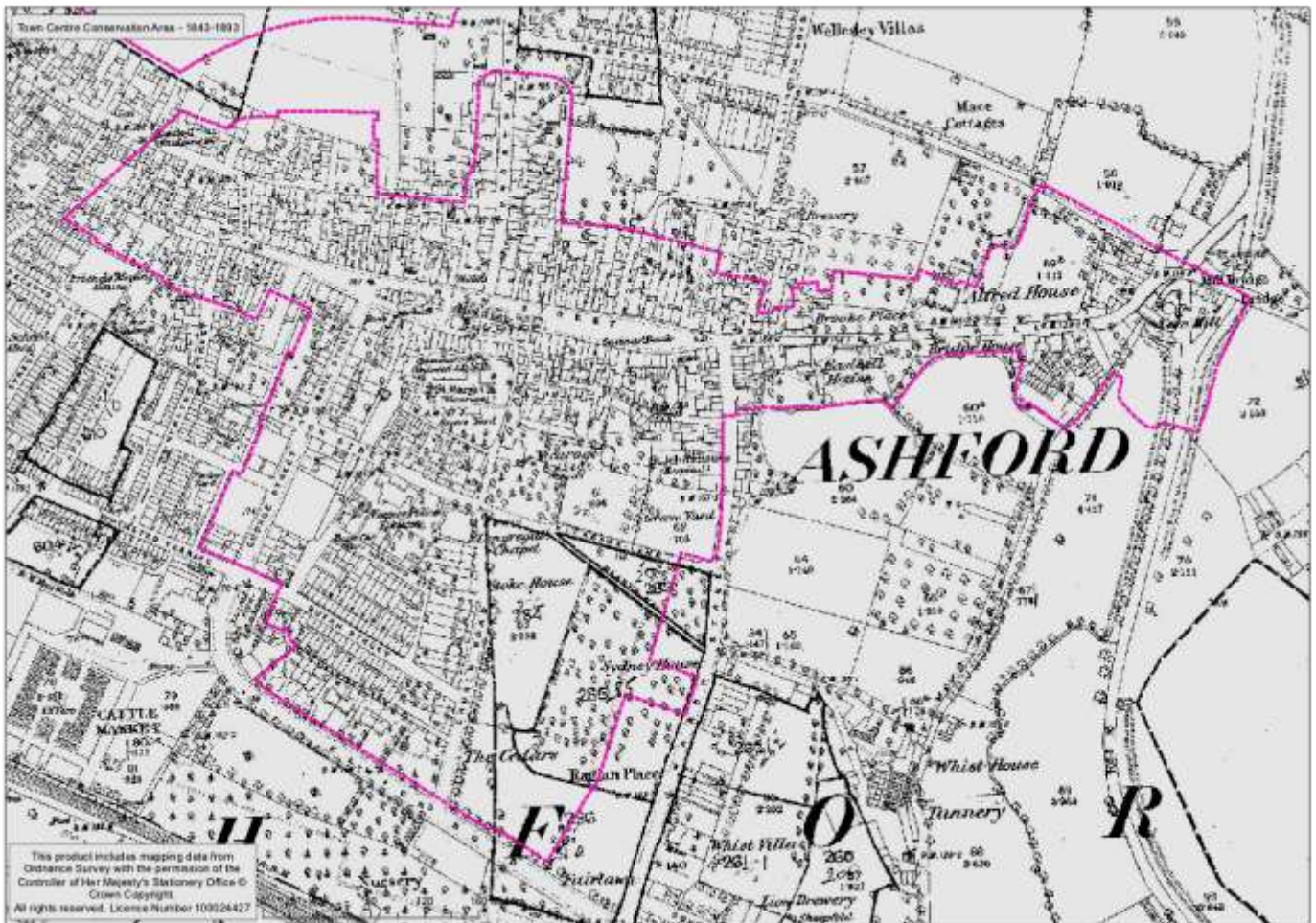
Older timber buildings began to be replaced with new timber structures or were re-fronted or modernised with more fashionable architectural features, such as dormer windows and shallow canted bays. Older features were disguised, with many jetties in particular being under-built with brick, such as at Talbot House in the Churchyard. New building types were also introduced in the town, including small chapels that catered for the tendency towards non-conformity in the Ashford during the 17th century. 17th Century building materials include Kent peg roofing tiles and orange/red Wealden clay tiles and bricks and at 1 Middle Row, a copy of the building's original 17th century 'pargetting', a decorative treatment using plaster has been recreated.

In the **eighteenth century** Ashford became a meeting point for the new turnpike roads constructed across Kent (1762-1795). Improved travelling conditions increased the number of visitors to and through the town, with markets and local businesses benefiting, particularly those related to the hospitality trade and there were over 20 inns in the town centre by the mid-18th century. This commercial success encouraged the first significant residential development outside the medieval centre, along East Hill joining the lower High Street at its eastern end. East Hill's elevated position overlooking the River Stour created an ideal site for a country style villa and a number of large Georgian villas were built by the town's wealthier residents, such as Nightingale House. Many of these large detached houses still remain, though no longer in residential use, many directly abutting the road and are notable for their plainness of style. In the rest of the town, the focus of development was on gentrification rather than new construction. The town was still relatively compact extending from New Rents in the west to the bottom of East Hill, and from the top of North Street to the south side of the churchyard with the edge of the town still adjoining open countryside. However, many buildings were re-fronted with new formal brick facades, incorporating sash windows, classical features and large cornices or parapets to disguise the steep-pitched roofs behind. These facades were concentrated on visible public elevations such as at The George Hotel and 9 North Street.

Up to the **nineteenth century**, Ashford's commerce primarily focused on the market, which had become one of the largest in southern England, and on coaching routes to Hythe, Maidstone and Canterbury. In the 1840s, however, Ashford entered a period of massive population growth when the South Eastern Railway Company opened their railway line between Ashford and London in 1842 followed by other lines. As Ashford was located at the intersection of routes the town changed rapidly from an agricultural to an industrial economy and the population grew from 3000 in 1841 to 13,000 by 1901. The impact on the size and layout of Ashford was substantial with the railway creating a new focus and town boundary to the south of the town centre. Large quantities of new housing were built for workers at the edges of the existing town, some beyond the Conservation Area boundary in Apsley Street and East Hill. Good quality terraced housing with good-sized gardens for the middle classes were laid out on church 'glebe land' (land owned by the church from which it derived an income) immediately south of the Churchyard on Tufton Street, Church Road, Norwood Street and Queen Street. Large detached and semi-detached villas were constructed further south along Elwick Road from 1865 marking the southernmost boundary of the nineteenth century residential expansion of the town.

In the town centre there was great pressure on space, as shops and services attempted to develop to meet the needs of the population. The cattle market was moved away from the centre to beyond Elwick Road in 1865. New shopping streets were laid out off the High Street, the most important being Bank Street (c.1855). The land on which Upper Bank Street was developed was originally a large open space owned by the Old Ashford Bank, who used it as a garden. Lower Bank Street, previously known as George Street, was home to the yards servicing the adjacent cattle market.

The map below shows how the town expanded between 1843 and 1893 with the Town Centre Conservation Area highlighted in pink.



MAP 4 ASHFORD TOWN CENTRE CONSERVATION AREA 1843 – 1893

New community services were introduced to cope with the needs of the growing population and religious buildings also grew to meet the needs of the population. St. Mary's church was enlarged to accommodate the increasing congregation in 1827 when the aisles were widened, and again in 1860 when the church was lengthened to the west. Non-conformist churches were growing in popularity, and by the end of the nineteenth century the town included Baptist, Methodist and Congregational chapels, as well as a Quaker meeting hall.

During this time, large numbers of medieval buildings were again replaced or refaced. Rail transport increased the movement of materials and styles between towns and local and non-

local building materials began to be used side by side, to create typically Victorian multi coloured brickwork patterns or limestone dressed neoclassical buildings. Particularly significant facades can be seen on the Lower High Street and in New Rents, as well as on Bank Street, where the most complete nineteenth century building scheme was carried out. There were also significant public improvements starting with the town centre streets being paved between 1780 and 1800.

With the railway already at its greatest extent by 1900, Ashford's physical expansion began to slow and development in the early **twentieth century** was largely piecemeal replacement of buildings in the town centre. These were generally informed more by contemporary architectural trends such as Neo-Classicism than local vernacular traditions such as the prominent neoclassical facade at the northern end of Middle Row added in 1926 and the neo-Georgian Lloyds building on the corner of Bank Street. The Odeon cinema on the High Street amalgamated the sites of several historic buildings when constructed in 1926. A tank was presented to the town in 1919, now on display in St Georges Square.

The map below shows a similar pattern of development to the earlier 1843 – 1893 map but with the addition of villas to the east side of Church Road and Elwick Road. Bank Street was further developed and the mill building at the bottom of East Hill has been extended. Housing development also been extended north of Park Street.



MAP 5 ASHFORD TOWN CENTRE CONSERVATION AREA 1904 – 1939

The memorial garden became located on glebeland purchased from the Ecclesiastical Commissioners in 1923. Nearby Vicarage Field, now a small green public square with lime trees and shrubs, formerly the graveyard of St. John's Hospital, was acquired in 1951. The adjacent remaining graveyard, a Grade II Listed building has mainly early C19 memorials including oval bodystones, table tombs and some headstones with sun-ray or urn motifs.

The construction of the ring road around the historic centre in the late 1960s/early 1970s involved the demolition of significant numbers of buildings, breaking historic street patterns and severing the centre from historic access routes and residential areas around the core. North Street and New Street were truncated to the north.

3.3 Setting and topography

As identified within the historical development section, the setting for the Ashford Town Centre Conservation Area now comprises the ring road and associated development which affected historic street patterns and severed the centre from historic access routes and residential areas around the historic core.

To the north of the Conservation Area, a concrete car park and ramp (right) present a long bland frontage facing the ring road and dominate the setting of this part of the Conservation Area. A view of the church is interrupted by the ramp.



The T-shaped Park Mall (left) comprises a narrow pedestrian thoroughfare running north from High Street leading to a wider square. The mall is a modern inward looking shopping arcade which is poorly related to the surrounding historic townscape.

Charter House is also located immediately to the north of the Conservation Area and dominates the skyline of the town centre in near and distant views.

To the east, the listed buildings (including walls) and parts of Ashford School fronting East Hill including mature tree groups are included within the Conservation Area. The modern, somewhat utilitarian buildings within the site (right) are new buildings and outdoor sports facilities which as a result of their scale and height (in relation to the boundary wall) have a neutral impact on the setting of the Conservation Area.



Although the school's boundary wall alongside the ring road (Mace Lane) is in part a remnant of boundary walls of gardens backing on to Mace Lane (see Maps 4 and 5), its relationship with the Conservation Area is tenuous at this point. The section around the junction with East Hill is newly constructed in an area previously occupied by a group of Victorian houses and the ragstone section is modern (erected following the ring road). Nevertheless the wall forms an important



part of the setting of the Conservation Area and is important to the character of this part of Mace Lane (the ring road).

The trees around the River Stour and beyond extend the verdant view of East Hill looking east and form an important part of the setting of the East Hill character area.



The eastern edge of the Conservation Area fronts Station Road (ring road). The tall blocks on the eastern side are generally screened from the Conservation Area by mature trees (below left) but where they are not they tend to dominate the historic character (below right).



The domestic scale of buildings on the western side of Station Road, adjoining Memorial Park, mean that they have a neutral impact on the setting of this part of the Conservation Area.





To the west, New Rents is physically halted by the ring road but is visually linked to the large scale modern blocks arranged along a road visibility splay to New Street opposite. The development provides an unsympathetic setting for this part of the Conservation Area

To the south of the Conservation Area new development will replace the vacant sites and will provide the setting for the Conservation Area. Ashford College will be located to the south east of the Conservation Area and new development will be sited to the south off Elwick Road.



The trees around the River Great Stour and beyond are visible to the south of Bank Street and form an important part of the setting of the Bank Street character area.



4.0 Character Appraisal

Whilst Ashford Town Centre Conservation Area as a whole represents an area of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance, for the purposes of this appraisal, the Conservation Area has been split into ten sub-areas which comprise distinctive character areas:

1 High Street/ Lower High Street and Church Yard

2 New Rents area

3 North Street

4 Bank Street

5 Church Road/ Tufton Street

6 Queens Street/ Norwood Street

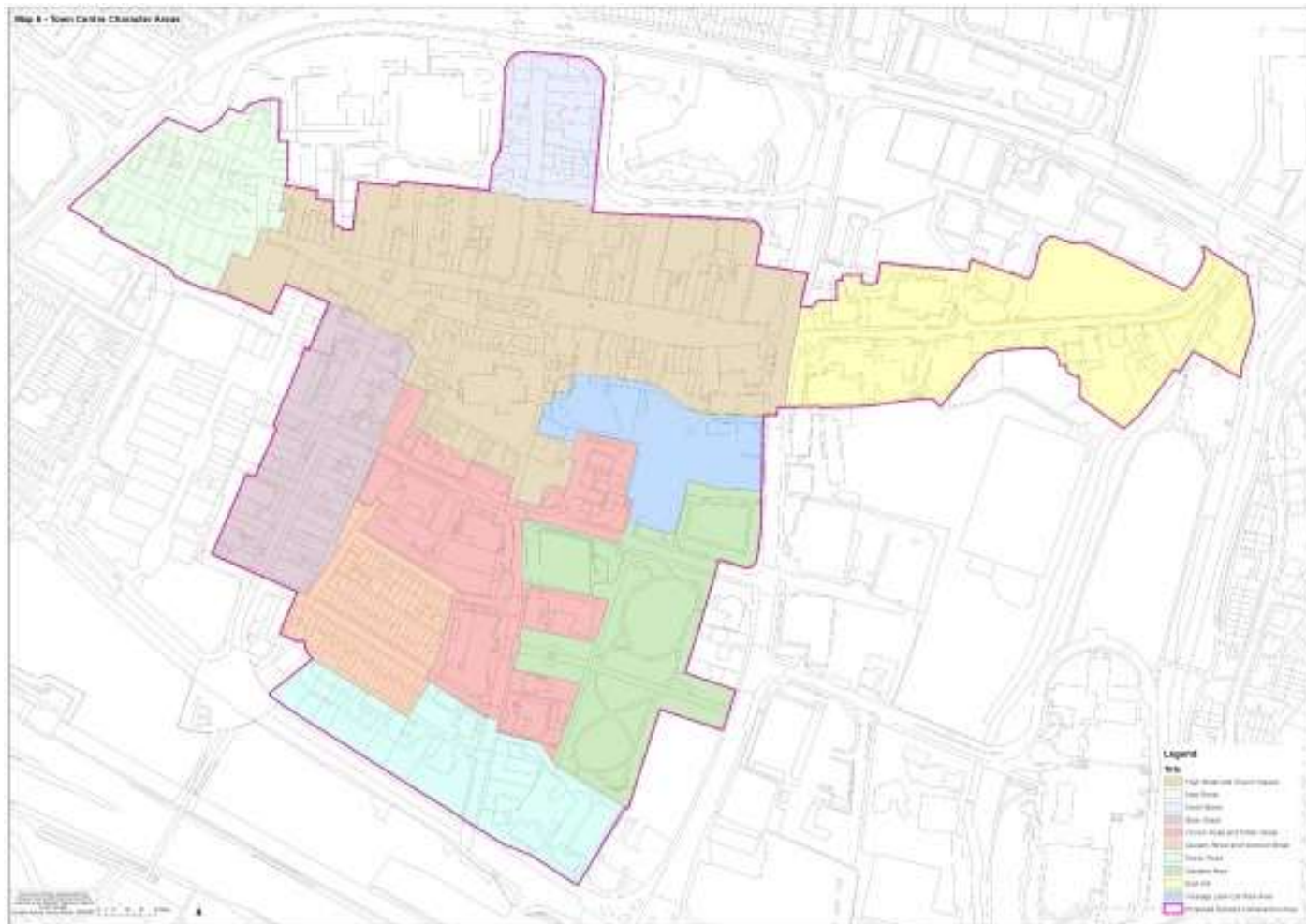
7 Elwick Road Area

8 Gardens Area

9 East Hill

10 Vicarage Lane Car Park Area

MAP 6 CHARACTER AREAS



Map 7 shows the key features of the Conservation Area.



MAP 7 KEY FEATURES OF THE CONSERVATION AREA.

1 High Street/ Lower High Street and Church Yard

The east – west running High Street/ Lower High Street forms the heart of the original medieval town. The wide central street, the 2/3 storey buildings with steeply pitched roofs (sometimes with dormer windows or chimneys) and the narrow commercial frontages on the deep former burgage plots act as strong reminders of this period and form an important part of the historic character of this character area. The street is now pedestrianised (with the exception of limited vehicular access) with street trees, planters and a variety of surfacing. Heritage style street furniture is used in this area. Buildings are set to the back edge of the pedestrianised street along a regular building line and enclose the space. The predominant building materials within the High Street/ Lower High Street are white or cream painted render (including those associated with half-timbered buildings), red/ orange brick and plain tiled or slate roofs. The shops and other commercial uses provide active frontages on the ground floor (including cafes extending out onto paved areas) which, together with significant pedestrian movement, make this the busiest part of the Conservation Area.



High Street (left) and Lower High Street (right)

At its widest point close to the junction with North Street, the High Street is subdivided by buildings occupying the centre of the space, Middle Row, to form two narrower, more enclosed spaces



Buildings (on the left of each of the above photographs) now occupy the centre of the High Street changing the original width to two more enclosed streets. Situated on an island in the High Street, the mid 19th Century stuccoed former market building is now sub-divided into shops. This central unified group of buildings forms an important set piece within the town centre. Restrained modern shop fronts and advertising assist in retaining the group value of the buildings. The public house and street tree close the vista (above left) and from a square when viewed from the west.



The distinctive rounded façade of the former Market building with paired columns at first floor level (left) represents the start of the subdivision of the High Street, when approached from the west, and acts as a focal point within this part of the Conservation Area.

The recently erected bandstand with railway motifs (right) acts as a further visual focal point within this section of the High Street.



St. Mary's Church is tucked just behind the originally widest point of the High Street close to the junction with North Street. The original 11th Century ragstone church was extended in the 13th Century and restored with a rebuilt west tower and vestry in 1881. The church tower is a prominent landmark from many parts of the town centre acting as a marker of the historic centre and assisting orientation within the centre.

The churchyard presents a contrasting green open space with mature trees within the heart of the town centre.



The detailed leaf motif topped railings (left) surround the church yard and help unify the appearance of the square.



The constraints of space on the High Street resulted in the increasing encroachment of buildings onto the Church Yard in medieval times. Church Yard is now an enclosed, inward looking tranquil space surrounded by predominantly residential properties yet is only a short step from the bustling High Street. The generally two storey terraced buildings face directly onto the narrow adjoining footpath and the churchyard. The predominant building materials within the church square are white painted render (including those associated with half-timbered buildings), red/ orange brick and plain tiled or slate roofs. Buff coloured concrete blocks form the footway around the square.



As well as buildings of a domestic character, the College of Priests (bottom right) was established in the yard in 1464 and is set well back from the predominant building line. The bingo hall building and roof is visually intrusive within the eastern side of the square (bottom left). Ashford museum is located within the square (top right).

The eastern part of the central block of buildings at Middle Row is further sub-divided into two closely spaced blocks which, in turn, back onto buildings surrounding the north side of the church square forming a number of narrow, east – west running, enclosed lanes and north – south running passageways – in stark contrast to the wider High Street.



Narrow lanes are generally enclosed by 2 storey buildings. Jettied overhanging upper floors reduce the width of the lane further and gable ended roofs and chimneys emphasise the height adding to the sense of enclosure. Restrained shop fronts and advertising generally fit well within the historic buildings and the intimate street scene.



An important feature of the character of this part of the Conservation Area is that St Mary's church tower can be glimpsed through the north- south running passageways

A significant number of medieval buildings have survived in the High Street. The original medieval buildings, with projecting upper floors and carved timber bargeboards, brackets and posts add significantly to the historic and architectural interest of the town centre.



Although many medieval buildings were re-fronted in later centuries, the medieval timber frame fabric and the gabled rooflines and catslide roofs can still be seen.



Rear of medieval properties on the south side of the High Street (right)

Retention of, and respect for, the original character and features of these buildings particularly in terms of shop fronts and advertising has greatly added to the historic and architectural interest of this part of the Conservation Area.



As the street narrows towards New Rents, the presence of more modern development is evident with the entrances to the County Square and Park Mall shopping centres and other infill development visible in the street scene.



The fully glazed entrance to County Square and associated frontage buildings (right) follow the regular building line and height of buildings in the High Street. The height of the shop fronts aligns generally with others within this part of the Conservation Area. The projecting upper floors west of the entrance are reminiscent of the medieval built form but the significant bulk intrudes into views to and from New Rents. Though the buff coloured brick is not generally within the limited palette of materials used in the High Street, the vertical window proportions respond to the fenestration of the Georgian frontages.



The two storey entrance to Park Mall (above left) projects significantly beyond the regular building line of the High Street and interrupts the historic street form. Modern infill development (above right) follows the regular building line and the height of the shop fronts aligns with the street scene. The flat roofs, unrelated sub-division of upper floors, buff coloured brickwork and horizontal window proportions do not respond well to the character of this part of the Conservation Area.



The narrow Taylors Passage (left) follows a medieval route and now connects Park Street with High Street.



Details on upper floors at the eastern end of the island blocks at the centre of the High Street add to the richness of the buildings and the character of the Conservation Area.



The entrance to the historic North Street is marked on the western side by a modern shop unit (above left). The splayed corner of the building and stepped down scale at the corner of the street do not respond well to the building on the eastern corner (above right) or the historic pattern at street corners within the Conservation Area. The projecting canopy undermines the horizontal subdivisions attempted on upper floors and the dominant first floor sign is not typical of the scale or location of signage in the character area. The large fascia on the building marking the eastern corner is also out of scale with the listed building and its features.

The apparent width of the Lower High Street is reduced through the introduction of a row of street trees which effectively divide the space into two narrower, more enclosed spaces. Lower High Street slopes gently down towards the east where the previously continuous route into East Hill is now severed by the ring road.



The street trees visually separate the two sides of Lower High Street. The gentle curve in the street adds to a sense of enclosure.



The scale and dominant materials of buildings in the High Street continue in the Lower High Street. The projecting canopy (above left) does not fit with other restrained shop fronts.

Lower High Street is probably now slightly narrower than it was in the medieval period.



There is evidence of backland development glimpsed from Lower High Street.



The entrance to Lower High Street from the east is marred by two modern flat roofed buildings with dominant horizontal features such as fascias and windows which do not respond well to the proportions and features of the character area.

The properties in this character area are generally in good condition but parts of the public realm (street surfaces and street furniture) are in need of rationalisation and maintenance. Overall this part of the Conservation Area is in good condition.

2 New Rents area

At the western end of the High Street, New Rents narrows, curves and rises gently to give a much greater sense of enclosure. New Street runs parallel to New Rents and at St George's Square turns sharply south to form Castle Street and re-join the High Street. Gilbert Road leads north - south linking New Rents and New Street.

New Rents, New Street, Castle Street and Gilbert Road are directly fronted by buildings of 2/3 storey height with steeply pitched roofs (sometimes with dormer windows or chimneys). Narrow commercial frontages (including the appearance of the new development on the southern side of New Rents and the eastern side of St George's Square) are reminiscent of narrow medieval frontages.

The streets are now pedestrianised (with the exception of limited vehicular access) employing a variety of surfacing. There is no space for street trees in New Rents though street trees have been planted in St George's Square. Heritage style street furniture is used in this area.

The predominant building materials within this character area are white painted render or bricks, red/ orange brick and plain tiled or slate roofs. The shops and other commercial uses provide active frontages on the ground floor which forms an important part of the character of this part of the Conservation Area.



View of enclosed, curved and rising New Rents looking westwards (above). A small clock tower appears to act as a landmark within the new development to the south.



View of New Rents looking eastwards (above) shows an important glimpse of St Mary's church tower acting as a marker of the historic town centre and assisting orientation from this street.



New Street (left) has a domestic scale of generally 2 storey properties with restrained shop fronts. A gable ended building acts as a 'book end' to this part of the street. Some over-large fascias intrude into the character of the building and street scene.

Enclosure of New Rents and New Street is lost at Forge Lane (the ring road). The enclosure of New Street is also lost to the north as a result of access to the multi storey car park.



New Rents (left) and New Street (right) at the junction with the ring road.



St George's Square is surrounded by buildings with active ground floor frontages including a public house which extends seating out into the square. The focal point is the tank with covered roof. Restrained shop fronts and advertisements retain the character of this part of the Conservation Area. Planting provides a contrast to the built form and enhances the square.



Gilbert Road fronted by 2/3 storey properties with restrained shop fronts and advertising.



The tank and roofed shelter act as a focal point within St George's Square and terminate the view north along Castle Street from New Rents (left).

The hipped roofed 3 storey building with white painted quoins and restrained shop front terminates the vista of New Rents from Drum Road and is a prominent notable local building.





The wide splay of Drum Road leading south from New Rents reveals servicing areas with some blank facades and flat roofed buildings which have an adverse impact on the setting of the Conservation Area.



This character area exhibits some traditional shop fronts and restrained advertising (above) as well as some over-prominent fascias (below).



The properties in this character area are generally in good condition but parts of the public realm (street surfaces and street furniture) are in need of rationalisation and maintenance. Overall this part of the Conservation Area is in good condition.

3 North Street

North Street extends northwards at originally the widest point of the High Street. The slightly curved street is fronted directly by 2/3 storey buildings with steeply pitched roofs (sometimes with dormer windows or chimneys) which enclose the space. The generally narrow commercial buildings front shallow plots with the original deep burgage plots eroded by a multi storey car park and access road. The street is now pedestrianised (with the exception of limited vehicular access) with very few street trees and a variety of surfacing. Heritage style street furniture is used in this area. The predominant building materials within North Street are white/ cream painted render (including those associated with half-timbered buildings), red/ orange brick and plain tiled or slate roofs. The shops and other commercial uses provide active frontages on the ground floor (including cafes extending out onto paved areas) which is critical to the character of this part of the Conservation Area. Shop fronts and restrained advertising (including hanging signs) generally enhance the character of this part of the Conservation Area.



The projecting canopy of the shop building on the western side of the entrance to North Street (above) detracts from the character of this historic street. The church tower terminates the vista from the north and acts as a landmark for the historic centre of the town and assisting orientation from this street (right).



The once continuous eastern frontage of North Street is now severed in the centre.



The character of North Street is interrupted at the centre with wide openings allowing views eastwards of Charter House (left) and westwards of the Park Street service road and unsympathetic development.



A significant number of medieval buildings have survived in North Street. The original medieval buildings, with projecting upper floors, significantly add to the historic character of the town. Although many medieval buildings were re-fronted in later centuries, the medieval timber frame fabric and projecting upper floors are still visible.



The notable recessed doorway and shopfront to 11 North Street with open pediment, rectangular fanlight and 6 panelled door (right) is striking within the street scene.



The modern northern edge of North Street is today enclosed by a 3 storey building which terminates the vista from the south and screens the street from the ring road and development beyond. Whilst introducing new development across an historic route and thus affecting the historic character of the Conservation Area, this approach may have some townscape merit in enclosing the street and screening the revised urban layout to the north.



The properties in this character area are generally in good condition but parts of the public realm (street surfaces and street furniture) are in need of rationalisation and maintenance. Overall this part of the Conservation Area is in good condition.

4 Bank Street

Bank Street extends south from the High Street. The straight street was laid out in the mid 19th Century and is directly fronted by buildings of primarily 3 storeys in height with neo-Georgian and Victorian facades. The shops and other commercial uses provide active frontages on the ground floor which forms an important part of the character of this part of the Conservation Area. Some traditional shop fronts remain whilst upper storeys exhibit tall sash windows and a considerable amount of brick and other detailing.

The northern half of the street is enclosed by tall buildings and the visual width of the street is further reduced by large plane trees. The sense of enclosure is reduced south of Tufton Street with the presence of some lower scale 2 storey development, the absence of street trees and the long open views of trees to the south.



The enclosed character of the northern part of Bank Street (left) and the more open character of the southern section (above)

The street is now pedestrianised to the north (with the exception of limited vehicular access) and operates as a shared surfaced space to the south. The northern part of the street is surfaced in red pavements and granite sets with raised brick planters and contains heritage style street furniture, whilst the southern part comprises herringbone red brick in the shared surface area and granite slabs for the footways with steel street furniture of contemporary designs.

The northern part of Bank Street with street trees and heritage style street furniture contrasts with the contemporary steel furniture (right).



The predominant material within this character area is white/ cream painted render. Red/ orange or yellow stock bricks (often with contrasting detailing around windows and doors) are also present.



Light coloured render predominates within Bank Street. The ever-present Christmas lights strung across the street detract from the historic buildings and the character of this street.

The street does not have a continuous frontage as it is broken by Tufton Street and Queens Street to the east and the respective pedestrian entrances to County Square to the west.





The County Square development truncates the symmetry of the post office building



Despite the unfortunate flat roofed brick side extensions and the slight recess from the general street frontages, the contrasting scale, use of ragstone (reminiscent of St Mary's church) and prominent location set above steps at the centre of Bank Street within a wide paved apron, Centrepiece Church is a prominent notable local building.

To the western side of Bank Street, the continuous frontage is also broken by two service yards where the rear elevations of County Square are visible.



The loss of enclosed service yards and the rear elevations of County Square detract from the conservation area's character.

Bank Street exhibits a number of traditional shop fronts which relate well in height, scale, materials and design to the front façade of the building (right). Equally, particularly within the southern part of Bank Street, there are a number of shop fronts (including those with large fascia boards) which detract from the features of the building in which they are located as well as the character of this part of the Conservation Area (below). Contrasting details around upper floor windows are a feature of Bank Street.



Contrasting details around upper floor windows



Internally illuminated box signs, particularly if they are located on upper floors, detract from the features of the building on which they are located as well as the character of this part of the Conservation Area by virtue of their size, lack of intricacy and detail and use of unsympathetic materials.

The properties and public realm in this character area are generally in good condition but some of the shopfronts and advertising in the southern part of Bank Street are in need of enhancement. Overall this part of the Conservation Area is in good condition.

5 Church Road/ Tufton Street

Tufton Street runs east – west immediately south of the church square, leading to Vicarage Lane whilst Church Road runs north – south to join Tufton Street close to the pedestrian route to Church Yard. The character area comprises only the northern part of Church Road. The historic character is now formed by the street layout, including a narrow passage to Church Yard and a north – south running route to the rear of properties fronting Bank Street; views to the church and a small cluster of 2 storey pitched roofed historic buildings (including a listed building) in Tufton Street. In the 1960's and 1970s the terraced housing on Tufton Street and Church Road were replaced by large scale commercial, residential and community buildings of a variety of designs and materials that have little reference to the original character of this area or the wider Conservation Area. Consequently the area has a mixed character and is in need of enhancement as redevelopment opportunities come forward. The streets are of standard tarmac with red block paved footpath only on the north side of Tufton Street.

The small cluster historic buildings (including a listed building) in Tufton Street (below). On the north side of the street the public house seeks to replicate the adjoining timber framed listed building (below right). There is also an important glimpse of the church tower acting as a marker of the historic town centre and assisting orientation within this area. On the south side of the street, Compass House has an interesting octagonal roof light, though the setting for this building is currently dominated by the police station (below left).



Church Yard Passage (left) leads from between the two timber framed buildings to the church square with the church yard trees visible from Tufton Street.

The historic unadopted route to the rear of properties fronting Bank Street (right) leads from Tufton Street to the rear of High Street. The southern section of the route contains no buildings of merit.



The remainder of Tufton Street and the western end of Vicarage Lane comprises a number of buildings from the latter part of the 20th Century.



At Vicarage Lane (left) the low scale and well recessed 3 storey red brick development with pitched roof has a neutral impact on the character of this part of the Conservation Area. The layout of buildings, fenestration and roof materials do not respond positively to the character of the area. The ragstone wall is characteristic of this part of the Conservation Area.

Within the eastern end of Tufton Street (right) the scale of the buildings appears appropriate but the layout, mass, roofscape, fenestration and materials do not respond positively to the historic character of this part of the Conservation Area or to creating a unified townscape.



The scale, mass, roofscape, materials and design of the police station building make this a particularly intrusive development within this Character Area as well as from Character Area 7: Queens Street/ Norwood Street. The vehicular access and prominent ramp result in a loss of enclosure to this part of Tufton Street; expose the parking area and building to views from the street and mean that there is no active frontage uses overlooking the street.





At the western end of Tufton Street (above) the scale, mass, roofscape, fenestration and materials do not respond positively to the character of the cluster of adjoining historic buildings (including the setting of a listed building) or to create a unity of townscape.

The northern part of Church Road within this character area abuts the open space of the bowling green and the Memorial Gardens' western entrance – both of which are important to the character of this part of the Conservation Area. This, together with street trees, gives the street a verdant appearance, acting as a transition to the Gardens Character Area. The tower of St Mary's church is visible from Church Street acting as a marker of the historic town centre and assisting orientation within the centre





The low scale brick developments (above) have a neutral impact on the character of this part of Church Road. The layout of buildings, fenestration and roofscape do not respond positively to the character of the area.



The newly built Ashford Gateway public building (left) presents a bold feature within the street scene. The scale of the building fits well within Church Road. The concave shape and block paved footway and road respond well to the entrance to the Memorial Gardens opposite. The white rendered finish is in contrast to materials within Church Road but responds well to the predominant materials of Norwood Road. New planting will enhance the appearance of the building and the verdant character of the street.

Many of the properties in this character area built in the latter part of the 20th Century are at an age where the condition (including the suitability of internal space) may be under review with a view to redevelopment at some point in the future. The public realm is in reasonable condition, including the green spaces and trees which add significantly to the character of Church Road. The Character Area may be in a period of transition.

6 Queens Street/ Norwood Street

This character area of principally Victorian terraced housing is laid out in a grid pattern as part of a wider area which once exhibited the same characteristics including Tufton Street, Church Road, Norwood Street and Queen Street. The historic and architectural character has generally been preserved, particularly in Queens Street. The 2/3 storey terraced houses sit close to the road along a regular building line. The properties in Norwood Road and on the north side of Queens Street have shallow front gardens. Many of the original railings have been removed and replaced with a range of boundary treatments such as low walls.

The predominant building materials within Queens Street is white painted render whereas in Norwood Street it is white painted render or yellow stock brick and slate roofs.

The streets are standard tarmac, except where they abut Bank Street or at junctions where red brick pavements have been used. Red brick pavements have also been used in Norwood Road on the footway next to houses. On street parking on one side of the streets somewhat detracts from the appearance of the tight-knit area. Victorian style lighting and street furniture is appropriately used to compliment the buildings. There is no space for street trees. There are remnants of the industry and shops which would have been part of the original character of this area.



After a slight bend at the junction with Norwood Road, Queens Street is a straight road with views of County Square to the west. The terraced properties are a mix of 2 and 3 storeys with white render and pitched or hipped slate roofs – some with small dormer windows and chimneys. The appearance of the street is unified by the regular building line, the scale and white rendered materials of the buildings (with dark painted horizontal bands making the subdivision of floors) and the rhythm of Victorian window and door openings. Thick double yellow lines and poor road surfacing detract from the character of the street.



The Ashford Gateway building at the eastern end of Queens Street follows the regular building line. The scale, the white rendered materials of the buildings (and the dark painted horizontal band marking the subdivision between floors) and the pattern of regular Victorian window openings fits well with the character of this part of the Conservation Area,



Houses to the north side of Queens Street have shallow front gardens. Some basements are present with black railings protecting the change in level and forming an important feature in the street scene. Original door and window openings have generally been respected in Queens Street. Traditional window and door designs have also been retained in many properties.



Within Queens Street, the unrendered brick property (above) which appears to have had an industrial past and the ground floor laundrette (right) are reminders that there would have been a mix of uses in this area and the character of these buildings should be retained.



The tall building fronting Bank Street (left) is out of scale with Queens Street and the open car park detracts from the character of the area.



Norwood Street has more of a mixed character with commercial development more prevalent.



From the junction with Queens Street, Norwood Street proceeds north fronted by single storey buildings set back from the road behind parking areas to the west and a ground floor office; 2/3 storey housing and further parking to the east. The traditional Victorian residential buildings are important to the character of this part of the Conservation Area but there is scope for some frontage development to enhance the street scene.

A view of the church tower is important in relating this area to the town centre but the pedestrian route to the centre (left) is uninviting. The visual link with the church tower and the physical link to Tufton Street and the centre should be retained and enhanced as development opportunities arise.



The east-west running section of Norwood Street is currently dominated by the police station (left). The layout, mass, roofscape, fenestration and materials do not respond positively to the historic character of this part of the Conservation Area. The high brick wall presents a dead ground floor frontage to the street. The top of the front façade of the Centrepiece church is visible at the western end of Western Street and helps terminate this vista. Telegraph posts and overhead wires detract from the character of the street.



Unsympathetic replacement windows, doors, roof tiles and front boundaries can detract from the character of the Victorian buildings and the street scene. Chimneys are an important feature in the Victorian residential street scene.



The properties in Queens Street are generally in good condition but Norwood Street has more of a mixed character with buildings that detract from the character of the area. The public realm (street surfaces; overhead wires) is in need maintenance. Overall this part of the Conservation Area is in fair condition.

7 Elwick Road Area

The area comprises a series of large semi-detached symmetrical Victorian villas with 2 or 3 storey bay windows set back from the street along a regular building line behind deep front gardens (now mostly devoted to car parking) and a ragstone wall. The former residential properties are now in commercial use. Mature trees are located at the front of the former gardens enclosing Elwick Road and providing an important reminder of the character of the front gardens before being replaced by hard surfacing for parking. The well-spaced grand properties are principally 3 storeys in height (some with basements). The villas extend round from Elwick Road into the lower part of Church Road.

The predominant building materials within the area are white painted render and slate roofs. A limited number of buildings are faced with red or yellow stock brick.



The gaps between the grand villas along Elwick Road are an important characteristic of this character area and help reveal the historic and architectural qualities of the buildings as well as highlighting the scale and symmetry of the buildings.

Without screening, car parking can dominate the setting of the villas.

The retention of trees, and the hedges which subdivide curtilages, is important in retaining part of the character of the original front gardens.

The design of the modern single storey extension (left) is not well related to the host building and the sign dominates the frontage and detracts from the character of the former residential area where there is a restraint on signage.





Gaps between the villas in Elwick Road are important for revealing glimpses of St Mary's church tower, visually connecting the area to the historic centre and assisting orientation (left).

The design of the modern flat roofed brick extension (left) is not well related to the host building and detracts from the character of the area,



Planning permission has already been granted for the demolition of the above properties on Elwick Street and new designs should respond to the strong character of properties in Elwick Road. The Swanton Villas (above right), are not the same materials, or building line as the other villas in Elwick Road, but if feasible should be retained if the consent lapses.



Ragstone walling is an important contextual feature within this character area.

Villas extend into the southern part of Church Road.



The villas on the west side of Church Road reflect the scale and symmetry of buildings in Elwick Road. Ragstone walling and a mature garden with trees and hedge also feature (above left).



The semi-detached villas on the east side of Church Road are smaller in scale. Red/orange brick and decorative tile hanging and plain clay tiles predominate. Bay windows remain a feature.

The properties and public realm in this character area are generally in good condition – Elwick Road has had significant improvements to the streetscape. Overall this part of the Conservation Area is in good condition. Nevertheless, the derelict and boarded up properties at the south eastern corner of the Conservation Area detract from the good condition of the area as this part of the character area is in a period of transition.

8 Gardens Area

This area comprises the Memorial Gardens; Vicarage Gardens (and associated listed graveyard) and the bowling green which provides a contrasting area of green spaces in the centre of town. All the green spaces are heavily managed and the two gardens are formally laid out as town parks with lawned areas, mainly peripheral trees and traditional flower beds.

The areas contribute positively to the character of the surrounding streets. The mature peripheral trees at the Church Road entrance to Memorial Gardens contribute to the verdant character of the street. Similarly, mature trees fronting Station Road (the ring road) help enclose the west side of the road and provide a contrast to the high buildings opposite. Vicarage Lane has an open character fronted by green parkland on either side: Memorial Gardens; the bowling green and Vicarage Gardens.



The square shaped bowling green (right) provides a further managed open space contributing to the open character of Vicarage Lane. The boundary chain link fence somewhat detracts from the appearance of the space.



Memorial Gardens (above left) is the largest of the open spaces. Rectangular in shape, trees on the eastern boundary partially screen the surrounding tall buildings and help enclose the space. Red pavements are used for pathways through the park.

The square shaped Vicarage Gardens (above right) contains heavily pollarded boundary trees which partially screen the surrounding buildings and help enclose the space. Tarmac footways circuit the park.



Both Memorial Gardens (above left) and Vicarage Gardens (above right) offer views of St Mary's church tower acting as a marker of the historic centre and assisting orientation within the centre.



A central avenue of trees (far left) aligns with the axis of the listed war memorial (centre left) and the fire iron entrance gates from Church Road (below).



The contrasting entrances to Memorial Gardens (above left) and Vicarage Gardens (above right) on opposite sides of Vicarage Lane. Memorial Gardens is entered through a symmetrically played entrance of granite sets fringed by black painted railings set on a low ragstone wall. Vicarage Gardens is entered through a macadam footway of different widths fringed by a curved low ragstone wall and a straight concrete wall with partial brick coping. There are no entrance signs to either garden from Vicarage Lane.



Vicarage Gardens provides a peaceful and well-kept setting for the adjoining listed graveyard.



The adjoining car park and distant tall buildings visually intrude onto the listed graveyard.

Overall the gardens area is well kept and in good condition.

9 East Hill

East Hill slopes steeply down to the River Stour to the east. The trees around the river corridor and beyond are important in adding to the landscape character of the street and in terminating views looking east. The elevated position overlooking the River Stour led to the development of a number of large Georgian villas close to the road. As the hill descends, high brick walls, many of which are listed, and overhanging trees on both sides of the street enclose the narrow street and dominate the character of this area. Many of the former residential properties as well as development behind the high walls now forms part of extensive school premises. Two buildings feature within the Stour valley: a public house (a listed building) and a former flour mill (1901) which relied on water power from the river. East Hill is a narrow cul de sac with limited traffic leading to a quiet ambiance in the street



Large 3 storey villas either front directly onto the back edge of the footway or are set behind shallow gardens with boundary railings. Whilst the colour of bricks employed on these individually designed buildings is varied (red brown, yellow and buff), it is the siting and scale of these buildings and the rhythm of the fenestration which unifies their character and contributes to the character of this part of the Conservation Area.



The 18th Century listed school house is visible from East Street.

Of the school site to the north of East Hill, the Conservation Area includes the listed walls, the principal trees, the listed building at the entrance to the school and the associated open space within the school; grounds immediately to the east. The remaining utilitarian buildings are generally screened by high brick walls and trees and do not have a significant impact on the character of the Conservation Area and are consequently excluded from it.



The linear character of East Hill is emphasised by the high straight walls which flank it. Most of the walls are listed buildings in their own right and for their group value. The walls are constructed mostly of red brick but with a section of yellow brick for part of its length. The walls are over-topped by some important mature specimen trees which soften their appearance, add to the verdant character of this part of the street and add to the sense of enclosure within the street.



Railings are an important boundary feature within East Hill and some are listed in their own right.

To the south side of East Hill two car parks serving the public house and school lead to a loss of enclosure within the street.



The public house car park (above left) is in poor condition and the school car park (above right) would benefit from some frontage hedge and tree planting.



The flour mill dominates the character of the eastern edge of the Conservation Area. Despite the unfortunate brick side extension, the towering scale, historic value and prominent siting within the Stour valley make the flour mill a notable local building.

The river is a key feature of the mill's setting (visually and audibly). The heritage engineering features of the mill's sluice gates add interesting richness and character.



