



## Cabinet

Notice of a Meeting, to be held in the Council Chamber, Civic Centre, Tannery Lane,  
Ashford, Kent TN23 1PL on Thursday, 9<sup>th</sup> November 2017 at 7.00 pm.

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The Members of the Cabinet are:-

Cllr Clarkson – Leader of the Council  
Cllr N Bell – Deputy Leader and Portfolio Responsibility for Legal and Democratic  
Cllr Mrs Bell – Portfolio Responsibility for Environmental Land Management  
Cllr Bennett – Portfolio Responsibility for Culture  
Cllr Bradford – Portfolio Responsibility for Health, Parking and Community Safety  
Cllr Clokie – Portfolio Responsibility for Planning  
Cllr Galpin – Portfolio Responsibility for Corporate Property  
Cllr Pickering – Portfolio Responsibility for Human Resources and Customer Services  
Cllr Shorter – Portfolio Responsibility for Finance and IT  
Cllr White – Portfolio Responsibility for Housing

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

## Agenda

- |   | Page<br>Nos. |
|---|--------------|
| 1. <b>Apologies</b>   |              |
| 2. <b>Declarations of Interest:-</b> To declare any interests which fall under the following categories, as explained on the attached document: | i            |
| a) Disclosable Pecuniary Interests (DPI)  |              |
| b) Other Significant Interests (OSI)  |              |
| c) Voluntary Announcements of Other Interests   |              |
| See Agenda Item 2 for further details   |              |
| 3. <b>Minutes</b> – To approve the Minutes of the Meeting of the Cabinet held on the 12 <sup>th</sup> October 2017                              |              |
| 4. To receive any Petitions   |              |
| 5. Leader's Announcements   |              |

### Part I – Matters Referred to the Cabinet

None for this Meeting

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

None for this Meeting

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

|     |  |         |
|-----|--|---------|
| 6.  | Ashford Borough Council's Performance – Quarter 2 2017/18                        | 1-17    |
| 7.  | Financial Monitoring – Quarter 2 2017/18   | 18-30   |
| 8.  | The Medium Term Financial Plan 2018-23   | 31-44   |
| 9.  | Mid Kent Joint Waste Partnership – Ashford's Progress                            | 45-55   |
| 10. | *Playing Pitch and Sports Facilities Strategy (2017 – 2030)                      | 56-70   |
| 11. | Adoption of the Open Spaces Strategy (2017-2030)                                 | 71-92   |
| 12. | *Digital Transformation Strategy   | 93-137  |
| 13. | Garage Commercialisation Strategy  | 138-150 |
| 14. | *Primary Authority Partnerships  | 151-162 |
| 15. | *The Armed Forces Covenant   | 163-174 |
| 16. | Planning for the Right Homes in the Right Places – Response to DCLG Consultation | 175-192 |

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

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| 17. | Economic Regeneration and Investment Board – Notes of 27 <sup>th</sup> September 2017                            | 193-194 |
| 18. | Local Plan and Planning Policy Task Group – Notes of 13 <sup>th</sup> September and 5 <sup>th</sup> October 2017 | 195-204 |
| 19. | Schedule of Key Decisions  | 205-217 |
| 20. | Items for Future Meetings  |         |

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

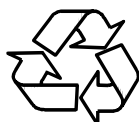
None for this Meeting

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

None for this Meeting

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Telephone: 01233 330349 Email: [danny.sheppard@ashford.gov.uk](mailto:danny.sheppard@ashford.gov.uk)  
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**Declarations of Interest (see also “Advice to Members” below)**

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

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

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

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

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

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

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

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

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

## **Cabinet**

Minutes of a Meeting of the Cabinet held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **12<sup>th</sup> October 2017**.

### **Present:**

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

Cllrs. Mrs Bell, Bennett, Bradford, Clokie, Galpin, Pickering, Shorter, White.

### **Apologies:**

Cllrs. Chilton, Clarkson, Mrs Martin, Ovenden.

### **Also Present:**

Cllrs. Buchanan, Burgess, Hicks, Howard-Smith, Link, Miss Martin, Mrs Webb.

Chief Executive, Director of Law and Governance, Director of Place and Space, Director of Finance and Economy, Head of Health, Parking and Community Safety, Head of Legal and Democracy designate, Health, Parking and Community Safety Manager, Environmental Protection and Licensing Team Leader, Resilience Team Leader, Senior Communications Officer, Licensing Officer, Senior Member Services Officer.

## **180 Minutes**

### **Resolved:**

**That the Minutes of the Meeting of the Cabinet held on the 12<sup>th</sup> September 2017 be approved and confirmed as a correct record.**

## **181 Leader's Announcements**

The Chairman advised that the Leader had recently made some changes to the Deputy Cabinet Members and some of the Cabinet Task Groups and had asked him to bring these to Members' attention this evening: - Cllr Stephen Dehnel had moved to Deputy Cabinet Member for Legal and Democracy (Deputy Leader); Cllr Mick Burgess had replaced Cllr Dehnel as Deputy Cabinet Member for Planning; Cllr Phil Sims had stepped down as Deputy Cabinet Member for Culture (replacement TBC). He also asked the Cabinet to agree that the membership of the Compliance and Enforcement Board be increased to reflect the importance of that particular Group going forward by adding Cllrs. Shorter and White and Cllr Neil Bell (as an ex officio Member) and to change the name of the Public and Voluntary Transport Liaison Task Group to the "Strategic Transport Group".

He further advised that Agenda Item E1 had been withdrawn to allow for further due diligence to take place over the proposed strategic acquisition.

**Resolved:**

- That**
- (i) the changes to Deputy Cabinet Members be noted.**
  - (ii) changes to the membership of the Compliance and Enforcement Board be agreed.**
  - (iii) the change of name of the Public and Voluntary Transport Liaison Task Group to the “Strategic Transport Group” be agreed.**

## **182 Recommendations in Respect of Health Infrastructure Provision in the Borough**

The Portfolio Holder for Health, Parking and Community Safety introduced the report which had come from the Overview and Scrutiny Committee and set out the recommendations from their recent review of Health Infrastructure Provision in the Borough. He advised that he supported the recommendations and assured Members that the issues were being addressed via the Ashford Health and Wellbeing Board and the former Public and Voluntary Transport Liaison Task Group.

One of the Ward Members for Saxon Shore said that as a Member of the Overview and Scrutiny Committee she wanted to express her concern at what she viewed as a weak report. She had written to the Chairman of the Committee making this point as she knew that her constituents, and many others across the Borough, were extremely concerned at the lack of reference to medical provision in the emerging Local Plan and at a lack of assurance from the relevant bodies that adequate facilities would be able to be provided.

**Resolved:**

- That**
- (i) the Council continue to work closely with the CCG to ensure that the Local Plan provides the requisite opportunities to support the development of healthcare provision.**
  - (ii) the Cabinet ensure that related aspects such as transport access to health care (for rural and/or elderly populations) are considered via an appropriate Task Group(s).**
  - (iii) the Cabinet consider how best to work with the Ashford CCG and other Kent Local Authorities to lobby for changes in the funding allocation formula for CCGs to better reflect the projected population growth of Ashford.**
  - (iv) the Cabinet consider how future Section 106 Agreements can be made in such ways that, so far as possible within the legal parameters, contributions relating to health infrastructure can be flexibly applied to projects across the Borough.**

## 183 Taxi Licensing Policy

The Chairman directed Members' attention to the tabled paper which included an additional comment that had been received after the consultation deadline, with a response from the Licensing team.

The Portfolio Holder introduced the report which presented a final version of the Council's Taxi Licensing Policy for adoption. The prior version effectively expired in April 2017 and the latest version included relevant updates and incorporated results from the public consultation period. He said that over 400 individual letters had been sent out to the taxi trade as part of the consultation process and he wanted to thank Officers for the work they had put in to this large undertaking.

One of the Ward Members for Saxon Shore said that she had been told that some of the taxi trade had not received letters as these had only been sent by email. The Environmental Protection and Licensing Team Leader said he was unaware of this concern and he would be happy to provide copies of the letters that went out to the Member.