The buildings and walls in this character area are generally in good condition but parts of the public realm (gravel dressing to the footway and guard rails) are in need of maintenance. Overall this part of the Conservation Area is in good condition.

10 Vicarage Lane Car Park Area

Vicarage Lane Car Park is currently the town centre's principal surface car park. The open area exposes the backs of properties together with associated service yards, parking and storage.

The open parking area reveals the back of properties which front onto Lower High Street and Charter House which towers over the historic adjoining streets.



The siting and mass of the bingo hall dominate the skyline in views from Station Road (the ring road) and around the car park. The building interrupts views of St Mary's church tower and does not present an active front to the space – rather a blank brick wall.



The dominant structure of the bingo hall (above and right) obstructs views of the important town centre landmark building St Mary's church tower.



St John's Passage provides a narrow unattractive link from the car park to the Lower High Street around the side of the bingo hall.



The car park immediately abuts the graveyard and provides an inappropriate setting for these listed buildings.

The side elevation of the Baptist church is also visible (left).

The Baptist church with its intricate white rendered front façade facing Station Road (the ring road) and decorative brick side elevations to the rear is a prominent notable local building of architectural and historic interest. The more recent flat roof extension to the rear is of less interest and is not prominent in the street scene.



Baptist church (left) on Station Road is a prominent notable local building.

The car park surfacing is in reasonable condition, but the surrounding service yard, backs of buildings and the juxtaposition of the car park with Vicarage Gardens and the listed graveyard make this area appear neglected and in need of redevelopment or enhancement.

5.0 Negative Features

Specific negative features have been included within each of the character areas but the broad issues raised are grouped together here for ease of reference.

Large Modern Buildings

Large, unsympathetically designed, monolithic buildings were introduced into the town centre from the 1960's, impacting negatively on the appearance and the character of the Conservation Area or its setting. Others either block or detract from views of St Mary's church tower.



Severed Streets

The introduction of the ring road resulted in a number of streets being severed – changing the historic street pattern of the town centre and consequently the character of those streets. The visual relationship between the historic core and the development outside the ring road is poor given the distance between buildings and the fact that new development has not been designed within the context of the Conservation Area. Large turning heads surrounded by bollards have been created where the streets within the Conservation Area meet the ring road – allowing views from the historic centre to leak out across the road towards development outside the area. These street edges do not provide a high quality gateway into the historic core of the town.



Gaps in Street Frontages

The introduction of shopping malls has resulted in the need for rear service yards. In addition, there are breaks in some street frontages. The loss of enclosure to the street and the exposed rear elevations detract from the character and appearance of the Conservation Area.



Poorly maintained and underused areas

A number of sites within the Conservation Area have been identified which are poorly maintained and in some cases underutilised. Such sites do not enhance the character or appearance of the Conservation Area.



Shopfronts and Advertisements

Whilst many buildings exhibit traditional shopfronts and restrained advertising, some shopfronts have been introduced whose designs and materials do not respond well to the design and features of the upper floors of the building in which they are situated, or the wider character of the Conservation Area. Advertisements and signs, by their very nature, need to be visible in order to attract attention and convey information. However, some insensitively designed or positioned advertisements appear as overly dominant or incongruous features within the Conservation Area. Shops with solid external security shutters which completely cover a shop front have a detrimental impact on the character of the Conservation Area and give the frontage a dead appearance.



Boundary Treatment

Traditional boundaries such as walls and railings are present in former residential areas. In some cases the removal of the boundary or an unsympathetic replacement has detracted from the character of the Victorian buildings and the street scene.

Without screening, car parking can be visually intrusive and dominate the setting of historic buildings.



Street Furniture and Surfaces

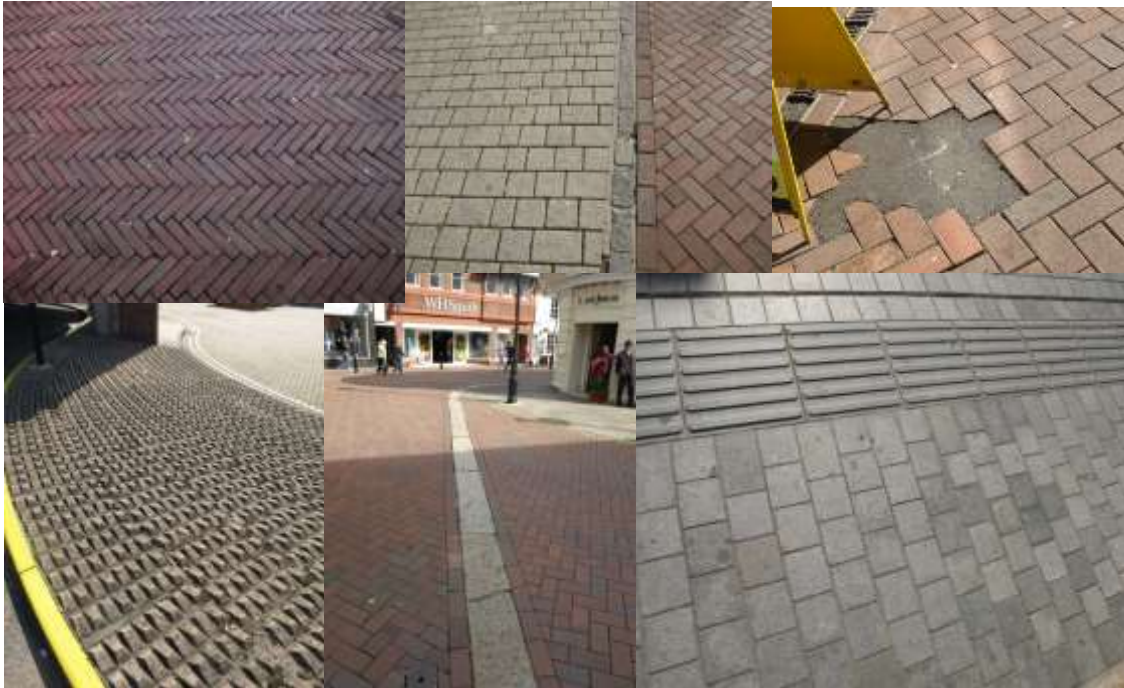
The quality and character of the public realm in different parts of the Conservation Area varies considerably with many areas are in need of renewal whilst a few areas have recently been upgraded in a contemporary style.

Much of the town centre is overly cluttered with poor quality street furniture, signage and lighting with limited coordination of style and type across the area. The presence of all year round Christmas lights strung overhead across historic streets such as North Street and Bank Street detracts from the character and appearance.



A mix of contemporary and traditional style street furniture is used within the Conservation Area.

The complex mix of natural and artificial paving materials and patterns in different streets appears uncoordinated and does not reflect the historic road layout



Overhead wires and telegraph poles are a characteristic of the Queens Street and Norwood Street Character Area and detract from the character of the buildings and the area as a whole

Street Trees

The trees in Bank Street and Lower High Street are now taller than the buildings they abut, and in some cases are touching the adjoining buildings. The impression is that the trees are now overcrowding the road space and partially obscuring the adjoining buildings.



Replacement of traditional windows, doors and roof tiles

The inappropriate replacement of traditional windows and doors with unsympathetic modern materials and designs has led to an erosion of the historic and architectural character of some properties and the integrity of groups of houses.

6.0 Management Proposals for the Conservation Area

Historic England's good practice advocates that local authorities should prepare a management plan to address the issues arising from the Conservation Area Appraisal and set out recommendations for action. Some of these actions will be applied generally to Conservation Areas in the Borough, whilst others, such as enhancement proposals, are specific to the Ashford Town Centre Conservation Area.

6.1 Management Proposals applicable to all Conservation Areas in the Borough

Application of Planning Policy

The Borough Council will consistently apply adopted and future planning policy to ensure high quality design which is appropriate to protecting and enhancing the character and appearance of the Conservation Area. This will be applied to all development requiring planning or listed building consent including new development such as replacement or new buildings, small scale alterations and extensions to buildings, boundary treatment and, where applicable, surfacing front gardens. This approach will be followed for proposals both within the Conservation Area and those which affect its setting or impact on its character.

Shop Fronts and Advertisements Supplementary Planning Document

The Borough Council will bring forward a new supplementary planning document on shop fronts and advertisements which will have special consideration for Conservation Areas.

Repairs to Buildings in Conservation Areas Good Practice Guide

It would particularly assist home owners of the Borough Council's Listed Buildings and Conservation Areas if Good Practice Guides were complemented by an information leaflet on replacement doors, windows and roof materials considered to be suitable within Conservation Areas. This will have much wider application. It will recognise the need for replacement features and will also give practical guidance on design, acceptable materials and products. The Leaflet will be publicised and be available on the website.

Building Regulations

The Borough Council will continue to apply Building and Fire Regulations sensitively in Conservation Areas and to Listed Buildings to attempt to ensure that there is no conflict with the preservation of the character of the area or the building.

6.2 Management Proposals for Ashford Town Centre Conservation Area

Redevelopment of Large Modern Buildings and Poorly maintained and underused areas

Within the Conservation Area, the Borough Council allocates the Park Mall and associated access, parking and servicing areas and the Vicarage Lane Car Park site for development. There are a number of other large modern buildings and poorly maintained and underused areas mentioned in this Appraisal where the opportunity to redevelop the site into a more sensitively designed proposal which responds to the character of the Conservation Area should be encouraged.

Enclosing the Streets

As severed streets cannot be reconnected and the visual relationship between the historic core and the development outside the ring road is lost, the proposal is to reinforce the new edge of the historic centre and to close the views from the Conservation Area. There are two options: to close the space with a building (as is already the case at North Street below left) or to close the view with landscaping, in particular, tree planting. This would have the advantage of ‘greening’ the ring road and continuing the planting which has already taken place such as in Forge Lane (below right).



Similarly the gaps within street frontages identified in the Appraisal may wherever possible be partially closed visually by new buildings or carefully sited tree planting. The opportunities for new development and/ or planting should be investigated in all locations where the historic street is severed or broken in order that enhancement proposals may be brought forward for these key edge and town centre sites.

Greening the Ring Road

The eastern edge of the Conservation Area fronts Station Road (ring road) which, along with development alongside it, forms the setting for Memorial Gardens and Vicarage Gardens. The tall blocks on the eastern side are generally screened from the Conservation Area by mature trees but where they are not they tend to dominate the historic character



Consistent with closing the view from severed streets around the ring road with tree planting, further tree planting should be encouraged along Station Road.

Enhancing Street Furniture and Surfaces

A public realm strategy should be produced for the Conservation Area, which provides a coordinated approach to paving, structures, street furniture, signage, lighting and planting. This should distinguish between different character areas within the Conservation Area, with a different (but related) approach taken to the main shopping streets and to the residential streets for example. A simple palette of materials and consistent rationale for their use would create a high quality, appropriate context for the historic buildings and streets and result is a greatly enhanced Town Centre Conservation Area. Suitable tree species should be identified for any new or replacement trees within the strategy.

Issues with maintenance and reinstatement of paving after street works need to be addressed in the strategy to avoid the inappropriate patching of paving with tarmac. Adopting the public realm strategy as a Supplementary Planning Document and linking it to S106 and CIL payments would help develop a potential income stream for implementation.

As well as the specific enhancement proposals set out in the Appraisal, the following further enhancements are recommended on a street by street basis:

High Street and Lower High Street

Replace existing paving with a restrained palette of simple, high quality materials such as red brick pavers, granite setts and York stone flags

De-clutter the street space, removing unnecessary planters, street furniture and phone boxes

Relocate lighting and cameras where possible onto building facades

New Street and New Rents

Create a high quality gateway to the historic town centre core at the junction of New Rents, New Street and Somerset Road

Identify historic streets with name plates fixed to building facades

Bank Street

Continue streetscape improvements in Upper Bank Street, north of Tufton Street

Repave the frontage of Centrepiece church to match the quality of the adjoining improved public streetscape adjacent.

Tufton Street and Vicarage Lane

Extend streetscape improvements in Bank Street to Tufton Street and Vicarage Lane, with transition from shared surface to raised kerbs at Vicarage Lane

Introduce tree planting into Tufton Street

Replace poor quality chainlink fence to Bowling Green with railings

Churchyard

Replace existing concrete block paved footpaths with red brick paving or stone flags.

Resurface and improve quality of access lane to south from Vicarage Lane

Improve paving, planting and boundary to Listed Priests College and provide on site interpretation

East Hill

Create a high quality gateway to the historic town centre core at the junction of East Hill, Station Road and Lower High Street.

Redesign the turning head at the western end of East Hill as a shared surface, using materials appropriate to the historic character of this street.

Replace unsightly guard-rails to raised footway with railings more suitable to the heritage character of the street.

Enhancements to Vicarage Gardens and Memorial Gardens

Vicarage Gardens in particular suffers from a poor boundary with the adjacent car park and poor quality park furniture and planting which is in need of renewal. The entrance from Vicarage Lane needs improving with a welcoming name board, repaired edging and walling, and renewed plant beds. The boundary of the listed graveyard to one side of the Gardens needs improving, particularly the west side adjacent to the car park where there is no sense of enclosure. A hedge would help screen the cars or future development and enclose the historic graveyard and gardens.

The legibility and identity of Memorial Gardens would be improved with welcoming entrance signs at entrances onto both Church Road and Vicarage Lane.

Managing Street Trees

The street trees in Bank Street and Lower High Street should be managed so that they remain in scale with the buildings and the width of the space available.

Reduce the number of telegraph poles and overhead wires by placing wires underground as opportunities arise

It is recognised that the cost of replacing telegraph poles and overhead wires underground is normally high but opportunities to achieve this improvement to the appearance of the Conservation Area should be taken as they arise.

Boundary hedge and tree planting

A boundary hedge and tree planting along the front of the curtilage of car parks open to views from the street would help to enclose the street scene and reduce the dominance of the parked cars.



Sources:

Understanding Place: Conservation Area Designation, Appraisal and Management, Historic England (2011, with Revision Note June 2012)

Kent Historic Environment Record online

Ashford town centre character appraisal 2006 (Alan Baxter Associates)

Seventeenth-century Ashford. Life in the Kentish Market Town. Research by members of the Ashford Local History Group, 1980.

Discovering Ashford's Old Buildings. The town centre area, 1400 – 1700, Walter Briscall. 1987.

<http://www.localhistories.org/ashford.html>

http://www.thisisashford.co.uk/town/ashford_history.html

<http://www.ashford.gov.uk/parks-and-open-spaces>

<http://www.britishlistedbuildings.co.uk>

KINGSNORTH

CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN 2016



Tony Fullwood Associates
Chartered Town Planners



ASHFORD
BOROUGH COUNCIL

1.0 Introduction

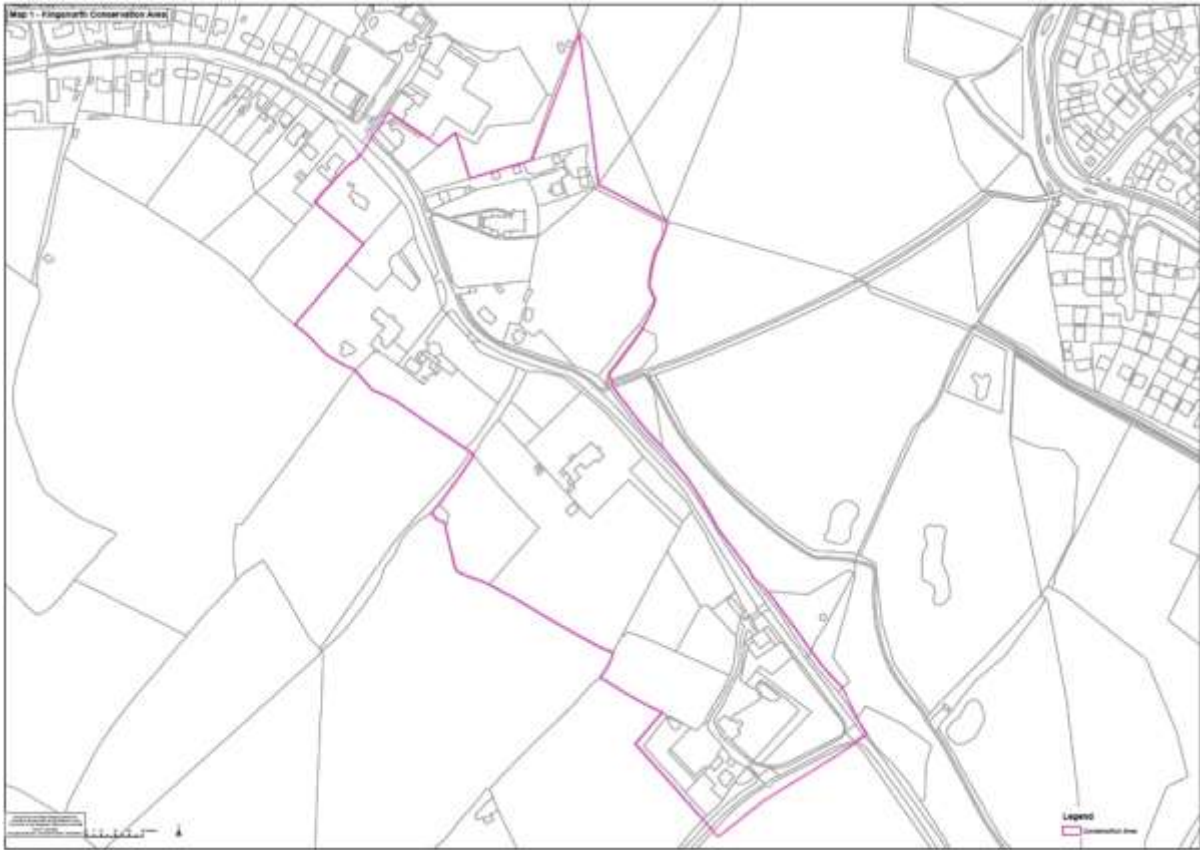
The Planning (Listed Buildings and Conservation Areas) Act 1990 defines a conservation area as ‘an area of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance’. This Conservation Area Appraisal and Management Plan is the first to be produced for the area and has been produced in collaboration with Borough Council Members and officers and Kingsnorth Parish Council. Local authorities are required by law to regularly review their conservation areas and produce Conservation Area Appraisals and Management Plans. These explain what is important about the area and what improvements are needed.

This Appraisal and Management Plan is based on best practice contained within the Historic England guidance on Understanding Place: Conservation Area Designation, Appraisal and Management (2011, with Revision Note June 2012).

1.1 Conservation Area Boundary

The evaluation of the Kingsnorth Conservation Area has involved an assessment of historic maps and documents and comprehensive site surveys including a walkabout involving Ward and Parish Councillors where the group observed and recorded the key positive and negative features which made up the character and appearance of the area. This extensive process has informed the proposed boundary of the Conservation Area. A review of the boundary of the Conservation Area has been conducted in preparing this Appraisal in order to establish whether the boundary remains appropriate. In general, it has been concluded that the boundary is the correct one for defining the area of special architectural or historic interest but a number of amendments are recommended as a result of this Appraisal.

Map 1 (overleaf) shows the proposed revised Conservation Area boundary.



MAP 1 PROPOSED REVISED CONSERVATION AREA BOUNDARY

1.2 Definition and Purpose of Conservation Areas

Designation as a Conservation Area empowers the local authority to pay particular attention to proposed development within, and affecting the setting of, a Conservation Area and gives greater control over such matters as demolition, landscaping and trees, and the display of advertisements.

Designation also raises the awareness of local residents and businesses to the quality of their surroundings and is intended to encourage an active interest in the care and maintenance of their properties and surrounding land, thereby fostering a sense of communal pride.

The purpose of designation of a conservation area is to preserve or enhance an area of special architectural or historic interest - and enhancement measures are proposed in this Conservation Area Appraisal and Management Plan (CAMP).

1.3 Purpose of Appraisals and Management Plans

The principal purpose of this Appraisal is to provide a firm basis on which proposals for development within and adjoining the proposed Kingsnorth Conservation Area can be assessed, through defining those key elements that contribute to the special historic and architectural character and which should be preserved or enhanced. The Appraisal will be a key document in maintaining character and promoting appropriate, sensitively sited and designed proposals in the Conservation Area.

The appraisal and management plan defines the key elements that together give the area its character and objectively analyses how they interact to enhance their individual impact. It then provides management suggestions for future policies and improvements based on a clear understanding of the special architectural and historic qualities that give the area its local distinctiveness.

The plan will help the Borough Council, those proposing development and the local community engage in the conservation and enhancement of the local historic environment and help secure the long-term viability of the Conservation Area as an important heritage asset.

As an adopted CAMP, the plan is a material consideration in the determination of development proposals.

2.0 Planning Context

2.1 National Guidance

Government advice concerning conservation areas and historic buildings is set out in the National Planning Policy Framework. This states that one of the Government's Core Planning Principles is to conserve heritage assets, including conservation areas and listed buildings, in a manner appropriate to their significance so that they can be enjoyed for their contribution to the quality of life of this and future generations. The Government states that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.

The Government advises local planning authorities to take account of the different roles and character of different areas and always seek to secure high quality design.

In determining applications, the Government advises that local planning authorities should identify and assess the particular significance of a Conservation Area affected by a proposal (including by development affecting its setting). The Government states that when considering the impact of a proposed development on a Conservation Area, great weight should be given to its conservation.

2.2 The Development Plan

The Saved Local Plan (2000) policy - Development in Conservation Areas, and Ashford Core Strategy (2008) contains the following policies which apply to Conservation Areas.

EN16 Development or redevelopment within Conservation Areas will be permitted provided such proposals preserve or enhance the character or appearance of the area. Proposals must fulfil each of the following criteria:

- a) the scale and detailed design of new work has respect for the historic, architectural and landscape context of the established character of the area;
- b) the materials proposed to be used are appropriate to the locality and in sympathy with existing buildings;
- c) the following are retained – buildings and streets of townscape character, trees, open spaces, walls, fences or any other features which contribute positively to the character and appearance of the area;
- d) the development does not generate levels of traffic, parking, or other environmental problems which would damage the character or appearance of the area; and
- e) the use proposed is appropriate.

POLICY CS1: Guiding Principles

Sustainable development and high quality design are at the centre of the Council's approach to plan making and deciding planning applications.

Accordingly, the Council will apply the following key planning objectives:

B. The conservation and enhancement of the historic environment and built heritage of the Borough...

POLICY CS9: Design Quality

Development proposals must be of high quality design and demonstrate a positive response to each of the following design criteria:

- a) Character, Distinctiveness and Sense of Place
- b) Permeability and Ease of Movement
- c) Legibility
- d) Mixed use and Diversity
- e) Continuity and Enclosure
- f) Quality of Public Spaces
- g) Flexibility, Adaptability and Liveability
- h) Richness in Detail
- i) Efficient use of Natural Resources

The Draft Local Plan 2030, will continue this local policy protection through a specific policy, once adopted.

This CAMP helps define the distinctive character of the different parts of the Kingsnorth Conservation Area and the importance of its setting. In turn, this will help the Borough Council apply the above policies within the conservation area and its setting.

Development proposals will be judged against their overall contribution to the preservation and enhancement of the character and appearance of the area and its setting as set out in this Appraisal. Context and quality design is vitally important in reinforcing the character of this area and the character must not be lost through undue pressure for inappropriate or poorly designed development or redevelopment of an unacceptable nature.

2.3 Special Controls in the Conservation Area

Designation of a Conservation Area does not mean that development cannot occur, but rather that any change should preserve or enhance the features which make up its special character.

Some minor development can be carried out without the need to obtain planning permission – generally referred to as ‘Permitted Development’. These are subject to the proposal meeting strict criteria, for example relating to size and detailed positioning. As the law relating to planning permission is complex, and the rules governing ‘Permitted Development’ are changing, you are strongly advised to seek advice from the Council before carrying out any development.

The Planning Portal: Information can be found under ‘Do you need permission?’ section on the planning portal website (<http://www.planningportal.gov.uk/permission>)

Nevertheless, the principles contained in this Appraisal promote good practice and should be relevant whether planning permission is required or not.

Within a Conservation Area, controls are imposed which are additional to normal planning restrictions, in order to maintain the character and appearance of the area. These are outlined here for information. However other planning controls may still apply and are not altered by conservation area status.

Houses and their alteration

The size of an extension that may be built without the need to apply for planning permission is more restricted within a conservation area. Any proposals should always be discussed with the Council at an early stage. Planning permission may be required for the erection of a building or structure within the garden of the house subject to size or siting, for example, a workshop, pavilion, greenhouse and so on.

Cladding of the exterior of a residential property with stone, artificial stone, timber, plastic or tiles will require submission of a planning application. Any enlargement of a house by way of additions to the roof, e.g. a dormer window to the front elevation, will require a planning application to be made.

A planning application is needed for a satellite antenna where it is to be installed on a chimney, wall, or a roof slope which faces onto, and is visible from, a road.

Other commercial premises and flats

Any extension or alteration to other commercial premises or residential flats, which materially affects the external appearance of the building, will require a planning application to be made. This is particularly important within conservation areas, where even small alterations can materially affect the character and appearance of the area. For instance, such alterations can include rendering brickwork, replacement of slates with concrete tiles, and replacement windows.

Demolition

Conservation Area Consent is required for the demolition of any building, whether in whole or in part, within a conservation area, except the following:

- any building with a total cubic content not exceeding 115m³ or any substantial part of such building
- any wall of fence (or substantial part) less than 1m high fronting onto the street or less than 2m high elsewhere
- any building subject to a formal order requiring demolition

This consent is in addition to any planning permission which you may require to replace the building.

Trees

6 weeks written notice must be given to the Council of intent to cut down, top, lop, uproot or destroy a tree within a Conservation Area. The Council will then advise if it wishes to raise an objection. If a response is not received from the Council within 6 weeks of the notice being given, work may go ahead. This requirement does not apply to trees which have a diameter less than 75mm when measured at a height of 1.5m above the ground and trees already covered by a Tree Preservation Order, in which case any works will require consent.

Unauthorised Works and development

Sometimes, landowners and others carry out works without first obtaining any necessary consent from the Borough Council. The Council does have certain legal powers to deal with such situations, but can only take enforcement action once it is aware of any alleged unauthorised works and after detailed investigation.

Maintenance and Repairs

The Council has a duty to pay special attention to the character or appearance of conservation areas, in exercising its planning powers. However, these powers are limited. The principal guardians of the character and appearance of the area are the residents and business people who live and work in the conservation area and who are responsible for maintaining their individual properties.

The character of conservation areas can be altered or lost through the use of inappropriate materials, not only on the buildings themselves but also on the ground, roads, and along boundaries. The introduction of features, such as street furniture, signs, lights, and hard surfacing, can change an area's character. Within the conservation area the buildings are part of a wider street scene, often of buildings of similar style and size. Altering the appearance, form or size of any one building can affect not only the individual building, but the whole street. Unsympathetic replacement windows (particularly where the size of the openings are changed or inappropriate materials or designs are used) can alter the appearance of a building considerably. Where a number of different designs are used along a street, the rhythm and unity of its original appearance can be spoilt.

Painting or rendering over original brickwork is another alteration which can dramatically change a property's appearance and irreparably affect the street scene. As well as covering up attractive brickwork, it can obscure original architectural and brick detailing and requires regular redecoration to maintain an attractive appearance. In older buildings paint or render can also trap moisture which may cause damage to walls.

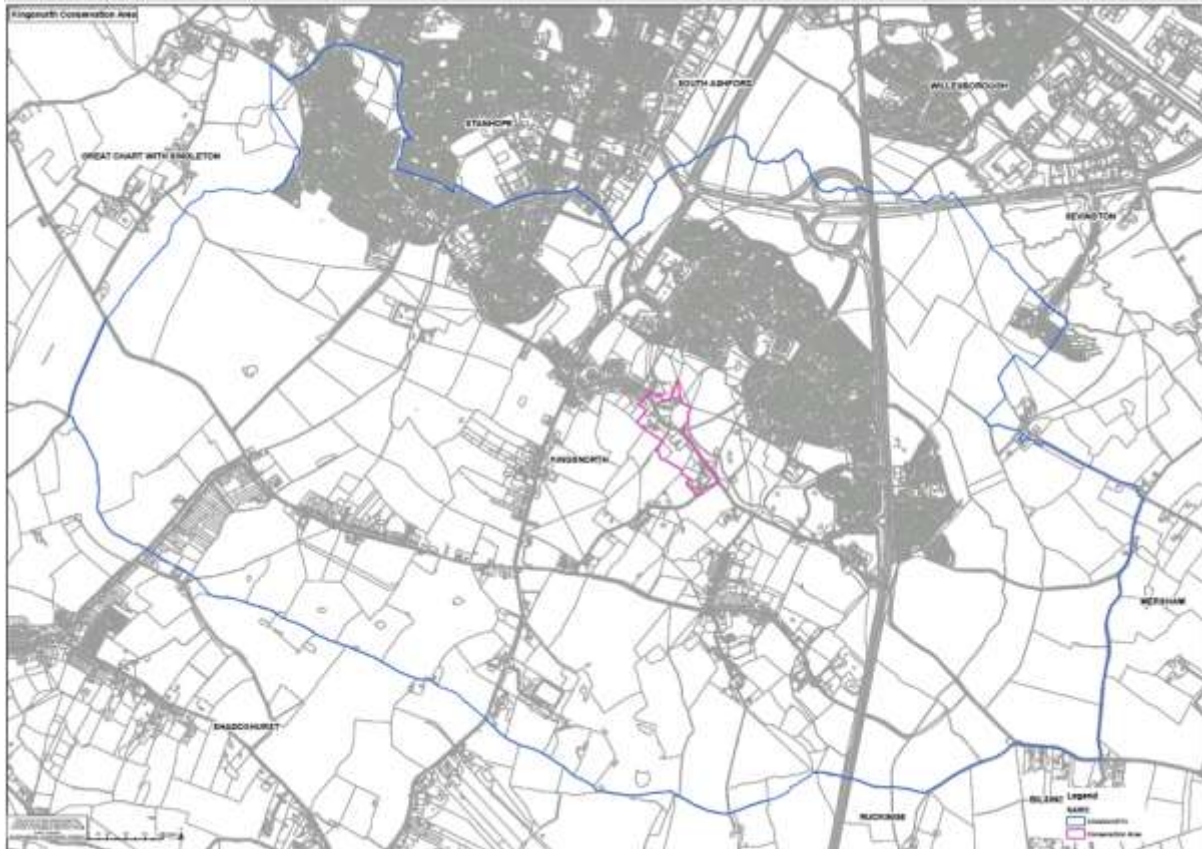
Boundary treatments

Boundary treatment, especially to the street, is an essential feature of any property. Original boundaries, whether a ragstone wall or hedge should be retained wherever possible and every effort made to reinstate missing boundary treatments with a sympathetic replacement. The particular design and the materials used should take account of the character of the property and the surrounding area.

3.0 Context and Development

3.1 General Description

The Kingsnorth Conservation Area comprises over 9 hectares within Kingsnorth village, and includes 9 Listed buildings, including the parish church, the original village school, together with a number of old private dwellings, notably Old Mumford and Mouse Hall.



MAP 2 GEOGRAPHICAL LOCATION

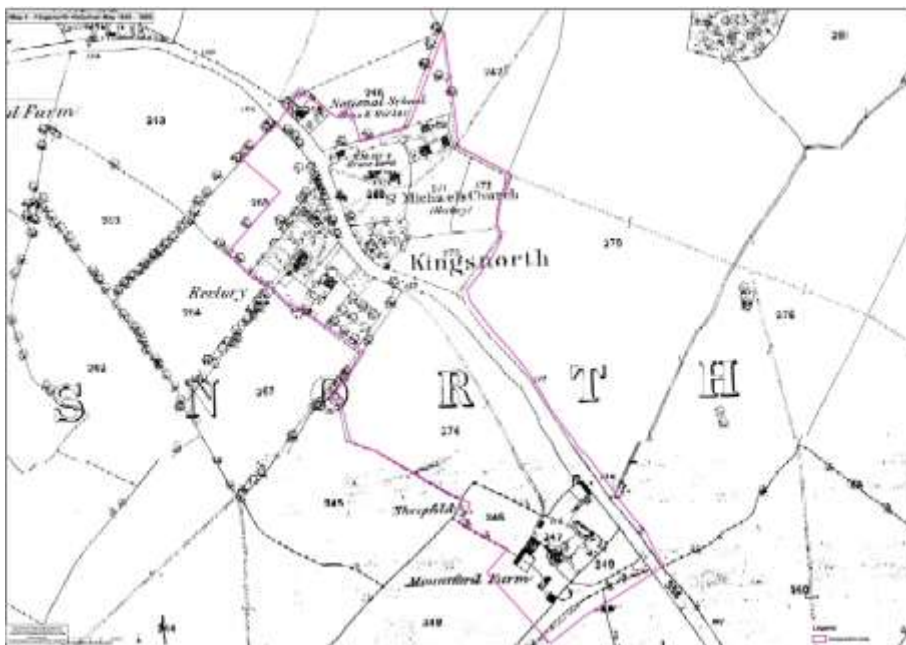
3.2 Historical Development

A transcript of the Domesday Book of 1086 indicates that there was a settlement at Kingsnorth controlled by the Manor of Wye. One explanation of the name is that it derived from the Old English *cyninges snad*, detached land belonging to a royal estate. Another suggestion is that the settlement took its name from Jutish people 'Kyn', kin folk, who settled on a wooded hill or 'snode'. Other early variations of the name are *Kyngsnode*; *Kynsnoth*, *Kyngesnothe* and *Kingessnode*.

However, archaeological excavations, carried out prior to the building of new estates in the wider Kingsnorth Parish, revealed that its earliest residents may have lived here up to 28,000 years ago. Flint tools were found at Park Farm, some possibly dating to the Upper Paleolithic period, but most from the Mesolithic period around 9,000 B.C. At Brisley Farm, a late Iron Age/early Roman settlement (200BC to 100 AD) was found with a possible Bronze Age (2500 – 650 BC) field system underneath. Two Iron Age 'warrior burials' accompanied by swords, spears, shields and other grave goods were also excavated.

A Roman settlement was discovered at the crossing of two important Roman roads on Westhawk Farm. Over 250 coins and many other artefacts were discovered on the site together with a Roman cemetery and an Iron Age burial. A site at Park Farm, which is crossed by one of the Roman roads, also yielded Roman pottery fragments, some of which were associated with the regional distribution of salt, probably made on Romney Marsh.

The current Grade I Listed Church of St Michael and All Angels built of Kentish ragstone dates from the late 14th/early 15th century, when the earlier church was rebuilt on the same foundations. It contains a painted window showing St. Michael fighting a dragon that has been dated to 1400.

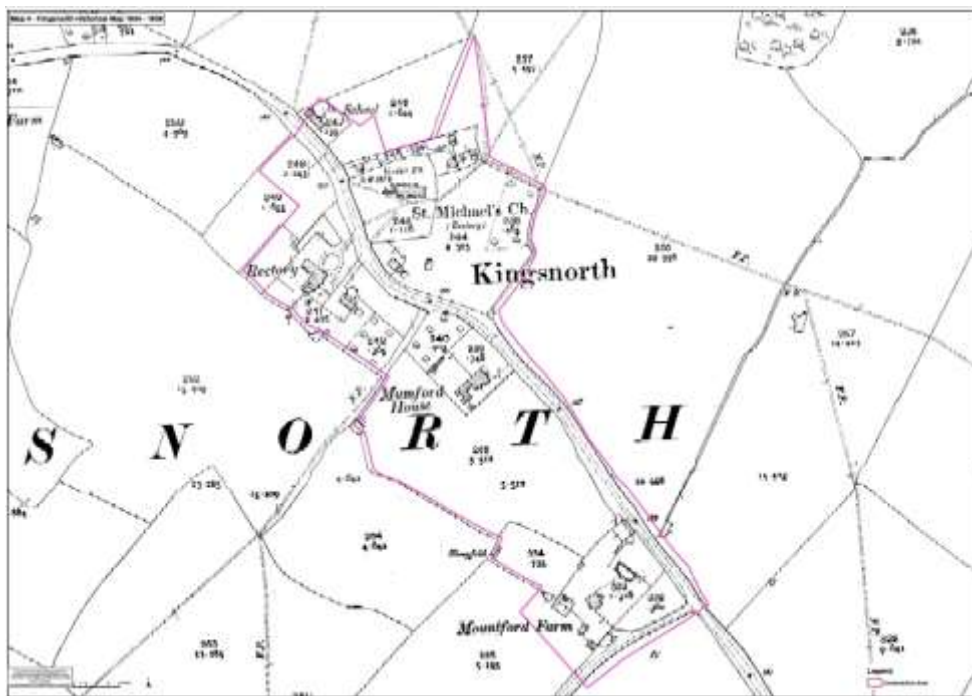


**MAP 3 KINGSNORTH
CONSERVATION AREA
1843 – 1893**

The earliest available map of 1843 - 1893 shows Kingsnorth village as a small cluster of buildings at the highest point on Church Hill, comprising the church and rectory opposite, (now known as Mulberry House and formerly Whitegates), the cottages immediately adjacent to the church, Glebe and Piran (now Candlemass) Cottages, Mouse Hall and Mumford Cottage and the village school. These buildings mostly date from the 18th Century and are built in typical Kentish style of red brick, tile-hung or white painted weather boarding at first floor level and hipped tiled roofs

The Old Mumford farmhouse and adjacent listed Barn can be seen on the map lying outside the village cluster lower down Church Hill to the south-east, and also date from the 18th Century. Formerly a farmstead called Mountford Farm, the small early C18th house incorporates a few stone foundations and lower courses of an earlier much larger house and Tudor interior timbers. It was substantially added to c.1948. Three small ponds lying to the south west and north east of the house respectively are thought to be remains of a moat.

The addition of Mumford House on the west side of Church Hill south of Mulberry House, in the mid 19th Century (see map below) is the sole addition to the village before post 1920 infill development along the road to the north west of the church which included the current village hall building. This development eventually led to the separate hamlet to the immediate west of Kingsnorth, known as Kingsnorth Pound to merge with the village.



**MAP 4
KINGSNORTH
CONSERVATION
AREA
1891 – 1912**

The RAF and USAAF occupied RAF Kingsnorth, an airfield close to the village, during World War II and two concrete pillboxes remain from this time just outside the Conservation Area, one to the rear of the school extension and one in the front garden of the house adjacent to the village hall. Built in 1940 to counter the threat of German invasion during World War II, they belong to a network of defences constructed to protect the key nodal point at Ashford which became one of several strongpoints, or anti-tank islands, created to protect strategic locations from enemy attack. These pillboxes serve as a reminder of the strategic importance of this part of Kent at that time in the communication network of south eastern England.

3. 3 Setting and topography

Kingsnorth Conservation Area is located on higher ground with the land falling to the east.

The context of the wider area has changed in the last 20 years as the urban area of Ashford has expanded towards the north of the historic village.

Extensive new development has been built at Park Farm. Nevertheless, the impact of this development on the Conservation Area has been moderated by siting it away from the historic core of the village. The Kingsnorth Buffer Zone is located to the north of the Conservation Area with retained hedged open fields with mature trees providing an important setting which helps protect the character and appearance of the Conservation Area and preventing the coalescence of Park Farm and the Conservation Area. The setting of the historic core of the village is also assisted by ensuring that the extensive development is sited behind substantial mature hedgerow and treed boundaries.



Hedged open fields with mature trees provide the northern setting to the Conservation Area.

Land falls away to the south west towards Mill Hill. As with the north of the historic core of the village, the hedged open fields with mature trees immediately abutting the Conservation Area provide an important setting to this designated heritage asset and allow views across the fields to the south east at the rear of Church Hill up towards Bond Lane and to the south west towards Mill Hill.



Hedged open fields with mature trees provide the south western setting to the Conservation Area.

Immediately to the west of the Conservation Area, modern, generally linear, development now links with the previously separate hamlet of Kingsnorth Pound, significantly reducing the appreciation of the special architectural and historic interest of the Conservation Area.



Generally linear residential development forms the western approach to the Conservation Area.

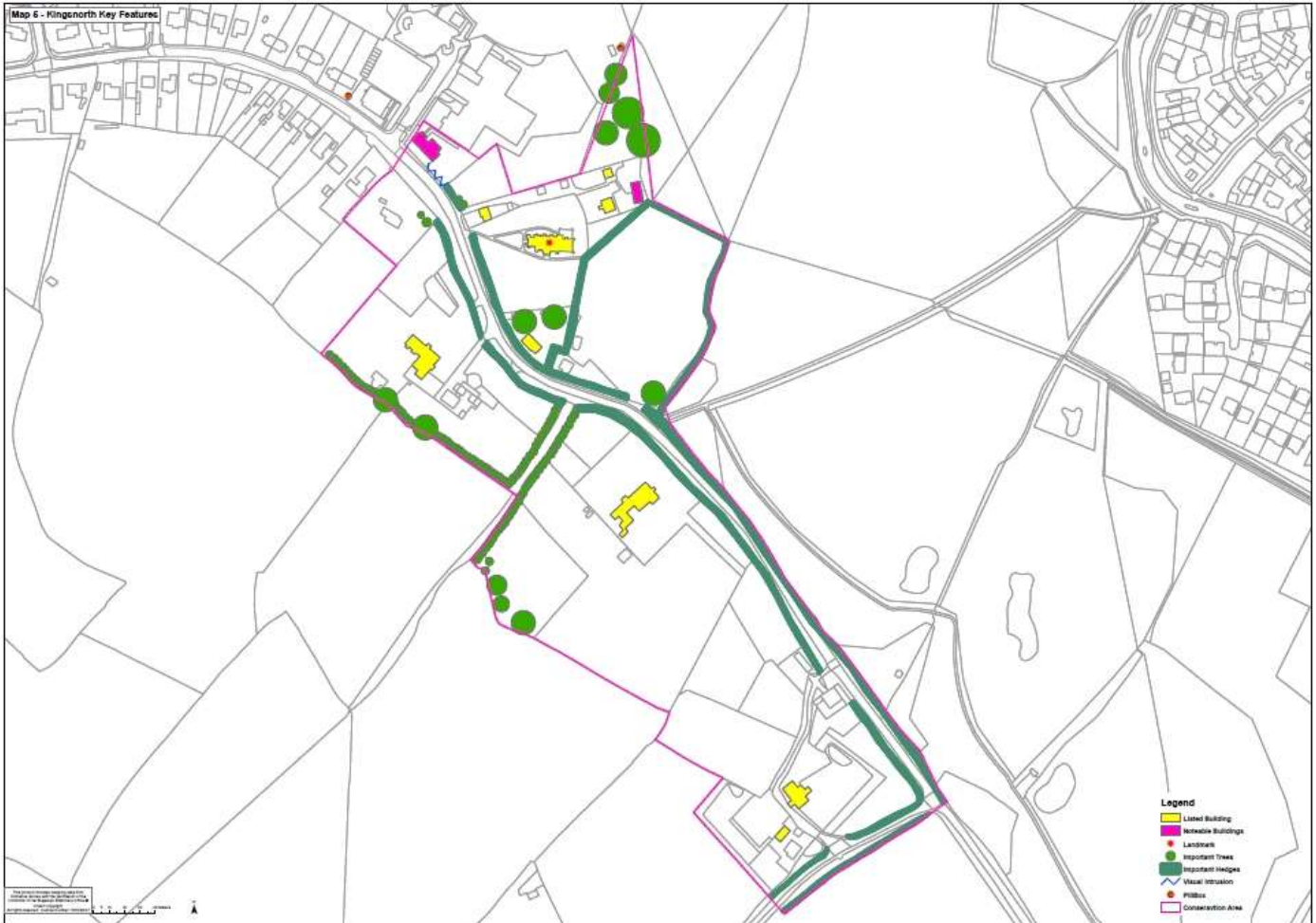
To the south of Bond Lane, which marks the boundary of the Conservation Area, hedged open fields with mature trees abut Church Hill to the east and west and provide an important rural setting to the designated heritage asset.



Hedged open fields with mature trees provide the south western setting to the Conservation Area.

4.0 Character Appraisal

Kingsnorth Conservation Area as a whole represents an area of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance.



MAP 5 KEY FEATURES OF THE CONSERVATION AREA.

4.1 Kingsnorth Conservation Area

The historic core of the village is located around the Grade I Listed Church of St Michael and All Angels comprising the rectory opposite, (now known as Mulberry House), the cottages immediately adjacent to the church, Glebe and Piran (now Candlemass) Cottages, Mouse Hall, Mumford Cottage and the village school. The buildings immediately around the church to the north side of Church Hill are smaller cottages and those which front the road are located close to it. In contrast,, the buildings to the south of Church Hill tend to be larger houses set back from the road in more substantial grounds.



The Church of St Michael and All Angels is built of Kentish ragstone and is viewed through mature trees from Church Hill and from open fields to the north. The small scale building does not have a high tower but is visible from a number of vantage points and, as the tallest and oldest building within the Conservation Area, provides an important landmark.



The prominently located original village school is built of ragstone replicating the material used for the other major public building, the church. Brick detailing with slate roof and chimney stack and large window in the gable end add to the character of the building.



The original part of the primary school (left) is located in a prominent position close to Church Hill on higher ground at the entrance to the Conservation Area. Whilst not a listed building, the building is a prominent notable local building in terms of the character of this part of the Conservation Area and in understanding the historic evolution of the village. More modern buildings and playground are located behind the original building.

The cottages dispersed immediately around the church are small in scale with small gardens.

The listed white weather boarded Mouse Hall (right) with exposed timber frame to the north elevation is tucked behind street frontage trees and a front garden with a low ragstone boundary wall. Its small scale and recessed siting ensure that it fits discretely into the street scene.





The listed Piran (now Candlemass) Cottage (left) comprises two parallel ranges. The south range is refaced with red brick now painted on the ground floor and tile-hung above whilst the north range is a C19 addition, with its first floor oversailing in imitation of timber-framing. The cottage has a hipped tiled roof with chimneys and is located within a neat hedged landscaped garden adjoining the footpath and church yard.



The listed Glebe Cottage (left) is tucked down a private road and surrounded by a well landscaped garden. The first floor of the small cottage is tile-hung and the ground floor red brick with a hipped tiled roof and an outside brick chimney stack.



A pair of white weather boarded unlisted semi-detached properties (left and below) with hipped tiled roof and chimney sit within small, neat, hedged gardens.



The cottages face onto, and are prominent in views from, the open countryside to the north east and can be seen in the same view with the church tower (right). The buildings and gardens also abut the public footpath running south west back past the church. Whilst not listed buildings, the white weather boarding and prominent location make these notable local buildings in terms of the character of this part of the Conservation Area and in understanding the historic evolution of the village.

The field to the south east of the footpath which runs south west back past the church Is an integral part of the open character of this part of the Conservation Area. The field, which leads to a garden closer to Church Hill, is enclosed by mature hedges and trees and forms part of the setting for a number of listed buildings including Piran (now Candlemass) Cottage and the Church of St Michael and All Angels.



The field (above and below) Is an integral part of the open character of this part of the Conservation Area and forms part of the setting for a number of listed buildings including the church and Piran (now Candlemass) Cottage (above)



Away from the buildings dispersed immediately around the church, the character of Kingsnorth Conservation Area is dominated by the strong hedge and tree lined Church Hill. All buildings are well screened and generally have a minimal impact on the street scene. The winding lane is enclosed by hedges and substantial numbers of mature trees, often arching across the road to add to the sense of enclosure. The limited amount of development is generally well hidden by vegetation and narrow entrances. The verdant edges, discrete development and the informal highway layout (with a footpath on the north east side of the road and grass verge with ditch to

the south west side and an absence of street lights) create an informal rural character to the lanes. The character of the lanes is unified not by the buildings themselves, but the verdant landscape framework and the discrete appearance of buildings. Mature trees are also prevalent between and behind buildings forming the backdrop and setting for development and a skyline feature.



Characteristic of properties on the north east side of the road, Mumford Cottage (left) is located close to the road but is well concealed by a tall hedge which unifies the lane.



The single storey wooden building (above) is the only building to be located directly on the roadside in the Conservation Area but its discrete scale and natural materials mean that it is not significantly intrusive in Church Hill.



Glimpses of houses can be seen along Church Hill.



The curved tile hung first floor, hipped clay tile roof and chimney of Mumford Cottage can be seen above the hedge and a glimpse of the cottage can be seen through a pedestrian gate. The listed cottage continues the limited palette of materials within the Conservation Area with a red brick ground floor.

A number of larger properties in substantial grounds are well spaced along the south west side of the road. They are generally set well back from the road behind tall hedges and trees with narrow entrances helping conceal the development. The informality is retained as a grass verge abuts the road and gravel access drives have no formal edging. The number of vehicular cross overs is limited and ensures that the verdant rural character predominates.



The new rectory (left) is located opposite the school. The large building is set well back from the road but has a more open frontage than other buildings on this side of the road.



The old rectory, now named Mulberry House and formerly Whitegates, (left) is set back from the road and hidden from view by mature boundary planting. The listed two storey building of white painted brick has a hipped tiled roof with 3 dormers. There are later C19 additions, in red brick, to the north-west and south-west.



Mumford House (left) is set well back from the road and is well screened by hedge. The glimpsed two storey listed building comprises painted brick with a hipped tiled roof with chimneys.



A converted coach house (right) is discretely located along Church Hill.

One of the characteristics of the conservation area is the separation between buildings, which leaves landscaped gaps along the roadside.



The extension to church yard (left) in 1951 to the north of Mouse Hall provides a tranquil open space abutting Church Hill.

The open character of gardens and other areas abutting Church Hill contribute to the rural character and appearance of Church Hill and therefore the character of the Conservation Area as a whole.



The hedge and tree lined public footpath leading south west from Church Hill (left) is part of the Greensand Way and is characteristic of the rural context of this lane.

The verdant rural characteristics of Church Hill continue into Bond Lane. The lane is narrow and winding with grass verges and no footpaths. Hedges and trees continue to predominate and buildings are scarcely visible.



Bond Lane (left and below) forms part of the rural character of the Conservation Area. The willow signifies a pond along the northern side of the lane.



Old Mumford Farmhouse (left) and the converted listed Barn to the south of Old Mumford Farmhouse (below) are screened from Church Hill and Bond Lane by hedges, trees, and a high fence and gates. The two storey listed house is faced with painted brick and stucco, and has a tiled roof. This is the remaining part of a once larger house. The two storey listed barn has a red brick ground floor and dark stained weather boarded first floor with hipped tiled roof with 2 hipped dormers.



5.0 Negative Features

Overall the condition of the Conservation Area is good with buildings, gardens and public spaces all well maintained but there are a limited number of negative features which detract from the character or appearance of the Conservation Area.

- Overhead wires and telegraph poles are a characteristic of Church Hill and detract from the character of the buildings and the rural character of the lane.



- Although often discretely sited, domestic paraphernalia can urbanise and detract from the setting of buildings or the uncluttered open rural character of the Conservation Area



- Advertising outside the old school building and the chain link fencing fronting Church Hill to the rear of the building detract from the features of the building and the entrance to the Conservation Area.



- The more open frontage of the new vicarage is not characteristic of the other gardens fronting Church Road



6.0 Management Proposals for the Conservation Area

Historic England's good practice advocates that local authorities should prepare a management plan to address the issues arising from the Conservation Area Appraisal and set out recommendations for action. Some of these actions will be applied generally to Conservation Areas in the Borough, whilst others, such as enhancement proposals, are specific to the Kingsnorth Conservation Area.

6.1 Management Proposals applicable to all Conservation Areas in the Borough

Application of Planning Policy

The Borough Council will consistently apply adopted and future planning policy to ensure high quality design which is appropriate to protecting and enhancing the character and appearance of the Conservation Area. This will be applied to all development requiring planning or listed building consent including new development such as replacement or new buildings, small scale alterations and extensions to buildings, boundary treatment and, where applicable, surfacing front gardens. This approach will be followed for proposals both within the Conservation Area and those which affect its setting or impact on its character.

Repairs to Buildings in Conservation Areas Good Practice Guide

It would particularly assist home owners of the Borough Council's Listed Buildings and Conservation Areas if Good Practice Guides were complemented by an information leaflet on replacement doors, windows and roof materials considered to be suitable within Conservation Areas. This will have much wider application. It will recognise the need for replacement features and will also give practical guidance on design, acceptable materials and products. The Leaflet will be publicised and be available on the website.

Building Regulations

The Borough Council will continue to apply Building and Fire Regulations sensitively in Conservation Areas and to Listed Buildings to attempt to ensure that there is no conflict with the preservation of the character of the area or the building.

6.2 Management Proposals for Kingsnorth Conservation Area

Reduce the number of telegraph poles and overhead wires by placing wires underground as opportunities arise

It is recognised that the cost of replacing telegraph poles and overhead wires underground is normally high but opportunities to achieve this improvement to the appearance of the Conservation Area should be taken as they arise.

Hedge planting along front boundary the rectory

The more modern house has a neutral effect on the character of this part of the conservation area. A boundary hedge along the front of the curtilage would help to enclose the street scene define the boundary between public and private space and help reinforce the verdant character of Church Hill.



Churchyard

Red tarmac footpaths provide a durable surface to paths through the churchyard but are out of keeping with both the historic character and natural management of the area. When the footpaths next need repair, top dressing with a locally sourced gravel would be a low cost way to reduce the visual impact or resurfacing with bound gravel could be considered.



School frontage

The high chainlink fence boundary to the school playground, particularly fronting Church Hill, is a visual detractor within the Conservation Area, being of poor quality and in poor condition. When the fence is replaced, higher quality replacement fencing potentially of a lower height (subject to the school's needs) should be considered.

Greensand Way footpath

This long distance footpath can become overgrown and rough underfoot and would benefit from more regular clearance and grass cutting.



Sources:

Understanding Place: Conservation Area Designation, Appraisal and Management, Historic England (2011, with Revision Note June 2012)

Kent Historic Environment Record online

Kingsnorth Conservation Area Assessment 1996

<http://www.britishlistedbuildings.co.uk>

<http://kingsnorthparishcouncil.co.uk/history-of-parish/>

WOODCHURCH

CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN 2016



Tony Fullwood Associates
Chartered Town Planners



ASHFORD
BOROUGH COUNCIL

1.0 Introduction

The Planning (Listed Buildings and Conservation Areas) Act 1990 defines a conservation area as ‘an area of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance’. This draft Conservation Area Appraisal and Management Plan is the first to be produced for the area and has been produced in collaboration with Borough Council Members and officers and Woodchurch Parish Council. Local authorities are required by law to regularly review their conservation areas and produce Conservation Area Appraisals and Management Plans. These explain what is important about the area and what improvements are needed.

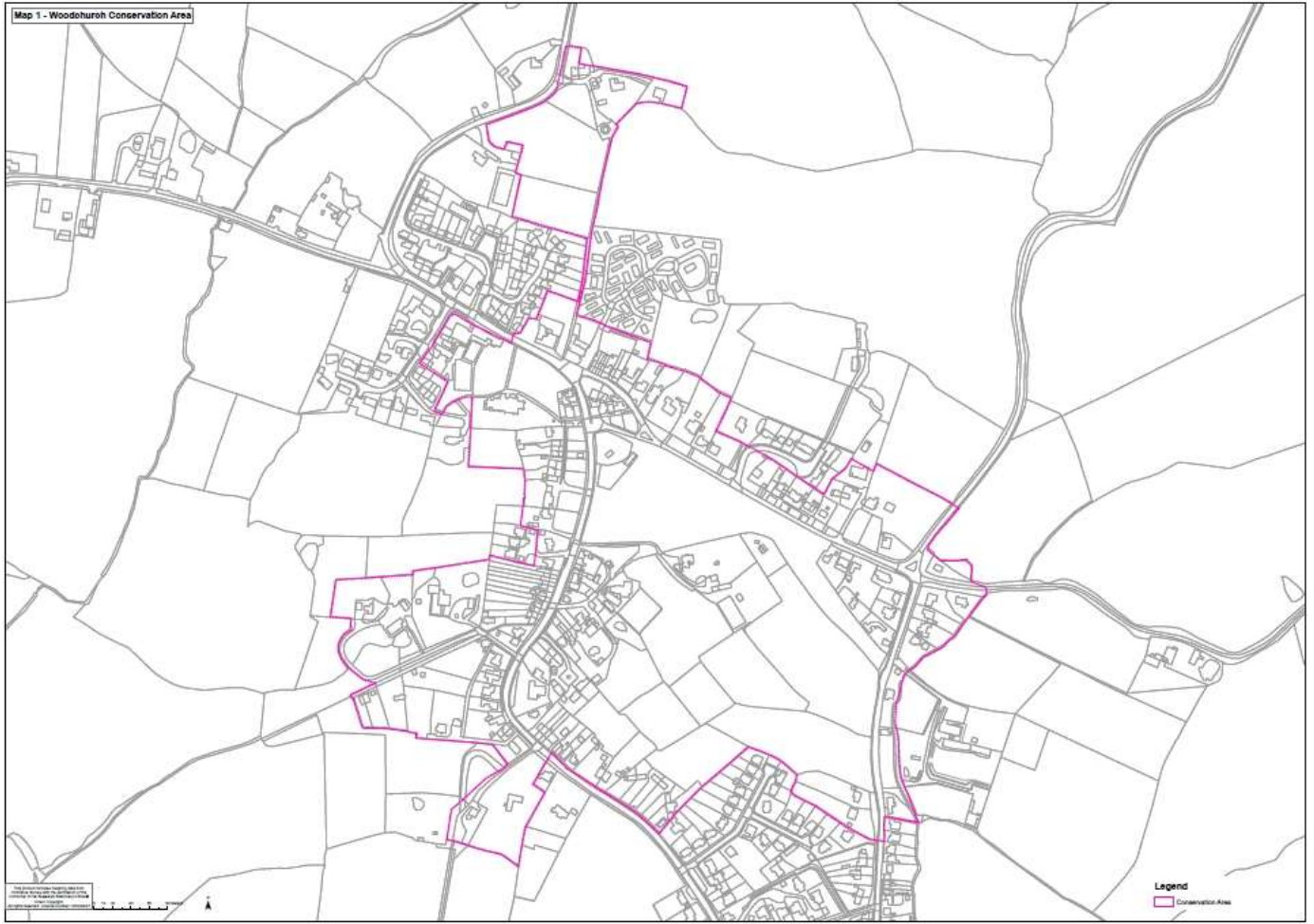
This Appraisal and Management Plan is based on best practice contained within the Historic England guidance on Understanding Place: Conservation Area Designation, Appraisal and Management (2011, with Revision Note June 2012).

1.1 Conservation Area Boundary

The evaluation of the Woodchurch Conservation Area has involved an assessment of historic maps and documents and comprehensive site surveys including a walkabout involving Ward and Parish Councillors where the group observed and recorded the key positive and negative features which made up the character and appearance of the area. This extensive process has informed the proposed boundary of the Conservation Area. A review of the boundary of the Conservation Area has been conducted in preparing this Appraisal in order to establish whether the boundary remains appropriate. In general, it has been concluded that the boundary is the correct one for defining the area of special architectural or historic interest but a number of amendments are recommended as a result of this Draft Appraisal.

Map 1 (overleaf) shows the proposed revised Conservation Area boundary.

MAP 1 PROPOSED REVISED CONSERVATION AREA BOUNDARY



1.2 Definition and Purpose of Conservation Areas

Designation as a Conservation Area empowers the local authority to pay particular attention to proposed development within, and affecting the setting of, a Conservation Area and gives greater control over such matters as demolition, landscaping and trees, and the display of advertisements.

Designation also raises the awareness of local residents and businesses to the quality of their surroundings and is intended to encourage an active interest in the care and maintenance of their properties and surrounding land, thereby fostering a sense of communal pride.

The purpose of designation of a conservation area is to preserve or enhance an area of special architectural or historic interest - and enhancement measures are proposed in this Conservation Area Appraisal and Management Plan (CAMP).

1.3 Purpose of Appraisals and Management Plans

The principal purpose of this Appraisal is to provide a firm basis on which proposals for development within and adjoining the proposed Woodchurch Conservation Area can be assessed, through defining those key elements that contribute to the special historic and architectural character and which should be preserved or enhanced. The Appraisal will be a key document in maintaining character and promoting appropriate, sensitively sited and designed proposals in the Conservation Area.

The appraisal and management plan defines the key elements that together give the area its character and objectively analyses how they interact to enhance their individual impact. It then provides management suggestions for future policies and improvements based on a clear understanding of the special architectural and historic qualities that give the area its local distinctiveness.

The plan will help the Borough Council, those proposing development and the local community engage in the conservation and enhancement of the local historic environment and help secure the long-term viability of the Conservation Area as an important heritage asset.

As an adopted CAMP, the plan is a material consideration in the determination of development proposals.

2.0 Planning Context

2.1 National Guidance

Government advice concerning conservation areas and historic buildings is set out in the National Planning Policy Framework. This states that one of the Government's Core Planning Principles is to conserve heritage assets, including conservation areas and listed buildings, in a manner appropriate to their significance so that they can be enjoyed for their contribution to the quality of life of this and future generations. The Government states that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.

The Government advises local planning authorities to take account of the different roles and character of different areas and always seek to secure high quality design.

In determining applications, the Government advises that local planning authorities should identify and assess the particular significance of a Conservation Area affected by a proposal (including by development affecting its setting). The Government states that when considering the impact of a proposed development on a Conservation Area, great weight should be given to its conservation.

2.2 The Development Plan

The Saved Local Plan (2000) policy - Development in Conservation Areas, and Ashford Core Strategy (2008) contains the following policies which apply to Conservation Areas.

EN16 Development or redevelopment within Conservation Areas will be permitted provided such proposals preserve or enhance the character or appearance of the area. Proposals must fulfil each of the following criteria:

- a) the scale and detailed design of new work has respect for the historic, architectural and landscape context of the established character of the area;
- b) the materials proposed to be used are appropriate to the locality and in sympathy with existing buildings;
- c) the following are retained – buildings and streets of townscape character, trees, open spaces, walls, fences or any other features which contribute positively to the character and appearance of the area;
- d) the development does not generate levels of traffic, parking, or other environmental problems which would damage the character or appearance of the area; and
- e) the use proposed is appropriate.

POLICY CS1: Guiding Principles

Sustainable development and high quality design are at the centre of the Council's approach to plan making and deciding planning applications.

Accordingly, the Council will apply the following key planning objectives:

B. The conservation and enhancement of the historic environment and built heritage of the Borough...

POLICY CS9: Design Quality

Development proposals must be of high quality design and demonstrate a positive response to each of the following design criteria:

- a) Character, Distinctiveness and Sense of Place
- b) Permeability and Ease of Movement
- c) Legibility
- d) Mixed use and Diversity
- e) Continuity and Enclosure
- f) Quality of Public Spaces
- g) Flexibility, Adaptability and Liveability
- h) Richness in Detail
- i) Efficient use of Natural Resources

This CAMP helps define the distinctive character of the different parts of the Woodchurch Conservation Area and the importance of its setting. In turn, this will help the Borough Council apply the above policies within the conservation area and its setting.

Development proposals will be judged against their overall contribution to the preservation and enhancement of the character and appearance of the area and its setting as set out in this Appraisal. Context and quality design is vitally important in reinforcing the character of this area and the character must not be lost through undue pressure for inappropriate or poorly designed development or redevelopment of an unacceptable nature.

2.3 Special Controls in the Conservation Area

Designation of a Conservation Area does not mean that development cannot occur, but rather that any change should preserve or enhance the features which make up its special character.

Some minor development can be carried out without the need to obtain planning permission – generally referred to as ‘Permitted Development’. These are subject to the proposal meeting strict criteria, for example relating to size and detailed positioning. As the law relating to planning permission is complex, and the rules governing ‘Permitted Development’ are changing, you are strongly advised to seek advice from the Council before carrying out any development.

The Planning Portal: Information can be found under Do you need permission? section on the planning portal website (<http://www.planningportal.gov.uk/permission>)

Nevertheless, the principles contained in this Appraisal promote good practice and should be relevant whether planning permission is required or not.

Within a Conservation Area, controls are imposed which are additional to normal planning restrictions, in order to maintain the character and appearance of the area. These are outlined here for information. However other planning controls may still apply and are not altered by conservation area status.

Houses and their alteration

The size of an extension that may be built without the need to apply for planning permission is more restricted within a conservation area. Any proposals should always be discussed with the Council at an early stage. Planning permission may be required for the erection of a building or structure within the garden of the house subject to size or siting, for example, a workshop, pavilion, greenhouse and so on.

Cladding of the exterior of a residential property with stone, artificial stone, timber, plastic or tiles will require submission of a planning application. Any enlargement of a house by way of additions to the roof, e.g. a dormer window to the front elevation, will require a planning application to be made.

A planning application is needed for a satellite antenna where it is to be installed on a chimney, wall, or a roof slope which faces onto, and is visible from, a road.

Other commercial premises and flats

Any extension or alteration to other commercial premises or residential flats, which materially affects the external appearance of the building, will require a planning application to be made. This is particularly important within conservation areas, where even small alterations can materially affect the character and appearance of the area. For instance, such alterations can include rendering brickwork, replacement of slates with concrete tiles, and replacement windows.

Demolition

Conservation Area Consent is required for the demolition of any building, whether in whole or in part, within a conservation area, except the following:

- any building with a total cubic content not exceeding 115m³ or any substantial part of such building
- any wall of fence (or substantial part) less than 1m high fronting onto the street or less than 2m high elsewhere
- any building subject to a formal order requiring demolition

This consent is in addition to any planning permission which you may require to replace the building.

Trees

6 weeks written notice must be given to the Council of intent to cut down, top, lop, uproot or destroy a tree within a Conservation Area. The Council will then advise if it wishes to raise an objection. If a response is not received from the Council within 6 weeks of the notice being given, work may go ahead. This requirement does not apply to trees which have a diameter less than 75mm when measured at a height of 1.5m above the ground and trees already covered by a Tree Preservation Order, in which case any works will require consent.

Unauthorised Works and development

Sometimes, landowners and others carry out works without first obtaining any necessary consent from the Borough Council. The Council does have certain legal powers to deal with such situations, but can only take enforcement action once it is aware of any alleged unauthorised works and after detailed investigation.

Maintenance and Repairs

The Council has a duty to pay special attention to the character or appearance of conservation areas, in exercising its planning powers. However, these powers are limited. The principal guardians of the character and appearance of the area are the residents and business people who live and work in the conservation area and who are responsible for maintaining their individual properties.

The character of conservation areas can be altered or lost through the use of inappropriate materials, not only on the buildings themselves but also on the ground, roads, and along boundaries. The introduction of features, such as street furniture, signs, lights, and hard surfacing, can change an area's character. Within the conservation area the buildings are part of a wider street scene, often of buildings of similar style and size. Altering the appearance, form or size of any one building can affect not only the individual building, but the whole street. Unsympathetic replacement windows (particularly where the size of the openings are changed or inappropriate materials or designs are used) can alter the appearance of a building considerably. Where a number of different designs are used along a street, the rhythm and unity of its original appearance can be spoilt.

Painting or rendering over original brickwork is another alteration which can dramatically change a property's appearance and irreparably affect the street scene. As well as covering up attractive brickwork, it can obscure original architectural and brick detailing and requires regular redecoration to maintain an attractive appearance. In older buildings paint or render can also trap moisture which may cause damage to walls.

Boundary treatments

Boundary treatment, especially to the street, is an essential feature of any property. Original boundaries, whether a brick or ragstone wall, railings, white painted picket fencing, or hedge should be retained wherever possible and every effort made to reinstate missing boundary treatments with a sympathetic replacement. The particular design and the materials used should take account of the character of the property and the surrounding area.

3.0 Context and Development

3.1 General Description

The Conservation Area designation is 30 hectares and covers the entire village centre, including the Village Green, All Saints Church and the Windmill and includes 27 listed buildings.

MAP 2 GEOGRAPHICAL LOCATION



3.2 Historical Development

Woodchurch would have developed as a small settlement in a clearing in the great oak forest that extended from where Tunbridge Wells is today to the coast. Old maps show the name of the village spelt in a variety of ways including Wudecirce (c.1100) and Wodechirche (c.1235). The village was firmly established in the 13th century when a baron named Raphe la Thun, whose duty it was to maintain a regular force of soldiers to protect Dover Castle held a manor at Woodchurch, known as Thunland or Townland. Townland Green within the Conservation Area, is one of the oldest parts of the village, with Townland Farm and Court Lodge Farm two of the remaining buildings from this early period.

The main body of the current All Saints Church was built of Kentish ragstone in the 13th century, although it is likely that an earlier church possibly built of wood was founded in Norman times in the early 12th century. Located on relatively high ground, this large and complete Early English church with 14th and 15th Century additions, was restored in the 1840's with some Perpendicular enlargements and is now a Grade I Listed Building.

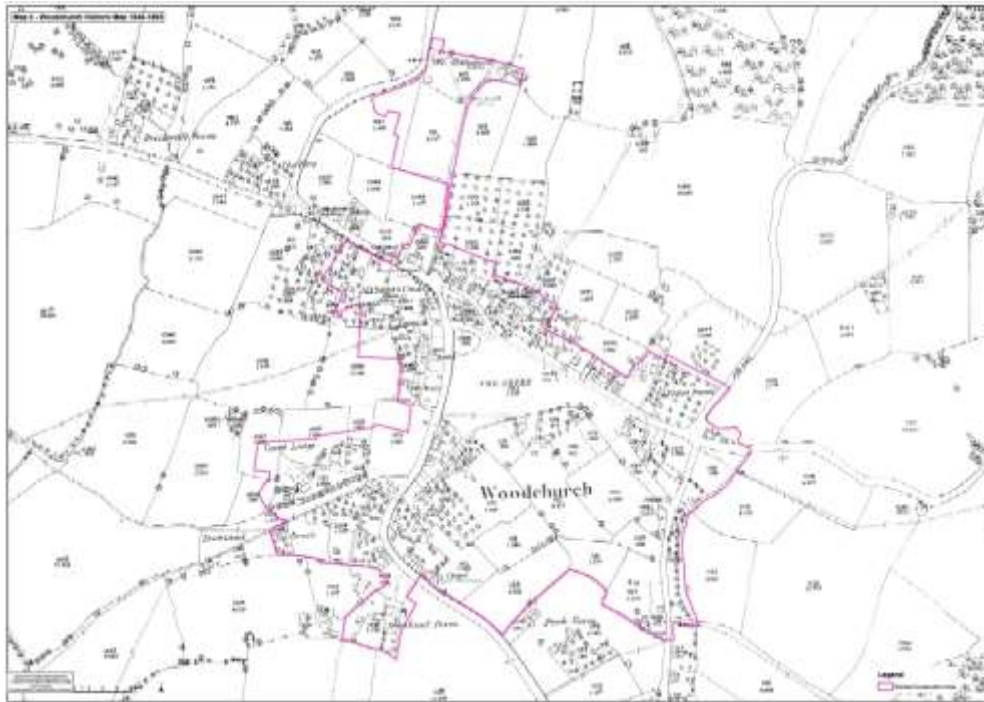
The village developed initially around the church and the Green to the east of the church, which now forms the heart of the village and the Conservation Area. The Green was originally open common land, which stretched south beyond the Conservation Area to Stonebridge before the lower green area was gradually fenced and removed from public access. Around the north-eastern edge of the Green, there are many notable listed buildings such as Henden Place and Place Farmhouse, both good examples of early Wealden Hall houses dating from the Medieval period (15th and 16th Century). Houses on this side of the Green developed along a common frontage line set back from the road and used typical materials of the Weald including Kent peg-tiled roofs, white painted weatherboard-clad elevations and the use of timber framing. Development of houses continued from the late 16th to the 18th centuries, including a row to the west of the Green just south of the church, along a public footpath called 'The Pavement' paved in blocks of Bethersden Marble, a local limestone also used in the church and outside the houses at 1 – 13 The Green. Most of these dwellings were built in Kentish style and several feature Georgian brick facades.

There are two notable Grade II listed farmhouses within the Conservation Area. The late Medieval Court Lodge Farmhouse is set well back from Front Road and surrounded by hedged gardens and fields. This timber-framed building, refaced with red brick and grey headers has a steeply pitched hipped tiled roof with distinctive massive brick chimney stack and an C18 north wing which is weather boarded on the first floor. Townland Farmhouse at 80 Front Road, dating from the 17th Century is a two-storey L-shaped building is constructed from red brick with grey headers with part of the west wing being tile hung and a half hipped tiled roof.

Overlooking the village to the north of the church is a timber windmill built in 1820 and a good example of a Kentish smock mill with a ground floor of tarred brick, faced above with white painted weatherboarding. It was one of a pair of mills known as 'the twins', both brought here from other sites. The upper mill, dating from the early 18th Century and known as the 'Black Mill' was moved from Place Lane and was used as an observation post by the military throughout the first world war and survived until 1940. The only signs of its existence today are a few pieces of its brick base. The remaining lower mill, known as the

'White Mill' was relocated from Susan's Hill and continued grinding commercially until 1926 after which time both mills fell into disrepair. The mill has undergone several periods of extensive renovation since 1946 and is now almost completely restored to working condition by local craftsmen and enthusiasts and managed by a charitable Trust.

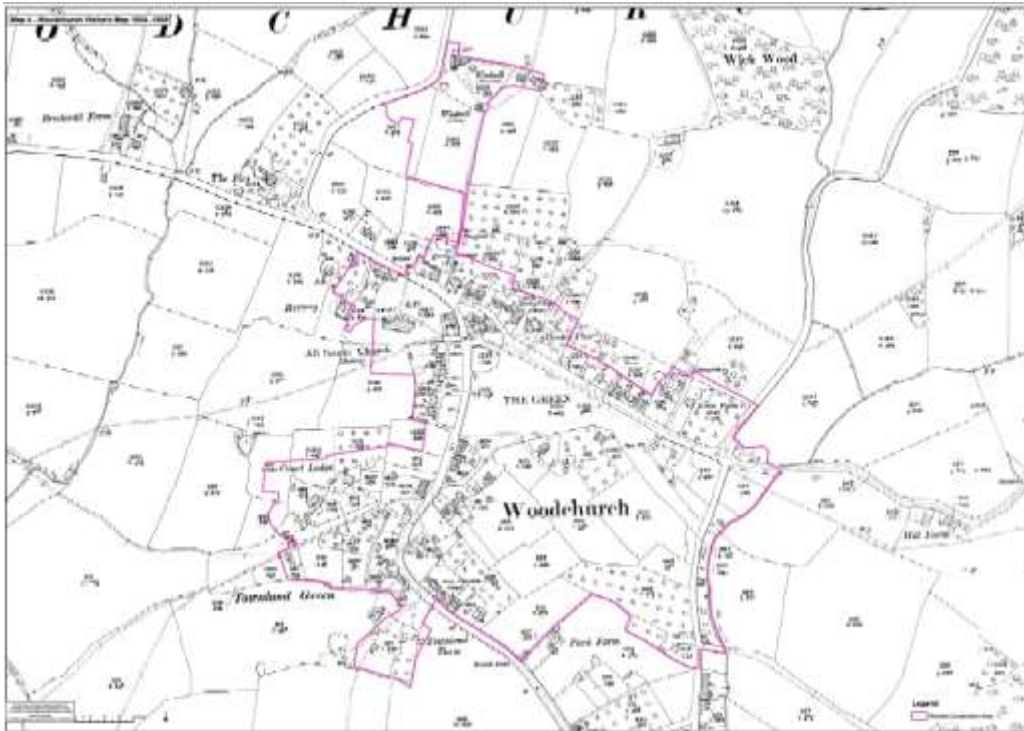
Two Listed public houses sit side by side opposite the church on Front Road. The red brick Six Bells Inn dating from the 17th Century in typical Kentish style and the Bonny Cravat Inn from circa 1800, which has had more modifications over the years.



**MAP 3
WOODCHURCH
CONSERVATION
AREA
1843 – 1893**

In the first decades of the 19th century there was an increase of almost 60% in the village population from 698 to 1095 people and the village expanded with ribbons of development spreading first along Front Road, infilling gaps between the older buildings and later along Lower Road which is largely lined with Victorian and later dwellings.

The village primary school originally built in 1844 is situated immediately west of the churchyard and was a National School.



**MAP 4
WOODCHURCH
CONSERVATION
AREA
1904 – 1939**

Map 4 above shows little change within the Conservation Area from the 19th century maps apart from a few minor infill developments on Lower Road and Front Road. In the last 50 years or so, spurs of development have extended the settlement northwards and to the south, beyond the central diamond of roads in the Conservation Area with only a few further infill developments taking land from within the diamond.

3. 3 Setting and topography

Woodchurch is located in the Low Weald, surrounded by typical Wealden landscape of hedged fields and woodland. Viewed from a distance, the village is identifiable by the two prominent landmarks, the church and the windmill, both located in the Conservation Area.

Woodchurch Conservation Area is characterised by linear development surrounding the village green and enclosed fields. This single plot depth of development results in the surrounding countryside abutting the conservation area in all areas except immediately to the north west and south east of the village. The countryside surrounding the village therefore forms an important part of the setting of the Conservation Area.

Woodchurch is situated on land which slopes gently to the south. Land between 82 - 120 Front Road (add photograph) provides a gap in the linear development which forms part of the setting of the Conservation Area. The prominent site has a hedged road frontage and open character and allows views to the countryside



beyond from the Conservation Area and adjoining footpaths. Modern development is situated in the valley to the south west of the Conservation Area but, due to the topography and road layout, this development is not highly visible from the Conservation Area. In order to respect the rural setting of this part of the Conservation Area, any proposals for development in this area must retain the front hedge and have a sufficient degree of openness and visual connection with the countryside. In order to respect the adjoining Townland Green Character Area and the siting of properties opposite the site, development should be set well back from Front Road and not be of a scale or massing which would dominate this approach to the Conservation Area or the public views from it.

To the north the land rises and the windmill sits on an open hill high above the village. The open spaces around the windmill form an important part of the setting of the listed building and the Conservation Area allowing appreciation of the visual inter-relationship of the windmill and the church.

To the north west, some modern residential development has encroached close to the setting of the Grade 1 listed All Saints Church. Nevertheless, the church and rectory abut open fields to the south and these remain an important part of the setting of the listed building and this part of the Conservation Area. Views of the village and the church can be seen from the relatively high ground behind the Rectory and Rectory Close.

The rising hills to the east of the village are an important part of the setting of the Conservation Area and are important in enclosing the views from The Green (below)



4.0 Character Appraisal

Whilst Woodchurch Conservation Area as a whole represents an area of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance, for the purposes of this appraisal, the Conservation Area has been split into six sub-areas which comprise distinctive character areas:

1 Village Green

2 Front Street (south of the village green)

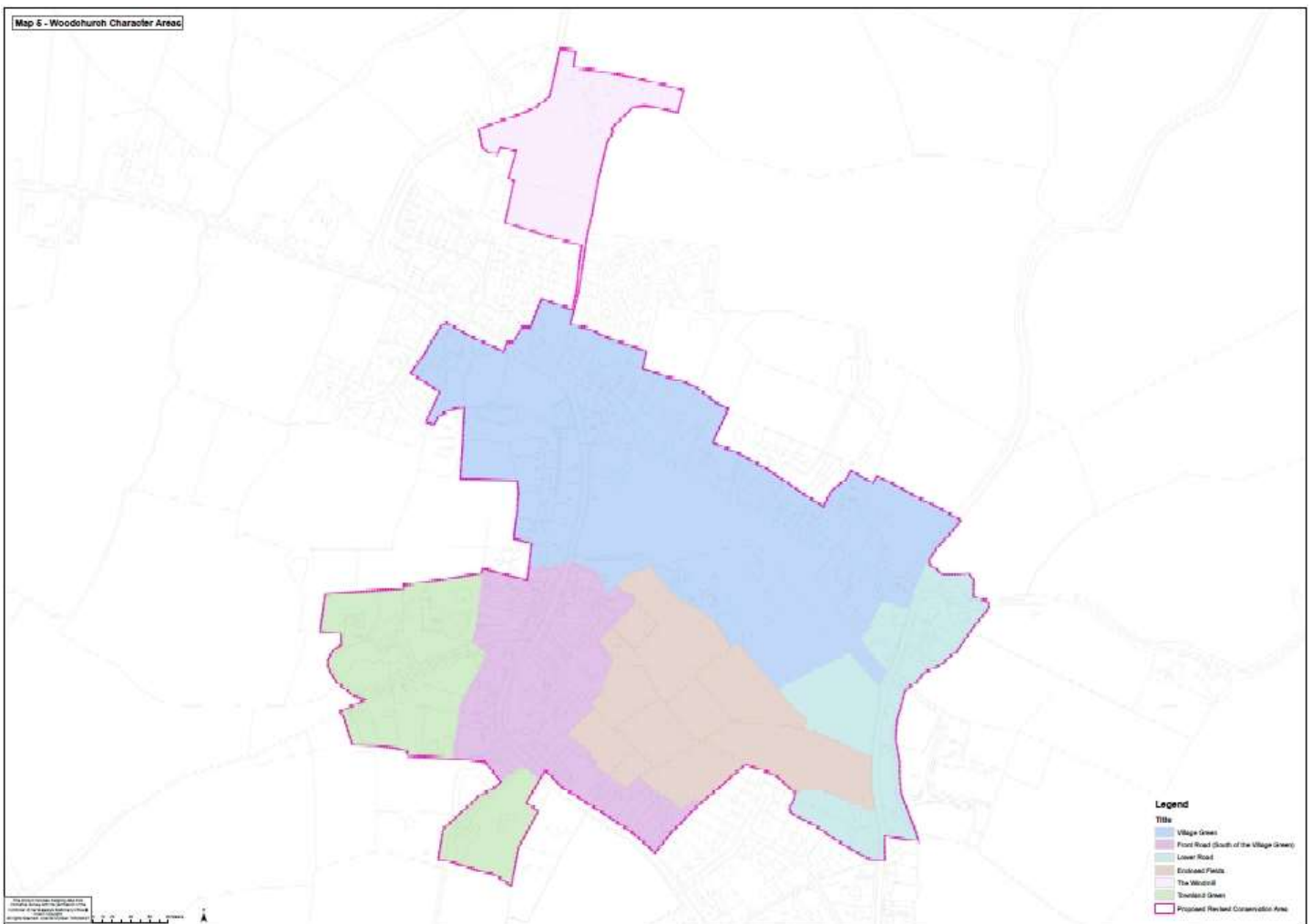
3 Lower Road

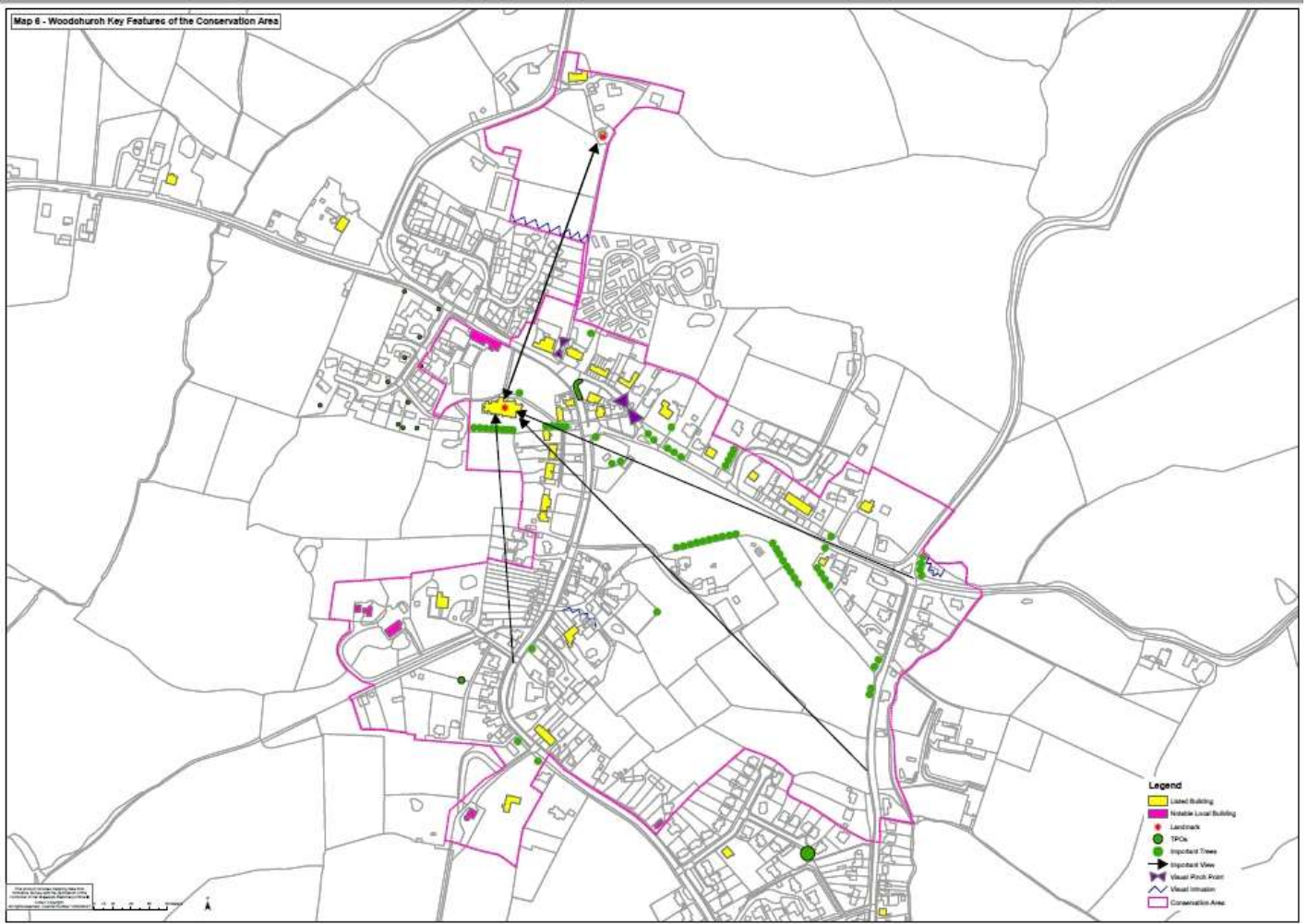
4 Enclosed Fields

5 The Windmill

6 Townland Green

MAP 5 CHARACTER AREAS





MAP 6 KEY FEATURES OF THE CONSERVATION AREA.

4.1 The Village Green

The dominant feature of the Conservation Area is the wide expanse of the village green which slopes gently down towards the south east. A backdrop of woodland-topped hillside to the south helps enclose this view. It presents a typical English village scene, with the cricket square, mown grass, a church spire visible above properties to the west and various buildings nestling around the edge. Most buildings fronting on to the village green are listed buildings in their own right but their domestic scale, set back, hedged front boundaries and use of a limited range of vernacular materials unifies the group as a back drop to the green. Mature trees also contribute to the verdant character of this part of the Conservation Area. Soft grass verges and gravel paths and drives add to the informality of the street scene. The scale of the buildings and the trees cannot hope to enclose the wide space of the village green which consequently has a spacious and open character.



Fronting The Green on the northern edge, a number of two storey houses are set behind a wide grass verge, hedged boundary and front garden. The informality is retained as the grass verge abuts the road, access drives and footpath without formal edging. The number of vehicular cross overs is limited to ensure that the green predominates.



Properties to the north side of The Green stand out with their light coloured appearance formed by white painted weatherboard and light painted render. The properties are all two storeys in height with orange plain tile or slate pitched or hipped roofs - with most incorporating chimneys extending above the roof line. A former shop with shopfront can be seen at the centre of the picture - left above. The trees at the entrance to Bourne's Place form an important backdrop to this side of The Green, contribute to the verdant character and screen the more modern development.