### **Resolved:**

- That**
- (i) the outcomes of the public consultation be noted.**
  - (ii) the additional changes to the draft policy be reviewed and agreed.**
  - (iii) the revised Taxi Licensing Policy, as drafted, be adopted.**

## 184 Ashford Heritage Strategy

The report advised that following the Cabinet meeting in June, a formal consultation on the draft Ashford Heritage Strategy had taken place during which a number of representations had been received, resulting in a few updates to certain parts of the strategy. The Cabinet was now asked to recommend the final strategy for adoption by the Council. The Portfolio Holder said that the strategy would provide a useful evidence base for the Local Plan to 2030 and it was helpful to bring all of the Borough's heritage assets in to one document.

The Portfolio Holder for Finance and IT said he knew this document had been discussed and welcomed by many Parish Councils, including his own at Kingsnorth, and had been warmly received at the recent Ashford Forum. It would be a living document and it was important to keep it maintained and updated.

The Portfolio Holder for Culture said he was pleased to endorse the strategy. He had been involved in the commencement of the draft strategy in his previous Portfolio and he now looked forward to implementing its contents as part of his new one.

### **Recommended:**

- That**
- (i) the representations made against the draft Ashford Heritage Strategy following its eight week consultation be noted.**

- (ii) the final Ashford Heritage Strategy be endorsed for adoption by the Council.**
- (iii) delegated authority be granted to the Head of Planning Policy to agree final formatting and minor editing of the Strategy prior to publication.**

## **185 Disabled Facilities Grants – Reduced Waiting Times**

The Portfolio Holder introduced the report which set out proposals to address the Council's aspirations to level the playing field for disabled adaptations regardless of tenure. The report also provided feedback from the Kent wide multi agency research project commissioned by Kent Housing Group, which concluded earlier this year and suggested interim measures to bring down waiting times for those applying for a Disabled Facilities Grant.

### **Resolved:**

- That**
- (i) a one-off additional capital funding contribution of £200,000 be approved for the financial year 2018/19.**
  - (ii) the provision of a dedicated occupational therapist for Ashford in partnership with KCC be supported, based on an initial six months and, subject to review, with the expectation of extending the placement up to 18 months. Total funding contribution from the Council for the 18 month secondment will be £32,250 and this will be match funded by KCC.**

## **186 Self and Custom Build Register – Charging of Fees**

The Portfolio Holder introduced the report which explained the Council's responsibilities with regard to the Self and Custom Build Register, what current demand for self and custom build in the Borough meant for the Council and how that would be met. It also recommended that a fee was charged for entry onto the Register, and a renewal fee be charged annually to remain on the Register, to fully cover the Council's reasonable costs. He said he was extremely keen on this measure and the relatively inexpensive opportunity it provided residents to deliver some innovative housebuilding.

### **Resolved:**

- That**
- (i) a fee may be charged for entry onto the Self and Custom Build Register, and for renewal on an annual basis, to fully cover the Council's reasonable costs.**
  - (ii) the fee amounts for the 'base period' 2017-18 be set at £30 for initial entry onto the register, and a £15 annual renewal fee.**



## **187 Business Continuity Policy**

The Portfolio Holder introduced the report which presented the Council's Business Continuity Policy for adoption. The Policy highlighted and clarified the roles and responsibilities for Business Continuity as part of the Civil Contingencies Act 2004, including those of Elected Members.

### **Recommended:**

**That the Ashford Borough Council Business Continuity Policy be adopted.**

## **188 100% Business Rates Retention – Bid For Pilot Status**

The Portfolio Holder introduced the report which advised that Government were seeking bids from areas to pilot 100% Business Rates Retention. Kent, as a two shire county which included a Unitary Authority, was an excellent area for Government to pilot this scheme and provided an opportunity for Kent Authorities to shape the direction of this policy. In addition, Pilot Status would secure additional resources for Local Authorities within that pilot area which could be used to address key priority areas. The Cabinet was therefore asked to support a bid proposal.

### **Resolved:**

**That authority be delegated to the Chief Executive and the Director of Finance and Economy, in conjunction with the Leader and the Portfolio Holder for Finance and IT, to agree a bid proposal.**

## **189 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.**

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**Agenda Item No:** 6

**Report To:** Cabinet

**Date of Meeting:** 09/11/2017

**Report Title:** Ashford Borough Council's Performance – Quarter 2 2017/18

**Report Author & Job Title:** Nicholas Clayton-Peck, Senior Policy, Performance and Scrutiny Officer

**Portfolio Holder** **Cllr Neil Shorter**  
**Portfolio Holder for:** **Finance and IT**



**Summary:** This report seeks to update members and the public on the performance of the Council against its Corporate Plan during Quarter 2 2017/18. 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 online Performance 'Dashboard' for each of the Council's Corporate Plan areas.

**Key Decision:** NO

**Significantly Affected Wards:** N/A

**Recommendations:** **The Cabinet is recommended to:-**

- I. Note the Council's performance against the Corporate Plan in Quarter 2 of 2017/18.**

**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

**Legal Implications** N/A

|                                     |   |
|-------------------------------------|---|
| <b>Equalities Impact Assessment</b> | Not required because the report relates to a summary of past performance rather than any item requiring decision. |
| <b>Other Material Implications:</b> | N/A   |
| <b>Exempt from Publication:</b>     | <b>NO</b>   |
| <b>Background Papers:</b>           | <b>N/A</b>  |
| <b>Contact:</b>                     | Nicholas.Clayton-Peck@ashford.gov.uk – Tel: (01233 300208)  |

## Report Title: Ashford Borough Council's Performance – Quarter 2 2017/18

### Introduction

1. The report seeks to provide a headline overview of performance against the Council's Corporate Plan for Quarter 2 2017/18.
2. This report provides a summary of the main developments affecting performance during the quarter, whilst the attached highlight summaries provide the key trend data underlying this (**Appendix 1**).

### Background

3. Each quarter the Cabinet and Overview and Scrutiny committees receive an update on how and how well the Council is achieving its objectives.
4. In December 2015 the Council agreed a new Corporate Plan - "*The Five Year Corporate Plan – for Aspiration, Action and Achievement*". This 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.
5. 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.
6. 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. As such, in September 2016 the Dashboard was also presented to the Audit Committee.

## Summary of Performance Developments in Quarter 2 2017/18

### Activity

7. Quarter 2 saw successful activity on a variety of initiatives which will have a positive impact on the outcomes set out in the Council's corporate plan –

#### July

- a. Construction work on Elwick Place, the two-hectare development zone in the heart of Ashford town centre, officially commenced. A new car park, situated opposite the Ashford College, also opened in September.
- b. Cabinet approved proposals to accelerate the delivery of resurfacing of the International House car park, to enhance the Commercial Quarter and facilitate its further development. At the same meeting, the Cabinet also agreed various other works on Station Approach.
- c. Cabinet agreed an updated 'Taxi Licensing Policy' which reflects changes in legislation and good practice.
- d. Cabinet agreed proposals to work in partnership with Cheyne Capital to deliver an Independent living scheme for older people at Repton Park – believed to be the first of its kind in Kent.
- e. Cabinet approved the release of S106 funding for the relocation of Ashford Town Bowls Club to Kingsnorth, and the enlargement and enhancement of Memorial Gardens.
- f. Cabinet received an update on the achievements and projects delivered in the town centre by the Regeneration Team, and how this has had a positive impact on the town in terms of footfall, vacancy rates and consumer confidence.
- g. Cabinet approved plans to redevelop the existing play area near Victory Hall, Hamstreet.
- h. Cabinet received an update on the HRA affordable housing delivery programme, and approved proposals for a new affordable housing programme over the next five years.
- i. A new supported housing scheme for vulnerable young people opened at Belgic Court, The Limes – consisting of eight self-contained fully furnished one-bedroom flats and communal facilities.
- j. As part of the Create Festival's heritage events, *The Ashford Tales* – a theatre trail through the Town Centre telling the stories of some of Ashford's famous residents – was held to promote the town's rich history.
- k. The Council's external auditors provided an unqualified opinion on the 2016/17 Statement of Accounts.

#### August

- l. Work remains ongoing at the new Repton Connect Community Centre, which is due to open in January 2018.
- m. The Council agreed to host the National Wellbeing Symposium at the Ashford International Hotel in February 2018.
- n. Public consultation on a series of proposed changes to the Local Plan ran for public consultation. The final version of the Plan is due to be submitted for public examination in December.