Limited infill development is located on the north side of The Green but the small scale, height, materials, set back and hedged frontage ensure that they have a neutral impact on the Conservation Area.



A row of evergreen trees at the north western edge of the Green give this area scale and adds to the verdant appearance of The Green. The row is a remnant of an earlier avenue which stretched along the whole northern edge of the Green. The early Wealden Hall house, Henden Place, is a well preserved feature on the eastern side of The Green

Two single properties and associated trees help frame the eastern and southern views from the Green. The Green forks and narrows down to Lower Road around Chequer Tree Cottage but is due to be extended further to the south of Drayson House. The rising hills to the east are an important part of the setting of the village and are important in enclosing the views from the Green.



The two storey white weather boarded Chequer Tree Cottage and associated trees (left) draws the eye and helps frame views to the east across the Green. The tall villa, Drayson House, and associated trees (right) help frame views across the Green to the south.

All Saints Church spire dominates the western view from the village green rising above the adjoining roof line and acting as a landmark from many parts of the village.



The village green slopes down to Lower Road.



The south eastern section of the green comprises entirely open space with some trees. The open space has a hedged boundary to the north which partially screens views of buildings (left) and a gappy hedge to the south – though this may be enhanced by new hedge planting associated with the permitted development.



The eastern section of The Green incorporates a road though the soft verges, lack of footways and some hedged boundaries retains the informality of other parts of The Green.

The church spire can be seen along the axis of The Green providing an important landmark feature from the junction of The Green and Lower Road (left).



Rising from Lower Road, properties on the west side of The Green are of a domestic scale in-keeping with the rest of the Conservation Area but the designs, materials and boundary treatment present a mixed character.

The west side of the village green is also enclosed by two storey red brick houses with tall orange plain tiled roofs with dormer windows and chimneys set on higher ground. Trees which are generally located behind and between the properties add to this enclosure and the verdant character of the village green.



The row of listed houses on the west side of the village green just south of the church are set well back behind deep, hedged front gardens, along a public footpath called 'The Pavement' paved in blocks of Bethersden Marble. Shared access drives have limited impact as a result of the limited number of openings and the use of gravel.

The character of development changes at the north western edge of the Green, leading to Front Road. The wide grass verge disappears and properties, including terraced houses, are set closer to the curved road giving an enclosed character. Vehicle parking has encroached into some front gardens in this area.



To the east of The Green in this area (left) hedged boundaries are less prevalent and vehicle parking has encroached into front gardens. More traditional white weather boarded houses with hedged boundaries occupy the western side of The Green (right)

Beyond this area, All Saints Church, two pubs and the primary school face Front Road in a cluster of public buildings.



The Grade I listed All Saints Church, built of Kentish ragstone, is located within an extensive church yard on relatively high ground. The church yard contains some mature trees which, along with the ragstone wall, contribute to the street scene. The windmill is visible from the church yard on higher ground to the north.



The original part of the primary school (above left) dating from 1844 is situated immediately west of the churchyard with the building in a prominent position located at the back edge of the Front Road pavement. The single storey brick building with plain tiled roof has three gables facing the road. Whilst not a listed building, the building is a prominent notable local building in terms of the character of this part of the Conservation Area and in understanding the historic evolution of the village. More modern buildings and playground are tucked behind the original building.

The adjoining village pubs (above right) are both listed buildings and are prominent in the street scene. One has a picket fenced front garden and the other has an open frontage and parking. Signage is fairly restrained and does not detract from the listed buildings or the character of the area. The individual buildings and active uses add to the character created by this cluster of public buildings in this part of the Conservation Area.

The properties around the village green and the green itself are generally very well maintained and this part of the Conservation Area is generally in very good condition.

4.2 Front Road (south of the village green)

Away from the village green the verdant character initially changes to a more urban form of development with Front Road lined with generally two storey detached, semi-detached and terraced properties set close to each other and back from the road behind small front gardens - some hedged - replicating this boundary feature prominent in properties around the green. This part of the village is largely characterised by linear development along the road. The houses are generally of red brick or tile hanging to upper floors with plain tiled or slate roofs. A few gable ended properties front the road and punctuate the sloping pitched roof form of most dwellings. The urban character is accentuated by the width of the road, on street, and curtilage, parking and overhead wires. As Front Road extends further south east the development becomes looser knit with buildings set further back from the road.



A shop with restrained signage is located in a cluster of properties close to the village green (left).



Terraced properties are part of the character of Front Road. These two storey groups each provides a unified appearance through the use of brick with tiled roofs, the pattern of window and door openings and brick arch detailing. In some cases replacement windows have not matched the original pattern and front boundary hedging has been removed diminishing the unity of the properties.

There are glimpses of the historic Townland Green area from Front Road which help to visually connect the main road with the historic hinterland of farmsteads.



There is a glimpse of Court Lodge Farm along an informal hedged track from Front Road – set behind a deeply set white painted brick detached house and a modern detached white rendered infill house (left). The siting, scale, materials and hedged frontage of the modern infill development respond to the character of this part of the Conservation Area.



There is a glimpse of the entrance to Townland Farm along a hedged track which accommodates a public footpath.

To the south of the entrance to Court Lodge Farm the character of the street becomes more mixed, with no regular building line, dominant building materials, front boundaries or house designs (right). A number of bungalows are also located along this section of Front Road.



The splayed single storey white rendered garage and car sales forecourt are prominently located on the corner of Front Road (left). A shop with restrained signage is located in a cluster of properties opposite the garage (left).

A pair of tall brick villas set on higher ground are prominent notable local building in terms of the character of this part of the Conservation Area.



The ragstone wall and railings provide an appropriate historic boundary to the villas.

The small crescent of inter-war former public housing 65 – 75 (odd nos.) Front Road is typical of the period, comprising ribbon development at the edge of the village. The development forms a ‘set piece’ crescent of semi-detached properties set well back from the road behind deep front gardens. Materials follow the local vernacular of brick and weatherboarded facades with plain tiled roofs and chimneys. Original windows and doors have been replaced and garages and drive ways have been installed.



The Mission Hall abuts 75 Front Road. Whilst not a listed building, the building is a prominent notable local building marking the start of the Conservation Area and in terms of the character of this part of the Conservation Area and in understanding the historic evolution of the village.



A gap occurs in the developed frontage of the village to the south of Front Road and this site is allocated by the Borough Council for residential development (see Para. 3. 3 Setting and topography). The character of the south side of the road is loose knit linear development fronting the road behind hedged front boundaries.

Approaching the village green from the south, the church spire comes into view as the road turns sharply east. Views of this important landmark are available between buildings and above the tree line.



The properties and public realm in Front Road (south of the village green) are generally well maintained. Nevertheless, a number have inappropriate replacement of traditional roof materials and features such as windows and doors with unsympathetic modern materials, and front boundaries and gardens have been eroded to create parking spaces. Telegraph poles and overhead wires detract from the public realm. This part of the Conservation Area is generally in fair condition.

4.3 Lower Road Area

Lower Road is a winding narrow, hedge and tree lined lane with a strong rural character. Whilst a footpath runs along the west side of the road, a grass verge along part of its length and a grass verge on the eastern side of the road help retail an informal character. The small scale detached buildings along Lower Road and their discrete location behind hedges means that the landscape dominates the street scene. The properties are primarily of red brick with red plain tile or slate roofs and chimneys on the older houses.



Properties to the east of the lane south of the village green are set on shallow plots which are enclosed to the rear by a stream which forms the boundary to the Conservation Area. Consequently, the properties are pushed quite close to the road. Nevertheless, the properties are interspersed with large side gardens which create wide gaps between the buildings and retain a dispersed rural character at the edge of the countryside.



Single and two storey properties situated close to the east side of Lower Road but interspersed with significant areas of open space.

Properties on the west side of Lower Road and the simply designed bungalows on the east side - north of the village green - are discretely located back from the road through narrow entrances and behind hedges such that the landscape dominates the buildings.



The area is dominated by open spaces, be it garden land, fields or the publically accessible village green as it branches down to join Lower Road.

Open fields abut Lower Road to the west. Development of a detached two storey dwelling along with an outbuilding, with a holiday let and linked office (B1) on part of the open land fronting Lower Road to enable the creation of an addition to the village green is under construction.





Views east from The Green towards Lower Road show a grassed triangular road junction with a stand of ash trees around the junction and rising land beyond enclosing views to the north. The open land to the east is an important part of the setting of this part of the Conservation Area.

The properties and public realm in the Lower Road area are generally well maintained and this part of the Conservation Area is generally in good condition.

4.4 Enclosed Fields

This area adjoins the village green to the north but is otherwise surrounded by development – albeit limited dispersed development to the east. The area comprises a landscape of small fields enclosed by a network of native hedgerows with mature hedgerow trees including oak. This area forms an important part of the open character which is such a strong and distinctive feature of the heart of this village. The fields allow views of the church from certain vantage points.



View of the church spire from Lower Road across open fields at the centre of the village (left)

View from the village green south east towards Lower Road across the central open fields (right).



View north eastwards towards the open fields at the end of Kirkwood Avenue (left)



The landscape condition of the enclosed fields area is generally good with a managed network of native hedgerows with mature hedgerow trees.

4.5 The Windmill

The white painted timber Windmill, set on a high point to the north of the village, is a landmark feature recognisable on the skyline from a distance. The well preserved listed building is good example of a Kentish smock mill.



The church spire is visible from the windmill across the open fields to the west of the footpath (above).

The fields to the west of the footpath not only form an important part of the setting of the windmill but also allow the visual inter-relationship of the village's two historic landmark buildings.





Immediately to the north of the mill lie the two two-storey listed houses Mill Cottage and Fairview with a red brick and tile hung exterior.

The windmill is accessed via a footpath that passes between the village pubs and along a narrow route between the backs of modern development before revealing dramatic wide views of the windmill across open fields.



The windmill is very well maintained and the adjoining fields are managed. The footpath sign is well maintained and, although narrow close to the village, the footpath itself is well used. Overall the windmill area is generally in good condition.

4.6 Townland Green

Townland Green is one of the oldest parts of the village with Court Lodge Farm and Townland Farm two of the remaining buildings from this early period. The large buildings sit in large plots containing mature trees. Each farm building is set with other buildings associated with the farmsteads. The two clusters are separated from each other by open land comprising their own grounds, long back gardens to properties facing Front Road and countryside around the south western fringe of the village. The rural character of the area is retained through the retention of the historic buildings and their undeveloped setting. Access is derived from unmade informal tracks bordered by hedges.



Townland Farm (left) is a large detached listed house set in large grounds with mature trees.

The capped oast house (right) was associated with Townland Farm and is set close to mature trees on a ridge with long views to the south. Whilst not a listed building, the oast house is a notable local building in terms of the character of this part of the Conservation Area and in understanding the historic evolution of the village. The farm and oast buildings are set apart retaining a spacious character in a rural setting.



Court Lodge Farm (left) is a large detached listed house set in large grounds with mature trees.

The oast house (right) was associated with Court Lodge Farm and is set with a converted barn in large grounds surrounded by mature trees. Although of a large scale, the buildings are set far apart retaining a spacious character in a rural setting. Whilst not listed buildings, the converted oast and barn are notable local buildings in terms of the character of this part of the Conservation Area and in understanding the historic evolution of the village.



Access to the Court Farm Lodge farmstead is derived from unmade informal tracks enclosed by hedges and mature trees.

The historic open character of this area is retained with long back gardens extending to the hedge (left)



The open long back gardens (left) are an important characteristic of Townland Green. A pair of weather boarded cottages is visible across the gardens and from the footpath passing Townland Farm.

The properties and gardens in the Townland Green area are generally very well maintained and this part of the Conservation Area is generally in good condition.

5.0 Negative Features

Overall the condition of the Conservation Area is good but there are a number of negative features which detract from the character or appearance of the Conservation Area.

- Overhead wires and telegraph poles are a characteristic of the Conservation Area and detract from the character of the buildings and the area as a whole. They are particularly noticeable in Front Road.



- Vehicle parking has encroached into some front gardens resulting in the loss of front gardens and traditional boundaries.



- Formal kerbed edging around The Green urbanises the informal setting.



- Modern development in the foreground of views of the listed windmill detracts from its setting



- The inappropriate replacement of traditional windows and doors with unsympathetic modern materials and designs has led to an erosion of the historic and architectural character of some properties and the integrity of groups of houses.



- Clutter to the rear of Front Road



- Whilst small in scale and unobtrusive in the wider landscape and views from The green, the building at the junction of Lower Road and The Green is dilapidated



6.0 Management Proposals for the Conservation Area

Historic England's good practice advocates that local authorities should prepare a management plan to address the issues arising from the Conservation Area Appraisal and set out recommendations for action. Some of these actions will be applied generally to Conservation Areas in the Borough, whilst others, such as enhancement proposals, are specific to the Woodchurch Conservation Area.

6.1 Management Proposals applicable to all Conservation Areas in the Borough

Application of Planning Policy

The Borough Council will consistently apply adopted and future planning policy to ensure high quality design which is appropriate to protecting and enhancing the character and appearance of the Conservation Area. This will be applied to all development requiring planning or listed building consent including new development such as replacement or new buildings, small scale alterations and extensions to buildings, boundary treatment and, where applicable, surfacing front gardens. This approach will be followed for proposals both within the Conservation Area and those which affect its setting or impact on its character.

Shop Fronts and Advertisements Supplementary Planning Document

The Borough Council will bring forward a new supplementary planning document on shop fronts and advertisements which will have special consideration for Conservation Areas.

Repairs to Buildings in Conservation Areas Good Practice Guide

It would particularly assist home owners of the Borough Council's Listed Buildings and Conservation Areas if Good Practice Guides were complemented by an information leaflet on replacement doors, windows and roof materials considered to be suitable within Conservation Areas. This will have much wider application. It will recognise the need for replacement features and will also give practical guidance on design, acceptable materials and products. The Leaflet will be publicised and be available on the website.

Building Regulations

The Borough Council will continue to apply Building and Fire Regulations sensitively in Conservation Areas and to Listed Buildings to attempt to ensure that there is no conflict with the preservation of the character of the area or the building.

6.2 Management Proposals for Woodchurch Conservation Area

Housing Site Allocation - Land between 82-120 Front Road, Woodchurch

The site is allocated for housing development and there is a clear opportunity for a development of this site to make a positive contribution to the setting of the Conservation Area. The site is close to the Townland Green character area and adjoins lower density development. In order to respect the rural setting of this part of the Conservation Area, proposals for development in this area must have a sufficient degree of openness and visual connection with the countryside. The design and layout of the scheme should allow for significant spaces between buildings to allow for long views through the site to the countryside beyond. In order to respect the adjoining Townland Green Character Area within the Conservation Area and the siting of properties opposite the site, development should be set well back from Front Road and not be of a scale or massing which would dominate this approach to the Conservation Area or the public views from it.

Reduce the number of telegraph poles and overhead wires by placing wires underground as opportunities arise

It is recognised that the cost of replacing telegraph poles and overhead wires underground is normally high but opportunities to achieve this improvement to the appearance of the Conservation Area should be taken as they arise.

Extension and management of the village green

The village green forms the heart of the village and its open, verdant aspect is a key contributor to the character of the Conservation Area and should be preserved.

Current plans to extend the Green into the field to the south-east provide an opportunity to consider the long term management of the whole green through a landscape management plan able to balance the heritage value with requirements for ecology, sport and recreation, landscape character and quality and visitor and community needs. As part of this plan, consideration should be given to future replacement planting of mature trees on the edges of the Green, particularly the conifers on the northern side which are a remnant of an earlier avenue.



Play and fitness equipment more recently added to the green provide valuable community facilities but their character, dominated by the use of brightly painted steel equipment, is somewhat at odds with the natural appearance of the setting. Any future play and recreational facilities should be designed to reflect the character of the green with high quality landscape design to ensure they fit well with their context.

Avoid formal kerbed edging around the village green and the east side of Lower Road to avoid urbanising the character of the area.

Soft edging should be retained to the road, access drives and footpaths to maintain the rural informality of the space.



Retain side boundary planting and hedge screening when creating parking bays

Where off street parking is proposed within front curtilages, hedged boundaries with neighbouring properties should be retained and enhanced and the maximum length of front boundary retained to help enclose the road space, define the boundary between public and private space and help reinforce the character of an area. Wherever possible permeable surfaces should be used which are in keeping with the character of the property and its curtilage.



Churchyard boundary

The boundary to the west of the churchyard near the rear of the adjacent school grounds is dilapidated and should be replaced.

Sources:

Understanding Place: Conservation Area Designation, Appraisal and Management, Historic England (2011, with Revision Note June 2012)

Kent Historic Environment Record online

Woodchurch Village Design Statement 2002

Woodchurch Conservation Area Assessment 1996

'Then and Now 2006: An Illustrated History of the Village of Woodchurch Near Ashford, Kent' by Arthur Stroud (Editor), Jon Chaplin (Editor), John Hart (Editor)

<http://www.woodchurchwindmill.co.uk>

<http://www.britishlistedbuildings.co.uk>

**DRAFT KINGSNORTH CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN
RESPONSE TO CONSULTATION**

Respondent	Section of CAMP	Representation	Response
Eileen Prosser	Negative Features	Are any measures going to be taken to rectify these 5 negatives?	Actions which respond to the negative features are included in the Management Plan section. The timing of these improvements will be a matter for negotiation and availability of resources but the local priorities for action are clearly set out in the CAMP.
Kingsnorth Unknown 1	Chapter 1 - Introduction	I would generally agree with the proposals in particular the high fence around the school is very ugly.	Support noted
Church Hill Resident	Chapter 4 - Character Appraisal	I have just read your Kingsnorth appraisal plan and one minor error I can see is:- it is Candlemass Cottage that has the landscaped garden not Glebe Cottage as stated. I visited Candlemass when they had an open garden it was stunning. Glebe looked in need of some TLC. I am impressed with the appraisal and it would be good if the 5 negatives could be rectified. I love my village.	The draft CAMP states that Candlemass Cottage is located within a neat hedged garden adjoining the footpath and church yard. It is recommended that the text be amended to: <i>Candlemass Cottage is located within a neat hedged landscaped garden adjoining the footpath and church yard.</i>

<p>Kingsnorth Parish Council (L Bunn)</p>		<p>Kingsnorth Parish Council would like to thank you for the opportunity to inform the review of the conservation area.</p> <p>Having walked the site with the consultants we are pleased to note they have extended the rear boundary of the conservation area behind Church Hill to include important hedgerows and present a more logical boundary between properties in the conservation area and the open fields.</p> <p>The revised boundary also excludes the playing fields as these are already included in the buffer zone and are already adequately protected. The observations about the conservation area are supported and we will actively look to improve the quality of the signage and safer off road routes across the area.</p> <p>The views across the fields at the rear of Church Hill looking up to Bond Lane and down to Mill Hill are of particular significance and include some large Oaks which are not included in the conservation area. The extended boundary will give greater protection to this view.</p>	<p>Support noted.</p> <p>In relation to the views across the fields at the rear of Church Hill looking up to Bond Lane and down to Mill Hill the draft CAMP states:</p> <p><i>Land falls away to the east towards Mill Hill. As with the north of the historic core of the village, the hedged open fields with mature trees immediately abutting the Conservation Area provide an important setting to this designated heritage asset.</i></p> <p>It is recommended that the text be amended to: <i>Land falls away to the south west towards Mill Hill. As with the north of the historic core of the village, the hedged open fields with mature trees immediately abutting the Conservation Area provide an important setting to this designated heritage asset and allow views across the fields to the south east at the rear of Church Hill up towards Bond Lane and to the south west towards Mill Hill.</i></p>
<p>Cllr Paul Bartlett</p>	<p>Boundary</p>	<p>The only matter I would wish to raise in the consultation is the conservation area should include the area between the new school buildings and the houses alongside the Church to the west of the Church, also the conservation area should extend around these properties next to the Church, say 20 metres</p>	<p>The Church and all the adjoining cottages and their curtilages are included within the Conservation Area. A small area immediately to the north of the cottages contains a number of mature specimen oak trees and it is proposed to extend the Conservation Area to include this group.</p>

		into the conservation area.	<i>Amend Conservation Area Boundary</i>
Mr & Mrs Bell, Mumford Cottage		<p>We attended the public exhibition at the Kingsnorth Primary Scholl on 26th November and would like to make the following comments:</p> <ol style="list-style-type: none"> 1. In general, we are supportive of the process and appreciate the updated management plan. 2. In particular, the proposed changes to the south western boundary at the rear on Mumford House and Old Mumford Farm are supported. 3. We would recommend that you consider retaining the field to the north of the church and the cottage in the conservation area. This field includes a number of large important trees and the recently planted orchard. While we appreciate this area is included in the buffer zone, it is important to conserve the old trees and recently planted orchard. 4. We would also recommend that you include all the important trees on the plan. The attached plan shows some of the large oak trees that are between 200 and 300 years old. 5. We also suggest that you include the small ponds that are within the conservation area. These features should be identified and conserved for the future. 6. It would help if the plan showed a comparison between the old boundary and the new boundary. 7. You should refer to planning application 	<p>Many of the fields to the north of the Conservation Area contain mature hedged/ treed boundaries but this extensive area is considered to be part of the setting of the Conservation Area rather than the historic core of the village. The CAMP already states that Kingsnorth Buffer Zone is located to the north of the Conservation Area with retained hedged open fields with mature trees providing an important setting which helps protect the character and appearance of the Conservation Area.</p> <p>It is proposed that the CAMP be amended to emphasise the importance of the setting of the Conservation Area by adding the following text.</p> <p>1.3 Purpose of Appraisals and Management Plans The principal purpose of this Appraisal is to provide a firm basis on which proposals for development within <i>and adjoining</i> the proposed Kingsnorth Conservation Area can be assessed</p> <p>2.1 National Guidance <i>The Government states that significance can be harmed or lost through alteration or destruction of the heritage asset or</i></p>

		<p>15/00856/AS. It refers to anomalies in the ground survey in the fields to the south west of Mumford House that could be archaeological features and identifies a number of other important features. You should consider adding these fields to the conservation area.</p> <p>8. Planning application 15/00856/AS also refers to a 200m zone around the church that restricts development. This should be included in the conservation area appraisal and management plan.</p> <p>9. We believe that some of the properties are older than 18th century. Parts of the internal walls of our property are timber framed which we believe date back to the 15th or 16th century.</p> <p>10. The recent approval by the Council under planning application 15/00951/AS for a gravelled area (retrospective) and shed within the conservation area should be seen as negative features and contravene the controls that should be enforced in a conservation area.</p> <p>We look forward to seeing the final version of the document and the Council's continued attempts to control development in the Kingsnorth Conservation Area and reduce the impact of the negative features identified.</p>	<p><i>development within its setting.</i></p> <p><i>In determining applications, the Government advises that local planning authorities should identify and assess the particular significance of a Conservation Area affected by a proposal (including by development affecting its setting).</i></p> <p><i>This CAMP helps define the distinctive character of the different parts of the Kingsnorth Conservation Area and the importance of its setting. In turn, this will help the Borough Council apply the above policies within the conservation area and its setting.</i></p> <p><i>When adopted, development proposals will be judged against their overall contribution to the preservation and enhancement of the character and appearance of the area and its setting as set out in this Appraisal.</i></p> <p>A small area immediately to the north of the proposed Conservation Area contains a number of mature specimen oak trees and it is proposed to extend the Conservation Area to include this group. <i>Amend Conservation Area Boundary</i></p> <p><i>Reference to ponds will be added to the text.</i></p> <p>The 300m Restricted Development Area around the church referred to in the</p>
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			<p>planning application has no planning status and is a guide being used by the developer in masterplanning the application site. It is not appropriate to use one developer's assessment of impact of a specific scheme within the CAMP. Rather, each proposal should be judged on its merits in the context of the CAMP.</p> <p>The proposal for gravel area and shed was not considered harmful to the character of the Conservation Area or the setting of a listed building by the local planning authority and is not considered to be a negative feature.</p>
Ernest Bate, The Coach House		I approve of the Kingsnorth Conservation Area Appraisal and support the boundary changes being suggested. I think it will be valuable to have a well considered and up-to-date management plan in place. I am happy with the wording of the draft as it is, and have no changes to suggest.	Support noted
Mr & Mrs Harris, Mumford House	boundary	We feel that the changes to the conservation Area should be extended further to include plots 345, 257 & 349 as shown in Map 3 Kingsnorth Conservation Area 1843 – 1893, so as to conserve heritage assets, including the view back to the listed buildings, and church, these views are of great significance so they can be enjoyed for the contribution to the quality of life, also wildlife for future generations to enjoy. This area should be deemed an area of outstanding natural beauty as there are very few areas like this left now	Many of the fields to the south of the Conservation Area such as plots 345, 257 and 349 as shown in Map 3 Kingsnorth Conservation Area 1843 – 1893 contain mature hedged/ treed boundaries but this extensive area is considered to be part of the setting of the Conservation Area rather than the historic core of the village. The CAMP already states that to the south west of the Conservation Area, a number of open fields with mature hedgerow and treed boundaries form the setting of the

		<p>so please help us preserve this for the sake of our village heritage, otherwise we become one of the many lost villages like many others. If the above plots were to be developed the existing landscape would be lost forever & the majority of the buildings & fields would get flooded as we are on a high water table already being on clay soil the excess water just sits on the land, Excessive flooding would cause major problems for the foundations of our property's.</p>	<p>Conservation Area. As with the north of the historic core of the village, the hedged open fields with mature trees immediately abutting the Conservation Area provide an important setting to this designated heritage asset.</p> <p>It is recommended that the text be amended to: <i>Land falls away to the south west towards Mill Hill. As with the north of the historic core of the village, the hedged open fields with mature trees immediately abutting the Conservation Area provide an important setting to this designated heritage asset and allow views across the fields to the south east at the rear of Church Hill up towards Bond Lane and to the south west towards Mill Hill.</i></p> <p>It is proposed that the CAMP be amended to emphasise the importance of the setting of the Conservation Area by adding the following text.</p> <p>2.1 National Guidance</p> <p><i>The Government states that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.</i></p> <p><i>In determining applications, the Government advises that local planning authorities should identify and assess the particular significance of a Conservation Area affected</i></p>
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			<p><i>by a proposal (including by development affecting its setting).</i></p> <p><i>This CAMP helps define the distinctive character of the different parts of the Kingsnorth Conservation Area and the importance of its setting. In turn, this will help the Borough Council apply the above policies within the conservation area and its setting.</i></p> <p><i>When adopted, development proposals will be judged against their overall contribution to the preservation and enhancement of the character and appearance of the area and its setting as set out in this Appraisal.</i></p> <p>Conservation Areas are not designated to protect wildlife habitats.</p> <p>The area is not within a designated Area of Outstanding Natural Beauty which has the highest landscape status in England and is designated by Natural England.</p>
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**DRAFT WOODCHURCH CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN
RESPONSE TO CONSULTATION**

Respondent	Section of CAMP	Representation	Response
Conservation Area Boundary			
Bournes Place			
D G Lewing		With regard to the omission of Boume Place and Cherry Orchard Close and the minor regularising of various boundaries these all seem sensible revisions and can confirm agreement.	Support noted
Sue Rainer		<p>I have read the consultation document, listened to the comments of the gentleman who was at the Woodchurch Hall as a representative of the document. I have to question Why this was necessary. Whilst the document is carefully prepared and enters in to great detail about the village - it does not explain why this was commissioned and why there is a need to alter the parameters. We were advised that it removes all the modern buildings. What it does is give further freedom to developers to build what they wish without the need to consider to meet requirements of a conservation area.</p> <p>In this day and age, the conservation area should be extended out further than its current parameters and take in the land behind Bournes Place and the barn on that land. When living within a conservation area, one recognises one in a valued and cared for location, with this one respects the area and the restrictions it brings. Woodchurch needs to be preserved the future of generations to come. Not for the developers of the future who are going to be more greedier than the current ones.</p>	<p>Section 1.3 explains the purpose of Appraisals and Management Plans. The principal purpose of this Appraisal is to provide a firm basis on which proposals for development can be assessed, through defining those key elements that contribute to the special historic and architectural character and which should be preserved or enhanced.</p> <p>Section 69 of the Planning (Listed Buildings and Conservation Areas) Act</p>

<p>Christopher John COE</p>		<p>After studying the proposed changes to the conservation area boundary it appears that significant areas of once protected valuable land will be available for future development? I am particularly concerned about the areas of land in Front Road, particularly Bourne's Place.</p>	<p>1990 states that it is the duty of a local planning authority from time to time to review past conservation area designations.</p>
<p>Woodchurch Parish Council (J Batt)</p>		<p>Woodchurch residents have been given an opportunity to express their views on the Conservation Area boundary changes at two public meetings in November and December 2015. Their views have informed this response. The Parish Council has distilled their comments in to four clear and consistent messages. 1) Whilst there are those who are in favour of expanding the Conservation Area, the vast majority see no benefit in changing the current boundaries. The appraisal document, although well prepared and well written, does not offer any solid reasons for the changes. The same principled arguments were put forward for the boundary changes affecting the Bournes Place submission site. The Parish Council agrees with residents that Bournes Place forms a constituent part of another important gateway to the central core and would not want to see any relaxation of the Planning Authoritys key control mechanism and the interventions at its disposal. Cllr Rob Woods Acting Chairman</p>	<p>The draft Appraisal retained most of the area within the Conservation Area boundary originally designated in in 1987 and last reviewed in 1996. It is proposed to exclude areas which do not contribute positively to the special architectural or historic interest or the character or appearance of the Conservation Area.</p>
<p>Woodchurch Village Association (CS Stafford)</p>		<p>Overview It is our opinion that in general the Woodchurch Conservation area is robust. It serves the community well and the village adheres to the principles set out in the Village Design Statement.</p> <p>Bourne's Place</p> <p>Although Bourne's Place was built in the 1980's, part of this development is highly visible from the Village Green. We are concerned that if Bourne's Place is removed from the Conservation Area, dwellings in this area could be modified in a way which is detrimental to the overall appearance of the Green.</p>	<p>Bourne's Place is a cul de sac development of detached houses. The trees at the entrance to Bourne's Place form an important backdrop to this side of The Green and contribute to the verdant character and consequently it is proposed to retain this entrance within the Conservation Area. However, the backland residential development has no strong visual relationship</p>

			<p>with the historic core of the Conservation Area and its layout, design, materials and boundary treatment are not characteristic of the special architectural or historic interest of the adjoining area. Consequently, it is recommended that the area be omitted from the Conservation Area.</p> <p>Land beyond the Conservation Area is to be treated as part of its setting and this section of the Appraisal is to be reinforced, thereby retaining control of the appearance of the Green and its setting.</p>
Land between 82 – 120 Front Road/ Townland farm			
M Wilcockson		<p>Envisage copious 'tree planting' to largely act as being keeping with the general quality of landscape/buildings which has developed 'overtime'. The 'Housing' would be back to front so that the tree planting is qualitatively chosen to enhance 'Lower Road' where there is decoration: to the new build area and it must be very well considered as Front Road is extremely busy and curved ie. dangerous. NB. Should this be a successful application, I envisage a large number of houses! FRONT ROAD HAS A LOT OF TRAFFIC ALREADY! Sorry stating the obvious. (SEE ATTACHED)</p>	<p>Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that it is the duty of a local planning authority from time to time to review past conservation area designations to assess</p>

Roy Allan		<p>I would like to register my objection to the amendments to the conservation area to Front Road, Woodchurch. The area to the East of number 82 Front Road needs to be retained within the conservation area, this area is designated for residential development within WOOD1, and therefore it is of vital importance that any development respects the conservation area ; any new dwellings are designed ; constructed to the highest standard to match other properties within the surrounding area.</p>	<p>whether they remain appropriate. The Woodchurch Conservation Area was first designated in 1987 and last reviewed in 1996.</p>
Sue Garnar and Mr Steve Baker		<p>(See attachments) Further to Fridays consultation regarding the draft changes of the conservation area in Woodchurch. Please note our comments regarding the Front Road area.</p> <p>Regarding the picturesque agricultural field opposite Lavender Cottage, we do not understand why this needs to be removed from the conservation area at all. The consultant said it was because the field was cut obscurely in half by the existing conservation boundary which made no sense to him; he said that the conservation area should follow a natural boundary. Our argument is that there is a fence running through the middle of the field so why couldn't the new conservation boundary follow that natural fence line? Sheep still graze in the field and if the mature hedge was maintained, this beautiful landscape could be enjoyed by all. (See photos of the field in question showing the fence which could be used as the natural new conservation boundary)</p> <p>We feel that if this field is removed from the conservation area at this moment in time that it will give the wrong signals to prospective developers (Wood1). We and many of the villagers are fearful of what could be built on this land.It is our greatest wish that this land is not built on at all, that the green, pleasant open space is preserved. However, if there is no alternative, and sadly it is allowed to be built on, the villagers hope that any houses/cottages/bungalows that are constructed, are in keeping with the village. That the properties are kept small, attractive and blend into the rural surroundings and still offer the villagers glimpses of the green fields beyond. These dwellings should have ample off street parking, as Front Road is very narrow and this stretch is home to a blind bend. It is also on a bus route, frequented by tractors and other large vehicles. There is no pavement on that side of the road and so would be dangerous for pedestrians and school children.</p>	<p>Understanding Place: Conservation Area Designation, Appraisal and Management, Historic England (2011, with Revision Note June 2012) provides more recent advice on drawing Conservation Area boundaries. It states that in almost all situations the conservation area boundary should run around rather than through a space or plot. It will generally be defined by physical features and avoid for example running along the middle of a street. This methodology has been followed consistently in reviewing the Conservation Area boundary.</p> <p>In relation to land between 82 - 120 Front Road, the designated Conservation Area boundary runs through</p>

		<p>If this rural land is taken out of the conservation area, we believe that the villagers, the Parish Council and Ashford Borough Council would lose control over what could be built on the unprotected land.</p> <p>We believe many of the villagers in Woodchurch feel that Ashford Borough Council are actually on 'our' side that you are fair and understand how we feel about preserving the openness and attractiveness of our village. We believe that you would not want the village to be tarnished by an unsuitable, unsightly development. But this could be out of your control, if this land is no longer part of a conservation area. Even if you do not feel this to be true, any unsuitable development refused by yourselves that subsequently went to appeal, would almost certainly be approved by an independent Inspector, without the added protection of the proposed development being in a conservation area. This has been proved by three previous refusals at this site, where the fact that the proposed unsuitable houses, were to be erected in a conservation area and were not in keeping with their surroundings.</p> <p>Many of the villagers feel that the change of conservation boundaries has something to do with the possible new development on Wood1. It seems too much of a co-incidence that the two are coinciding. If this is not the case, we feel that it would be much wiser to defer any changes to this part of the conservation area, if indeed it is necessary, until after the developers have submitted their plans and the villagers, the Parish Council & Ashford Borough Council are happy with and approve them.</p> <p>The bottom line is...Why does the existing conservation boundary need to be changed, what is the purpose? We hope you can understand our concerns. We all need to work together to conserve and preserve our precious green and open spaces, and not eradicate them forever. Please help us to keep Woodchurch a green, pleasant and peaceful village to live in. (SEE ATTACHED DOCUMENTS)"</p>	<p>a field and follows no recognisable boundary. It is difficult to justify the inclusion of only a portion of this field within the Conservation Area and not the remainder. Equally, it is difficult to justify the inclusion of this field and not others at the edge of the village. A consistent approach has been followed to setting the Conservation Area boundaries following the Historic England methodology.</p> <p>The Village Design Statement states that the site is located in a transitional position between the two distinct village character areas, namely the historic core to the north and the more recent southern end of the village principally in the last century.</p>
Reg Mendes da Costa		<p>The area which most concerns me is Planning Application 82-120 Front Road. The review has moved it from its current inclusion in the conservation area to outside that area. I would suggest that this would be a grave mistake. Applications have been submitted for development of this site, but they have been refused by A.B.C. Areas within a conservation area are given some protection against inappropriate development, which would not necessarily be available outside that area. The area covered by 82-120 Front Road occupies a</p>	<p>Land between 82 – 120 Front Road forms an important part of the setting of the Conservation Area.</p> <p>It is proposed that the</p>

		<p>prominent position within the delightful village of Woodchurch. Clearly it will be developed at some time in the future, but it is most important that the properties built there are appropriate and of a standard and style that fits in with others that make this the village that it is.</p> <p>I strongly support its inclusion within the conservation area.</p>	<p>CAMP be amended to emphasise the importance of the setting of the Conservation Area in general, and this part of the setting in particular by adding the following text.</p>
Marmara		<p>I am very concerned with the proposed removal of the current WOOD1 allocation from the existing conversation area. In particular, the removal of WOOD1, takes away any control the parish council would have with regard to any future development proposals.</p> <p>As one of the main reasons for the refusal of previous development applications was the fact that the area for development was within the conversation area, I feel we need to retain the above areas within the conservation area to help protect the integrity of the village. We need to ensure that the correct type of housing is built rather than giving developers carte blanche on their proposals. The previous developers did not listen to the requirements of the village. Their only thought was to maximise the profit potential from building large properties which are not needed in the village.</p> <p>The village needs bungalows in order to enable existing villagers in large properties to remain in the village and enable them to release their existing properties for growing families within the village. This would help to protect the existing fabric of the village for the future.</p>	<p>1.3 Purpose of Appraisals and Management Plans The principal purpose of this Appraisal is to provide a firm basis on which proposals for development within <i>and adjoining</i> the proposed Woodchurch Conservation Area can be assessed</p> <p>2.1 National Guidance <i>The Government states that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.</i></p> <p><i>In determining applications, the Government advises that local planning authorities should identify and assess the particular significance of a Conservation Area affected by a proposal (including by</i></p>
Susan Mansfield		<p>I attended the meeting and exhibition in Woodchurch concerning the re-drawing of Woodchurch Conservation area and I am most concerned that such an action should be deemed necessary. It seems to me to be happening with unseemly haste, and is surprising just now, considering the costs involved with professional consultation and other elements. The predictable outcome of such an action would be to greatly reduce the influence of Woodchurch residents on building issues. The most critical proposed change is that which removes from the Area the open field and area of current Wood 1 allocation, running as it does, for a considerable distance on high ground on the main-road entrance to the village. This particular area has a great bearing on the open nature of the village. It would inevitably contribute to a noticeably urban atmosphere to have houses high on the bank and it would contribute also to the dangers already existing on this</p>	

		<p>stretch of road. Latest Plans show several driveways emerging on a deceptive bend, on a considerable slope and opposite the junction of a road serving many bungalows. It is worthy of note that when the Government Inspector visited the Site after one refusal, that his driver parked some 75 yards down Front Road with two wheels on the kerb, judging this to be his safest option. He was considerably surprised at the heavy lorry which sped past him as he left his vehicle. This road carries the majority of local and through traffic.</p> <p>It is worthy of note that each new multiple development in the village in the past 30 years has been built with only one exit onto the main road to serve many houses. If access to the site was beside the old Police House, and houses built well back on the site, with the existing hedge line protected and regulated to 6ft height the impact of any development could be kept to a minimum. In order that any future development also follows this sympathetic approach it is vital that this parcel of land in particular remains now and always a fully legal Conservation Area. The area across the road comprises a range of typical vernacular houses, with large gardens to the front. I believe I am right in saying that these were some of the first Council Housing. to be built in the U.K. and they are set out in an attractive manner. A line of tightly built modern houses is not appropriate in this position. Once built, the character of the village with its open aspects and views to the countryside, so highly valued, will be lost. Other new builds in the village in general are set back and in no instance do they dominate the area.</p> <p>To sum up....To reduce the Conservation area in Woodchurch can only serve to greatly reduce any influence the villagers, and the Borough Council, will have in future over the character of a village which is widely acknowledged to be one of the most attractive in the County. This is an ancient settlement, still a living village, it is our duty to make every effort to ensure it continues as such. To reduce the Conservation area which those with wisdom in times past have declared worthy of special protection is an impulsive.....I may say, an unworthy act, which could well create a very detrimental precedent, which could be quoted and acted upon Nationwide.</p>	<p><i>development affecting its setting).</i></p> <p><i>This CAMP helps define the distinctive character of the different parts of the Woodchurch Conservation Area and the importance of its setting. In turn, this will help the Borough Council apply the above policies within the conservation area and its setting.</i></p> <p><i>When adopted, development proposals will be judged against their overall contribution to the preservation and enhancement of the character and appearance of the area and its setting as set out in this Appraisal.</i></p> <p>3. 3 Setting and topography</p> <p>This section already states that the countryside surrounding the village forms an important part of the setting of the Conservation Area. In addition, it is proposed to</p>
Christopher John COE		<p>After studying the proposed changes to the conservation area boundary it appears that significant areas of once protected valuable land will be available for future development? I am particularly concerned about the areas of land in Front Road, particularly 'WOOD1'.</p>	

		<p>Any future development in Woodchurch should reflect the current nature and needs of the village. Large scale so called 'executive homes' are not needed. In my opinion any new homes must be of a smaller and affordable design. These would provide an increase in opportunities for young people to live in and enjoy the amenities that presently exist in the village. The future lies with our young folk who would be encouraged to support the local school, shops and participate in the valuable life style that is a natural by-product of real village life.</p> <p>Consider a small scale shopping development [all under one roof]. Our present traders, General Store/Post Office/Butcher should then have better customer access and improved off street parking facilities. This, in my opinion, would be a great advantage to the village?</p> <p>The development of large, expensive housing in Woodchurch would be detrimental to the village!</p> <p>I oppose the proposal to change the existing boundary to the Conservation Area, particularly in Front Road, Townland Farm and the 'WOOD1' housing submission area."</p>	<p>include further text in relation to the open field to the south–west of the village (land between 82 - 120 Front Road).</p> <p>Woodchurch is situated on land which slopes gently to the south. <i>Land between 82 - 120 Front Road (add photograph) provides a gap in the linear development which forms part of the setting of the Conservation Area. The prominent site has a hedged road frontage and open character and allows views to the countryside beyond from the Conservation Area and adjoining footpaths.</i> Modern development is situated in the valley to the south west of the Conservation Area but, due to the topography and road layout, this development is not highly visible from the</p>
Jon Chaplin		<p>I am lucky to have lived in Woodchurch since 1994 and consider it an attractive and sustainable community. I also write as the Editor of the Woodchurch Village Design Statement (2002) team.</p> <p>I oppose:</p> <p>Any boundary changes to the Conservation Area in Front Road/Townland Farm and, by extension, the WOOD1 housing submission area. The appraisal document does not state any reasons for any of the changes. I assume that the reason for the changes near WOOD1 are simply to loosen the restrictions on potential developers. This is highly undesirable.</p>	<p>Conservation Area. <i>In order to respect the rural setting of this part of the Conservation Area, any proposals for development in this area must retain the front hedge and have a sufficient degree</i></p>
Wendy Glover		<p>I write to register my strong objection to the above proposal, especially with regards to the planning application in Front Road/Townland Farm. No good reason (or any reason) is given for this change - it is likely to have a very bad effect on the beauty and integrity of this village and allow developers to make unsuitable development/s.</p> <p>It is accepted that houses need to be built - but this is such a prominent site and the houses suggested are quite out of scale in height and on a dangerous bend</p>	

		<p>apart from anything. Changing boundaries of a conservation area is a dangerous precedent!</p>	<p><i>of openness and visual connection with the countryside. In order to respect the adjoining Townland Green Character Area and the siting of properties opposite the site, development should be set well back from Front Road and not be of a scale or massing which would dominate this approach to the Conservation Area or the public views from it.</i></p>
Mr Thurley		<p>Having carefully read the draft Conservation Area Appraisal as compiled by Tony Fullwood Associates, I make the following observations: On a wider point, the general reduction in the Conservation Area as proposed, smacks not of 'tidying up' as the draft seems to imply, but rather of the removal of restraints on potential developers. This is particularly true of the area on Front Road (WOOD1), and as such does not meet with my approval.</p>	<p><i>These additions to the CAMP would significantly increase the ability to control development on land between 82 - 120 Front Road with specific text covering this part of the setting of the Conservation Area and clarity about what is expected from the development. Such control would be complemented by the Local Plan policy covering the housing allocation. Adoption of the CAMP will make explicit the constraints on the character and appearance of future buildings and the landscape.</i></p>
Woodchurch Parish Council (J Batt)		<p>Woodchurch residents have been given an opportunity to express their views on the Conservation Area boundary changes at two public meetings in November and December 2015. Their views have informed this response. The Parish Council has distilled their comments in to four clear and consistent messages. 1) Whilst there are those who are in favour of expanding the Conservation Area, the vast majority see no benefit in changing the current boundaries. The appraisal document, although well prepared and well written, does not offer any solid reasons for the changes.</p> <p>The Parish Council challenges the authors comment that it was simply a matter of removing the more modern buildings. It feels that would simply encourage potential developers (especially the new owners of the WOOD1 site) to add-on to any existing areas of development.</p> <p>By contrast, the Parish Council has solid grounds for opposing the recommendations given its experiences of the WOOD1 housing submission site. Here, residents feel strongly that planning processes in the past appear to have offered greater opportunities for developers to achieve their objectives than it offers the Parish Council and the local community to oppose them. Reducing the Conservation Area can only send out the message to the new developers that it will be easier to obtain planning consent.</p> <p>The Parish Council would like to make it clear this is not about preventing development but about giving the Planning Authority additional influence on building and landscape design in the event of any future application, not only on Front Road (Wood1 site) but also on other peripheral areas in Bournes Place and Rectory Close, both of which featured in the consultations on future housing site allocations.</p>	

		<p>The Parish Council would see it as unfortunate if the Borough Councils expert was unaware his recommendations could impact on the separate discussions taking place over the housing submissions, unaware of the depth of feeling in the village on Community powerlessness despite it having been recorded in the Parish Councils response on the housing submissions unaware there are new owners of the WOOD1 site and unaware that 2 recent planning applications were refused on the WOOD1 site largely on the grounds that the proposals did not respect the local context. The mainstay of a subsequent Appeals Inspectors decision was the harm to the conservation area and the rural sense of place.</p> <p>The first message is that the vast majority of Woodchurch residents will not tolerate any proposal that could ultimately result in fewer constraints on the character and appearance of the buildings and the landscape.</p> <p>2) There is universal agreement that the most pressing matter is the ultimate fate of WOOD 1. It has been reported to the Parish Council that the above mentioned consultant also said that the planning criteria for WOOD 1 were already firmly in place. We do not understand or agree with his expert view and the Parish Council once again challenges that comment. In view of the flimsy and ambiguous wording in the current local plan this is clearly not the case and its presence in the Conservation Area is deemed to be very important. We cannot see how the Borough Council can support the Consultants recommendation having already accepted the local plans failings.</p> <p>The second message is the Conservation Area is the key tool the Parish has at its disposal to control not only the fabric of the village but also its rural essence. In the knowledge that a new planning application is expected to come forward soon on the WOOD1 site,</p> <p>Cllr Rob Woods Acting Chairman</p>	
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D G Lewing		<p>This leaves the area referred to as WOOD 1 the site along Front Road. This site is situated on one of the two main roads which run through the village and should therefore, because of its prominence, in the words of the Parish Council report, reflect the rural essence of the village. To remove this site from the Conservation Area would seriously diminish the control over the design aspects required to maintain this rural essence.</p> <p>We must bear in mind that if and when this development takes place the buildings will be in existence for many years to come and therefore should be given very careful consideration in this particular location.</p> <p>Unfortunately some developers will collect together a few standard designs and see how many houses they can cram on a site without considering the all important aspects ie. Access, safety and aesthetics.</p> <p>The site should therefore should be within the Conservation Area and be given very careful consideration so that the end result is safe and pleasing to the eye for years to come both for the existing residents and the new.</p>	<p>Noted. The tree is within the Conservation Area and is therefore already protected. As the tree is currently alive the designation may be retained. However, neither the location of the tree in a conservation area, nor its designation as an important tree would prevent any necessary tree maintenance or even felling if the tree was dead, dying or dangerous provided the work is agreed with the Borough Council.</p>
Stafford		<p>In the proposed changes to the Woodchurch Conservation Area the Oak (Quercus Robur) in the hedgerow of 82 Front Road is recommended for inclusion as an Important Tree. You need to be aware that this tree was severely damaged in the gales of December 2014 and it is currently under surveillance for possible felling. One of the two main trunks was ripped off by the wind and the remaining trunk has a large wound at the former intersection. The Tree Surgeon has carried out Crown Reduction to make the remaining trunk safe for the time being. He states that the tree may repair itself at the wound, or rot may set in. In the latter case the trunk will have to be felled in the interests of public safety as the tree is adjacent to the public road. The next review is due in Spring 2016.</p> <p>Under the circumstances we cannot agree to any change in the status of the tree at this stage. You are of course welcome to have the tree examined by your own expert for a second opinion.</p>	

<p>Woodchurch Village Association (CS Stafford)</p>		<p>Overview It is our opinion that in general the Woodchurch Conservation area is robust. It serves the community well and the village adheres to the principles set out in the Village Design Statement.</p> <p>Bourne's Place</p> <p>Although Bourne's Place was built in the 1980's, part of this development is highly visible from the Village Green. We are concerned that if Bourne's Place is removed from the Conservation Area, dwellings in this area could be modified in a way which is detrimental to the overall appearance of the Green.</p> <p>Allocated Development Area WOOD1 and its surrounds.</p> <p>We are extremely concerned that the Consultant has misread the significance of the WOOD1 area in terms of its relevance to the southern end of the Woodchurch Conservation Area. This has always been regarded as the entrance to the village and was included in the Conservation area to maintain the green and rural feel on the approach to the more historic village centre. In the description of WOOD1 it is quite clear that the intention was to enhance the Conservation Area. To remove this status from WOOD1 would be counterproductive, in that there would be no obligation to construct a development sympathetic to the original principles.</p> <p>With regard to the boundaries in this area, the information presented at the Village Consultation was incorrect. Boundary fencing does exist to the south of WOOD1. However, boundary fencing does <i>not</i> exist where the proposed line crosses the garden of Townland Farm. We fail to understand the logic whereby the boundary can subdivide a garden by a straight line and yet there is an objection to the straight line boundary in the adjacent field. There is clearly a misunderstanding. We would suggest an on-site meeting is required with your staff to sort this out before any decisions are taken.</p> <p>We were also surprised by the Consultant's comment that Numbers 65-75 Front Road were... <i>only former Council Houses and should not be included...</i> We take exception to these comments. This pre-war development is a fine example of what can be achieved by blending local needs housing into the landscape. These houses appear as a feature in the Village Design Statement because they incorporate characteristics of regional building, including cat-slide roofing. This development is part of our heritage and should be preserved in its present form.</p> <p>We are also surprised that the former Mission Hall adjacent to the above development has been excluded. We do not accept the Consultant's comment that it is too far from the village centre to be included in the Conservation Area.</p> <p>Views to Shirley Moor</p> <p>The views to Shirley Moor from Front Road adjacent to Townland Stores are an important part of the village rural scene. These views, especially the dawn scene, are very important to the</p>	<p>See response above. The Conservation Area boundary at Townland Farm is not proposed to be amended from the existing Conservation Area boundary as it is shown on historic maps and follows a tree line which is likely to represent the historic boundary. Even though a more recent permission has extended garden land beyond the Conservation Area boundary this is a recent change which does not necessitate an amendment to the boundary.</p>
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Lower Road			
D G Lewing		<p>Following the two meetings held at the Woodchurch Village Hall regarding the above and being a resident directly affected by the proposals I feel it necessary to make my thoughts known to the Council.</p> <p>I am the owner of No.25, Lower Road which you propose to exclude from the Conservation Area, I am pleased to inform you that I would have no objections to this.</p> <p>It has always been a mystery to me why it was ever included as the property next door No.27 is a bungalow of the same design and was never included. The bungalows were built in the early 60's and do not have any particular design features of note.</p> <p>With regard to the omission of Boume Place and Cherry Orchard Close and the minor regularising of various boundaries these all seem sensible revisions and can confirm agreement.</p>	Support noted for the omission of 25 Lower Road.
Windmill Area			
D G Lewing		<p>With regard to the omission of Boume Place and Cherry Orchard Close and the minor regularising of various boundaries these all seem sensible revisions and can confirm agreement.</p>	Support noted for the omission Cherry Orchard Close and boundary changes to the area near the windmill.
Dawes		<p>I support the proposed boundary changes to the area near the windmill. It would be right to omit the Millands Barn which is of no architectural value. As a small adjustment it would be sensible for the western boundary to be contiguous with the existing fence line, thus leaving the field in the conservation area but omitting a thin triangle mainly consisting of a long ridge of spoil from the old tennis court. The back is on an area which was excavated from the sloping field and would be reasonable to exclude a 2-3 metre strip round the back which, in effect, is a ditch and would provide a clean delineations between the conservation area and the</p>	<p>Understanding Place: Conservation Area Designation, Appraisal and Management, Historic England (2011, with Revision Note June 2012)</p>

		building.	provides more recent advice on drawing Conservation Area boundaries. It states that in almost all situations the conservation area boundary should run around rather than through a space or plot. It will generally be defined by physical features and avoid for example running along the middle of a street. This methodology has been followed consistently in reviewing the Conservation Area boundary. It is therefore proposed to amend the Conservation Area boundary to follow the fence line and field boundary as suggested by respondents.
Charles Dawes		You state correctly that the fields to the west of the Windmill form an important part of the setting and the proposed boundary follows the outline of the field nearly all round except at the south western edge. From the Eastern end of the barn, a straight line has been drawn passing somewhere along the edge of a tennis court until it meets the southern boundary with Mill View. It would be better and easier if the boundary continued to follow the field boundary where planners and residents can easily distinguish the boundary. I feel this may have been in the consultant's mind, but he/she drew a straight line, when the field boundary has a small kink in it. This is a small adjustment, but if made, the outline of the boundary will be clear to all.	
Rectory Close			
Anna Haasjes		As a Woodchurch resident, I am writing to raise my concerns about the recent plans showing the changes to the conservation area of the village Firstly, in times of austerity, I don't understand why money has been spent on a consultant who is suggesting things like changing fences to hedges and small details which are not upsetting anyone. Why are the fields behind the rectory and Rectory Close being removed from the Conservation Area? It appears to be the first stage in planning for large scale development.	Neither Rectory Close nor surrounding fields are located within the existing designated Conservation Area and are therefore not proposed to be removed from it.

Woodchurch Parish Council (J Batt)		<p>Woodchurch residents have been given an opportunity to express their views on the Conservation Area boundary changes at two public meetings in November and December 2015. Their views have informed this response. The Parish Council has distilled their comments in to four clear and consistent messages.</p> <p>1) Whilst there are those who are in favour of expanding the Conservation Area, the vast majority see no benefit in changing the current boundaries. The appraisal document, although well prepared and well written, does not offer any solid reasons for the changes.</p> <p>The Parish Council would like to make it clear this is not about preventing development but about giving the Planning Authority additional influence on building and landscape design in the event of any future application, not only on Front Road (Wood1 site) but also on other peripheral areas in Bournes Place and Rectory Close, both of which featured in the consultations on future housing site allocations.</p> <p>The first message is that the vast majority of Woodchurch residents will not tolerate any proposal that could ultimately result in fewer constraints on the character and appearance of the buildings and the landscape.</p> <p>Cllr Rob Woods Acting Chairman</p>	
65 – 75 (odd nos.) Front Road			
Sue Garnar and Mr Steve Baker		<p>(See attachments) Further to Fridays consultation regarding the draft changes of the conservation area in Woodchurch. Please note our comments regarding the Front Road area.</p> <p>We live in Lavender Cottage, 75 Front Road. It is an attractive part weather boarded;semi-detached house, which is part of a pair of six very similar properties , we believe built in 1929. Although these houses are ex local authority, they appear to be fairly unique and very well designed. They are now all privately owned and admired by many, our property is even featured in the Woodchurch Village Design Statement.(see attached) Earlier this year, we opened our garden to the public to raise money for the village church and the Leo Trust. We feel that it is worth preserving and conserving these attractive houses for future generations. It would be a great pity if someone was allowed to make extensive changes to the unique appearance of these delightful properties, which</p>	<p>The small crescent of inter-war houses 65 – 75 (odd nos.) Front Road is typical of the period. The former public housing comprises ribbon development at the edge of the village. The development forms a ‘set piece’ crescent of semi-detached properties set well back from the road behind deep front gardens. Materials follow the local</p>

		<p>could easily happen if they are no longer part of the conservation area. (see supporting photos)</p> <p>The Mission Hall which is virtually on our drive has been in the village since 1899. Some of the villagers children attended Sunday School there. It is now privately owned and sadly has been left to deteriorate. It is such a shame that a once loved and cherished building can be left to become so dilapidated. We feel, and I understand many of the villagers are of the same opinion that externally it could be restored to its former glory, and remain a building of some historical & emotional importance to the village. If it is removed from the conservation area, I understand that if it is redesigned or demolished that there would be little control over what could be remodelled or rebuilt in its place. Not a pleasant thought for the village and even worse for us as it is so close to our home. Consequently, we feel that the village should hold on to its heritage and this unique, unusual building should keep the protection of its current conservation area status.</p>	<p>vernacular of brick and weatherboarded facades with plain tiled roofs and chimneys. Original windows and doors have been replaced and garages and drive ways have been installed. The Mission Hall also abuts 75 Front Road. The character of Front Road is already varied and it is therefore possible to retain this relatively in tact group of properties and the Mission Hall within the Conservation Area reflecting a period of the historic development of the village.</p>
Marmara	I am very concerned with the proposed removal of 65, 67, 69, 71, 73, 75, 80a and 82 Front Road		
Anna Haasjes	<p>As a Woodchurch resident, I am writing to raise my concerns about the recent plans showing the changes to the conservation area of the village Firstly, in times of austerity, I don't understand why money has been spent on a consultant who is suggesting things like changing fences to hedges and small details which are not upsetting anyone.</p> <p>Finally, regarding the development on Lower Road, offensive remarks made by the consultant, implies that existing homes opposite the site are of no interest. This proposed development has been turned down already, and the reasons for this decision have not changed so that should be the end of the matter.</p> <p>It seems to us that there are people who would be quite happy to bulldoze the village and build a large anonymous suburb connecting Ashford to Tenterden. Please take this as an objection to proposed changes.</p>		
Woodchurch Parish Council (J Batt)	Woodchurch residents have been given an opportunity to express their views on the Conservation Area boundary changes at two public meetings in November and December 2015. Their views have informed this response. The Parish Council has distilled their comments in to four clear and consistent messages.		

		<p>The Parish Council does not accept the recommendations relating to the removal of 65, 67, 69, 71, 73,75, 80a and 82 Front Road and the current WOOD1 allocation. By removing these, developers and the Planning Authority will be dis-burdened from taking account of the existing rural grain in relation to such features as rhythm and materials, scale, mass, volume, footprint and site layout at this important gateway to the villages central core.</p> <p>A good practical example is the The Mission Hall on Front Road (opposite the WOOD1 site) which despite being in the Conservation Area currently has been allowed by the owner to deteriorate over a number of years. The planning Enforcement team at the Borough Council has informed the Parish Council it is not a priority for them. The residents feel they would lose what control they have now if the landowner was not subject to Conservation Area constraints.</p> <p>Cllr Rob Woods Acting Chairman</p>	
Lower Road			
D G Lewing		<p>Following the two meetings held at the Woodchurch Village Hall regarding the above and being a resident directly affected by the proposals I feel it necessary to make my thoughts known to the Council.</p> <p>I am the owner of No.25, Lower Road which you propose to exclude from the Conservation Area, I am pleased to inform you that I would have no objections to this.</p> <p>It has always been a mystery to me why it was ever included as the property next door No.27 is a bungalow of the same design and was never included. The bungalows were built in the early 60's and do not have any particular design features of note.</p>	Support noted for the omission of 25 Lower Road;
General			
Mr and Mrs Sharp		<p>We oppose the changes to the boundaries of the Woodchurch Conservation Area.</p> <p>The purpose of a conservation area is to conserve, not destroy. Changing the boundaries of the conservation area gives developers a greater opportunity to build medium and large scale developments that are not wanted or needed. We</p>	<p>(see responses to specific boundary changes)</p> <p>When adopted, the CAMP will give additional controls over development within the</p>

		don't want fewer constraints that will affect the character and appearance of the building and landscape of the village.	Woodchurch Conservation Area and its setting by clearly setting out the existing character and appearance of the area.
Donald James Grant		<p>I object to this proposal and wish to make clear my support for Woodchurch Parish Council in regard to the proposed changes to the conservation area. I cannot see any reason for reducing the conservation area other than to make it easier for predatory developers to exploit our village. The parish council consults residents closely and has a much better appreciation of the needs of the village than any planning authority, national or local. It is not opposed to change but has a clear view of what is and is not positive change, beneficial to all.</p> <p>One of the government's core planning principals is to conserve heritage assets, including conservation areas - National Planning Policy Framework. Plans to reduce the Woodchurch Conservation Area hardly fit with that.</p> <p>We live in a village with limited sewage/drainage capacity, narrow roads, limited public transport, no local employers of note and a school already at capacity. For significant development to take place these problems would have to be rectified, in the process the village would be destroyed. That would be an act of planning vandalism.</p> <p>Woodchurch is not only a particularly attractive village, it has a real community spirit, living and thriving despite hardships thrust upon it's business by successive governments. Ashford Borough Council should strive to preserve this and to improve it. The best way to do that is to listen to the advice of our parish council.</p>	
Woodchurch Unknown 1		My concern is that by removing all the proposed areas from the conservation area, this will encourage more building applications to be made, which are not needed and no one in the village wants.	
David & Mrs Bellingham		My concern is the proposed shrinkage of the Conservation Area. This will encourage more development in the village. We have already got our fair quota of new houses and our lovely village will become an extension of Ashford.	
Richard A Copland Chartered Surveyors		There is no mention in this document of why the areas proposed to be excluded from the Conservation Area are to be removed. The general principles expressed are sound and the document is well researched but the aims of carefully preserving and improving, the character of the village and its Conservation Area	

(Richard Copland)		are negated somewhat by the reduction in area. Extending it would offer more protection from undesirable development especially since the generally expressed opinion of villagers at meetings and in answer to questionnaires that development other than small (single or double plot infill) projects are considered undesirable. If extension of the area is not considered feasible then at least maintenance of the present boundaries is considered the best option.	
Character Areas			
Ward Member for Weald South (Cllr Aline Hicks)	Character Area 4 - Enclosed Fields	<p>I do not feel sufficient emphasis has been given to the enclosed field item 4.4. Residents all tell me that this is an important asset of the village and it is this green heart that attracts new residents to the area and make Woodchurch such a distinctive village.</p> <p>On page 24 mention is made of the extra land donated recently to the village to enhance the green and I feel that a green corridor should be created from the end of Kirkwood to join up with this new area, with a connecting green route to Lower Road next to John Watsons house in Lower Road.</p> <p>This will provide for ease of movement and connectivity from the lower parts of the village up to the shops and school and the top of the green.</p> <p>There are already many little footpaths around the village that are well used and a green corridor as above will enhance the status of this lovely rural village.</p>	<p>A separate character area (4.4 Enclosed Fields) is identified for this area. The text states that the area comprises a landscape of small fields enclosed by a network of native hedgerows with mature hedgerow trees including oak and that the area forms an important part of the open character which is such a strong and distinctive feature of the heart of this village.</p> <p>The creation of further public open space may be an aspiration for part of this area which would need to be pursued separately by the Parish or Borough Council through land acquisition although the Parish Council has not responded to this effect. The appraisal stresses the importance of the open</p>

			<p>character of this area and, provided this character is retained, it is not material from the point of view of the appraisal whether the land is in private or public ownership. Section 6.0 Management Proposals for the Conservation Area (Extension and management of the village green) does not preclude the option of further extension to the Green.</p>
Robert Allen	Character Area 3 – Lower Road	<p>Dear Sir, My wife and I live at Jasmine Cottage, 6 The Green, Woodchurch, TN26 3PF. Our home is well within both the current and proposed Conservation Area. We support the Parish Council's views on the above document; but we have a concern in relation to our property specifically.</p> <p>In the document our home is Characterised as part of Lower Road and we feel we should be part of The Green (our address is a clue!). Although our home has had modern extension, the original core of the house was built in the 1870s. We have direct access from our rear garden to The Green itself and we enjoy an unobstructed view of The Green and the church as we exit the front of our home. We have lived at this address just two and a half years and, in our refurbishment of it, we have taken great care to harmonise the look of our home with other properties on The Green.</p> <p>I am, therefore, asking you to reconsider characterising our home as part of The Green.</p> <p>See attached photos</p>	<p>Understanding Place: Conservation Area Designation, Appraisal and Management, Historic England (2011, with Revision Note June 2012) provides more recent advice on drawing Conservation Area boundaries. It states that in almost all situations the conservation area boundary should run around rather than through a space or plot. It will generally be defined by physical features and avoid for example running along the middle of a street. This methodology has been followed consistently in reviewing the</p>

			Conservation Area boundary. For this reason it is more appropriate to include Jasmine Cottage, 6 The Green
Negative Features/ Management Proposals			
David Bull		With regards to the negative features of the village. I believe a recommendation to have landscaping across the back of the houses of Cherry Orchard has been put forward. As a resident in Cherry Orchard I pointed out at the parish council meeting that there used to be tall leylandii trees along the boundary, I understand that these trees were removed due to subsidence issues with the houses. The field is a good four foot higher than the patio adjoining the field, if these trees were removed due to subsidence issues, why would anybody recommend to replace them!? I have since found out that before the leylandii there were silver birch trees along the fence line, these were also removed due to subsidence issues with the houses. This is a north facing wall at the most narrow point about 8 feet from the field, this wall needs all the air flow it can get to remain dry. Also, who will be responsible for maintaining them, any resulting issues if a tree were to fall on my home and any subsidence related issues? I strongly object to the trees/landscaping being reintroduced on the grounds of safety and potential subsidence issues with my home.	Enhancement measures must be seen by the local community to be improving the character and appearance of the Conservation Area. As tree planting to the rear of Cherry Orchard properties and hedge planting in front of Drayson House and the garage attracted objections there is no need to retain the proposed enhancement measures and the CAMP will be amended accordingly.
Mark Spain		<p>We are both residents of Cherry Orchard, and disagree strongly with some of the changes to the conservation area in Woodchurch.</p> <p>The landscaping you have mentioned to protect the exposed properties in Cherry Orchard, we are one of these properties and the wall that is is a north facing wall which we are struggling to keep the damp out of as it doesnt get much light or air flow, which if you lived in the village you would know that 90% of the weather comes from the south and adding any kind of landscaping if its trees or bushes will effect the airflow around the back of the house and will decrease the changes of it drying out and stopping the mould and damp.</p> <p>We have also discovered that historically trees were previously in place along the boundry fence but due to subsidence these had to be removed before we moved</p>	

		<p>in. If you are planning to reintroduce trees for example who will take responsibility of the cost if this happens again?</p> <p>We have a four foot retaining wall at the back of the property which holds back the field you mention the landscaping will take place in, if the roots from the additional planting damages the wall who will be responsible for the repairs if the retaining wall if its subsequently damaged by the new landscaping and any resulting damage to our property through falling trees onto our house?</p> <p>Since moving in we have been a very active part of village life and currently we are both on the committee for the Friends of Woodchurch Windmill. On a number of occasions have noticed from our house that something was not right with the windmill or that members of the public have been behaving inappropriately up at the windmill. A couple of examples are, a few years ago the fan tail had broken during a bad storm and was running out of control and there was a chance it could break off the back of the mill, if we had not been able to see this from our window we wouldnt have been able to enter the windmill and secure the fantail with a bag of straw to prevent damage to the mill or even worse damage to a person using the footpath which runs past the mill.</p> <p>Another example, recently a couple were having a picnic under the windmill with candle light, again if we could not have seen this from the house we wouldnt have been able to ask them extinguish the candles as they were a fire hazard and could have potentially burnt the Windmill down.</p> <p>We have also been very pro-active in promoting Woodchurch and especially the Windmill updating both Twitter and Facebook with some amazing photos of the Windmill all taken from our property. We currently have nearly 500 followers on Twitter and over 200 followers on Facebook. If the barrier is created between our properties and the Windmill I do feel the safety of the mill will be seriously compromised and also the promotion we do via social media will be greatly reduced as it will no longer be that easy and quick to update and promote via social media which is the way forward for promoting Woodchurch and the Windmill in the 21st century. We understand the windmill is the property of Ashford Borough Council however it does bring a fair amount of visitors not only to the village but to Kent. Which in turn brings revenue into the mill, village museum and pubs.</p> <p>Also you mention the view from Windmill South to the church but by adding</p>	
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		<p>landscaping behind Cherry Orchard you will then obscure the view from the Church to the Windmill.</p> <p>4. You also mention the low hedging around the front of Woodchurch Garage on Front road. This is also a concern, when cars are parked outside the village shop on the opposite side of the road you have to pass the cars in the on coming lane and having a hedge in front of the garage would obscure the view of on coming traffic and subsequently this could cause a serious accident.</p> <p>Thank you for taking the time to read our concerns.</p>	
Anna Haasjes		<p>As a Woodchurch resident, I am writing to raise my concerns about the recent plans showing the changes to the conservation area of the village Firstly, in times of austerity, I don't understand why money has been spent on a consultant who is suggesting things like changing fences to hedges and small details which are not upsetting anyone.</p> <p>One of these suggestions is to plant a row of trees to screen off Cherry Orchard from the view from the windmill. These houses are over 30 years old and so surely are part of the established village fabric. No mention is made of the view of Bells Park or Mill View!</p>	
Woodchurch Parish Council (J Batt)		<p>Woodchurch residents have been given an opportunity to express their views on the Conservation Area boundary changes at two public meetings in November and December 2015. Their views have informed this response. The Parish Council has distilled their comments in to four clear and consistent messages.</p> <p>1) Whilst there are those who are in favour of expanding the Conservation Area, the vast majority see no benefit in changing the current boundaries. The appraisal document, although well prepared and well written, does not offer any solid reasons for the changes.</p> <p>3) Residents reported several historical inconsistencies in the consultants findings and recommendations. Most of these involved aesthetic issues. Examples include tree planting recommendations along boundary lines in Cherry Orchard despite trees having been felled there for safety reasons in the past and the presumption in favour of hedging at the front of Drayson House on The Green when there is clear photographic evidence of wooden fencing having been in place previously.</p> <p>The residents will no doubt write separately to disagree with those findings and the Parish Council would strongly support them in doing so.</p>	

		Cllr Rob Woods Acting Chairman	
Mr & Mrs G. Hastings.	Chapter 5 - Negative Features	<p>I live in one of the houses in Cherry Orchard described as having a negative impact on the conservation area .Although currently inside the area, the proposals take it outside. I really don't understand the total contempt for the houses in Cherry Orchard. They were built over 34 years ago and are populated with people who make an equal contribution to the community as anyone else. The PC and ABC continue to refer to our houses as the new/modern/unsightly development. My issues with these changes are (1) the road will be taken out of the conservation area! For what purpose other than to build the landscaping barrier mentioned. This is a case of moving the goalposts to suit this pointless targeting of Cherry Orchard. In-filling has already happened at the front of the road, the conservation area did not stop that development so there is no benefit here?(2) why build a landscaped barrier to our houses; which I can only guess will be a row of trees? Cherry Orchard is no more unsightly than Six Bells Park which is much more visible from the windmill; as are other features yet there is no mention of barriers to these. This barrier will impact on the natural rural landscape of this area. The Cherry Orchard estate has been derided and neglected for too long. It was built decades ago and is a part of Woodchurch life and environment perhaps it is about time this was accepted.</p> <p>I strongly object to this proposal to unfairly barrier off a section of your community . Surely the whole point of a conservation area is to conserve the area not change it completely; both the windmill and the Church have their faults but it would be wrong to change them and the same goes for Cherry Orchard it is a big part of the landscape and heritage of Woodchurch. I object to any barrier to Cherry Orchard. I object to adjustment of the conservation area of Woodchurch.</p>	
Jon Chaplin		<p>I am lucky to have lived in Woodchurch since 1994 and consider it an attractive and sustainable community. I also write as the Editor of the Woodchurch Village Design Statement (2002) team.</p> <p>I oppose:</p> <p>The inclusion of three items on the map of the proposed conservation area</p>	<p>Visual intrusion occurs when a site or property do not fit with the predominant character and appearance of that part of the conservation area in which</p>

		labelled Visual Intrusion. Regarding any so-called Visual Intrusion, there are of course buildings and features in the conservation area that I do not like personally but no one has any right to criticise another's property or feature of it on a purely subjective basis. I believe that it is the responsibility only of the Parish Council to take whatever action is necessary to maintain Woodchurch in a tidy state.	they are situated.
Consultation process			
Woodchurch Parish Council (J Batt)		<p>Woodchurch residents have been given an opportunity to express their views on the Conservation Area boundary changes at two public meetings in November and December 2015. Their views have informed this response. The Parish Council has distilled their comments into four clear and consistent messages. The third message is that both residents and the Parish Council feel these issues are more than something we simply disagree with. There is a strong feeling that the recommendations have been informed by a cursory walk around the village and little or no meaningful historic research. Given that Woodchurch has a wealth of local knowledge and primary data at its disposal, the Parish Council feels the reviews recommendations would have been more acceptable had the process been more inclusive and undertaken at a time when the current contentious development control and future planning issues have been resolved. It would therefore request that no decisions are taken at this time. The Parish Council would welcome a review at a more appropriate time and will gladly help to facilitate it.</p> <p>4) Residents have reported that whilst we have a Conservation Area in place, there is little information or advice about the constraints. It would be useful to have data available in the Woodchurch Information Centre about how the Borough Council controls demolition, how it seeks to ensure that all new development harmonises with its context and for example whether it makes grants available for the repair of buildings.</p> <p>Cllr Rob Woods Acting Chairman</p>	The CAMP has been compiled following extensive historic research of the sources named in the draft Appraisal and research at the museum as well as several site visits to the Conservation Area and the surrounding area. In addition, advice was sought from Ashford Borough Council planning officers in relation to planning histories and issues and urban design and development management officers on the design issues within the Conservation Area. The process was designed to be inclusive with a walkabout offered to all Borough and Parish Councillors representing the area at the beginning of the process prior to writing the document. This was
Timothy ELLIOTT	General	<p>THREE POINTS</p> <p>1. Great care must be taken to contact concerned.</p> <p>This, regrettably, has not been the case. For instance, not everyone has the</p>	

		<p>capability to go on line. I also know personally of one household living in a relatively isolated property who are potentially directly affected and who had heard nothing about the Review: that is not how a democracy should work.</p> <p>2. Great care must be taken to preserve the character of this Kentish village. There are many and obvious reasons for this. It is, however, not so obvious that this is so especially in the light of the publicity that Kent as the Garden of England is currently being given on the Continent as an income-generating tourist attraction.</p> <p>3. The review must be seen as a developer's charter to build where currently planning permission has been successfully opposed.</p>	<p>attended by only one Borough Councillor, Cllr Bradford, the Chairman of Woodchurch Parish Council, Cllr Julian West and parish councillor Gina Davies. A consultation period was arranged and a local exhibition held to allow feedback to the consultant and the Borough Council and the opportunity to ask questions. The exhibition was well attended.</p>
<p>Woodchurch Village Association (CS Stafford)</p>		<p>There has been insufficient dialogue and feedback on the proposed changes. There was no public involvement or consultation before the draft plan was published.</p> <p>The village has been somewhat taken aback by the Consultant's lack of local knowledge and his blanket refusal to consider any amendments to his proposals. Thus, there is considerable local resentment about scarce funds being expended on a consultation which appears to be fait-accomplis.</p> <p>Our Parish council has held several open meetings where these and other concerns about this consultation were forcefully made. We trust you will respect and seriously consider these views.</p>	<p>Section 2.3 - Special Controls in the Conservation Area was specifically included in the CAMP in order to provide information about the planning constraints operating in a Conservation Area and it is possible to use this information at the Woodchurch Information Centre.</p>

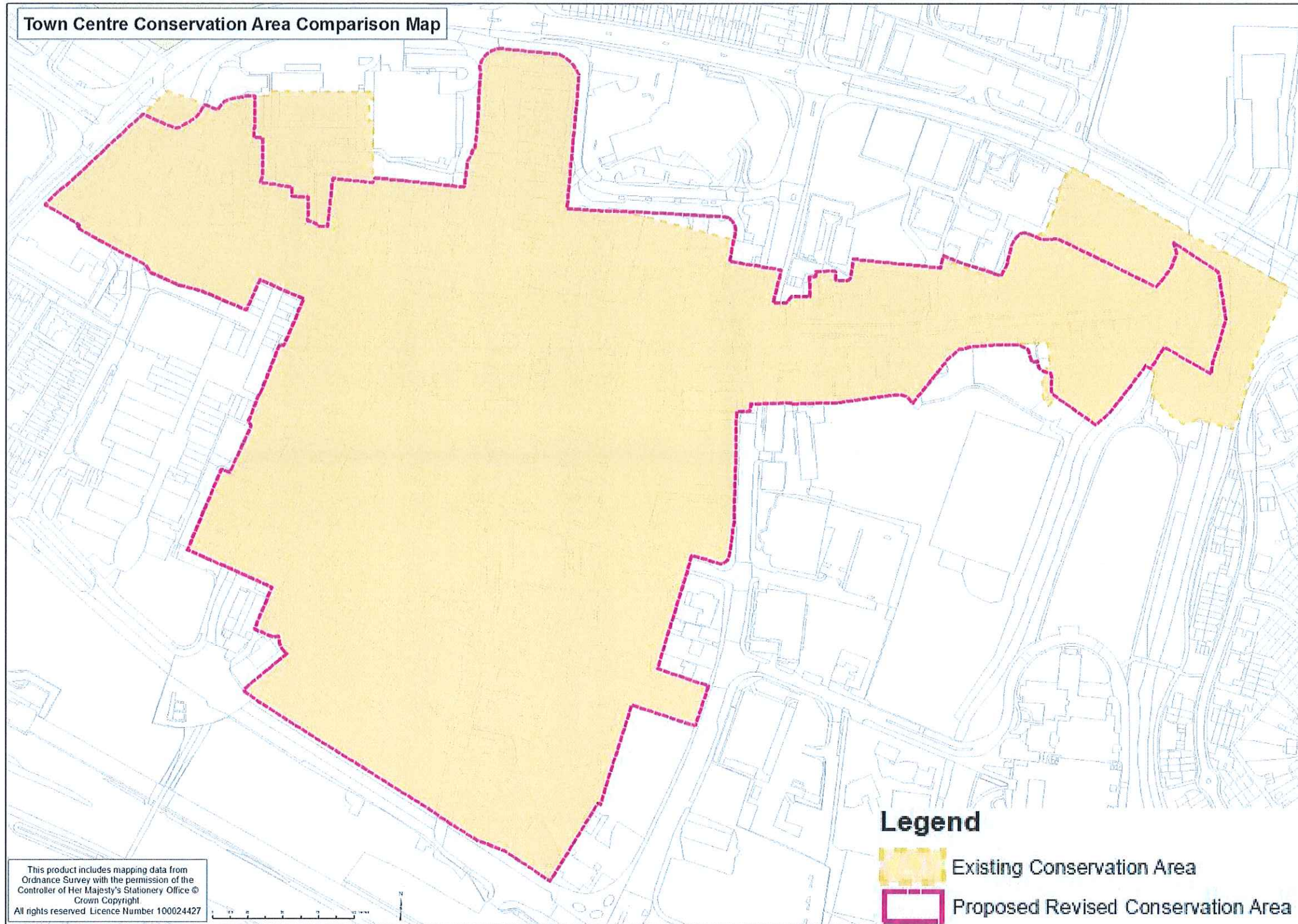
Town Centre Consultation Comments

Contact: First name	Contact: Surname	Contact: Organisation Name	repldFull	comment
Anton	Obholzer		1	I fully support these proposals
Gavin	Williams		2	Please carry on with what you are doing. Quicker if possible.
Kenneth	Blanshard		3	Chairman St Mary's Arts Trust - need Notice board near to Churchyard for posters, maps. Need to put A Boards in High Street as Churchyard can be isolated.
T R	Lacey		4	This exhibition has been put on immediately after the horse has bolted out of the stable door ie.HARD on the heels of the wanton destruction of Swanton House, Swanton Villas and the Ashford Technical Institute, buildings of high culture the council were determined to keep until an unannounced decision was taken to do away with them. Twenty or thirty years ago the council were going to demolish the Italianate structures also in Elwick Road. Except for them and the Methodist Church, the periphery of the Town Centre is now in a state of derelictions. In the past 55 years, scores of historic buildings have gone in an orgy of WANTON destruction and we are now left with the crumbs which I saw in the photograph at your exhibition. Unfortunately the elected council seem to leave all the decision-making to unelected town borough officials. If we can have referendums on community councils, then why for heavens sake not on demolition issues? Read Steve Salter's books on Ashford!!
Robert	Shrubb	South Ashford Community Forum	5	The Committee of South Ashford Community Forum have examined the documents relating to the above scheme and one of our number attended the public exhibition of the proposals held at St.Mary's Parish Rooms on Saturday 28th November. South Ashford Community Forum is fully supportive of the proposal to produce a management plan for the Town Centre Conservation Area and have no comments on the material presented.

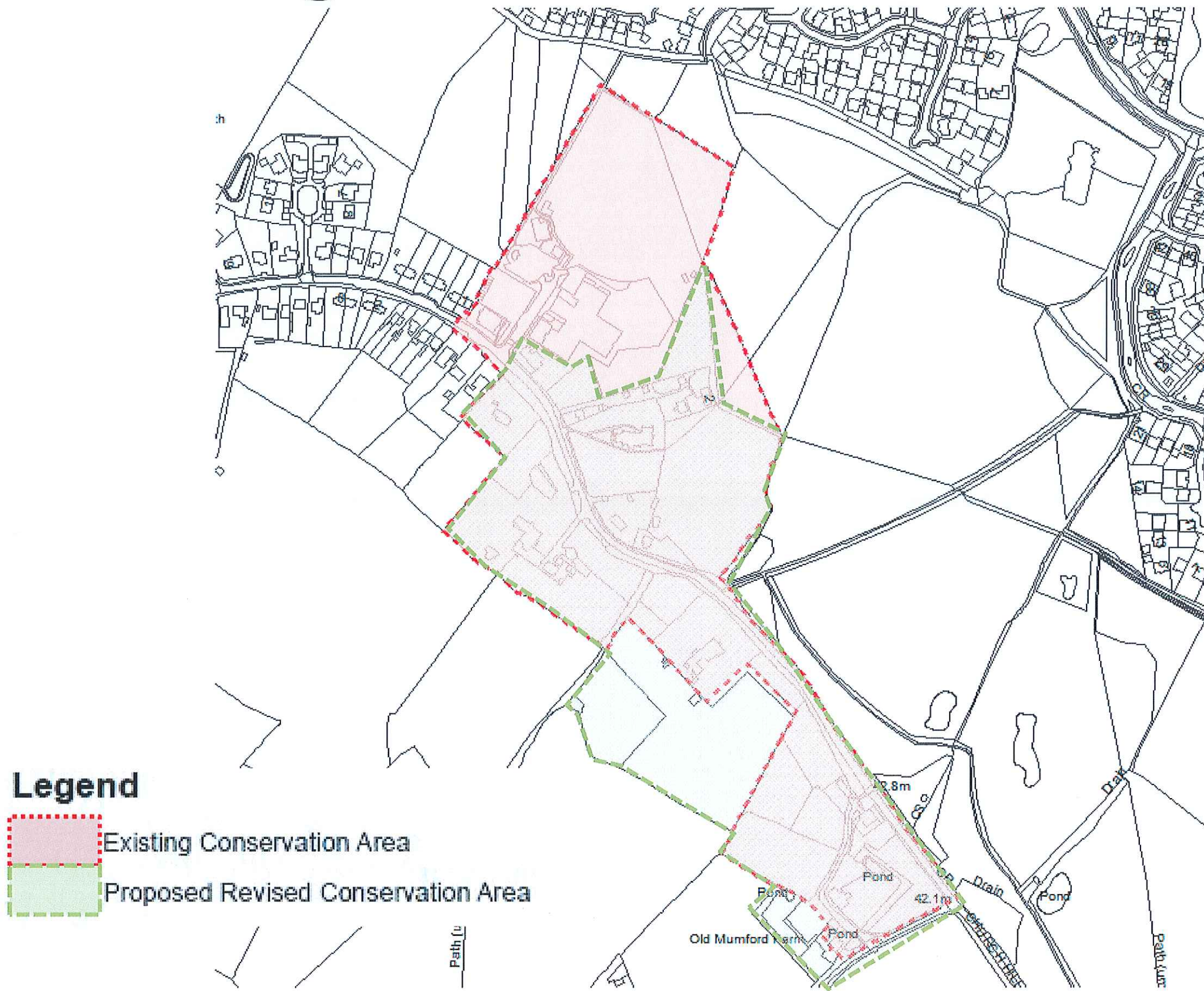
Town Centre Consultation Comments

Emily	Neighbour	Central Ashford Community Forum	6	<p>The Trustees of the Central Ashford Community Forum were very pleased to be invited to contribute to and comment on this document. Four Trustees, Jo Jowers, Christine Green, Jim Davies and Emily Neighbour joined the Inspectors as they walked around the town for a couple of hours along with one representative from Ashford Museum.</p> <p>We have looked at the Draft Document produced for consultation and are generally very supportive of all the comments, criticisms and suggestions that have been made. We hope that action is taken as a result to improve the environment in the Conservation Area of which Ashford Borough should be very proud.</p> <p>The Trustees believe that there is great potential for tourism which could encourage more visitors to the town. We would particularly like to see a leaflet available for visitors to the town, ideally a hard copy at the station but also on the website. A good one including a map and points of interest was produced some years ago by the now defunct Town Centre Partnership; Christine Green has a copy she can pass on. As it referred to the historic parts of town it would require very little updating. We are concerned that the only information offered to visitors to town on the internet is about shopping and food outlets, with no mention of the history and architecture of the town.</p> <p>Also, we would like to suggest that the other conservation areas in the Borough should also be reviewed. The Trustees would like to be involved again in the one immediately north-west of the town centre which is also part of the Central Ashford Community Forum area.</p>
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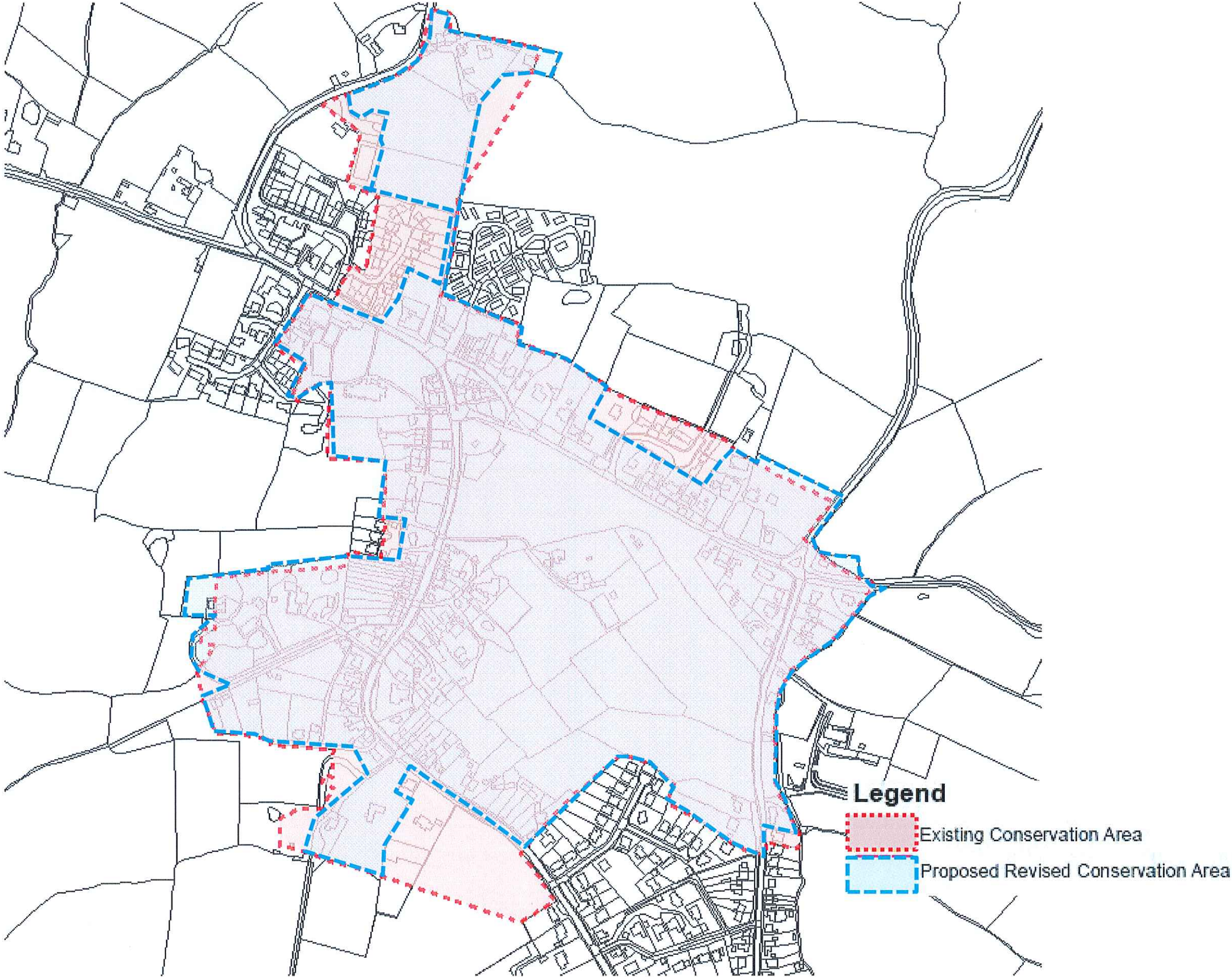
Ashford Town Centre CAMP



Kingsnorth Conservation Area



Woodchurch Conservation Area Appraisal





ASHFORD
BOROUGH COUNCIL

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).