## September

- o. The new Ashford College opened its doors for the first intake of students. The facility will provide courses for more than 1,000 students, employing 100 staff.
  - p. Cabinet received an update on the Council's corporate property performance. The Council has had a good year both in respect of the income generated, and in securing lettings at Park Mall and the continued letting of Block B International House to 2028. At the same meeting Cabinet agreed to move forward with the purchase of 28 light industrial units at Carlton Road.
  - q. Cabinet agreed a new Housing Tenancy Strategy in line with the legislative changes brought in by the Housing and Planning Act 2016.
  - r. Conningbrook Lakes celebrated its 20<sup>th</sup> anniversary with a family fun day that attracted over 1,000 people to try canoeing, paddle boarding and other activities.
  - s. A refreshed [www.visitashfordandtenterden.co.uk](http://www.visitashfordandtenterden.co.uk) website, which promotes the tourism offer of the borough, was launched during an event at Eastwell Manor.
8. An online timeline of achievements and milestones in delivering the Corporate Plan is now available through the website, alongside the latest Annual Report - <http://www.ashford.gov.uk/transparency/our-performance/our-annual-report/>
9. As part of efforts to ensure that the Council operates transparently, work is currently underway to make the live Dashboard site available to the public. Once completed, a link to the Dashboard will be provided on the Council's website.

## Commentary on performance trends

10. Whilst the majority of the trends captured within the summaries attached to this report have remained broadly constant over the last quarter, the following trends are worth highlighting –
- a. Footfall over the last two quarters has remained relatively steady, with the monthly average steady at around +/- 5% 4,500 visitors per day.
  - b. Vacancy rates for both the high street and Ashford's shopping centres have fallen over the last year, settling at a level of around 9-10%.
  - c. Following a short period of increase, the total number claiming either Jobseekers Allowance or Universal Credit principally for the reason of being unemployed has remained steady or fallen slightly over the last few months, and now stands at just under 1,250. This is around 10% more than at the same time last year, constituting around 1.6% of Ashford's working age population. Whilst unemployment amongst the 18-24 year olds still remains above the average seen in the rest of the county, it has fallen slightly (3.3 – 3.1%) over the last quarter.
  - d. The number of residents needing temporary Bed and Breakfast accommodation has continued to increase over the last quarter.
  - e. Across the over 1,000 food businesses across the borough, the percentage compliant with hygiene standards when inspected has

remained stable over the last year, remaining within half a percent during that period and on a generally slightly upward curve.

## **Conclusions**

11. The majority of performance goals the council is working towards remain either on-target or near-target, and (a) to (d) above demonstrate a continuing healthy growth profile for Ashford.
12. The information included within these reports provide merely a high-level snapshot of the information available constantly through the live Dashboard site, interactive Annual Report page and timeline of achievements.

## **Equalities Impact Assessment**

13. N/A

## **Other Options Considered**

14. N/A

## **Portfolio Holder's Views**

15. Overall, Ashford Borough Council's performance remains strong, with many activities and initiatives, led or supported by this council which will significantly help to deliver our corporate objectives. More specifically, efforts to support our high street and local businesses have helped support a sustained fall in vacancy rates.
16. Good progress is being made in delivering on the council's delivery programme – projects that are making a real difference to the borough. Examples include construction beginning on the Elwick Place development, and the new Ashford College opening to its first group of students.
17. It is obviously unfortunate to see the continued increase in those requiring short-term support with housing – this is of course a national issue, and the Council is active in looking to respond. Cabinet colleagues will be receiving a briefing on the changes brought in by the forthcoming Homelessness Reduction Act before the November Cabinet meeting.
18. 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. I am pleased that work is underway to shortly make the information in the Dashboard available to the public more widely.

## **Contact and Email**

19. Nicholas Clayton-Peck, Senior Policy, Performance and Scrutiny Officer,  
[Nicholas.clayton-peck@ashford.gov.uk](mailto:Nicholas.clayton-peck@ashford.gov.uk)

# Appendix 1



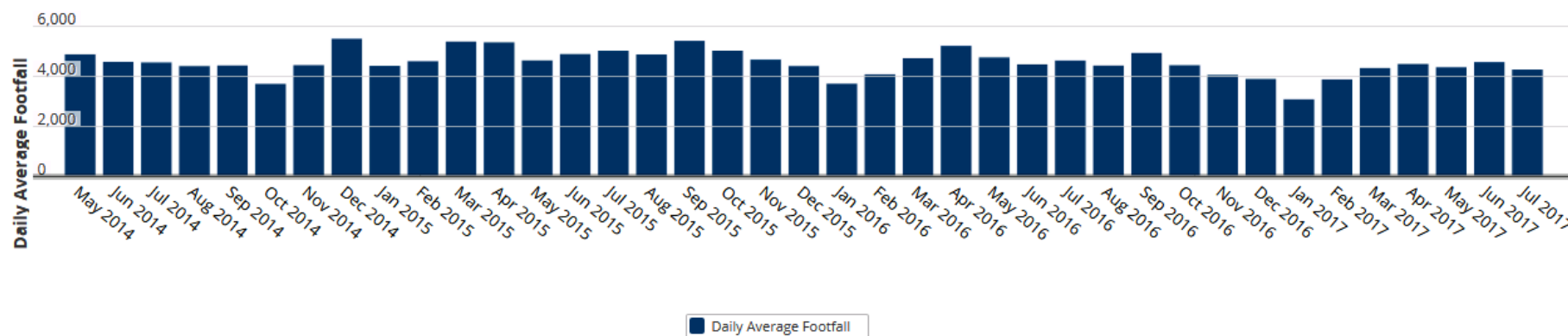
ASHFORD  
BOROUGH COUNCIL

## Ashford Borough Council Performance Dashboard

### Headline Report

### Enterprising Ashford

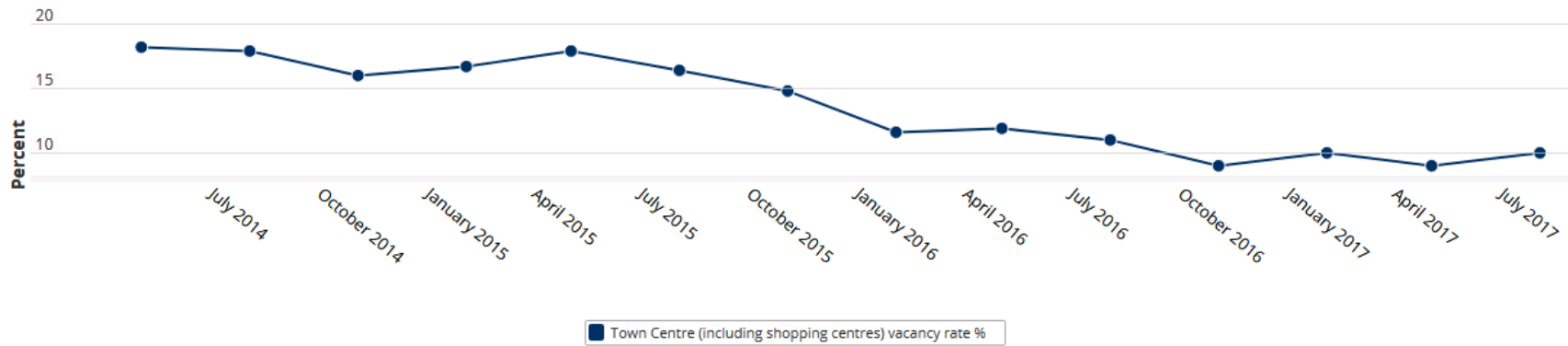
#### Town Centre Footfall



Footfall over the last two quarters has remained relatively steady, with the monthly average at around 4,000 per day.