Importantly, this does not include reports that are 'for note' or do not propose substantial changes – assessments should only be considered when we propose to do something differently.

Assessments should also be carried out when conducting a large-scale review of **existing policies or practices** to check that they remain non-discriminatory. This does not mean filling out an assessment on every report on a subject – it is up to you to decide if the report's scope or scale warrants an assessment

1. General Information	
1.1 Name of project, policy, procedure, practice or issue being assessed	Conservation Area Reviews
1.2 Service / Department	Planning and Development
1.3 Head of Service	Richard Alderton
1.4 Assessment Lead Officer	Matthew Nouch
1.5 Date of Assessment	30 th August 2016
1.6 Is this assessment of an existing or a proposed project, policy, procedure, practice or issue?	Proposed policy evidence document

2. What is Being Assessed?	
2.1 What are the aims of this project, policy, procedure, practice or issue?	Conservation Area Appraisals help the Council, those proposing development, and the local community to be able to engage in the conservation and enhancement of the local historic environment and help secure the long-term viability of the Conservation Area as an important heritage asset. Adopted appraisals are material considerations in the determination of development proposals. These appraisals are also required as per planning law, and advised as evidence base documents as per the National Planning Policy Framework.
2.2 Who is intended to benefit from this project, policy, procedure, practice or issue?	The whole local population, through protection of the integrity of the historic environment; home-owners and developers who will use the document as a parameters guide to what is expected in these special and unique areas
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	Development Management (Planning and Development)
- from other agencies	N/A

3. Possible Sources of Information

In order to assess the impact of proposed decision it is important to bring together all information you have on it to, analyse them and come to conclusions on how it affects those with protected characteristics.

Information on a policy, project or procedure can come in many forms :-

- Census and other demographic information
- User satisfaction and other surveys
- Previous consultation exercises
- Performance Indicators
- Eligibility Criteria
- Service uptake data
- Complaints
- Customer Profiling
- MOSAIC data

In order to come to conclusions on impacts in section 4 you **must** have taken in to account all appropriate information, and be able to provide this if necessary in support of the judgements you make.

Also, it is not enough to have broad information on service users – to meet equalities duties this information **must** be broken down – where applicable – into the relevant protected characteristics which may be affected by this decision. For example, when considering disabled access to a new community facility, overall usage figures are not enough – an understanding of how many disabled users within this total must be demonstrated.

The protected characteristics are :-

Age	Disability	Gender reassignment	Marriage and civil partnership	Pregnancy and maternity
Race	Religion and belief	Sex	Sexual orientation	

More information on the definitions of these characteristics can be found here - <http://www.equalityhumanrights.com/advice-and-guidance/new-equality-act-guidance/protected-characteristics-definitions/>

4. What judgements can we make?				
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 yes, can it be justified (and how)?
Impact Factors:				
Age (please detail any specific groups considered)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Enables positive planning for the historic environment through uniting compatible aims of conservation of the historic environment with improvements – in particular in the public realm – for those with protected characteristics. This can enable historically-sensitive design that also promotes accessibility for those with mobility issues.
Disability (please detail any specific groups considered)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Enables positive planning for the historic environment through uniting compatible aims of conservation of the historic environment with improvements – in particular in the public realm – for those with protected characteristics. This can enable historically-sensitive design that also promotes accessibility for those with mobility issues.
Gender (please detail any specific groups considered)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Gender Reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Marriage / Civil Partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Pregnancy & Maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Race (please detail any specific groups considered)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Religion / Belief	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Sexual Orientation (please detail any specific groups considered)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Other (please specify)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

5. Conclusions

5.1 Does the decision maximise opportunities to promote equality and good inter-group relations? If “yes” please state how?

Yes The Conservation Area appraisals and management plans provide visions for the improvement of historic public realm (as well as private buildings and spaces) to encourage permeability for all.
 No

5.2 Based on the answers to the above can we confidently say that in its present form the decision treats different groups fairly (bearing in mind “fairly” may mean differently) and that no further amendment is required?

Yes
 No

If further action is identified to ensure fair impacts please complete the Action Plan available on the intranet and attach it to this form

6. Monitoring and Review

How will monitoring of this policy, procedure or practice be reported (where appropriate)?

Adoption of these documents has development management implications and will impact decisions. These impacts are to be reviewed as part of the overall service review of development management in each administration.

When is it proposed to next review the project, policy, procedure, practice or issue?

Guidance provided by Historic England, the statutory body responsible for conservation of the historic environment, recommends regular review of Conservation Areas (CAs) and their appraisals every five years. This set of appraisals, one each to cover all the borough’s designated CAs will be completed over the course of the coming months.

Any additional comments?

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Agenda Item No:

Report To: Cabinet

Date: 08/09/2016

Report Title: Ashford Borough Council's Performance – Quarter 1 2016/17

Report Author: Nicholas Clayton, Senior Policy, Performance and Scrutiny Officer

Portfolio Holder: Portfolio Holder for Finance, Budget & Resource Management, Neil Shorter



Summary:

This report seeks to update members and the public on the performance of the Council against its Corporate Plan during Quarter 1 2016/17. This includes information on what the Cabinet has achieved through its decision-making, key performance data, and consideration of the wider borough picture which impacts upon the Council's work.

The organisation's approach to the monitoring of its performance against this plan has been revised. Accordingly, attached are summary highlights from the new online Performance 'Dashboard' for each of the Council's Corporate Plan areas.

Key Decision: NO

Affected Wards: N/A

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

- 1. Note the Council's performance against the Corporate Plan in Quarter 1 of 2016/17.**

Policy Overview: In December 2015 the Council agreed a new Corporate Plan - "*The Five Year Corporate Plan – for Aspiration, Action and Achievement*".

This also provided an opportunity to refresh the way in which performance against this new Corporate Plan (and its priority areas) was measured, presented and engaged with by officers and members.

Financial Implications: N/A

Risk Assessment N/A

Equalities Impact Assessment N/A

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Report Title: Ashford Borough Council's Performance – Quarter 1 2016/17

Purpose of the Report

1. To provide a headline overview of performance against the Council's Corporate Plan for Quarter 1 2016/17.
2. This report provides a summary of the main developments affecting performance during the quarter, whilst the attached highlight summaries provide key trend data underlying this.

Background

3. Each quarter the Cabinet and Overview and Scrutiny committees receive an update on how the Council is achieving its objectives.
4. Historically, this has been in the form of a short, paper-based report which could only provide a snapshot of how the Council was doing at a fixed point in time.
5. In December 2015 the Council agreed a new Corporate Plan - "*The Five Year Corporate Plan – for Aspiration, Action and Achievement*".
6. This also provided an opportunity to refresh the way in which performance against this new Corporate Plan (and its priority areas) was monitored, presented and engaged with by officers and members.
7. Whilst this approach is naturally an evolving one, the aim is for this Performance Dashboard (the Dashboard) to inform the work of both officers and members, providing an ongoing tool which facilitates insight and understanding across the organisation on the state of progress against our goals.
8. As part of the Council's wider governance arrangements, such performance information is used to reflect on the organisation's approach – leading to doing things differently where needed In order to offer efficient services and effective outcomes.

Recent Developments of the Dashboard

9. Over the last year the Policy and Performance team have worked with a leading open data and visualisation company to design a Performance Dashboard, held workshops with performance leads within services to see what information the Council collects and what should or could be collected; gathered contextual data from KCC and other partners; and kept senior managers apprised of developments.

10. Following the Quarter 4 2015/16 performance update, Management Team asked that Heads of Service and their teams provide final feedback and thoughts on the Dashboard. Accordingly, the Dashboard was recirculated to Management Team, alongside a series of presentations and meetings with service heads and/or the wider service units.
11. Through this round of engagement, a wide range of suggestions was made, including additional datasets and amendments to the overall look and presentation. Other major changes are summarised below –
 - a. To ensure transparency and allow for further feedback, any information drawn from an external partner (most often KCC but also government departments and other online performance systems) now have a live link to the source alongside the chart.
 - b. Contextual data (often drawn from external partners) is now placed in a separate section alongside the narrative against each performance goal. This will ensure that those interventions and outcomes more directly relating to the Council's efforts against the Corporate Plan will be more distinct.
 - c. Further integration of content to align with other regular performance reporting, for example that provided by Housing Services. A live link has also been set up to these quarterly updates themselves.
 - d. Signposting users to other sections of the Dashboard where additional relevant performance data can be found.
 - e. The highlight summary reports, presented below and drawn directly from the Dashboard system, have been cut-down and reshaped to include the key trend graphs and analysis – in line with the 'Technical Annex' Members and the public have previously received. These provide a fraction of the information available constantly through the live Dashboard site management tool.
12. It should also be noted that this is the first version of the Dashboard, with an emphasis on making sure the core data, components and insight begin to work as a management tool. As such, analysis is constantly being added as the latest data is added to the system and interventions are made. Alongside an ongoing user group which will meet regularly over the next year, feedback from more regular use of the site, and further integration of service planning and programme management data – as this comes on stream before the end of the year – will provide further developments (and a deepening) of the overall performance picture.

Summary of Performance Developments in Quarter 1 2016/17

13. The majority of performance goals the council is working towards remain either on-target or near-target.
14. Quarter 1 saw activity on a variety of initiatives which will have a positive impact on the outcomes set out in the Council's corporate plan –
 - a. In June Ashford was accepted onto the third year of the national Business in the Community's Healthy High Streets programme. The programme aims to provide intensive corporate support to 100 High

Streets, connecting corporate businesses with established Town Teams to support town centre regeneration and growth.

- b. In light of a challenging position for future growth, in June the Council launched the draft Local Plan for eight weeks of consultation (now closed). The Local Plan sets out the land needed to provide new homes and jobs up to the year 2030. It also addresses retail, leisure transport, community infrastructure and environmental issues.
- c. Following work by the new Policy and Compliance Taskgroup, in June Cabinet agreed a suite of revised Housing enforcement policies, updating the council's approach in the following areas -
 - Private Sector Housing Enforcement and Prosecution Policy
 - Anti-Social Behaviour Policy for Ashford Borough Housing Tenants
 - Housing Income and Arrears Management Policy
- d. The Planning Committee received and decided upon 13 applications including -
 - Approved up to 157,616 square metres of employment led mixed use business space in Sevington
 - Approved 640 dwellings at the former Powergen site in Ashford
- e. July saw Create celebrate its 21st birthday, with around 12,000 people enjoying the various activities available throughout the day -
 - 78% were regular attendees and 22% were new to the event
 - £149,000 estimated spend in the local economy by Create attendees on associated travel, accommodation, food and drink
 - 67,000 people viewed Create's online video campaigns leading up to the event, with the Official Create 2016 film being viewed by over 4,000 people in just 48 hours
 - A large social media presence, with 46,000 tweets about Create in and around the day itself
- f. In June the Council launched a new Ashford Heritage Trail, and handy leaflet, which takes visitors on a journey through history to discover heritage sites around the town centre. The Council has also produced a Museum and Heritage Trail, which introduces visitors to sites further-afield across the borough.
- g. In June the council learnt of its successful application to Historic England to upgrade the listed building status of the Hubert Fountain. This means it has now been listed at Grade II*, which is significant as this status has been given to only 5.5% of listed buildings in the country.
- h. In May the Cabinet gave its support to the Ashford International Model Railway Education Centre (AIMREC), and agreed to provide a mortgage loan to help the scheme's supporters to purchase the necessary land, owned by Kier, to enable the company to apply for significant funding from various sources including a capital grant from the Heritage Lottery Fund.
- i. In July Cabinet considered a review of T-CAT, and agreed a set of further improvements to the service.
- j. In June the council launched a consultation concerning proposals for a revised council tax support scheme in Ashford. Pensioners remain unaffected by the proposed changes to the scheme and the council has already decided that as disabled claimants of council tax support

will continue to receive additional support (5%). However, residents of working-age will be asked to contribute a little more towards their council tax. Those directly affected were posted hard copies of the documentation and questionnaire.

15. As noted above, the information included within this report provides merely a high-level snapshot of the information available constantly through the live Dashboard site management tool. Whilst the Corporate Plan runs to the end of the decade, the initiatives noted above are intended to provide long-term positive outcomes on the trend analysis the Council undertakes.
16. The majority of the trends captured within these summaries have remained broadly steady over the last quarter. Unemployment, under the revised ONS methodology, remains steady (or slightly increasing) for all claimants and young people, whilst the numbers needing temporary accommodation also remains constant compared to the previous year. Planning response times have improved whilst dealing with a relatively steady level of applications, and recycling rates have levelled off as expected following the large increases over the last few years.

Equalities Impact Assessment

17. N/A

Portfolio Holder's Views

18. Overall, Ashford Borough Council's performance remains strong, and I am reassured by the volume of activity and initiatives the organisation continues to champion in order to make our corporate plan a reality and see real impact across the borough by the end of this decade. In particular, I am pleased to see that our efforts to support our high street and local businesses, through initiatives like TCAT and the purchase of Park Mall, are already supporting a fall in the overall vacancy rate across the town centre. Whilst unemployment is low compared to Kent, it has levelled off recently – the launch of Ashford's new College campus in a year's time will provide additional impetus to create new, sustainable local employment and skills.
19. I am pleased to see that the council's new Performance Dashboard is now available to share with Members and senior management. The wealth of information it includes, accessed simply in an online format, will help immeasurably in informing the work and success of our corporate plan and initiatives. The highlight summaries included in this report present merely a top line snapshot of our performance, and I would urge all colleagues to take the opportunity of consulting with the online Dashboard itself for further context, analysis and data.

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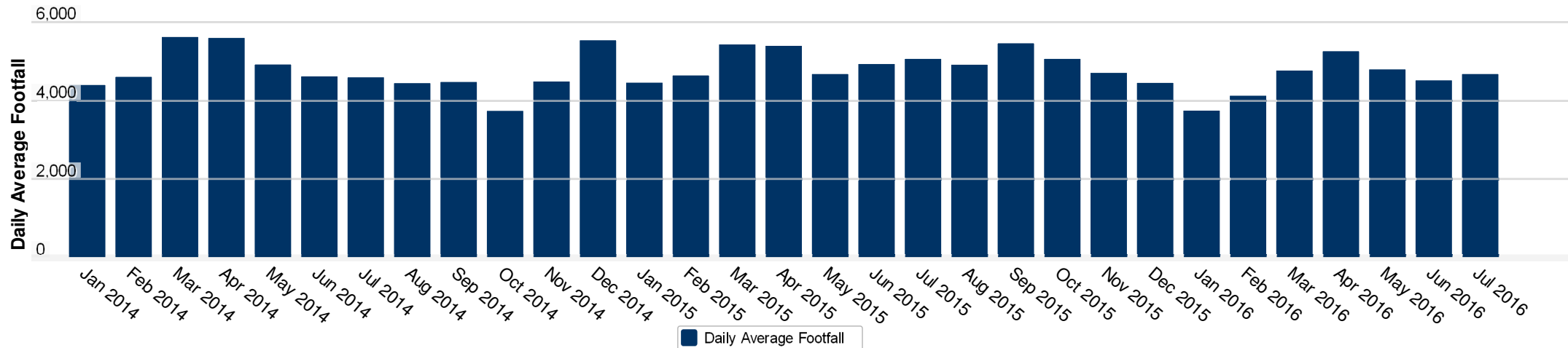
Ashford Borough Council Performance Dashboard

Headline Report

Enterprising Ashford

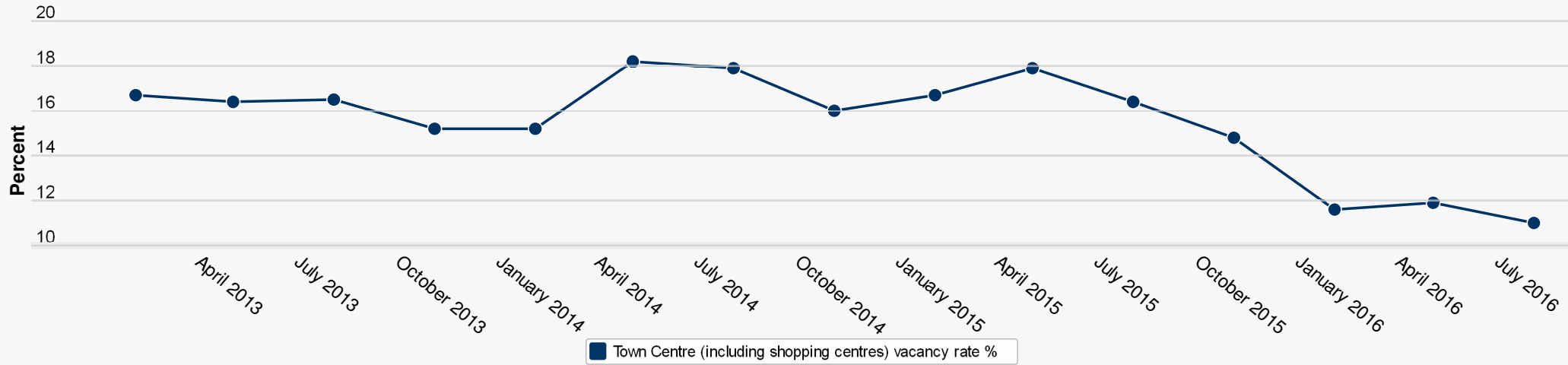
Town Centre Footfall

A small counting device is mounted on opposite WHSmith, a zone around this to be targeted has been defined, and pedestrians and cars who travel through the zone are recorded. Visitor numbers are recorded using the very latest counting software based on 'Target Specific Tracking' (TST). TST software monitors flows by employing a wide range of characteristics to determine a target to identify and track.



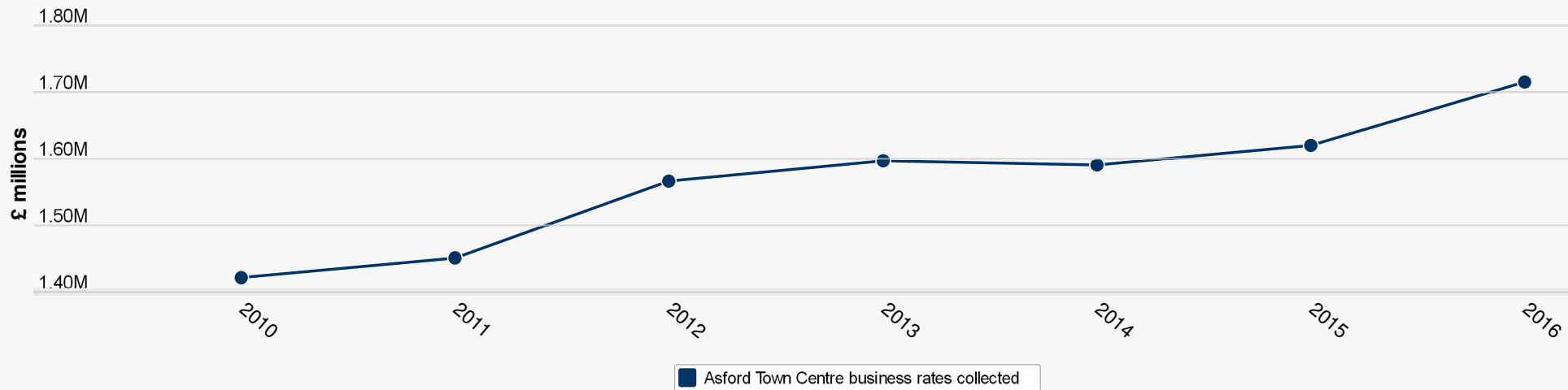
Whilst footfall fell during the end of the previous year, this has been attributed partly to the poor and unsettled weather during and after the Christmas period. However, the state of Ashford town centre remains generally strong, with footfall during 2015 bucking the national trend and increasing by around **5%** against to the year before, compared to a national trend of a **1.6%** decrease. The number of visitors parking has increased slightly, in some part due to the free parking initiative.

Ashford Town Centre Vacancy Rates



Vacancy rates have fallen across the town centre overall over the last year. Park Mall's historically higher rates have also begun to fall since the Council took over direct operations in 2015.

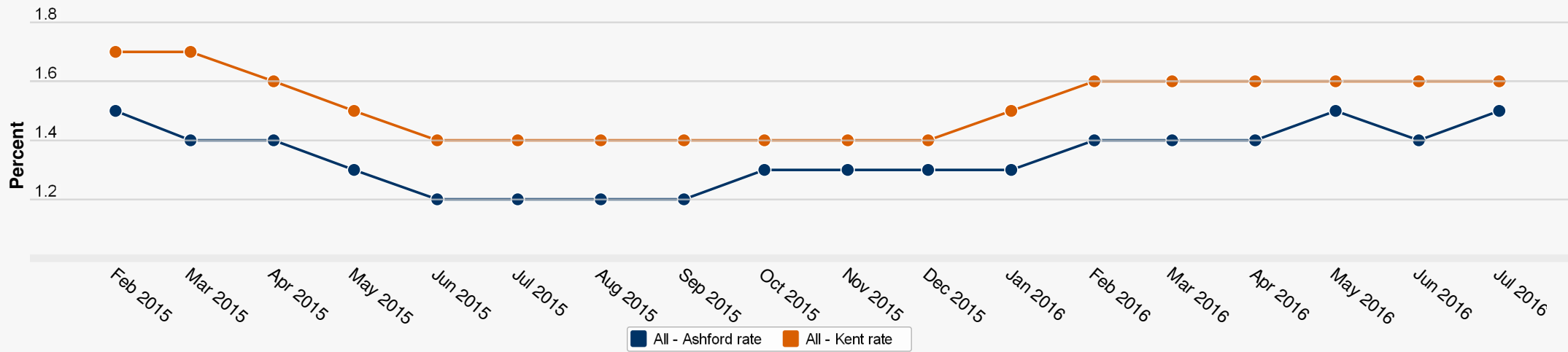
Town Centre Development and Future Plans



In July 2016 Cabinet approved Phase 1 of the Commercial Quarter Office Development, including the transfer of key parcels of land.

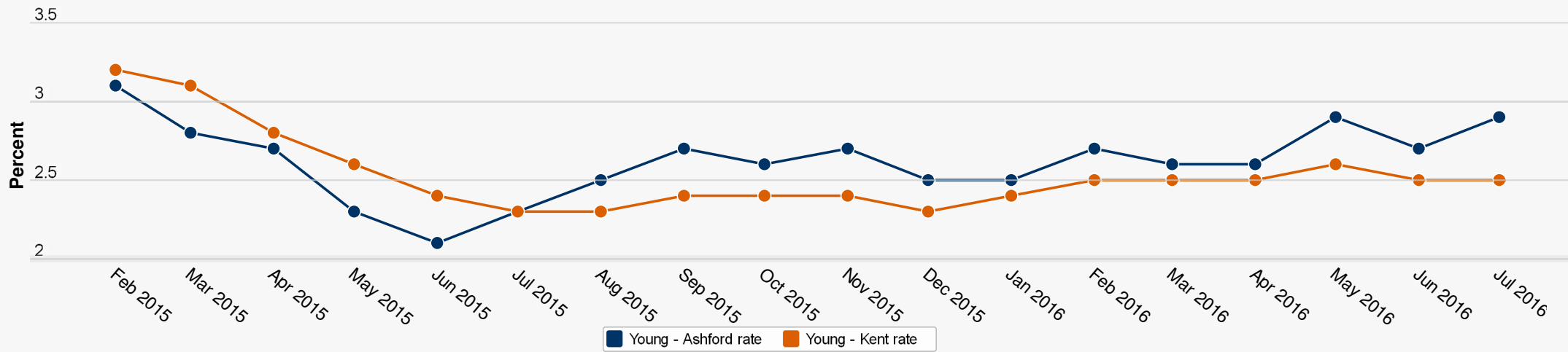
Unemployment

All



The total number claiming either Jobseekers Allowance or Universal Credit principally for the reason of being unemployed rose slightly over the last two quarters following a period of sustained fall. It now stands at just above **1,000**. This is still around 10% less than at the same time last year, constituting around 1.5% of Ashford's working age population. Just over 100 claimants a month either returned to work or increasing their employment hours.

Young People



The number of young people (18-24) claiming unemployment benefit has also risen slightly, by around 30 over the last quarter.





Ashford Borough Council Performance Dashboard

Headline Report

Living Ashford

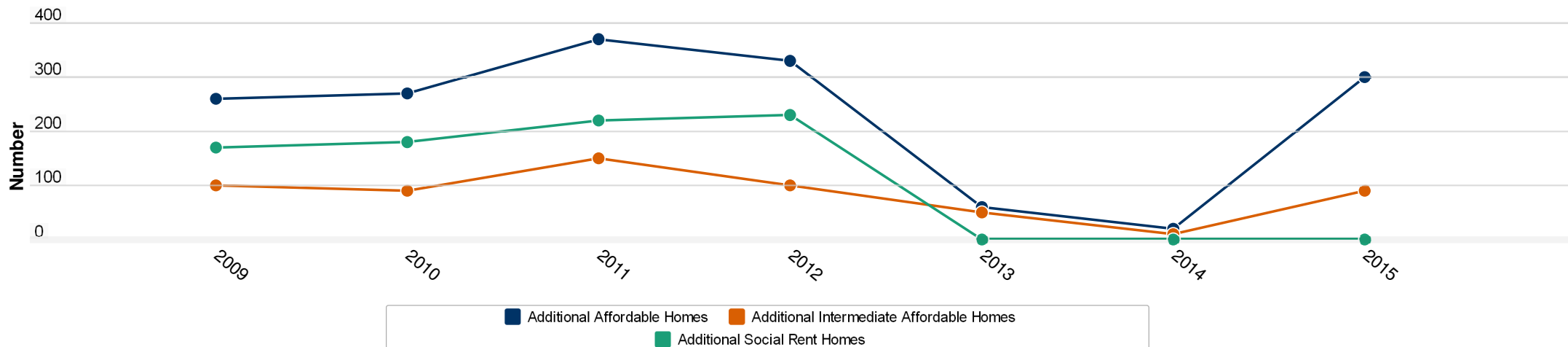
In June 2016 Cabinet agreed a suite of revised Housing enforcement policies, updating the council's approach in areas including -

- Private Sector Housing Enforcement and Prosecution Policy
- Anti-Social Behaviour Policy for Ashford Borough Housing Tenants

Affordable Housing

The total additional Affordable Homes is made up of the following two main areas -

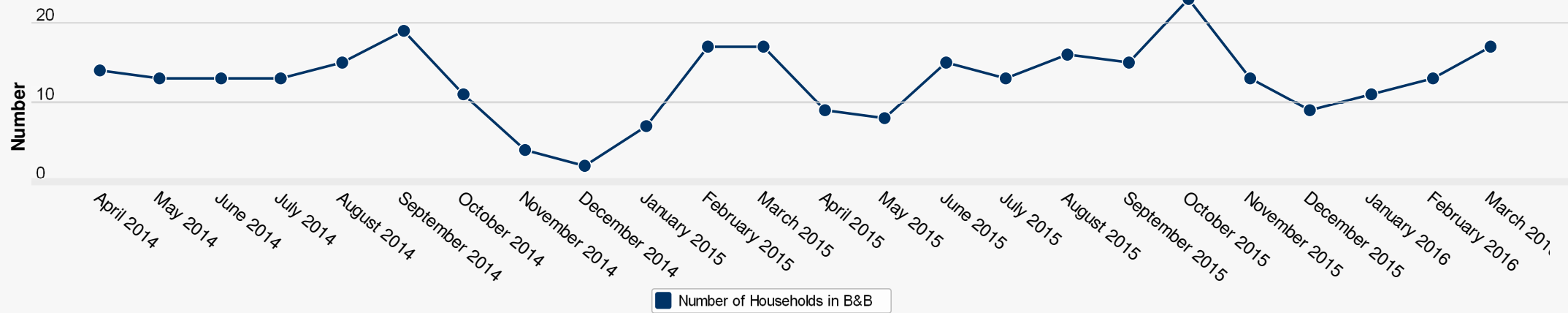
- Intermediate Affordable Homes, which includes intermediate rent and affordable home ownership; and
- Social Rent Homes, which include affordable rent homes



The economic downturn that occurred in 2008 had negative consequences for the housing market, though impacts for affordable housing completions were not felt until later - with a low point occurring in 2013. This position has since reversed during the last year and is expected to return to between 100 and 150 additional properties over the next few years.

In July 2016 Cabinet approved a set of revised eligibility criteria to widen the scope of affordable housing delivery in the Borough to meet local housing needs. This will allow for a wider range of models to be considered in the future whilst maintaining quality development and management, opening up opportunities to explore alternative delivery models to boost supply where traditional forms of affordable housing delivery may not be viable - whilst safeguarding the Council's reputation and financial needs.

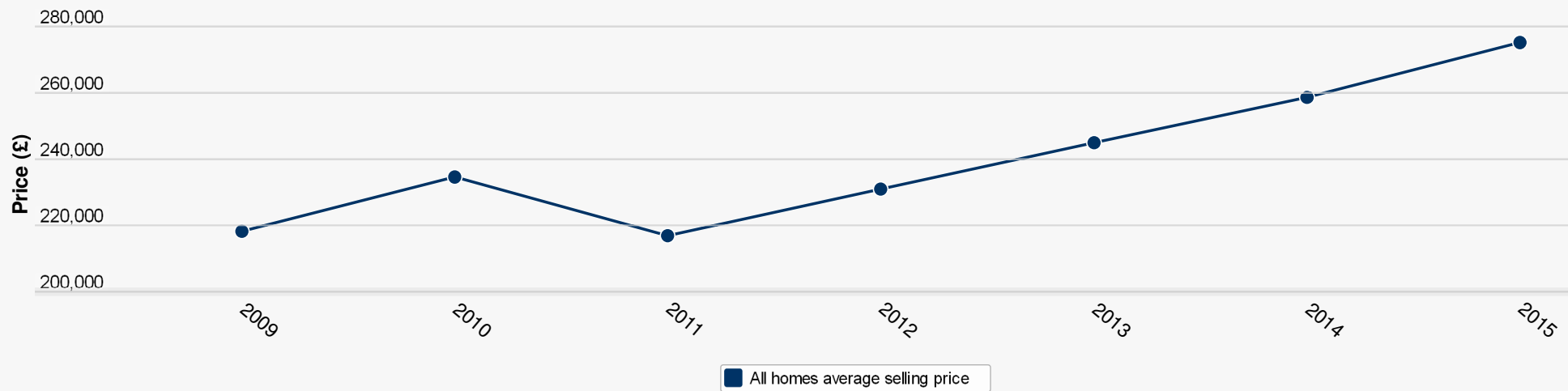
Temporary Accommodation



At the end of March 2016 numbers of households in Bed & Breakfast (B&B) stood at **17**, (which was the same as March 2015) of which 10 households included children or pregnant women. The B&B costs for 2015/16 were very marginally below budget, however pressure still remains going forward on the service.

House prices and the number of homes sold

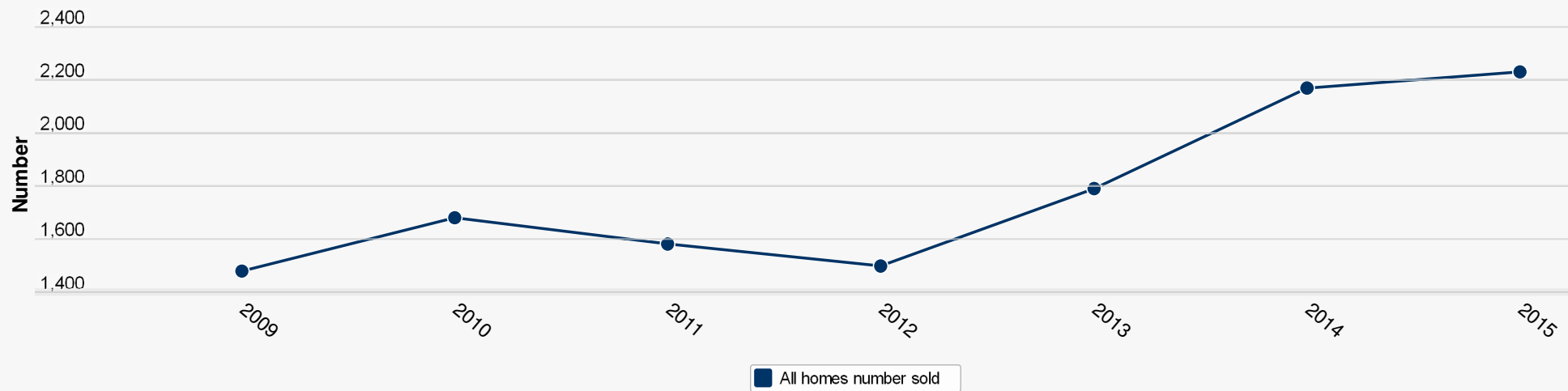
House Price



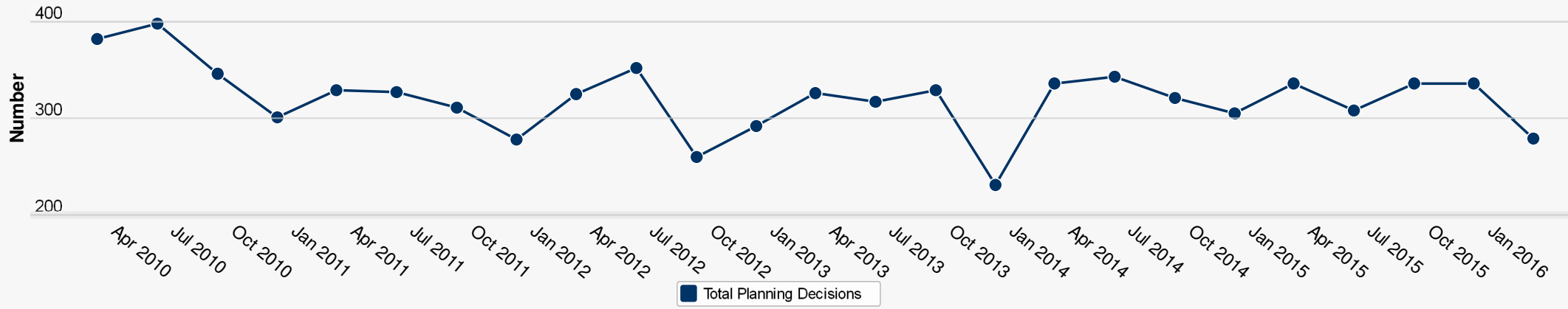
More widely, the average house price in Kent (KCC area) during 2015 was **£283,323**. The average price in Kent (KCC area) has increased for four consecutive years and is now **21%** higher than where they were in 2008.

There were **26,455** property transactions in Kent during the year, **2.87%** lower than in the year before.

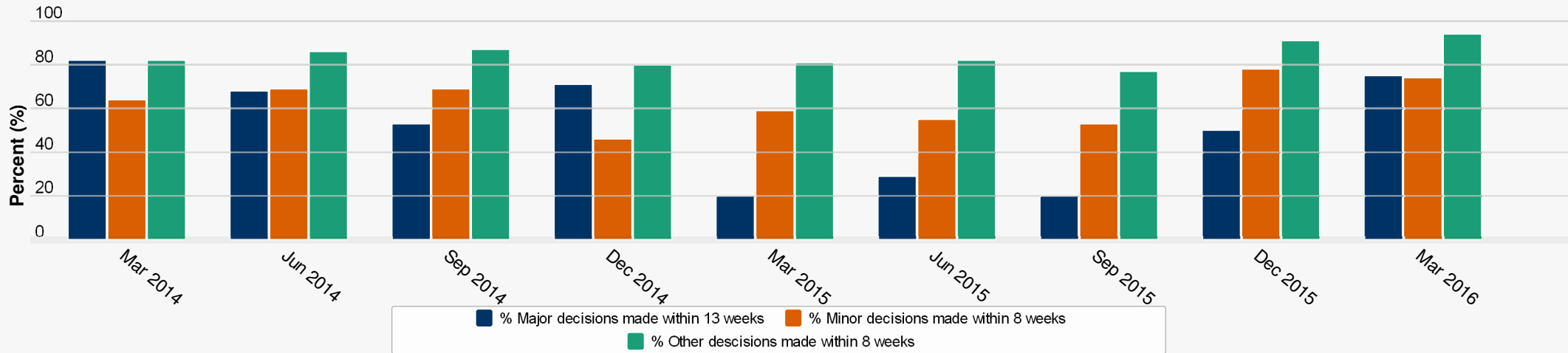
Number of Houses Sold



Planning



The number of planning applications considered by the council has remained relatively steady, whilst the last year has seen significant improvement in the percent of decisions made within target.



In October 2015 the Cabinet endorsed a new Quality Monitoring approach, which seeks to drive up the standards of new homes built, the places they are part of and the environment around them.

Building upon this, In May 2016 the Cabinet agreed -

- a set of simple and clear terms underpinning the Council's fair but robust approach to enforcement.
- a service-based enforcement plan which sets out the Council's approach to enforcement including performance standards. In parallel with this work the website is being reviewed to provide a user-friendly 'report it' function and accessible explanations of the approach the Council takes in the many areas of enforcement it is involved in.



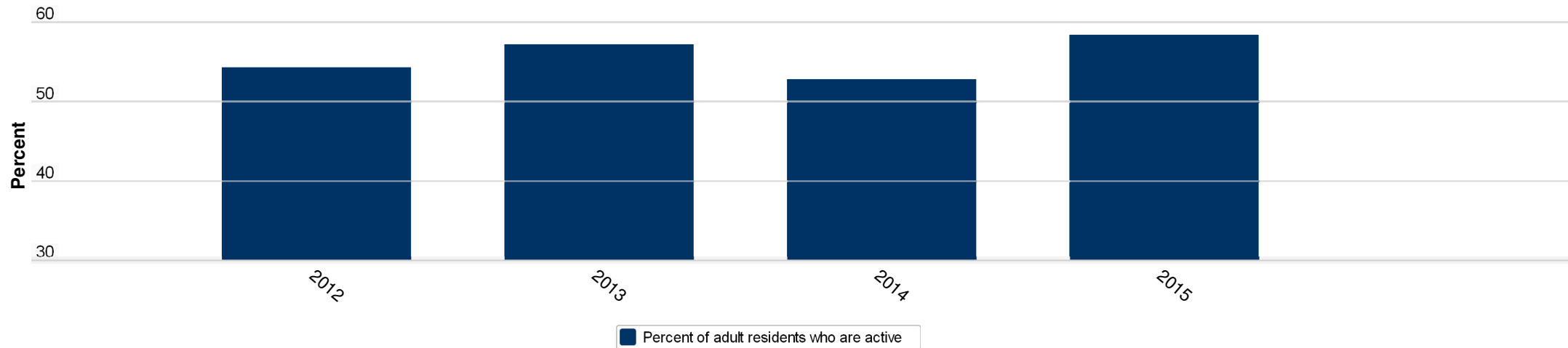


Ashford Borough Council Performance Dashboard

Headline Report

Active & Creative Ashford

Healthy Lives & Active Living



Sport England conduct an annual survey which gives an overall understanding of the sport and health profile of Ashford, and the proportion of those active across the borough. This has remained remarkably steady of the last few years. Information is drawn from the Department of Health and the Office for National Statistics.

Sport

The borough provides a wide range of leisure facilities covering a wide range of sports, including -

- **119** grass football pitches
- **3** 3G football pitches
- **4** 2G football pitches
- **32** tennis courts across 12 locations
- the Julie Rose Stadium's world-class athletics track
- **5** golf courses

Courtside

Since opening in 2006, Courtside provides outside space for six tennis and six netball courts. It is used regularly by the John Wallis Academy and the Ashford Netball league. Current usage (excluding school use and casual bookings) -

- Average winter weekly usage - 431
- Average summer weekly usage - 811
- Average Annual Usage - 28,288

Pitchside

Since opening in 2008, Pitchside provides a full 3G football pitch (with space for two mini pitches), two five-a-side pitches, three six-a-side pitches and two seven-a-side pitches. The site also contains a Multi Use Games Area. Current usage (excluding school use and casual bookings) -

- Average winter weekly usage - 1,030
- Average summer weekly usage - 510
- Average Annual Usage - 41,260

Ashford currently boasts **63** *Talented Performers* who are supported in a number of ways to help them excel at their chosen sport.

Supporting Culture and Creativity

The Voluntary and Community Sector

Ashford has around **850** active charities, community groups and social enterprises.

The Council's Ward Member Grant Scheme and Single Grants Gateway provides support to groups on projects and initiatives across the borough. In 2015 these two schemes helped 142 groups in total -

- **27** through community grants
- **115** through member grants

The Council also levered in just over £1 million in external funding to support its cultural efforts.

The Create Festival

2016 saw Create celebrate its 21st birthday, with around **12,000** people enjoying the various activities available throughout the day -

- 78% were regular attendees and 22% were new to the event
- £149,000 estimated spend in the local economy by Create attendees on associated travel, accommodation, food and drink
- 67,000 people viewed Create's online video campaigns leading up to the event, with the Official Create 2016 film being viewed by over 4,000 people in just 48 hours
- A large social media presence, with 46,000 tweets about Create in July, with 3512 individual visits and 225 mentions

Revelation St Mary's

Delivered by the St Mary's Arts Trust, Revelation St Mary's is Ashford town centre's award winning venue, offering a series of quality events in an intimate and awe-inspiring setting.