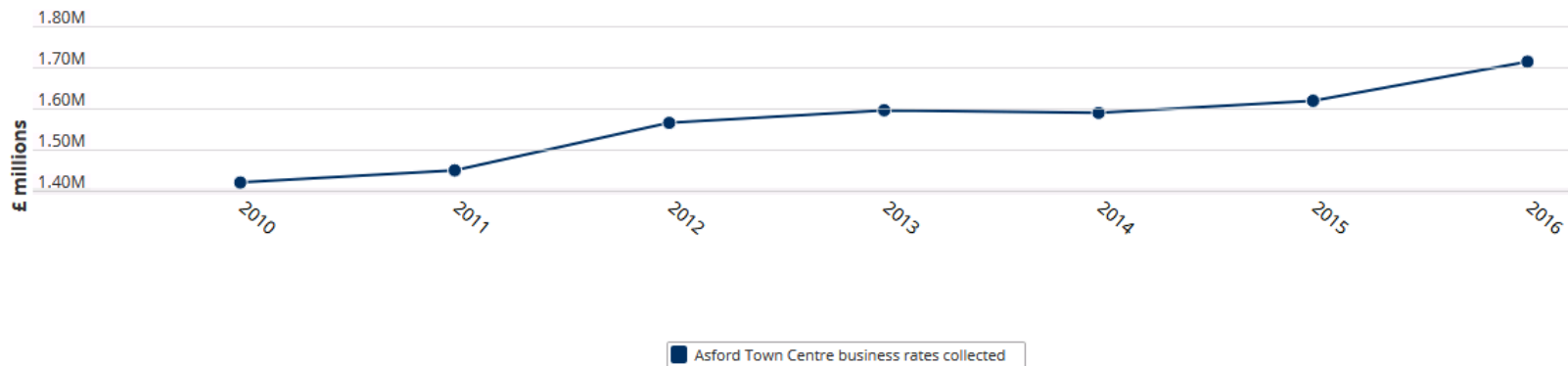
## Ashford Town Centre Vacancy Rates



The latest vacancy rate remain at around 10%, steady at the lowest since rates were first recorded in 2008.

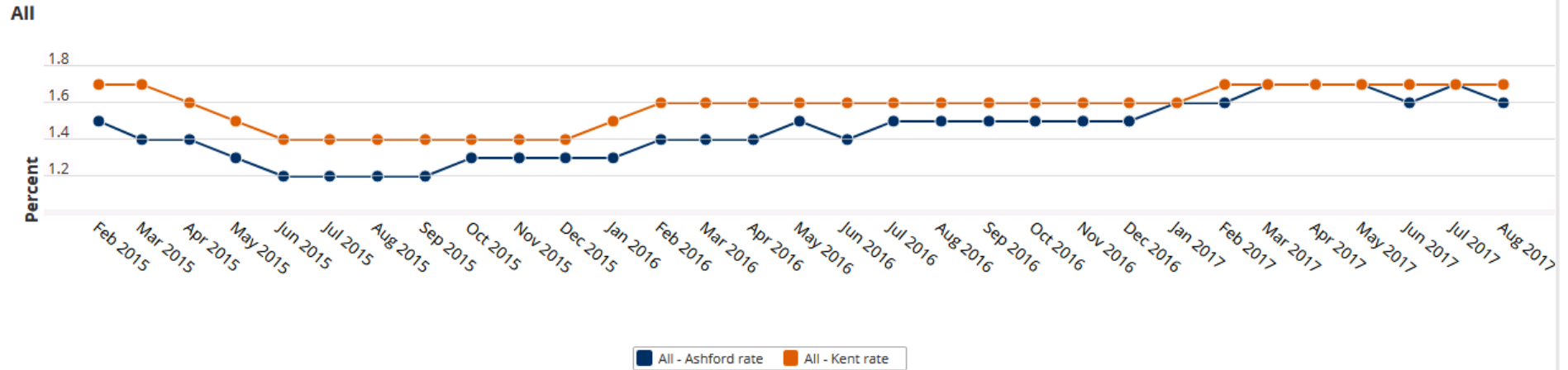
Vacancy rates have fallen across the town centre overall over the last year. Park Mall's historically higher rates have also begun to fall since the Council took over direct operations in 2015, with over half of the vacant units now full and footfall up by around **7%**. The rejuvenation has been directly attributed with improving customer spend in neighbouring stores such as Wilko.

## Town Centre Development and Future Plans



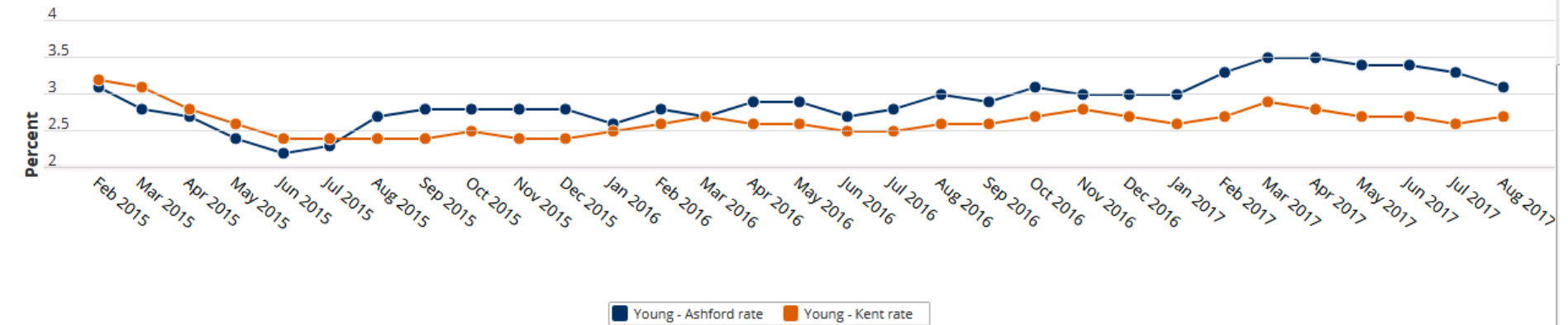
In July construction work on Elwick Place, the two-hectare development zone in the heart of Ashford town centre, officially commenced. A new car park, situated opposite the Ashford College, also opened in September.

# Unemployment



Following a short period of increase, the total number claiming either Jobseekers Allowance or Universal Credit principally for the reason of being unemployed has remained steady or fallen slightly over the last few months, and now stands at just under **1,250**. This is around 10% more than at the same time last year, constituting around **1.6%** of Ashford's working age population.

## Young People



The number of young people (18-24) claiming unemployment benefit continues to fall, although it remains slightly higher than the Kent average. In September the new Ashford College opened its doors for the first intake of students. The facility will provide courses for more than 1,000 students, employing 100 staff.



# Ashford Borough Council Performance Dashboard

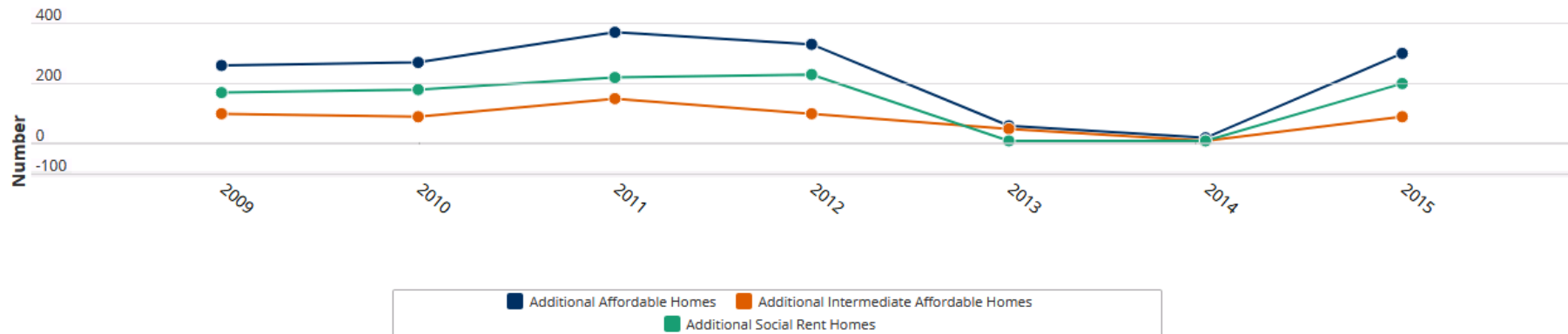
## Headline Report

## Living Ashford

### Affordable Housing

The total additional Affordable Homes is made up of the following two main areas -