The Trust delivers -

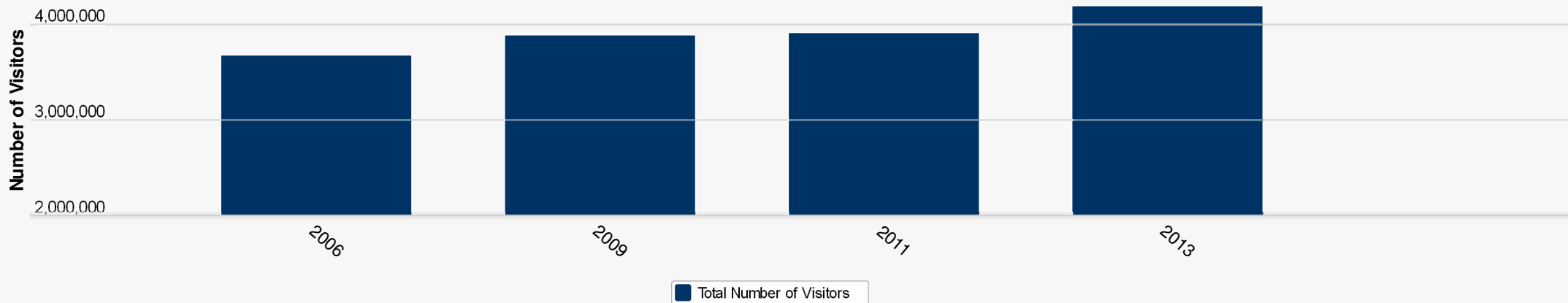
- a broad scope and regularity of events, with well-known names and emerging artists
- dynamic programming with interconnecting strands of work
- a year-round artist development and schools programme
- artistically-driven audience development, backed by targeted campaigns

In 2015 the venue welcomed **8,924** visitors to their productions, and now begins work on phase two of the project.

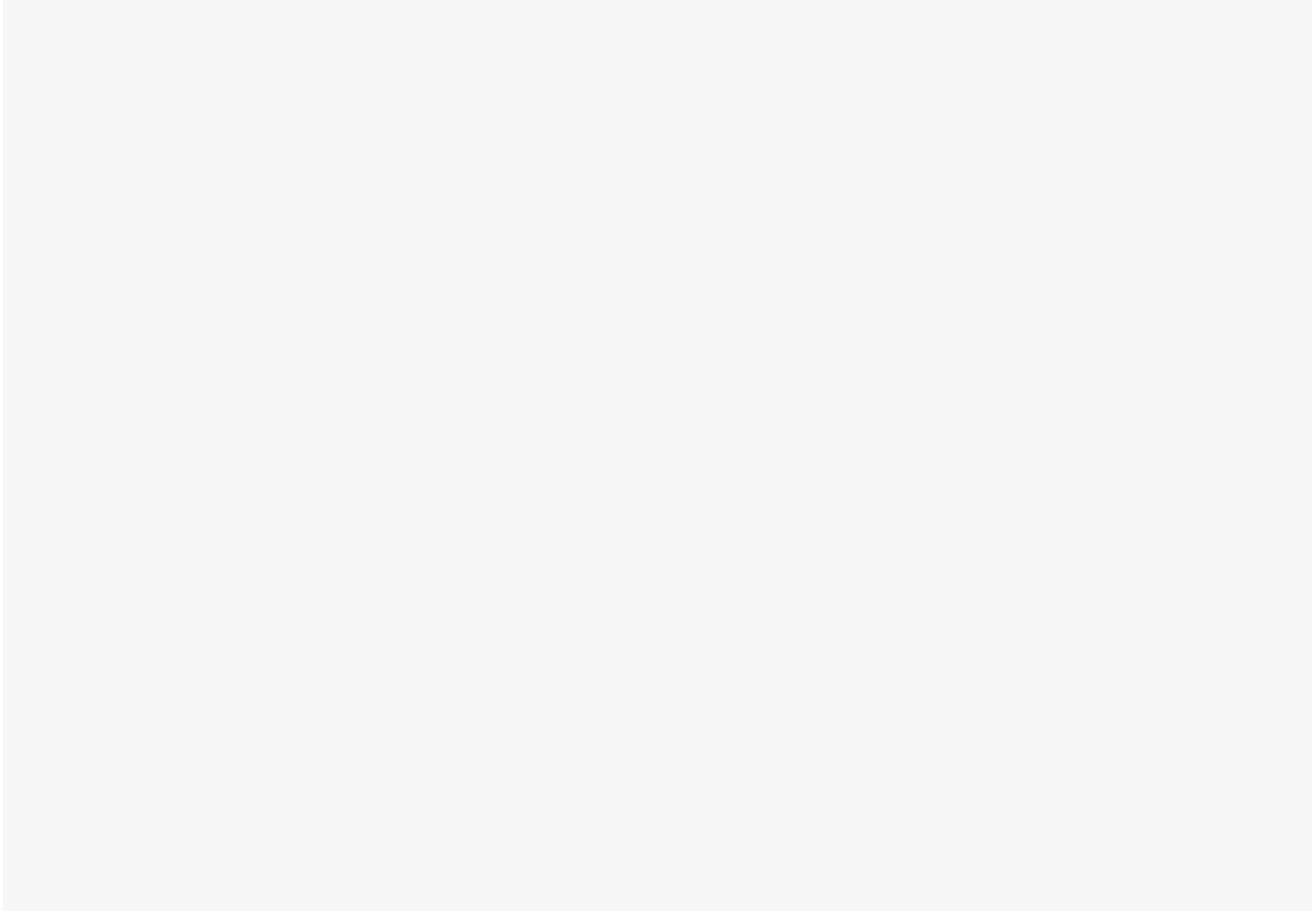
Tourism

In June 2016 the Council launched a new Ashford Heritage Trail, and handy leaflet, which takes visitors on a journey through history to discover heritage sites around the town centre.

The Council has also produced a Museum and Heritage Trail, which introduces visitors to sites further-afield across the borough.



Ashford continues to show steady growth in the number of those visiting the borough. The number of overseas trips rose by **20%** between 2011 and 2013 (the latest survey), with 433,000 people staying overnight. This places Ashford as the third most visited destination in Kent for overseas staying visitors.





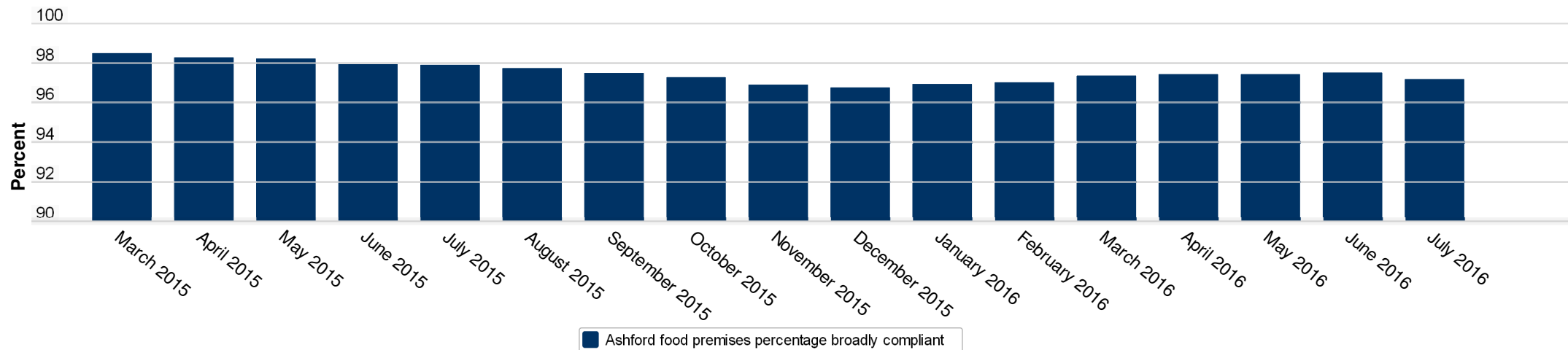
Ashford Borough Council Performance Dashboard

Headline Report

Attractive Ashford

Quality across the borough

Food Business Hygiene



There are almost **1,300** registered food businesses within the Borough. All are inspected on a regular basis according to their risk category.

This graph shows the percentage of businesses that are broadly compliant with food hygiene standards. Any business found to be non-compliant either receives a formal letter or a revisit.

Guidance is provided to food businesses in the first instance and notices are service if conditions do not improve. Food businesses are also given a food hygiene rating which can view at <http://www.ashford.gov.uk/food-hygiene-rating-scheme>.

ASPIRE - Improving the presentation of the borough

A new in-house ground maintenance service will be rolled out in October 2016. The new service, called Aspire Landscape Management, will cover the day-to-day work of mowing, pruning, planting, clearing and litter picking on various spaces owned by the Council including open green space, parks, floral beds, cemeteries, areas around housing sites, open green space, hedges, sports pitches and associated footpaths.

This initiative is a key part of delivering the adopted Land Management Improvement Plan, which aims to make the borough a pleasant and enjoyable place to live, work, visit and enjoy, enhance Ashford's overall appearance and attractiveness and raise civic pride and make the borough more attractive for residents, visitors and businesses.

Other measures to improve the look of the borough

The Borough Council owns approximately 1,600 amenity and footway lights around the borough as distinct from the Highway and safety lighting that is owned by the County Council.

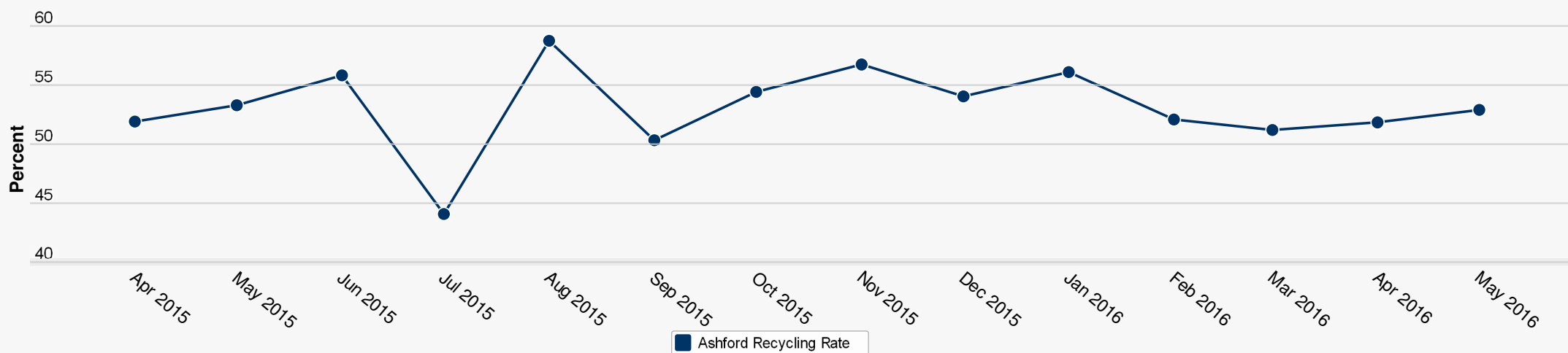
In May 2016 the Cabinet agreed to fund up to £1 million as a capital investment to upgrade and replace as appropriate the Borough Council's amenity and footway lighting columns to adoptable KCC standard and to transfer as many of the assets as possible to KCC.

In July 2016 Cabinet considered a review of the Town Centre Action Team (T-CAT), and agreed a set of further improvements to the service.

T-CAT was formed three years ago with the intention of having a flexible and reactive resource to keep the town centre attractive and well-looked-after. Since that time, T-CAT has extended its role, to encompass work in both Ashford (as the 'urban' centre) and Tenterden (the rural centre), ensuring that the two towns remain clean and tidy, with street furniture kept in state of good repair.

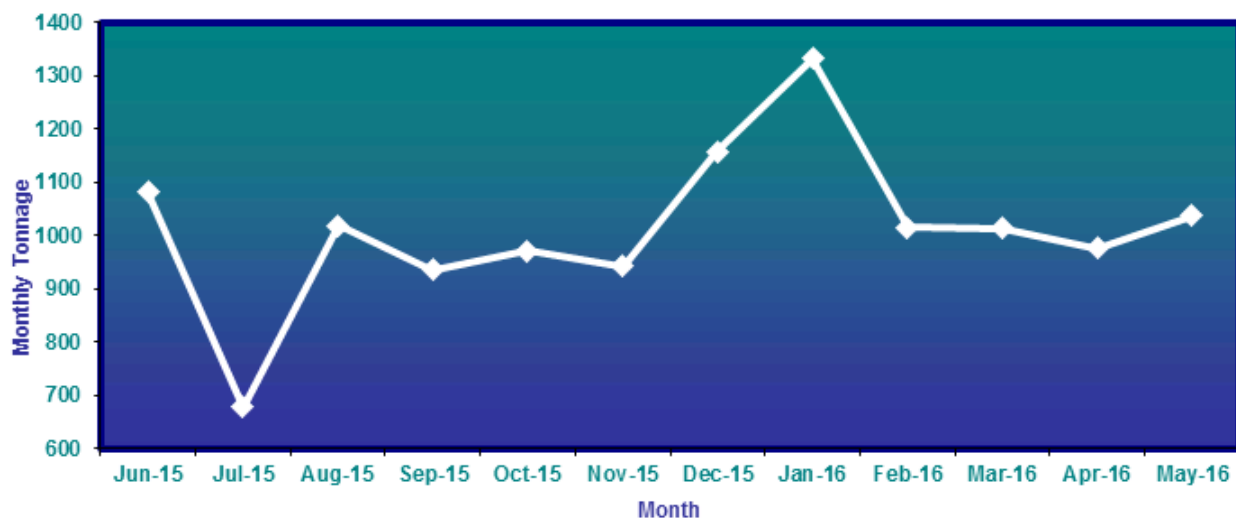
T-CAT's efforts have also been extended, expanding to include support to the council's economic development function: fitting out/decorating shops (particularly in Park Mall), supporting the monthly Farmers' Market (setting up and dismantling), plus constructing planters and bus stop 'libraries'.

Recycling



As expected, following two straight years of impressive increases in recycling rates, recycling rates have levelled-out over the last year, with the important next step to consolidate this improved performance.

KCC - Ashford - Monthly Tonnage



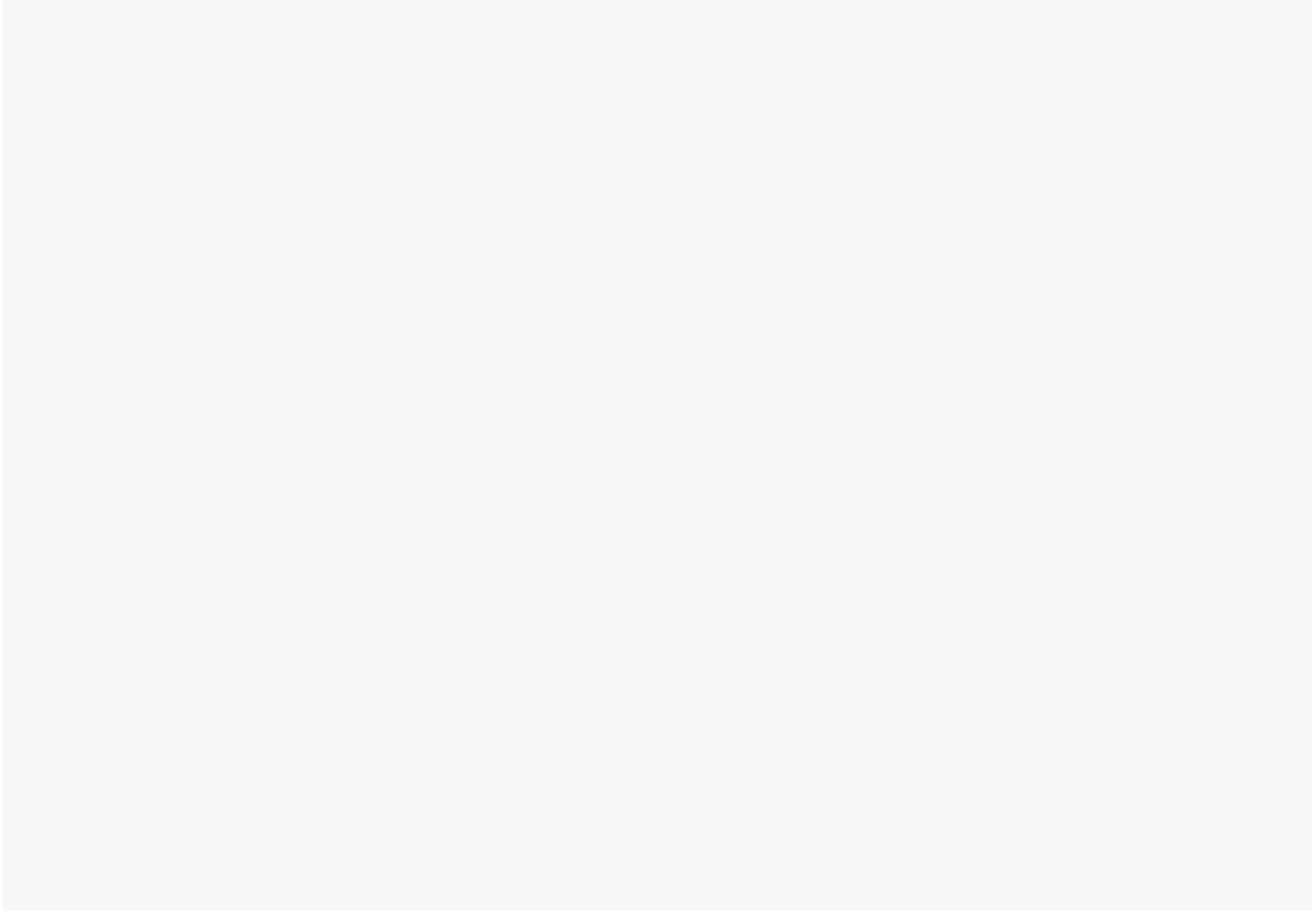
In December DEFRA's latest recycling league tables confirmed that Ashford is now in the top 10% recycling councils in the country. During 2014/15 the borough was the best in Kent at producing the least waste per household, and also remained the second most improved recycler across the country - with a recycling rate of 55.3%, an improvement of 13.4% on the year before.

Largest increases in Recycling (2014/15)					
Authority	Region	Authority Type	Percentage Household waste sent for Recycling, Reuse, or Composting 2014/15 (EX NI 192)	Percentage Household waste sent for Recycling, Reuse, or Composting 2013/14 (EX NI 192)	Improvement (Percentage points)
South Bucks District Council	South east	Collection	50.7%	33.4%	17.3%
Ashford Borough Council	South east	Collection	55.3%	41.9%	13.4%
East Cambridgeshire District Council	Eastern	Collection	56.6%	45.5%	11.2%
Gravesham Borough Council	South east	Collection	34.2%	24.5%	9.7%
North Warwickshire Borough Council	W Midlands	Collection	48.7%	39.8%	8.9%
Middlesbrough Borough Council	North East	Unitary	36.3%	27.7%	8.6%
Lambeth LB	London	Collection	28.3%	21.1%	7.2%
Halton Borough Council	North West	Unitary	46.8%	39.8%	7.0%
Dudley MBC	W Midlands	Unitary	42.2%	35.7%	6.5%
Waverley Borough Council	South east	Collection	51.7%	45.2%	6.5%

Increasing the range of things to do

In May 2016 the Cabinet gave its support to the Ashford International Model Railway Education Centre (AIMREC), and agreed to provide a mortgage loan to help the scheme's supporters to purchase the necessary land, owned by Kier, to enable the company to apply for significant funding from various sources including a capital grant from the Heritage Lottery Fund.

The company's business plan shows that the centre can substantially diversify and boost Ashford's tourism and visitor economy with an anticipated 500,000 visitors per annum.



Agenda Item No: 15
Report To: Cabinet
Date: 8 September 2016
Report Title: Budget Monitoring Report –First four months 2016/17
Portfolio Holder: Cllr Shorter Portfolio Holder for Finance & Budget, Resource Management and Procurement
Report Author: Maria Seddon – Accountancy Manager
Jo Stocks – Senior Accountant



Summary: This report presents an assessment of an outturn position for this financial year based on the first four months actuals for the General Fund, the Housing Revenue Account and the Collection Fund.

During this period the General Fund is projected to have a balanced budget after transfers to reserves. There is a forecast service underspend of £183,000 this year. The full details of this variance are within the report including highlighting any current risks following this review.

The Housing Revenue Account is projecting an overall surplus of £1,598,000, many of the savings being reported are as a result of the budget review which has taken place since the underspend in 2015/16.

Key Decision: YES

Affected Wards: All

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

- I. note the Budget Monitoring position as at 31 July 2016 and approve the transfers to reserves in paragraphs 7 - 8**
- II. Approve a loan to Brabourne Parish Council for the future planning appeals costs for the development on Hospital Field, for a maximum of £40,000 subject to legal agreements, see paragraphs 26 - 27**
- III. Note the changes to financing for the Affordable Housing Programme in paragraph 28 & 29**
- IV. Note the revised planned maintenance schedule in paragraph 30**

Policy Overview: The budget is a key element supporting the delivery of the Council's wider Policy Objectives

**Financial
Implications:**

At this stage in the year the General Fund is reporting a balanced budget after transfers to reserves. The outturn will continue to be monitored and reviewed as pressures and savings/income opportunities arise to keep the outturn within budget.

The Housing Revenue Account is reporting a deficit £1,490,000 compared to a budgeted deficit of £3,088,000, see Housing Revenue Account section for details.

The Council's reserve balances remain healthy.

Risk Assessment

YES

Contacts:

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Report Title: Budget Monitoring Report First Four Months 2016/17

Purpose of the Report

1. This report is to inform Members of the projected outturn for the financial year based on the first four months information (April to July) for the General Fund, Housing Revenue Account, and the Collection Fund.
2. To ask members to approve a transfer of the service underspend to the Repairs & Renewals reserve for future maintenance of Council assets and the interest favourable variance to the new initiatives reserve, and to approve a loan of up to £40,000 to Brabourne Parish Council.
3. To note changes in the financing of the Affordable Housing Programme and the updated Planned Maintenance Plan. There is also a schedule of treasury management activities in **Appendix A**

Issue to be Decided

4. The Cabinet is asked to note the budget monitoring position for the General Fund, Housing Revenue Account, the Collection Fund and New Homes Bonus schedule.
5. Approve the transfers to the reserves
6. Approve a request for a loan to Brabourne Parish Council.

Budget monitoring assessment to end of July 2016

7. Following the outturn for 2015/16, where a service underspend was reported a review of the 2016/17 budget was undertaken. This review has generated a reduction in the outturn position within the services of £183,000 and it is proposed to transfer this amount to the Repairs & Renewals reserve to provide for the maintenance the Council's assets, including recently acquired assets and car parks.
8. Borrowing decisions have also generated interest savings and increases in investment returns are likely to generate additional income. This amounts to £372,000 and it is proposed to transfer this to the new initiatives reserves to fund future Corporate Projects.
9. Reasons for this movement are detailed below.

Key Variations

Cultural Services

10. Over the last few years there has been a regular and significant underspend within member and community grants. The outturn is expected to be under budget by around £50,000 in total this year, the budget is still accessible by members and the community should requests come forward.

Environmental & Customer Services

11. Overall there has been a favourable variance of £115,000 from savings within the refuse collection contract and additional income for garden and bulky collections:
 - a) Reduction in the refuse and recycling contract due to low inflation and deflation on a number of indices against which the contract payment is indexed against. The resulting negative indexation has delivered a projected saving of £48,500

- b) Garden waste collection income increase of £46,500 based on maintaining current demand.
- c) Bulky waste collection additional income of £20,000 based on previous year income

Corporate Property & Projects

12. The £29,000 pressure is made up of a number of items including:
- a) Wilko's rental income overstated in the budget build creating a pressure of £41,000
 - b) Stanhope shop leases are in the process of being reviewed and although increases are expected timings of the increase has resulted in a pressure in the outturn of £35,000
 - c) Rental income not achieved from various land and buildings of £17,000
 - d) Additional income of £64,500 following the reconfiguration of the first floor in International House.

Health, Parking & Community Safety

13. An increase in parking and fine income is projected for the current year £110,000 is included partly achieved from delays in closing Dover Place and an increase in fine income; this is offset by income that will not be achieved in the monitoring centre of £27,000 for this year. This income is expected to be achieved in future years following the implementation of the new operating system, procurement of which is currently underway.

HR, Communications & Technology

14. The current budget includes a savings target from an expected retirement however due to restructuring this is now not expected to happen. The service took a report through to Management Team earlier in the year with proposals to retain the post due to Management changes following the departure of the Head of ICT.

Net Interest

15. The budget included debt interest based on the Council's Medium Term Financial Plan, during this year the decision has been taken not to take out borrowing as cash flows are sufficient to fund capital acquisitions and it is cheaper to do so at this time. The Council's treasury advisors are monitoring this and will advise the Council to borrow if it is advantageous to do so.
16. There has also been an adjustment to the interest receivable, with an addition £120,000 expected to be achieved this financial year based on last year data and projections for this year.

Table 1 – General Fund Budget Outturn Forecast as at 31 July 2016

Service	Current Budget (net)	Forecast Outturn (net) to 31/03/17	Variance (B-A)
	A	B	(B-A)
	£'000	£'000	£'000
Corporate & Strategy	1,289	1,289	0
Cultural Services	2,794	2,744	(50)
Financial Services	2,550	2,557	7
Housing Services	916	901	(15)
Environmental & Customer Services	4,710	4,595	(115)
Corporate Property & Projects	(1,400)	(1,371)	29
Health, Parking & Community Safety	853	765	(88)
HR, Communications & Technology	376	445	69
Legal & Democratic	1,384	1,388	4
Planning & Development	1,937	1,913	(24)
Net Service Expenditure	15,409	15,226	(183)
Capital Charges and net interest	(1,476)	(1,968)	(492)
Levies, Grants and Precepts	271	271	0
Contribution to reserves	1,317	1,992	675
Budget Requirement	15,521	15,521	0
Financing:			
Revenue Support Grant	(1,270)	(1,270)	0
NNDR. Pool	(3,410)	(3,410)	0
NNDR S31 Grant	(538)	(538)	0
Council Tax	(6,563)	(6,563)	0
CTS Payment For Parish Council	42	42	0
New Homes Bonus	(3,783)	(3,783)	0
	3,782	3,107	0

Vacancy Management

17. The budget contains a number of savings targets to be delivered by managing vacancies totalling £108,130. During the first quarter savings of £52,890 have been achieved with the remaining target expected to be achieved by the end of the year.

Collection Fund Monitoring

18. The Collection Fund is the statutory mechanism by which income gathered by a billing authority (in this case Ashford Borough Council) from Council Tax and Business Rates is distributed to Government and Precepting authorities (KCC, Fire, Police and Parishes).

Council Tax

19. The monitoring information for the first four months is currently showing a surplus of £2,031,000 in the gross amount of council tax collected.
20. Within this figure there are however some important variances
 - a) The cost of the local Council Tax Support scheme is more than anticipated, however, the significant decrease in discounts covers this loss.
 - b) There has been an increase of around 200 new properties, whilst a level of growth was forecast it was anticipated that this would be phased throughout the year rather than the first quarter.
 - c) The bad debt provision has been reduced as the forecast was too high compared to trends of income, the contribution to the provision has also been reduced, as a result the bad debt provision has been reduced by £1,050,000, and this year contributions towards the provision reduced by £680,000 , amounting to an overall favourable variance of £1,728,000.

It should be noted that in the event that there is a surplus on the collection fund at the end of the year, it will be divided between the precepting authorities and in the following year (so the General Fund summary is not effected this financial year), with the Council's share being approximately 10%.

Business Rates

21. The total Business Rate income is expected to be £415,000 higher than originally forecast; this variance is largely due to an adjustment in the bad debt provision. The original forecast anticipated an increase to the bad debt provision of £500,000, after an analysis of the debts owed we anticipate being able to reduce the bad debt provision by £355,000 resulting in a contribution to the Collection Fund.
22. This forecast surplus will not affect the amount of money the Council will draw from the Collection Fund for the current year. The surplus will be used to calculate the levy owed to Government in 2017/18.
23. The table below shows the current Business Rates forecast position:

Table 2 – Business Rates Forecast

	Original Budget	Forecast Outturn (net) to 31/03/17	Variance
	A	B	(B-A)
	£'000	£'000	£'000
Income from NNDR less discounts and exemptions	(48,540)	(48,275)	144
Contribution towards previous year deficit	48,040	48,040	0
Payments to Precepting authorities	(747)	(747)	0
Provision for bad debts and appeals	500	(59)	(559)
	(747)	(1,162)	415

Reserve Balance

Reserve Balance

24. The table below summarises the estimated reserves forecast to be held within the General Fund as at 31 March 2017. There are no changes to report to members.

Table 3 – Reserve Summary

	£'000	£'000
General Reserve	(1,891)	
Earmarked Reserves*	(9,049)	
Opening Balance 31/03/16		(10,940)
Known/likely transfers to reserves		
<i>Items previously reported</i>		
Items approved as part of the Budget	(245)	
Projected underspend on budget	(675)	
		(920)
Known/likely draw downs		
<i>Items previously reported</i>		
Items approved as part of the Budget	97	
Asset Surveyor (approved by MT 4/8/16)	14	
		111
Estimated Closing Balance		(11,729)

* Excludes developer contributions

Reserve Movements

25. The table above includes the Management Team approval of an Asset Surveyor for a term of two years at a total cost of £67,200, £14,000 for 2016/17. The post will inspect and record all infrastructure assets owed by the Council, programme works and deliver a future asset management plan.

Brabourne Parish Council Loan Request

26. Brabourne Parish Council has approached the Council to request a loan to cover costs associated with a planning appeal which proposes the development of 125 homes on the Hospital Field site in the Parish. Due to the timing of the appeal this expenditure was not included in their budget for the year.
27. The Parish Council does not have sufficient reserves to fund these costs and it is proposed that a loan of £40,000 is made available to the Parish Council repayable through raising the precept in future years and subject to legal agreements being signed. This Loan will be for a duration of no longer than 3 years.

Affordable Housing Programme

28. In April of this year the Affordable Housing Programme report was approved by Cabinet, within the report a structure for financing the programme was included. Following this report the Council has received developer contributions of £538,000 to be used on affordable housing provision. It is proposed that this funding is used for the approved programme.
29. This will reduce the Housing Revenue Account balances needed for this work however there are other future plans being prepared in the current Business Plan,

including further investment in shared ownership schemes and it is proposed to ring-fence this underspend for this investment.

Revised Planned Maintenance Schedule

30. During the budget process the planned maintenance schedule was approved as part of the capital programme. The property team have had to review the plan due to current priorities and resources available to action the plan.
31. The Budget Setting process will include a five year updated plan which following an initial asset assessment including needs and priorities of work.
32. The revised plan is detailed in the table below:

Table 4 – Planned Maintenance Schedule

Planned Maintenance Programme Original	2016/17 Original £	2016/17 Revised £
Ellingham Industrial Estate & common parts	51,200	37,500
Tenterden Leisure Centre (Plant)	79,400	90,000
IT replacement various items	80,000	80,000
Planned Maintenance Programme Revised additions		
Stour Centre boilers		146,500
Stour Centre pool cover		30,000
SK8side re-roofing		18,000
St Mary's Churchyard wall		20,000
Spearpoint Car Park		5,000
Planned Maintenance Programme Original Removed		
Civic Centre	50,870	
Tenterden Gateway	1,000	
SWAN Centre football changing units	3,500	
Stour Centre (Un-modernised)	10,000	
Tenterden Leisure Centre (Structure)	6,500	
Kingsnorth Recreation Centre (Structure)	1,500	
Kingsnorth Recreation Centre (Plant)	500	
Foot Bridges (23 bridges)	5,000	
Julie Rose Stadium (Structure)	66,800	
Julie Rose Stadium (Plant)	30,000	
Car parks - surface	125,000	
Beaver Road (Victoria Way) Subway	1,500	
Tenterden Gateway Refurbishments (prior to release from lease)	22,000	
	534,770	427,000

Housing Revenue Account

33. Following the underspend reported in the 2015/16 outturn report and the ongoing HRA Service review there has been an assessment of the 2016/17 budget position. This has resulted in a large number of variances, reported fully below.

Table 5 - 2016/17 Housing Revenue Account Outturn Position

Budget Page	Current Budget A £'000	Forecast Outturn to 31/03/17 B £'000	Variance (B-A) £'000
Income	(24,272)	(25,047)	(775)
Supervision and Management	5,529	5,461	(68)
Repairs and Maintenance	3,450	3,295	(155)
Other	18,463	18,073	(390)
Net Revenue Expenditure	3,170	1,782	(1,348)
Capital Works - Decent Homes	4,424	4,305	(119)
<i>Capital Works financed by:</i>			
Major Repairs Allowance (from Self Financing Determination)	(4,465)	(4,465)	0
Contribution to/(from) Major Repairs Reserve	(41)	(41)	0
Net Capital Expenditure	(82)	(201)	(119)
Total Net Expenditure	3,088	1,581	(1,467)

Variances

34. Income is expected to be higher than originally forecast, with £742,000 additional rental income expected, this is due to a correction in the base budget and partly as a result of affordable rent being higher than anticipated. It is expected rents will be reduced later in the year, in order to ensure the HRA is below the Limit Rent (set by Government) however the calculations have not yet been finalised and are therefore not included in the figures above. Supporting People income is not expected to be reduced by KCC in 2016/17, however, it is expected we will see substantial reductions in future years.
35. There have been savings of £80,000 as a result of the deferral of fixtures and fittings at Farrow Court, which will be completed next year.
36. There are a number of savings in Repairs and Maintenance, including the removal of £85,000 of contingencies, as a result of historic underspends in this area.
37. There was £40,000 of expected income from works that are rechargeable to tenants that was omitted from the original budget.
38. Other savings include the contribution to the bad debt provision being revised down by £288,000, this reflects the improved collection rates over the past few years.
39. There has been a saving of £99,000 on the PFI, £37,000 is as a result of an insurance rebate, the remaining £62,000 saving is due to the actual RPIX in January being lower than anticipated several months earlier.
40. There have been a number of savings in Capital Works:

- a) As a result of underspends in previous years £70,000 of contingencies have been removed.
- b) £100,000 water mains works have been deferred to coincide with other major works requiring scaffolding.
- c) £50,000 saving on PV panels, due to changes in legislation there is no longer a financial benefit to proactively fit PV panels to existing properties.
- d) To partially offset these savings the bathroom tenders have come back £100,000 higher than anticipated.

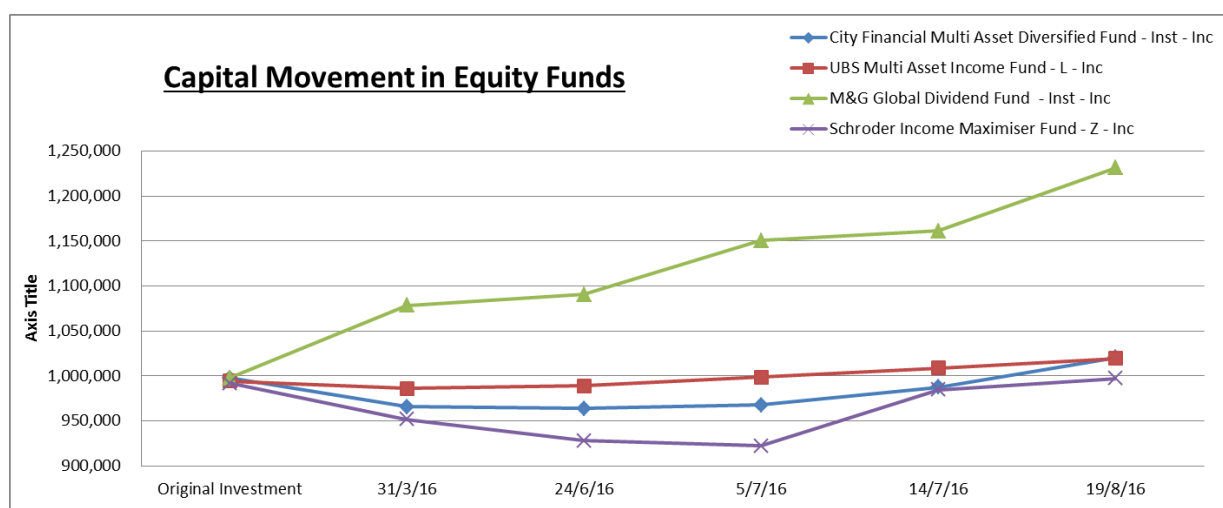
41. The HRA Business Plan is currently underway, these variances have been incorporated into the model.

Treasury Management

42. The Council has four equity funds and one property fund which are subject to increases and decreases in capital value based on the share prices of the individual institutions.

43. Following the referendum and the subsequent decision to leave the European Union, there has been volatility in the markets and therefore the movement in the above instruments has been regularly monitored and discussed with the Portfolio Holder.

44. Market conditions are now settling and as at the 19th August 2016 the four equity funds had combined capital growth of £286,471. A graph and supporting figures showing the movement in capital values of these funds is shown below:-



Fund	Original Investment	31/3/16	24/6/16	5/7/16	14/7/16	19/8/16
City Financial Multi Asset Diversified Fund - Inst - Inc	997,687	965,605	963,885	967,816	987,798	1,020,637
UBS Multi Asset Income Fund - L - Inc	994,504	986,089	989,070	998,609	1,008,943	1,019,475
M&G Global Dividend Fund - Inst - Inc	997,914	1,078,660	1,090,797	1,150,506	1,161,410	1,231,373
Schroder Income Maximiser Fund - Z - Inc	992,152	951,921	927,928	922,365	984,631	997,241
Total Portfolio Balance	3,982,256	3,982,275	3,971,680	4,039,296	4,142,781	4,268,727

* Original Investments were made between 26/08/2015 and 3/11/2015.

45. The Council's Property Fund which is with the CCLA (Churches Charities Local Authorities) suffered from the volatility in the Corporate Property markets following the referendum, which led some funds to suspend trading, although the CCLA remained trading and had no share redemptions during this period. The Council's investment in this fund over time has been £6,000,000 with the fund valued at £7,159,552 as at 31st March 2016. The volatility in the markets led the fund to be written down by 3.16% to £6,933,364 representing a reduction of £226,188.

However, even following this write down the Council still has a buffer of £933,364 (circa 15%) capital growth.

46. A full schedule of the treasury management positions as at 19th August 2016 are shown at Appendix A.

47. Portfolio Holder's Views

48. To be given at the meeting

49.

Contact: Maria Seddon

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Treasury Management Portfolio as at 19th August 2016

Counter Party	Deal Date	Rate %	Amount £	Comment
Temporary Investments				
Lloyds Banking Group	04/01/2016	0.80	3,000,000	175 day notice account
Total Temporary Investments			3,000,000	
Long Term Investments				
Blaenau Gwent	21/10/2014	2.00	3,000,000	Matures 21/10/2019
Newport City Council	10/11/2014	1.50	2,500,000	Matures 10/07/2017
Total Long Term Investments			5,500,000	
Investment Accounts				
Santander	Various	0.50	500,000	Deposit Account
Handelsbanken	Various	0.50	3,000,000	Deposit Account
National Westminster Bank plc	Various	0.25	298,583	Deposit Account
Goldman Sachs	Various	Variable	50,000	AAA rated deposit facility *
Federated MMF	Various	Variable	1,500,000	AAA rated deposit facility *
ICD Portal - Invesco	Various	Circa 0.42	5,000,000	AAA rated deposit facility *
ICD Portal - BNP Paribas	Various	Circa 0.43	5,000,000	AAA rated deposit facility *
ICD Portal - Black Rock	Various	Circa 0.39	5,000,000	AAA rated deposit facility *
ICD Portal - HSBC	Various	Circa 0.34	4,500,000	AAA rated deposit facility *
Total Investment Accounts			24,848,583	
Local Authority Property Fund	Estimate	4.90	6,933,364	Rate is Net of Management Fees (Variable Rate of Return)
Total pooled funds Accounts			6,933,364	
City Financial Multi Asset Diversified Fund	27/08/2015	2.5% Est	1,020,637	Long term investment **
UBS Multi Asset Income Fund	26/08/2015	2.5% Est	1,019,475	Long term investment **
M&G Global Dividend Fund	27/08/2015	2.5% Est	1,231,373	Long term investment **
Schroder Income Maximiser	03/11/2015	2.5% Est	997,241	Long term investment **
Total Equity funds **			4,268,726	
Total Investment Portfolio			44,550,673	
Long Term Borrowing				
Public Works Loan Board***	various	various	119,664,150	Maturity Date - various
Total Long Term Borrowing			119,664,150	
Grand Total Borrowing			119,664,150	

* Money Market Fund (MMF) are AAA rated deposit facilities which have variable rates of interest but have constant net asset values.

** Equity funds have variable rates of interest and also have fluctuating capital values

*** HRA borrowing

Agenda Item No: 16
Report To: Management Team 25.8.2016
Cabinet
Date: Thursday 8th September 2016
Report Title: Cabinet Task Groups, Steering Groups & Boards:
Terms of Reference & Membership - September 2016
Report Author: Policy & Performance Manager, Kirsty Hogarth
Portfolio Holder: The Leader, Cllr G D Clarkson



Summary:

The Cabinet is responsible for the formation of Cabinet approved Portfolio Task Groups and Cabinet Steering Groups and Boards. It is also responsible for approving the Terms of Reference of such Groups and determining the membership and appointment of the Chair.

This report sets out revised Terms of Reference for existing Groups, established in 2015, and also presents Terms of Reference and membership of new Groups.

Key Decision: NO

Affected Wards: N/A

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

(i) agree to the Terms of Reference and membership of the various Groups and Board(s) as set out within the report and as attached at Appendix A.

Policy Overview: To assist the work of the Cabinet, and the wider work of the Council, the report is presented in accordance with the Constitutional requirement for the Cabinet to approve the Terms of Reference of Cabinet Member Groups.

Financial Implications: None directly through the formation of Task or Steering Groups.

Risk Assessment N/A

Impact Assessment This report relates to the organisation of Task Groups and Steering Groups within the organisation; there are no impacts on those with protected characteristics stemming from the recommendations.

Other Material Implications: N/A

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Agenda Item No. 16

Report Title: Cabinet Task Groups, Steering Groups & Boards: Terms of Reference & Membership - September 2016

Purpose of the Report

1. In line with a provision in the Council's Constitution, the Cabinet is required to approve Terms of Reference of Cabinet Member Groups. The new and revised Terms of Reference for the Groups are attached at Appendix A.

Issue to be Decided

2. To agree the Terms of Reference and membership details of seven Task/Steering Groups and one Board.

Background

3. Various Cabinet Member Groups were set up following the election of the new Administration in May 2015; this report reflects changes to the Cabinet made in May of this year.

Boards, Steering Groups and Task Groups

4. Details of new and revised Groups are included:
 - (i) Ground Water Management & Flood Protection Task Group (new)
 - (ii) Compliance & Enforcement Board (formerly Policy & Compliance Task Group)
 - (iii) Development of Conningbrook Lakes Country Park & Victoria Park Steering Group (formerly Conningbrook Lakes Country Park Steering Group)
 - (iv) Stour Centre Redevelopment & Leisure Management Steering Group (formerly Stour Centre Regeneration Steering Group)
 - (v) Public & Voluntary Transport Liaison Task Group (formerly Public Transport Liaison Task Group)
 - (vi) Council Tax & Welfare Reform Task Group
 - (vii) Environment, Conservation & Heritage Task Group (formerly Environment & Conservation Task Group)
 - (viii) Housing Aims & Objectives Task Group (formerly Hothfield Regeneration Task Group)

Equalities Impact Assessment

5. Because this relates to the organisation of Task Groups and Steering Groups within the organisation, there are no impacts on those with protected characteristics stemming from the recommendations.