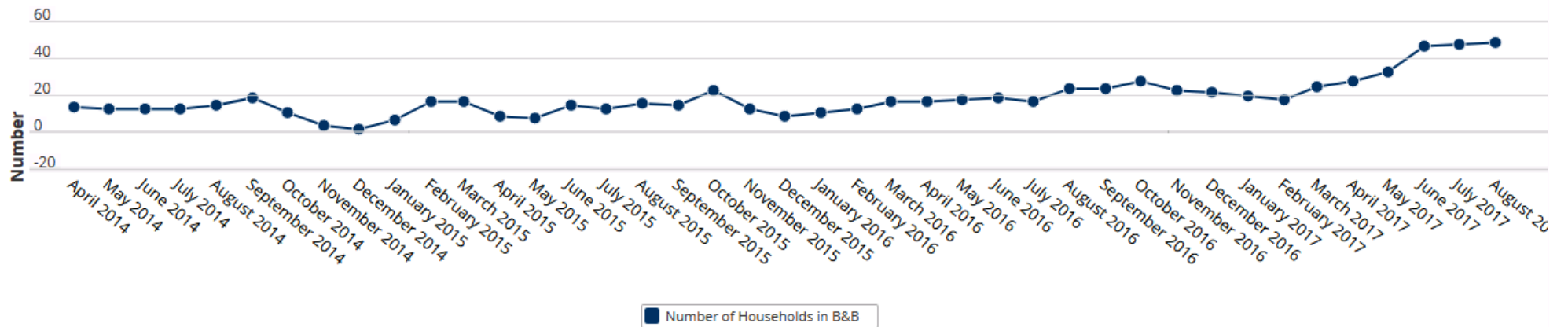
- Intermediate Affordable Homes, which includes intermediate rent and affordable home ownership; and
- Social Rent Homes, which include affordable rent homes



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 somewhat reversed.

In July Cabinet received an update on the HRA affordable housing delivery programme, and approved proposals for a new affordable housing programme over the next five years

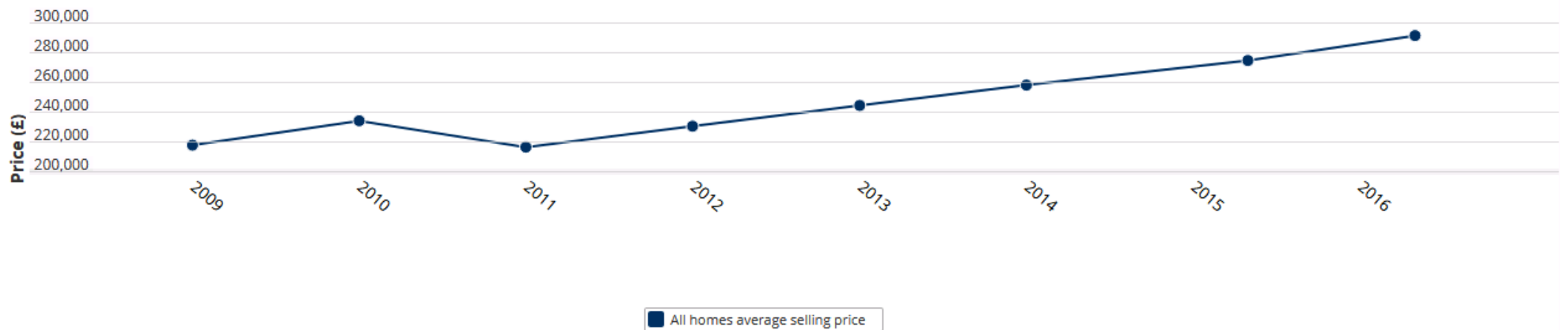
## Temporary Accommodation



By the end of the quarter the average number of households in Bed & Breakfast (B&B) had increased to around 45.

## House prices and the number of homes sold

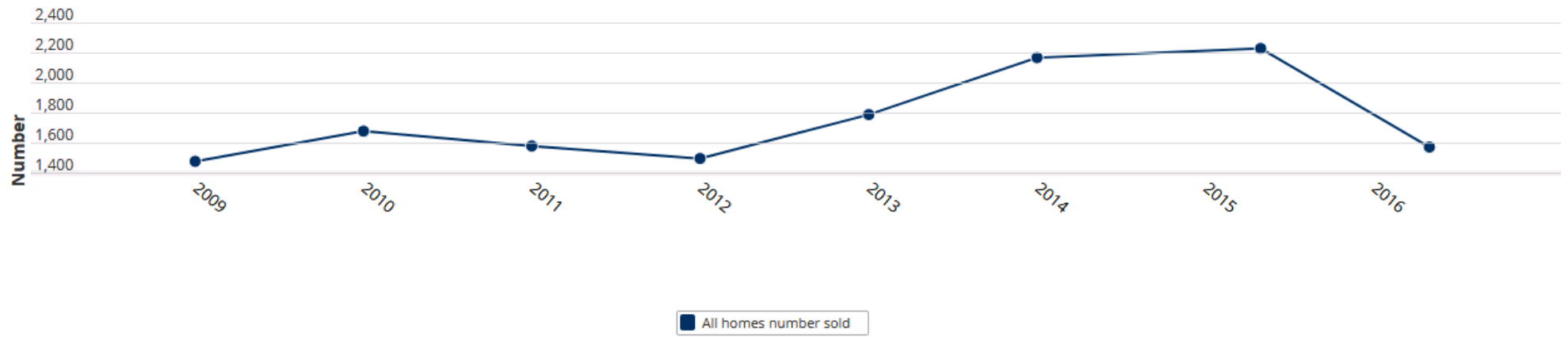
### House Price



The average house price in Kent (KCC area) during 2016 was **£283,323**. The average price in Kent (KCC area) has increased for five consecutive years and is now **30%** higher than where they were in 2008.

There were **19,117** property transactions in Kent during the year, **28%** lower than in the year before and reflecting the fall in sales seen in Ashford.

#### Number of Houses Sold

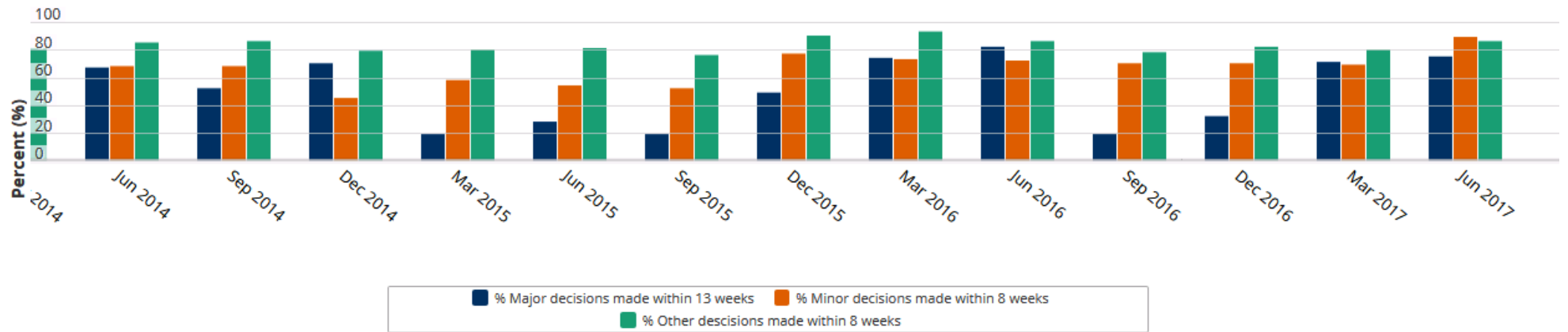


In July a new supported housing scheme for vulnerable young people opened at Belgic Court, The Limes – consisting of eight self-contained fully furnished one-bedroom flats and communal facilities

# 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.





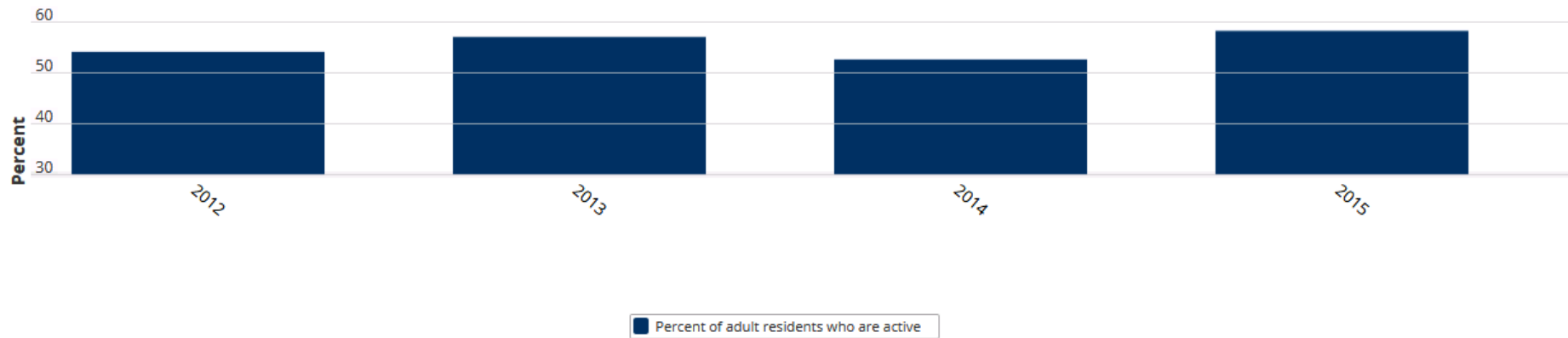
ASHFORD  
BOROUGH COUNCIL

## Ashford Borough Council Performance Dashboard

### Headline Report

## Active and Creative Ashford

### Healthy Lives and Active Living



### Sport and Health

In June the OneYou Health Shop has been given the go-ahead to continue for a further two years following a successful initial trial.

In July Cabinet approved plans to redevelop the existing play area near Victory Hall, Hamstreet

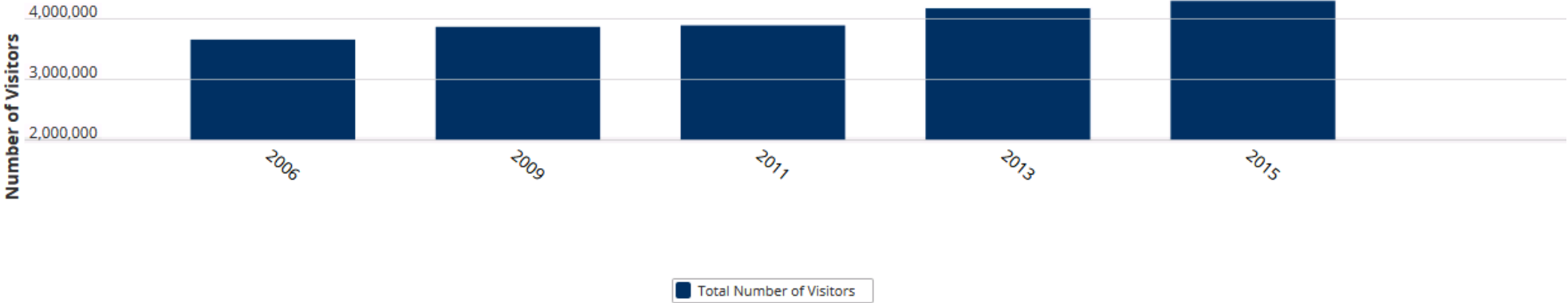
The Council has agreed to host the National Wellbeing Symposium at the Ashford International Hotel in February 2018

In September Conningbrook Lakes celebrated its 20th anniversary with a family fun day that attracted over 1,000 people to try canoeing, paddle boarding and other activities

## Supporting Culture and Creativity

### Tourism

In September a refreshed [www.visitashfordandtenterden.co.uk](http://www.visitashfordandtenterden.co.uk) website, which promotes the tourism offer of the borough, was launched during an event at Eastwell Manor.





# Ashford Borough Council Performance Dashboard

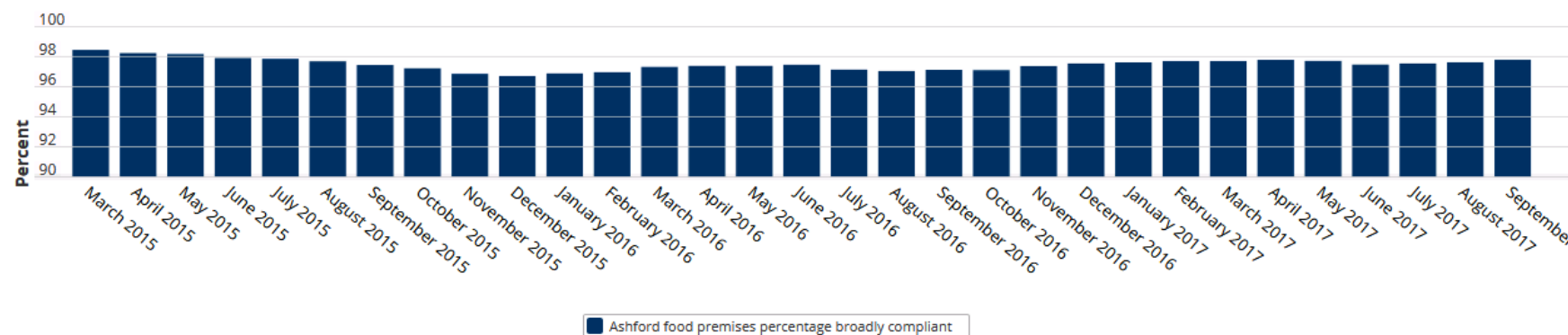
## Headline Report

### 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. The percentage compliant upon inspected has remained within a half percent range during the last six months.

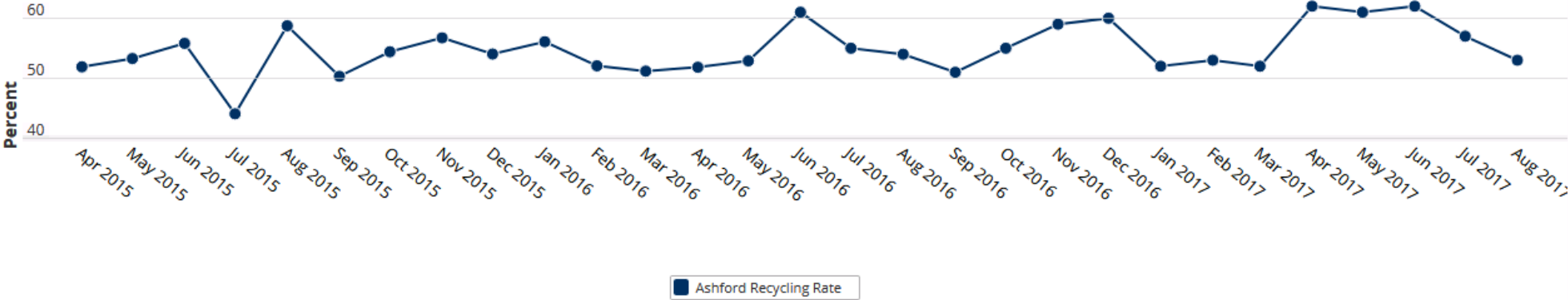
Guidance is provided to food businesses in the first instance and notices are service if conditions do not improve. Food businesses are also given a food hygiene rating which can view at <http://www.ashford.gov.uk/food-hygiene-rating-scheme>.

In September 2016 the Council approved a revised Food Safety Policy, which ensures a consistent approach to food safety inspections, enforcement and food sampling in line with current nationally accepted standards.

## Other Measures to Improve Ashford

In July Cabinet approved the release of S106 funding for the relocation of Ashford Town Bowls Club to Kingsnorth, and the enlargement and enhancement of Memorial Gardens.

### Recycling



**Agenda Item No:** 7  
**Report To:** Cabinet  
**Date of Meeting:** 9 November 2017  
**Report Title:** Financial Monitoring – Quarter 2 of 2017/18  
**Report Author & Job Title:** Maria Seddon – Accountancy Manager  
Jo Stocks – Senior Accountant  
Lee Foreman – Senior Accountant  
Maria Hadfield – Senior Accountant  
**Portfolio Holder** Cllr. Shorter  
**Portfolio Holder for:** Finance & IT



**Summary:** This report presents an assessment of the outturn based on the first half of the financial year, including the General Fund, the Housing Revenue Account and the Collection Fund.

The General Fund is projecting an overspend against the original budget with an overall movement from last quarter of £14,000, there are a number of variances affecting this position detailed in the body of the report, however it should be noted last quarter £100,000 of the service contingency was utilised, this has now been removed from the forecast.