Consultation

6. All relevant Portfolio Holders, Lead Members and Heads of Service have been consulted on the Terms of Reference

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TERMS OF REFERENCE & MEMBERSHIP: September 2016

APPENDIX A

	TITLE OF GROUP	TYPE OF GROUP	MEMBER CHAIR	OFFICER LEAD	NOTES
1.	Ground Water Management & Flood Protection	Task Group (new)	Cllr Hicks	James Hann: TOR 1, 2 & 3 Martin Kempshall: TOR 4 Ashley Taylor: TOR 5 & 6	Multi-disciplinary TG covering different ABC areas, so different leads for different subject areas
2.	Compliance & Enforcement (formerly Policy & Compliance TG)	Board	Cllr Dehnel	Richard Alderton	Lead scheduled to change to TWM
3.	Development of Conningbrook Lakes Country Park & Victoria Park (formerly Conningbrook Lakes Country Park SG)	Steering Group	Cllr Blanford	Christina Fuller	
4.	Stour Centre Redevelopment & Leisure Management (formerly Stour Centre Regeneration SG)	Steering Group	Cllr White	Christina Fuller	
5.	Public & Voluntary Transport Liaison (formerly Public Transport Liaison Task Group)	Task Group	Cllr Bradford	Jo Fox	
6.	Council Tax & Welfare Reform	Task Group	Cllr Shorter	Ben Lockwood	Remit to complete review of CT support by autumn 2016
7.	Environment, Conservation & Heritage (formerly Environment & Conservation TG)	Task Group	Cllr Blanford	Christina Fuller	
8.	Housing Aims & Objectives (formerly Hothfield Regeneration TG)	Task Group	Cllr Clokie	Sharon Williams	
*	Economic Regeneration & Investment Committee (formerly Town Centre Regeneration Board)	Public Committee: requires Selection & Constitutional Review approval	Cllr Clarkson	Paul Mckenner	*Now outside the scope of this report

GROUND WATER MANAGEMENT & FLOOD PROTECTION TASK GROUP

Background, Chairmanship & Reporting:

With the recent and unexpected advent of floods (in Cumbria and Somerset), Ashford has been fortunate to date in not suffering unduly from the effects of flooding. However, although the Authority has been prudent in various ways – e.g. SUDS schemes for new housing and flood attenuation in some parts of the borough – there is no certainty that buildings and land in the borough will not suffer at some point in the future.

The Ground Water Management & Flood Protection Task Group has been set up in this vein, to work to prevent future unnecessary flood damage or to ameliorate its effects as far as possible.

This Task Group will be chaired by Councillor Hicks, working as a Lead Member, who will liaise with the relevant Portfolio Holders and report to Cabinet.

Terms of Reference:

1. To ensure that the needs of our local communities, the economy and the environment are all balanced in the consideration of measures to manage ground water and protect against floods
2. To monitor the Local Flood Risk Management Strategy for the area and support its continued relevance and fitness-for-purpose.
3. To liaise with Ashford Borough Council's Emergency Planning team and KCC's Resilience Team/Forum to ensure that there is an interface between the work of this Task Group and emergency planning which is meaningful and productive.
4. To ensure that this Authority is liaising with, and monitoring, all agencies responsible for waterways (rivers, lakes, holding ponds, culverts, ditches, and reservoirs) to ensure that proper and regular maintenance is being undertaken.
5. To adopt adaptive management techniques so that as new technical information associated with flood risk management evolves, the Authority is able to use it to best effect. Adaptive management for flood risk reduction requires high quality, well organised and accessible technical information and the Task Group should ensure that this is a high priority.
6. To consider, in conjunction with the Portfolio Holder for Culture, Leisure, Environment & Heritage, the ongoing and predictable effects of climate change and what measures the Council can take to reduce or ameliorate these effects.

COMPLIANCE & ENFORCEMENT BOARD

Background, Chairmanship & Reporting:

The “**Compliance & Enforcement Board**” is formed to strengthen compliance and enforcement to emphasise the importance this Administration places on underpinning public confidence in the approvals and regulatory standing of this Council.

The Board, under the direction of the Chairman, Cllr Dehnel, and assisted by the Senior Administrative Officer, will report to the Cabinet and Council, as appropriate. There will be a need for formal regular reporting to Cabinet of progress, actions taken and recommendations to be made and a requirement for Cabinet and/or Council approval in certain circumstances.

Given the nature of this role there will also be a need for the Chairman to ensure that the Leader and CEO are kept informed of the more serious or involved cases.

Case Reviews will be subject to report to the Leader, who has a formal responsibility for, among other matters, Legal and Corporate Governance issues.

Terms of Reference (Internal):

1. To establish a good understanding of not only our policies, procedures and practices, but also to understand the frustration that exists when our policies, procedures and practices appear to be knowingly and wilfully disregarded by people who are employing tactics often aimed at clouding and frustrating our ability and will to act decisively.
2. Without losing the need to be reasonable and understanding in these matters, there is a need to strengthen our approach in order to show a firm determination, particularly where there are clear and obvious intended breaches. These breaches often have an adverse impact on genuine members of the community, who quite properly have an expectation that these matters will be addressed in an effective way.
3. To consider just how we might monitor the areas where approved permissions have been granted or where rules and approvals are required. Also to examine how we might improve how we monitor and control the implementation of approvals and conditions.
4. To work with the relevant Portfolio Holders and Service Heads including Legal to critically examine just how we might significantly improve our compliance and enforcement practices, thereby promoting a far greater degree of public confidence.
5. To call for reports and the release of any documents or other material that may assist in understanding the intent or purpose and impact of any action, delay, inaction or circumstance that creates a situation that is unacceptable to this borough.

6. To conduct as necessary “Case Reviews” of any complaint and our handling thereof, especially if considered to have significant policy or operating practice implications or if it has been ongoing for some time. This review can be useful when complainants are reluctant to accept that we have properly exhausted what we are able to do, or where they appear to be vexatious.
7. To meet, as appropriate, and to invite attendance from any officer of the Council in order to establish the facts, understand the issues, and endeavour to improve our operating policies and procedures.
8. To undertake any action that is in keeping with and in support of the proper discharge of the important work of this Compliance & Enforcement Board.

Terms of Reference (External):

1. To hold to account external agencies and bodies whose activities impact on the residents, businesses and visitors within the Borough of Ashford .
2. To establish the operating policies of external agencies, public bodies, private companies, other regulatory bodies and any other person or group whose work or decisions could impact upon this Borough.
3. To seek written explanations and clarification from external agencies on all relevant matters when examining any issue.
4. To call for reports and the release of any document or other material from external agencies that may assist in understanding the intent or purpose and impact of any action, delay, inaction or circumstance that creates a situation that is unacceptable to this borough.
5. To call meetings as appropriate and to invite attendance from external agencies, in order to establish the facts, understand the issues and to endeavour to improve operating policies and or to resolve any matters of concern.
6. To seek authority for legal or regulatory action in the pursuit of any person, corporate body, local, regional or central Government department or agency, private company or any other legal entity, for failure to perform or comply.
7. To proffer changes and improvements to promote the quality of service being delivered and to thereby promote a greater degree of public confidence.
8. To undertake any action that is in keeping with and in support of the proper discharge of the important work of this Compliance & Enforcement Board.

DEVELOPMENT OF CONNINGBROOK LAKES COUNTRY PARK & VICTORIA PARK STEERING GROUP

Background, Chairmanship & Reporting:

The Conningbrook Lakes Country Park Steering Group (a Members' led Steering Group) was formally set up under the new Administration's arrangements in May 2015, and has been revised in 2016 to reflect the Council's wider focus.

The Steering Group will be chaired by the Portfolio Holder for Culture, Leisure, Environment & Heritage and will report from time-to-time on progress and on any other appropriate matters, and on matters for decision beyond that delegated to the Group or the Portfolio Holder.

Terms of Reference:

1. To deliver a range of co-ordinated improvements and to develop the two parks to provide an open air environment to be enjoyed by all in the Borough and beyond.
2. This Steering Group processes will inform the decision-making structure and will help to formulate recommendations to Cabinet. The Group will also work with partners to maximise opportunities afforded by the two parks, including all appropriate sports and leisure.
3. The Steering Group will have an input into and will consider any plans being advanced for commercial leisure or catering facilities associated with either of these two parks.
4. To ensure that these parks are user friendly for all including those with disabilities.
5. To monitor progress and be responsible for ensuring all appropriate steps are in place to deliver the approved proposals for the development of these two parks.
6. To consider, in conjunction with others, any other longer term use of parts of the two parks that the Council may put forward over time, unrelated directly to the leisure offer. In this context to consider, in conjunction with the Economic Regeneration & Investment Committee, any proposals being made.
7. To take all actions to improve the two parks, including recommending the acquisition of additional land to expand the parks, where appropriate, and where funding permits.

8. Monitor the progress of the delivery of the final plans for the two parks, and all the related facilities associated with this sporting & leisure offer to the public. In doing so, take all positive actions to promote and market, with others, the whole range of facilities on offer.
9. To monitor the use and views of the local people using the facilities to ensure we respond thoughtfully by providing appropriate enhancements or modifications wholly in keeping with the environmental setting.
10. Discuss and agree practical and pragmatic solutions to problems of delivery that fall within the scope of the delegated authority of this group.

Stour Centre Redevelopment & Leisure Management Steering Group

Background, Chairmanship & Reporting

Developed as a Member-led Steering Group, the *Stour Centre Regeneration Steering Group* was set up in May 2015. With the recent development of the Conningbrook Lakes Country Park and other leisure facilities, there is now a need to re-examine leisure management for the borough, which will be done through the reconfiguration of the original steering group to incorporate leisure management across the borough more generally.

The Steering Group will be chaired by Cllr White, working as a Lead Member, who will liaise with the relevant Portfolio Holder and report to Cabinet.

Terms of Reference:

1. This group will be a key part of the decision making structure and will help to formulate recommendations to Cabinet.
2. To work with the Ashford Leisure Trust, under the existing agreements, to ensure that all the sporting and leisure facilities under the Trust's direction remain fit-for-purpose and viable, and that they maximise income streams, as far as possible.
3. Members will monitor progress and be responsible for ensuring all appropriate steps are in place to deliver the approved proposals for the redevelopment of the Stour Centre and other leisure facilities.
4. ABC, in conjunction with Ashford Leisure Trust, should seek to establish and market test the most effective way of delivering leisure services through the private sector.
5. To monitor and aim to improve the cultural and leisure offer in the borough, making a significant economic impact to the town, in keeping with the place making of a vibrant and exciting town with international connections.
6. To ensure that ALT provides appropriate documentation (business plans, health & safety policies and procedures and other relevant policies) to be scrutinised by the Steering Group.
7. The Steering Group should seek to be notified of any equipment malfunction and any hazard that may affect public safety, and be made aware of all steps to deal with incidents, including relevant policy/procedural changes.
8. To check the complete suite of relevant policies and procedures in place, in line with ABC's legal and moral responsibilities.

PUBLIC & VOLUNTARY TRANSPORT LIAISON TASK GROUP

Background, Chairmanship & Reporting:

The "Public Transport Liaison Task Group" was formally set up under the new Administration's arrangements in May 2015 and revised in May 2016 to include transport within the Voluntary Sector.

The Task Group will be chaired by the Portfolio Holder for Highways, Wellbeing & Safety, Cllr Bradford, and it will report to Cabinet from time-to-time on progress and on matters for decision beyond that delegated to the Group and on other matters.

Terms of Reference:

1	To liaise with the Ashford Quality Bus Partnership and with the Rail Network to improve the public transport offer for local residents, visitors and the business community.
2	To support the increase of public and voluntary transport that is sustainable and reliable for Ashford as a modern international town as well as Tenterden and the surrounding rural villages.
3	To work alongside operators to achieve public and voluntary transport which is sustainable and reliable.
4	Support Traffic Regulation Orders that seeks to facilitate the free movement of public transport.
5	To work with the Planning, Development & Enforcement service in to identify projects for the promotion of public and voluntary transport in and around Ashford and explore how this could be funded, included through CIL receipts.
6	Support operators in promoting timetable information via clear communications
7	To work with that access groups to promote the needs of all public transport users.
8	To work with operators to promote the use of ticketing and payment methods.
9	To consider the use of new technology and fuel types in the context of reducing vehicle exhaust emissions and improving air quality.
10	To consider all other related public transportation matters that would assist in enhancing the availability and use of modern public transport.
11	To consider all matters related to the highway management including parking, signage, signalling, traffic flows and other related matters that could impact upon public transport in the widest sense and liaise, report and recommend accordingly to the JTB as appropriate.
12	To support and encourage greater interconnectivity between transport modes.
13	All considerations and recommendations to be in line with Ashford Borough Council's Transport Strategy.

Council Tax Support and Welfare Reform Task Group

Background, Chairmanship & Reporting:

The Council Tax Support & Welfare Reform Task Group was set up in June 2013 to review the impacts of the Council's local council tax support scheme; to recommend to Cabinet schemes for subsequent years; and to review local impacts of the government's welfare reforms.

The Council Tax Support & Welfare Reform Task Group is a Cabinet Task Group of up to eight members, with representation drawn from elected members who have had previous input to the council's position on the subject matters. There is also officer representation of a similar number drawn from the services most involved, including Department of Work & Pensions and ABC officers.

The Portfolio Holder for Resources (Councillor Neil Shorter) is chair of the Task Group. The Task Group will make recommendations to Cabinet as appropriate; the frequency and timing of meetings is at the final discretion of the chair.

Terms of Reference:

- To review impacts of the council's local council tax support scheme and recommend to Cabinet a scheme for subsequent years; and
- To review local impacts of the government's welfare reforms. This involves overseeing progress of the Cabinet-approved 'welfare reform action plan, recommending any necessary changes to policy, including in response to the effects of Universal Credit

Local council tax support scheme

1. The Council Tax Support Scheme was introduced in April 2013 as part of the coalition government's welfare reforms and deficit reduction programme.
2. Under the reform, the national scheme for council tax benefit (CTB) ceased on 31 March 2013 and was replaced by locally determined schemes from 1 April 2013. Local schemes were funded within a grant cap, which was 10% less than assumed subsidised expenditure under the CTB regime.
3. Councils are not totally free to design support schemes, but should observe some principles:
 - a) Localised schemes should provide support for the most vulnerable, including vulnerable pensioners. Legislation protects eligible pensioners from any cut to their benefit. Pensioners will be protected as national rules will be maintained with eligibility rates defined by regulations.
 - b) Localised schemes should assist with lifting the poorest off benefits and supporting them into work.

4. With the ending of the three-year grant period, a review of the scheme will be undertaken, to be adopted on 1st April 2017. The purpose of the review is to:

- a) Reduce the overall cost of the scheme
- b) Consider how to make the scheme more efficient
- c) To create a framework of common principles for a new Kent-wide scheme, maintaining the protection to pensioners and the vulnerable.

2. Welfare Reform

1. To be aware of external factors which could impact upon the scheme, including economic influences, housing supply, and increasing rents coupled with decreasing tax reliefs.
2. To ensure that communication with Ashford residents is maintained so they are kept informed of any changes to Welfare Reform and in what ways the Council can offer assistance and support.
3. To commission/receive reports on relevant initiatives – e.g. the Partnership Hub and the Job Club.

ENVIRONMENTAL, CONSERVATION & HERITAGE TASK GROUP

Background, Chairmanship & Reporting:

The *'Environmental & Conservation Task Group'* (A Members' led Steering Group) was formally set up under the new Administration's arrangements in May 2015 and revised in May 2016 to include reference to the borough's heritage.

The Task Group will be chaired by the Portfolio Holder for Culture, Leisure, Environment & Heritage, and will report to Cabinet from time-to-time on progress and on matters for decision beyond that delegated to the Group and on other appropriate matters.

Terms of Reference:

1. To consider material facts, views, and opinions on all aspects of the environment in as far as they may affect the ability of Ashford Borough Council to create and service a high quality growing and sustainable community.
2. To liaise on matters of an environmental, conservation or heritage nature with a wider audience at the discretion of the Chairman, but always having a reasonable regard to staff resource implications.
3. To liaise with the Kent Highway Services and the Highways, Wellbeing & Safety Portfolio Holder to promote a more environmentally acceptable approach to road traffic and highway management while having due regard to Government edicts and Department for Transport's advisory documentation.
4. To consider recommending the introduction of innovative environmental, conservation and heritage ideas that can enhance and enrich the Borough.
5. To specifically examine our approach to energy conservation and benchmark against best practice and innovation by others. To also review, examine and promote ways in which we can reduce the use of finite resources, with particular regard to the use of sustainable and renewable energy.
6. To work with external agencies and other groups to promote the protection, enjoyment, enhancement and maintenance of our countryside and its biodiversity, together with the Borough's heritage and rich historical architecture.
7. To promote proper and effective liaison between all Council Services in order that they are working in unity and in an integrated and sustainable way.
8. To liaise with the Lead Member chairing the Ground Water Management & Flood Protection Task Group.

9. To take a close interest in the possible effects of “**Climate Change**” and its wider implications, in as far as it may affect Ashford Borough Council. We need to liaise with the Climate Change Group and support their work in developing sound strategies to address possible detrimental effects. We will all need to have regard to the impact of the changing Climate Change Levy in relationship to delivering carbon reductions.

10. To liaise with external agencies in an endeavour to improve all aspects of the environment within the growing Borough of Ashford.

11. To review, examine and consider any other valid environmental and conservation issues as introduced from time to time and scheduled into our deliberations.

HOUSING AIMS & OBJECTIVES TASK GROUP

Background, Chairmanship & Reporting:

With the need to focus on a wide range of housing matters, catering for differing needs and varying tenures, there is a requirement for a Task Group led and chaired by the Portfolio Holder for Housing and Home Ownership, who will liaise with other Portfolio Holders, as appropriate, and report to Cabinet.

Terms of Reference:

1. To ensure the continuation of the Council's Corporate Plan priorities by reinforcing the role of the local authority and its partners (including registered providers, private landlords and developers) in ensuring good quality housing continues to be provided across the borough for all housing tenures.
2. To assess and facilitate easier access to housing within Ashford borough, through an understanding of housing market characteristics and the level of housing requirement in the borough.
3. To examine and proffer ways in which we can further encourage home ownership. In addition we should continue to also encourage and 'staircase' to home ownership within the borough.
4. By having a continuous overview of what affordable housing is being built in the borough, determine how the council might support and encourage the production of new affordable homes in the borough.
5. To promote and be involved with the private housing rental sector, including the provision of management facilities. We should also realise that there will be a significant number of people wishing to remain in the public rented sector who may not be in a position to move into home ownership.
6. To focus on assisted living and care for the elderly, and consider the provision or facilitation of suitable accommodation, particularly in accordance with the Council's Military Covenant, for both retired military and emergency personnel, particularly those who have been injured as a result of their public duties
7. To ensure that disabled adaptations are a priority for the Council and are a focus during the life of the Corporate Plan (2015-2020). The objective must be the elimination of any waiting list.

8. To consider any area where within the Borough where housing regeneration needs to be a focus and to formulate an appropriate plan and to make recommendations accordingly.
9. To consider the regeneration needs of the rural areas of the borough, where appropriate. Where this is undertaken, the Task Group should consider the option for an independent external analysis that could assist in the overall regeneration assessment and analysis.
10. In all matters for consideration, an analysis of funding needs and other integrated matters should be undertaken and included in any recommendations.

Local Plan & Planning Policy Task Group

Notes of a Meeting of the Local Plan & Planning Policy Task Group held on the **30th June 2016**.

Present:

Cllr. Clarkson (Chairman);
Cllr. Bennett (Vice-Chairman);

Cllrs. Mrs Blanford, Clokie, Galpin, Michael, Shorter, Wedgbury.

Apologies:

Cllr. Chilton.

Also Present:

Cllrs. Mrs Bell, Bradford, Burgess, Mrs Dyer, Hicks, Krause, Link, Ovenden, Pickering, Sims, Mrs Webb.

Simon Cole – Head of Planning Policy and Economic Development; Richard Alderton – Director of Development; Ian Grundy – Principal Policy Planner; Catherine Hughes – Planning Consultant; Tony Fullwood – Planning Consultant; Carly Pettit – Policy Planner; Matthew Nouch – Policy Planner; Oliver Peel – Joint Development Control Manager; Jeremy Baker – Principal Solicitor (Strategic Development); Rosie Reid - Member Services & Ombudsman Complaints Officer.

1 Declarations of Interest

- 1.1 Cllr Mrs Blanford made a Voluntary Announcement that she was a member of the Weald of Kent Protection Society and the Campaign to Protect Rural England.
- 1.2 Cllr Bennett made a Voluntary Announcement that he was a member of the Weald of Kent Protection Society and the Tenterden and District Residents' Association.
- 1.3 Cllr Clarkson made a Voluntary Announcement that he was a Director of A Better Choice for Property Ltd and a member of the Weald of Kent Protection Society.
- 1.4 Cllr Clokie made a Voluntary Announcement that he was a member of the Weald of Kent Protection Society and the Tenterden and District Residents' Association.
- 1.5 Cllr Galpin made a Voluntary Announcement that he lived in a listed building.
- 1.6 Cllr Michael made a Voluntary Announcement that he was a member of the Weald of Kent Protection Society.
- 1.7 Councillor Shorter made a Voluntary Announcement that he was a Director of Kent Play Clubs and A Better Choice for Building Consultancy Ltd. His family also owned a Grade II listed building.

- 1.8 Cllr Wedgbury made a Voluntary Announcement that he was a member of Kingsnorth Parish Council.

2 Notes of the Local Plan and Planning Policy Task Group Meetings held on 11th May 2016 and 31st May 2016

- 2.1 The Task Group Members agreed that the Notes of the Local Plan and Planning Policy Task Group Meetings held on 11th May 2016 and 31st May 2016 were an accurate record.

3 Five year housing land supply – the position post-Tilden Gill appeal decision

- 3.1 The Chairman introduced this item and explained that the issue had very significant implications for Ashford, and required careful consideration. He expressed disappointment at the Inspector's pronouncements in the appeal decision and said it would be necessary to find ways to balance this new pressure with what residents considered fair.
- 3.2 The Head of Planning Policy and Economic Development drew Members' attention to Appendix 1, and explained how the figures had been arrived at. He said that the Council could not currently demonstrate a 5-year housing land supply, and that the Council's current planning policies restricting residential development on unallocated sites in the countryside were now deemed to be out of date and could no longer provide a clear cut 'in principle' position. This did not automatically mean that every scheme had to be accepted, as the Council should consider sites and proposals on a case by case basis to decide whether to recommend granting planning permission. The presumption in favour of sustainable development set out in the NPPF was a major material planning consideration in cases where a 5-year land supply could not be demonstrated.
- 3.3 The Director of Development explained that under-delivery by the market, as a result of major project slippage, compounded development pressure in the Borough.
- 3.4 Members noted that the Council was in a difficult position with regard to land supply, especially where developers were not building properties on allocated land or land with planning permission, which was outside of the Council's control. This added significantly to the deficit and exacerbated the situation. The Chair said he was intending to lobby the Government on this issue through the LGA.
- 3.5 Members asked whether the Inspector's view that the Council did not have a deliverable 5-year housing land supply could have been foreseen. The Head of Planning Policy and Economic Development responded that Officers had taken the view that the Council had a 5-year supply based on sites allocated, sites under discussion or awaiting planning permission, and those coming forward. However, the Inspector took the view that the Council's attitude and

housing projections were over-optimistic and therefore the available supply did not meet the 5-year housing requirement.

- 3.6 In response to a question about how best to proceed, the Head of Planning Policy and Economic Development suggested that the majority of housing growth should still be located in and around Ashford where provision of services and infrastructure was superior, with continued limited rural development as and where appropriate. He suggested that the Local Plan should be allowed to bed into place, and the Council should aim to catch up with the shortfall in housing delivery over a longer period than within the 5 years suggested by government guidance.

4. Draft Heritage Strategy

- 4.1 The Planning Consultant (CH) introduced this item, and gave a presentation which covered progress and next steps. She explained that the Draft Strategy would be put out to public consultation, including an invitation to Parish Councils to contribute.
- 4.2 A Member asked what the Strategy was intended to accomplish. The Planning Consultant responded that communities could now put forward their own local nominations of merit. As this would be a subjective exercise, it was important to establish agreed criteria and consistency and that was the purpose of the SPD.
- 4.3 Members advised that caution should be exercised with regard to listing, as it could prove confining, but the Planning Consultant explained that local listing was not subject to the same criteria as national listing.
- 4.4 The Planning Consultant advised that she proposed a workshop to facilitate consultation. She explained that the Draft Strategy did not mention every listing individually, but was centred around themes, rather than the geography of the Borough. The aim of the workshop was to identify which were the most important themes. Members considered that more workshops were required throughout the Borough, but the Planning Consultant reiterated that the aim of the workshop was to pick up themes in terms of significance and that the local listing exercise would be undertaken separately. The Council would create an SPD advising how to nominate an item for local listing, but that was not envisaged to take place for 2 – 3 years.
- 4.5 In response to a question, the Planning Consultant explained that the heritage landscape, including historic trees and landscape assets, was not covered by this Heritage Strategy.

Resolved:

That the Local Plan and Planning Policy Task Group endorses the current draft and agrees the next steps as set out in the report.

5. Conservation Area appraisals – Ashford Town Centre, Kingsnorth and Woodchurch

- 5.1 The Planning Consultant (TF) introduced this item and gave a presentation on Conservation Area appraisals and management plans for the three areas.
- 5.2 In response to a question, he explained that Conservation Area appraisals and management plans did not prevent development, and it could even be desirable to have new development in the centre of a Conservation Area. He confirmed that a Conservation Area designation was not a constraint per se to granting planning permission.
- 5.3 A member asked about the objective of these appraisals. The Head of Planning Policy and Economic Development advised that the NPPF required the Council to provide an up to date evidence base for its heritage assets and for this reason the Council was undertaking Conservation Area appraisals. He explained that the Planning Consultant had been asked to consider the 3 Conservation Areas and recommend what should be preserved and enhanced, bearing in mind potential boundary changes.
- 5.4 The Planning Consultant advised that the recommendations were only a sample of possible improvements, which didn't have to be made immediately. The Council would not be responsible for every action as other stakeholders would also need to be involved.
- 5.5 One Member considered that Ashford was an ancient town with historical aspects, and the Conservation Area Management Plan would help to bring back reflections of past history to enhance the town.

Resolved:

That the Local Plan and Planning Policy Task Group:

- **Agrees the content of the Ashford Town Centre, Kingsnorth and Woodchurch Conservation Area Appraisals and Management Plans,**
- **Recommends that the Cabinet agrees their adoption.**

6 Date of Next Meeting

- 6.1 3rd August 2pm Council Chamber

Councillor Clarkson (Chairman)
Local Plan & Planning Policy Task Group

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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 **3rd August 2016**.

Present:

Cllr. Clarkson (Chairman);
Cllr. Bennett (Vice-Chairman);

Cllrs. Mrs Blanford, Clokie, Shorter, Smith.

Apologies:

Cllrs. Chilton, Galpin, Michael.

Also Present:

Cllrs. Mrs Bell, Bradford, Burgess, Hicks, A. Howard, Link, Pickering.

Simon Cole – Head of Planning Policy and Economic Development; Richard Alderton – Director of Development; Ian Grundy – Principal Policy Planner; Ashley Taylor – Principal Policy Planner; Len Mayatt – Cultural Projects Manager; Ben Moyle – Facility Development Manager; Matthew Nouch – Policy Planner; Juliet Gill – Senior Solicitor (Strategic Development); David Jeffrey – Housing Enabling Officer; Rosie Reid - Member Services & Ombudsman Complaints Officer.

1 Declarations of Interest

- 1.1 Cllr Clarkson made a Voluntary Announcement that he was a Director of A Better Choice for Property Ltd.
- 1.2 Councillor Shorter made a Voluntary Announcement that he was a Director of Kent Play Clubs and A Better Choice for Building Consultancy Ltd. He was also a tenant farmer of the Borough.

2 Notes of the Local Plan and Planning Policy Task Group Meeting held on 30th June 2016

- 2.1 The Task Group Members agreed that the Notes of the Local Plan and Planning Policy Task Group Meeting held on 30th June 2016 were an accurate record.
- 2.2 Members questioned whether views expressed at the Task Group meetings would be incorporated into the Local Plan. The Head of Planning Policy and Economic Development explained that the discussions at the meetings would be reflected in the Notes, which would be submitted for Cabinet approval in due course. Officers would ensure that the actions arising from the discussions and Notes would be incorporated into the Draft Local Plan, which would come back to the Task Group for approval. The Chairman said that Members needed to be vigilant to ensure that the demands of Local Government were met, whilst the interests of residents were also safeguarded

as far as possible. He encouraged Members to examine the Draft Local Plan in due course to ensure that their views were reflected.

- 2.3 One Member pointed out that there had been an ad hoc meeting prior to Cabinet for further discussions with Members on the Draft Local Plan, where many points had been raised and views expressed. She was concerned that comments from that meeting should also be incorporated in the Draft Local Plan.
- 2.4 The Chairman commented that there was some development activity on brownfield land at present for housing and apartments which eased the pressure on development in the countryside. Further brownfield sites were available but consideration would need to be given to the knock-on effects of such development on transport and parking.

3 Indoor and Outdoor Sports facilities to support the Local Plan

3.1 The Cultural Projects Manager gave a presentation on the evidence gathered for Indoor and Outdoor Sports facilities that had helped inform the emerging Local Plan 2030, and the recommended spatial strategy including:

- the 'Hub Approach' serving a wider catchment, community use and exploiting co-location;
- the 'Local Provision' meeting neighbourhood everyday needs; and
- the partnership approach for rural provision.

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

- The Chairman noted that Victoria Park had not been mentioned in the presentation. He recognized that there were not many major sporting facilities there, but he considered that it was an important recreational facility, especially in view of the forthcoming residential development in that area.
- In response to a question about consultation and information gathering, the Cultural Projects Manager said that he would be using the Sport England survey of the Borough, which provided a benchmark for developing plans. The Chairman pointed out that every four years the Council undertook a survey of residents, and this could include questions on sporting activity and views. It might also be useful to take a joined up approach with the Health Services who were promoting a strategic Plan for the next 20 years.
- Members were very supportive of the hub approach, but one Member said he was concerned that informal areas of recreation should also be protected as they were important.

- One Member suggested that facilities at local schools which were coming on stream over the next 5 – 10 years should be made available to the public out of school hours. He considered that the Council should ensure that agreements with school governing bodies were put in place during the planning phase. A Member noted that it was becoming more difficult to access school facilities because of the current emphasis on safeguarding children. However, Sport England provided templates for agreements with schools and it may be helpful to draw on their experience. A Member suggested lobbying KCC to persuade schools to become community schools. He suggested that such schools should be considered at Chilmington.
- One Member said that the Health and Wellbeing Board had two objectives at present. With regard to smoking, they proposed no smoking across recreational sites such as play areas and pitches, and regarding obesity, they proposed to encourage activities such as tending allotments to promote a more healthy lifestyle in general.
- In response to a question, the Facility Development Manager confirmed that Section 106 contributions were for outdoor use only, and did not apply to indoor facilities. The Chairman indicated that whilst this was understood it did not however preclude S106 funding being used for indoor facilities.
- The Chairman suggested that the Local Plan should state that where there was a local hub near a development, it may be best for the S106 contributions to be used towards that hub rather than individual facilities.

Resolved:

That the report was received and noted.

4 Infrastructure requirements to support the Local Plan

4.1 The Principal Policy Planner gave a presentation which updated Members on the work being carried out in relation to infrastructure provision, which was necessary to support the Local Plan and Community Infrastructure Levy. The presentation covered:

- Infrastructure Delivery Plan – outputs of discussions with service providers and key infrastructure requirements;
- Funding gap analysis
- Illustrative Reg 123 list
- Next steps

As part of the presentation, the Principal Policy Planner also discussed the Infrastructure Delivery Schedule.

4.2 During the presentation, the following points were raised:

- One Member remarked that the Ashford spurs rail project should be considered high, not medium, priority and that the Park Farm rail hub should be removed as no new halt was likely to be created. The Chairman responded that the spurs project was definitely high priority and would be getting funding through LEP. He had no further news regarding the development of the halt at Park Farm but suggested that it remained in the Plan as it could be an integral part of the development of the Borough in the future. The Director of Development confirmed that the likelihood of the halt being developed was now very low.
- One Member pointed out that demands for infrastructure expenditure would not necessarily come in the order originally envisaged, and it was necessary to be flexible or have interim measures in place where possible.
- Another Member said she would like to see cycling given more priority as Ashford was a particularly suitable town for cycling around. More cycling would help with congestion and encourage better health. It was also commented that cycling provision could be improved in rural areas. The Chairman agreed that the Council should be putting efforts into cycle parking areas and leading the field.
- A Member pointed out that there was some duplication in the Infrastructure Development Plan and he asked Officers to ensure that the Plan was joined up with no duplication. He referred in particular to items 6.13 and 20.20 which covered the same issue.
- It was suggested that the funds for the extension planned for Chilmington Green Secondary School should be used instead for provision of schooling at Cheeseman's Green. Otherwise, it was likely that large numbers of school children would have to be transported by bus from Finberry to Chilmington Green School. The Director of Development acknowledged that this was the case, but said it was a matter of economies of scale and the reality was that Chilmington School had to be filled before work could begin on another secondary school.
- The Chairman pointed out that this Plan would be followed by other plans. It should be mentioned that whilst Ashford was still a growing Borough, it was necessary to bear in mind forthcoming developments and future needs. The Director of Development said this was an iterative document and would be constantly changing to keep up with current demands.
- With regard to the funding gap analysis, the Principal Policy Planner drew Members' attention to the fact that CIL would not cover the costs of infrastructure requirements and there was a funding gap of £159.2m.
- One Member suggested that the CIL percentage should be set higher. The Principal Policy Planner responded that the Council was already asking for higher S106 contributions than most other councils, and it was not possible to do that and have a high CIL rate at the same time.

Resolved:

That the report was received and noted.

5 Five year housing land supply – background and context

5.1 The Head of Planning Policy and Economic Development gave a presentation on the work being undertaken to establish what options may be open to the Council to manage the identified lack of a five year housing land supply. The presentation explained the challenges and possible areas of work as follows:

- Appeal decisions/high court judgements;
- Boosting short term land supply;
- Benchmarking/lobbying;
- Reviewing the SHMA housing requirement
- Policy Review

5.2 The Chairman opened up the item for discussion and the following points were raised:

- The Chairman suggested that identifying suitable brownfield sites for residential use would relieve pressure on rural areas. The Director of Development concurred and said the Planning team would be pleased to consider any suggested sites.
- In response to a question, the Head of Planning Policy and Economic Development said if the Council sought to spread out recovery of the housing shortfall over the whole Plan period, this would lead to a lower annual target, and relieve some of the pressure.
- One Member expressed his dismay at the option of increasing housing density. He said the Council's aim was to promote quality building in the Borough, and any increase in density would be a retrograde step.
- A Member suggested that several appeals may be coming up shortly and it would be essential to use appropriate resources to make the best possible case. If additional resources were needed, the budget should be identified in advance.
- A Member questioned whether the buffer figure of 20% could be reduced. The Head of Planning Policy and Economic Development responded that there was no precision in the guidance on buffers, but as the Council had not met the Core Strategy housing targets over recent years, it would be obliged to continue to apply a 20% buffer for the time being.

Resolved:

That the report was received and noted.

6 Otterpool Park

- 6.1 The Head of Planning Policy and Economic Development delivered a presentation which had been prepared by Shepway District Council for their Parish Councils. Although the proposed development would not be within the Borough of Ashford, it would be very close to the boundary and would have repercussions for Ashford Borough residents nearby.
- 6.2 Members questioned whether this development would in any way help meet Ashford's housing needs. The Head of Planning Policy and Economic Development said that would not be the case in the first ten years but it was not possible to predict whether it would be beneficial to Ashford in the future. It might be an important factor at some stage, given its proximity to the Borough's boundary.
- 6.3 Members were keen to ensure that further consultation exercises by Shepway District should include the nearby parishes within Ashford Borough too.

Resolved:

That the report was received and noted.

7 Dates of Next Meetings

- | | | | |
|-----|----------------------------|------|-----------------|
| 7.1 | 1 st September | 2pm | Council Chamber |
| | 22 nd September | 10am | Council Chamber |
| | 27 th October | 2pm | Council Chamber |
| | 25 th November | 10am | Council Chamber |
| | 22 nd December | 2pm | Council Chamber |

Councillor Clarkson (Chairman)
Local Plan & Planning Policy Task Group

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Agenda Item No: 18
Report To: CABINET
Date: 8TH SEPTEMBER 2016
Report Title: SCHEDULE OF KEY DECISIONS TO BE TAKEN
Report Author: Corporate Director (Law and Governance)



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

Affected Wards: Where appropriate, individual Wards are indicated.

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

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

Financial Implications: Nil

Other Material Implications: Nil

Exemption Clauses: Nil

Background Papers: None

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

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

Ashford Borough Council's Cabinet is made up of: - Councillors Gerry Clarkson; Neil Bell; Clair Bell; Mike Bennett; Jessamy Blanford; Gareth Bradford; Paul Clokie; Graham Galpin; Callum Knowles; 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 The Town Hall, 24 High Street, Tenterden, during opening hours, or at www.ashford.gov.uk/councillors_and_committees.aspx

Decision Item	Report Summary	Relevant Portfolio Holder	Report Author	Open or Exempt	Added to Schedule
8th September 2016					
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	12/8/16
Financial Monitoring – Quarterly Report	<i>Quarterly budget monitoring report</i>	Cllr Shorter	Maria Seddon	Open	28/7/15
Corporate Commercial Property – Annual Report	<i>To advise of the revenue performance of the Council's corporate property portfolio during the last financial period and to advise of proposals to increase profitability in the coming financial period.</i>	Cllr Shorter	Stewart Smith	Open	1/4/16

Decision Item	Report Summary	Relevant Portfolio Holder	Report Author	Open or Exempt	Added to Schedule
Revenues & Benefits – Updated Enforcement Policy	<i>To seek approval of an updated enforcement policy for Revenues and Benefits taking into account changes in legislation and the introduction of the Department for Work and Pensions' (DWP) Single Fraud Investigation Service.</i>	Cllr Shorter	Hannah Davies	Open	23/5/16
Syrian Vulnerable Persons Relocation Scheme – One Year On	<i>To provide members with feedback on the position so far for this scheme and ask for continued support for this scheme for the duration of the 5 year Government programme.</i>	Cllr Clarkson	Sylvia Roberts	Open	12/5/16
Food Safety Policy	<i>To introduce the revised and updated Food Safety Policy that lays out how officers employed by Ashford Borough Council will discharge their statutory duty to enforce relevant food law</i>	Cllr Bradford	William Wilson	Open	23/5/16
Misuse of Drugs and Alcohol Policy	<i>To propose the introduction of a specific policy that sets out clear standards and expectations on issues related to alcohol, drug and substance misuse, which will ensure that the Council mitigates any health and safety risks to the public, to service users and to employees themselves.</i>	Cllr Knowles	Joy Cross	Open	16/5/16

Decision Item	Report Summary	Relevant Portfolio Holder	Report Author	Open or Exempt	Added to Schedule
Annualised Hours Policy	<i>To approve an annualised hours working pattern, and supporting Personnel Policy, whereby operational staff work longer hours in the summer periods and shorter hours in the winter periods. Such a pattern is intended to maximise productivity and reflect the seasonality of grounds maintenance work.</i>	Cllr Knowles	Joy Cross	Open	28/4/16
Microchip Policy	<i>To provide background information on the new regulations, action to date, the likely impact on the canine warden service and to include a policy document for Members approval detailing how we will enact the provisions.</i>	Cllr Mrs Bell	Julie Rogers	Open	26/5/16
Ashford Town Centre, Kingsnorth and Woodchurch Conservation Area Appraisals	<i>To seek approval for adoption of the first three of these appraisals – relating to Ashford Town Centre, Kingsnorth and Woodchurch. It also seeks formal approval for the realignment of the Conservation Area boundaries for each of these areas.</i>	Cllr Bennett	Matthew Nouch	Open	27/6/16
Review of Pension Costs associated with Grounds Maintenance Restructure	<i>Possible approval of the costs of the early release of local government pension for a post-holder for reasons of redundancy, associated with the proposal for grounds maintenance services to be taken in-house.</i>	Cllr Knowles	Joy Cross	Exempt	16/5/16

Decision Item	Report Summary	Relevant Portfolio Holder	Report Author	Open or Exempt	Added to Schedule
13th October 2016					
Housing Home Ownership Opportunity – Opt to Buy	<i>To cover the detail of the scheme, the flexibility the Council can give itself in how it sets rents for the scheme and tenancies terms, how it can avoid any RTB issues, how it will borrow the necessary funding and acquire suitable properties and promote the scheme to interested parties.</i>	Cllr Clokie	Richard Robinson	Open	20/6/16
Corporate Delivery Plan/ Medium Term Financial Plan	<i>To ask Cabinet to note the MTFP forecast and accept the underlying assumptions and its underpinning strategies, in the context of the current economic situation; and to note the achievements to date of the Corporate Plan and to check its priorities continue to meet its agenda.</i>	Cllr Clarkson	Kirsty Hogarth/ Ben Lockwood	Open	26/2/16
Homelessness Strategy	<i>To update Members on the outcome of consultation and to seek approval for adoption.</i>	Cllr Clokie	Jennifer Shaw	Open	19/4/16
10th November 2016					
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

Decision Item	Report Summary	Relevant Portfolio Holder	Report Author	Open or Exempt	Added to Schedule
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 Bell	Julie Rogers	Open	26/2/16
A Review of Parking Enforcement		Cllr Bradford	Mike Cook/Jo Fox	Open	5/8/16
Outcome of HRA Review		Cllr Clokie	Sharon Williams	Open	26/5/16
8th December 2016					
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&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
Private Sector Housing Renewal Policy		Cllr Clokie	Julian Watts	Open	11/7/16

Decision Item	Report Summary	Relevant Portfolio Holder	Report Author	Open or Exempt	Added to Schedule
12th January 2017					
Revenues & Benefits Recommended Write-Offs Schedule	<i>Proposed formal write-off of debts</i>	Cllr Shorter	Peter Purcell	Open (Exempt Appendix)	16/1/15
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
9th February 2017					
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

Decision Item	Report Summary	Relevant Portfolio Holder	Report Author	Open or Exempt	Added to Schedule
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 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>	Cllr Bradford	James Hann/Elizabeth Mannington	Open	13/2/16
9th March 2017					
Annual Pay Policy Statement	<i>A review of the annual Pay Policy Statement and Ashford Living Wage Allowance.</i>	Cllr Knowles	Ian Smith	Open	11/3/16
6th April 2017					

Decision Item	Report Summary	Relevant Portfolio Holder	Report Author	Open or Exempt	Added to Schedule
11th May 2017					
Financial Monitoring – Quarterly Report	<i>Quarterly budget monitoring report</i>	Cllr Shorter	Maria Seddon	Open	13/5/16
8th June 2017					
Final Outturn 2016/17	<i>Final budget outturn for previous financial year</i>	Cllr Shorter	Ben Lockwood	Open	10/6/16
Annual Report 2016/17	<i>The Annual Report will build upon the contents of quarterly performance monitoring, but will also include the following information – An Introduction from the Leader and Chief Executive; Facts and figures about Ashford; Timeline of key achievements in the Borough over the calendar year; Borough achievements; and a Financial Summary.</i>	Cllr Knowles	Nicholas Clayton	Open	10/6/16
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	10/6/16
13th July 2017					
Revenues & Benefits Recommended Write-Offs Schedule	<i>Proposed formal write-off of debts</i>	Cllr Shorter	Peter Purcell	Open (Exempt Appendix)	18/7/16

Decision Item	Report Summary	Relevant Portfolio Holder	Report Author	Open or Exempt	Added to Schedule
10th August 2017					
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	11/8/16
Corporate Commercial Property – Annual Report	<i>To advise of the revenue performance of the Council's corporate property portfolio during the last financial period and to advise of proposals to increase profitability in the coming financial period.</i>	Cllr Shorter	Stewart Smith	Open	11/8/16

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30/8/16