The Housing Revenue Account is projected to be underspent by £78,000, there are a number of variances affecting the position detailed in the body of the report.

Members are asked to delegate authority to the Director of Place and Space in conjunction with the Portfolio Holder for Planning to increase Planning Fees in line with Statutory fee increases.

**Key Decision:** NO

**Significantly Affected Wards:** None

**Recommendations:** **The Cabinet is recommended to:-**

- I. Note the outturn position for the General Fund, Housing Revenue Account and the Collection Fund**
- II. Ask that Council delegate authority to the Director of Place and Space, in consultation with the Portfolio Holder for Planning, to increase Planning Fees in line with Statutory fee increases, paragraphs 10-12**

- III. **Ask that Council approve the transfer of the Section 151 functions to the Director of Finance & Economy which were previously held by the Head of Finance & IT, see paragraph 13**
- IV. **Note the update to the HRA business plan to include the purchase of off plan dwellings, see paragraph 20-22**

**Policy Overview:** The Budget is a key element supporting the delivery of the Council's wider policy objectives

The Government are expected to announce an increase in the amount Local Authorities can charge for Planning applications. This will see planning fees increase by 20%. Members will be asked to delegate officers to approve an increase in fees once the announcement has been made.

**Financial Implications:** The General Fund is reporting an overall of £87,000, and with a number of uncertainties, including homelessness, Management Team are monitoring to bring this position back to balanced.

The Housing Revenue Account is reporting an underspend of £78,000. While the 1% rent reduction has led to a pressure in the HRA this has been largely mitigated by savings in the Planned Maintenance programme.

**Legal Implications** N/A

**Equalities Impact Assessment** As part of Budget Setting 2017/18 a full assessment was undertaken

**Contact:** maria.seddon@ashford.gov.uk – Tel: (01233) 330547

## Report Title: Financial Monitoring – Quarter 2, 2017/18

### Introduction and Background

1. This report is to inform Members of the projected outturn for the financial year based on six months information (April to September) for the General Fund, Housing Revenue Account, and the Collection Fund.
2. The report includes an update on the treasury activities and current investments are detailed in Appendix A.

### Current Position

3. The current General Fund position reflects a small overspend against budget, this is after reversing the decision in quarter one to use £100,000 of the service contingency.
4. Management Team understand there are a few pressures coming through this year, including homelessness, and they will continue to monitor the situation closely to ensure the outturn stays in line with budgets.

### Chief Executive

5. There is a pressure in Policy of £36,000 due to a temporary increase in staffing within the Policy team following the appointment of the Head of Policy, Economic Development and Communications. This increase in staffing is not expected to be long term.

### Director of Finance & Economy

6. Part year vacancies for the Director of Finance and Economy, the PA to the Directors and the Head of Finance have generated a total saving this year of £135,000. A favourable variance has also been generated through savings in treasury management fees of £31,000.
7. Bed and Breakfast costs are still causing a pressure, with an additional pressure coming forward this quarter of £31,000.

### Director of Place & Space

8. Environmental and Land Management had a residual pressure of £67,000 in the first quarter, following a significant (in excess of 5%) increase in the refuse and recycling contract. However, this pressure has now been managed within existing budgets, with a surplus of £19,000 now anticipated. This is largely due to vacancy savings in Aspire, as well as lower than anticipated repairs and maintenance costs on equipment, and a lower than expected fuel bill.
9. Planning are currently showing a pressure of £128,000, this is as a result of the ongoing costs of the local plan, which are not included in the operational budget and appeals. This pressure will be funded from the Planning and Development Reserve at year end.

**Table 1 – General Fund Budget Outturn Forecast as at 30 September 2017 – Directorate**

| Directorate                    | Current Budget (net)<br>A<br>£'000 | Forecast Outturn (net) to 31/03/18<br>B<br>£'000 | Variance (B-A)<br>£'000 | Movement from Quarter 1<br>£'000 |
|--------------------------------|------------------------------------|--|-------------------------|----------------------------------|
| Chief Executive                | 944                                | 987  | 43                      | 42                               |
| Director of Finance & Economy  | 3,167                              | 3,238  | 71                      | (170)                            |
| Director of Law & Governance   | 1,846                              | 1,878  | 32                      | 12                               |
| Director of Place & Space      | 9,510                              | 9,641  | 131                     | 30                               |
| <b>Net Service Expenditure</b> | <b>15,467</b>                      | <b>15,744</b>                                    | <b>277</b>              | <b>(86)</b>                      |
| Non service specific items     | (464)                              | (654)  | (190)                   | 100                              |
| <b>Budget Requirement</b>      | <b>15,003</b>                      | <b>15,090</b>                                    | <b>87</b>               | <b>14</b>                        |
| Financing:                     | (15,011)                           | (15,011)   | 0                       | 0                                |
|                                | <b>(8)</b>                         | <b>79</b>  | <b>87</b>               | <b>14</b>                        |

**Table 2 - General Fund Budget Outturn Forecast as at 30 September 2017 – Service**

| Service   | Current Budget (net)<br>A<br>£'000 | Forecast Outturn (net) to 31/03/18<br>B<br>£'000 | Variance (B-A)<br>£'000 | Movement from Quarter 1<br>£'000 |
|---|------------------------------------|--|-------------------------|----------------------------------|
| Chilmington   | 70                                 | 70   | 0                       | 0                                |
| Corporate Policy, Economic Development & Communications | 874                                | 917  | 43                      | 42                               |
| Corporate Property & Projects                           | (1,363)                            | (1,274)  | 89                      | (33)                             |
| Finance & IT  | 3,899                              | 3,732  | (167)                   | (183)                            |
| Housing Services  | 631                                | 780  | 149                     | 46                               |
| Health, Parking & Community Safety                      | 497                                | 507  | 10                      | 2                                |
| HR & Customer Services                                  | 96                                 | 116  | 20                      | 20                               |
| Legal & Democratic Service                              | 1,253                              | 1,255  | 2                       | (10)                             |
| Culture   | 3,018                              | 3,030  | 12                      | (19)                             |
| Environmental and Land Management                       | 4,949                              | 4,930  | (19)                    | (79)                             |
| Planning  | 1,543                              | 1,681  | 138                     | 128                              |
| <b>Net Service Expenditure</b>                          | <b>15,467</b>                      | <b>15,744</b>                                    | <b>277</b>              | <b>(86)</b>                      |
| Capital Charges and net interest                        | (2,033)                            | (2,223)  | (190)                   | 0                                |
| Levies, Grants and Precepts                             | 250                                | 250  | 0                       | 0                                |
| Contribution to reserves                                | 1,319                              | 1,319  | 0                       | 100                              |
| <b>Budget Requirement</b>                               | <b>15,003</b>                      | <b>15,090</b>                                    | <b>87</b>               | <b>14</b>                        |
| <b>Financing:</b>                                       |                                    |  |                         |                                  |
| Revenue Support Grant                                   | (615)                              | (615)  | 0                       | 0                                |
| NNDR. Pool  | (3,422)                            | (3,422)  | 0                       | 0                                |
| NNDR S31 Grant  | (500)                              | (500)  | 0                       | 0                                |
| Council Tax   | (7,079)                            | (7,079)  | 0                       | 0                                |
| New Homes Bonus   | (3,395)                            | (3,395)  | 0                       | 0                                |
|   | <b>(8)</b>                         | <b>79</b>  | <b>87</b>               | <b>14</b>                        |

## **Planning Fees**

10. The Government's Housing White paper indicated the likelihood of an increase in planning fees to help enable local planning authorities to put in place sufficient staff resources to help deliver the housing growth the Country needs. Currently income from planning fees covers only around 83% of the Council's staff costs in the planning and development service. The original forecast for 2018/19 indicated that this would reduce to 73% following expansion of the planning and development team, however this increase in fees will support this growth and increase the funding of staff costs to 88% (based on a 20% increase).
11. Implementation of the fee increase has been delayed by the general election but the Government's chief planner recently stated that the necessary approval of Parliament was likely to be sought before Christmas. The increase is an optional one for local authorities but officers are of the view that the increase should be implemented locally to help cover the costs of dealing with the high applications workload currently, including a number of speculative applications being made on sites not identified in the emerging local plan.
12. This report therefore includes a recommendation to the principle of implementing a planning fee increase, up to the maximum amount allowable as soon as the decision is taken nationally, by delegating authority and the handling of detailed arrangements to the Portfolio holder and Director of Place & Space.

## **Section 151 Officer Functions**

13. Following the appointment of the Director of Finance & Economy it is asked that Cabinet recommend to Council to approve that the Section 151 Officer functions are transferred to this role; previously held by the Head of Finance and IT.

## Housing Revenue Account

### 14. Table 3 - 2017/18 Housing Revenue Account Outturn Position

| <b>Budget Page</b>  | <b>Current Budget<br/>A<br/>£'000</b> | <b>Forecast Outturn to<br/>31/03/18<br/>B<br/>£'000</b> | <b>Variance<br/>(B-A)<br/>£'000</b> | <b>Movement from<br/>previous<br/>quarter<br/>£'000</b> |
|---|---------------------------------------|---|-------------------------------------|---|
| Income  | (25,463)                              | (24,953)  | 510                                 | (435)   |
| Supervision and Management                                  | 5,111                                 | 5,128   | 17                                  | 5   |
| Repairs and Maintenance                                     | 3,328                                 | 3,353   | 25                                  | 73  |
| Other   | 21,923                                | 21,923  | 0                                   | 0   |
| <b>Net Revenue Expenditure</b>                              | <b>4,899</b>                          | <b>5,451</b>  | <b>552</b>                          | <b>(357)</b>  |
| Capital Works - Decent Homes                                | 4,424                                 | 3,794   | (630)                               | (423)   |
| <i>Capital Works financed by:</i>                           |                                       |   |                                     |   |
| Major Repairs Allowance (from Self Financing Determination) | (4,424)                               | (4,424)   |                                     |   |
| Net Capital Expenditure                                     | <b>0</b>                              | <b>(630)</b>  | <b>(630)</b>                        | <b>(423)</b>  |
| <b>Total Net Expenditure</b>                                | <b>4,899</b>                          | <b>4,821</b>  | <b>(78)</b>                         | <b>(780)</b>  |

#### *Variances*

15. Service Charge income has been increased by £200,000 following a review, this is in line with the income received in 2016/17.
16. Supporting People income from Kent County Council (KCC) has been confirmed as £165,000 higher than anticipated, and expected reductions have been delayed; however, it is unlikely that funding will be reduced in future years.
17. As part of the affordable homes programme we are able to convert void 2 & 3 bed properties from social to affordable rent. The projection on conversions is more favourable than expected, this has helped to reduce the pressure on income reported last quarter.
18. Repairs & Maintenance costs are expected to increase by around £70,000.
19. Planned maintenance is forecast to be around £420,000 lower than originally budgeted, reasons for this include:
  - Tenants not taking up the work offered,
  - Properties being removed from the list after inspections revealed they didn't require the level of works,
  - The roof at Oakleigh House was expected to be replaced, but this will now be repaired.

#### **Purchase of Existing Street Properties**

20. As part of the Housing Delivery Report (Cabinet July 2017) it was agreed that the Head of Housing and Head of Finance & IT, with the relevant portfolio holders, be given delegated authority to vary the programme of the purchase of street properties to suit the available resource.



21. Following this report there has been a number of opportunities for the purchase of dwellings off plan and the HRA business plan has been updated to include these.
22. Members are asked to note that the exist street properties budget will include the purchase of off plan dwellings.

## Collection Fund

23. 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*

24. At the end of the previous financial year the element of the Collection Fund that relates to Council Tax was in surplus by £2,900,000. The Council declared a surplus to major preceptors of £2,000,000, which will be distributed during the year with the Council receiving £235,000 of this, which was included in the budget. This means that the Collection fund has a historical surplus balance of £1,000,000, which will be held by the Council and distributed next year.
25. For the current financial year, the Council budgeted to bill council tax at £71,800,000, but has actually billed £72,400,000, this is in line with the figures reported at first quarter, and is due, in part to a reduction in the amount of Council Tax Support being paid, as well as an increase in the band D equivalent tax base of around 300 properties.
26. As part of the monitoring process, the level of historic debt is reviewed and a bad debt provision calculated. The review of historic debt suggests that the current provision is a little high at £1,200,000 and can be reduced by £100,000 to £1,100,000. Officers will continue to monitor this position and report adjustments to these figures in future monitoring reports.
27. As a result of this, the Collection Fund, in respect of Council Tax, is forecasting a deficit in year of £1,300,000 and an overall surplus of £2,200,000.

### **Table 4 – Council Tax Forecast**

|  | <b>Forecast Outturn<br/>(net) to 31/03/18</b> |
|--|---|
| Opening Surplus                                      | (2,944,562)                                   |
| Surplus distributed to Major Preceptors              | 1,995,691                                     |
| <b>2017/18</b>                                       |   |
| Amount of Council Tax to be paid to Major Preceptors | 71,270,041                                    |
| Amount of Council Tax billed                         | (72,433,763)                                  |
| Changes to bad debt provision                        | (102,515)                                     |
| <b>In year (Surplus)/Deficit</b>                     | <b><u>(1,266,237)</u></b>                     |
| <b>Overall (Surplus)/Deficit</b>                     | <b><u>(2,215,109)</u></b>                     |

***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

28. For the element of the collection fund that relates to business rates there was a deficit of £2,800,000, which had accrued due to the decision to spread the creation of the appeals provision over 5 years. The Council declared a deficit of £2,400,000 which will be recovered from the precepting authorities, this will leave a historical deficit of £400,000 to be recovered in next year.
29. The total Business Rate income for the current year was expected to be £52,400,000 and £50,700,000 has been billed, this is a small shortfall in year, however it is reasonable to expect that during the year a number of new bills will be raised to reduce this shortfall, there has been
30. There has also been a reduction in the amounts due in respect of prior year's business rates as a result of appeals and changes to rateable values, these changes total £950,000, which will be charged to the Collection Fund.
31. The level of provision for bad debts and appeals is continuously reviewed and is still in line with the first quarter estimate, which, when compared to the original budget is a reduction of about £1,000,000. This is as a result of collection rates being maintained and a number of appeals being cleared which affects the level of provision required.
32. The appeals process has been changed for the 2017 valuation list (Check. Challenge. Appeal.), this makes estimating the level of provision difficult. According to the valuation office there have not yet been any appeals, in respect of Ashford's 2017 list. However, the in-year provision has been calculated by taking 4.7% of the net rates payable figure, this is a percentage that was used by government when funding allocations were made and this will need to be tested against actual performance as data is gathered.
33. The table below shows the current Business Rates forecast position:

**Table 5 – Business Rates Forecast**

|  | <b>Original<br/>Budget</b> | <b>Forecast<br/>Outturn<br/>(net) to<br/>31/03/18</b> |
|--|----------------------------|---|
| Opening (Surplus)/Deficit                                  |                            | 2,867,507   |
| Deficit recovered from Major Preceptors<br><b>2017/18</b>  |                            | (2,378,178)   |
| Amount of Business Rates to be paid to<br>Major Preceptors | 49,481,875                 | 49,481,875  |
| Amount of Business Rates Billed                            | (52,412,324)               | (50,725,149)  |
| Other Items Charged to the Collection Fund                 | 241,449                    | 241,449   |
| Bad Debts/Appeals  | 2,689,000                  | 1,652,927   |
| <b>In year (Surplus)/Deficit</b>                           | <b>0</b>                   | <b>651,103</b>  |
| <b>Overall (Surplus)/Deficit</b>                           |                            | <b>1,140,432</b>                                      |

34. The forecast surplus will not affect the amount of money the Council will draw from the Collection Fund for the current year.

## Capital Monitoring

### Property Portfolio

35. The Property Company has drawn down £1,445,000 and it is anticipated that the remainder of the £2,500,000 will be drawn down to further fund the 28 residential units at Victoria Crescent before the end of the year.

### Elwick Place

36. Work began on the project in May 2017 and is currently on target to be completed by December 2018. The project is now fully procured, with all contracts and appointments signed. Regular meetings have been held with Travelodge and Picture House, and no major changes have been made to the design. Expected spend in the current year will be in the region of £16,000,000.

### Commercial Quarter Enabling Works

37. This area comprises a number of projects to facilitate the redevelopment of the Commercial Quarter. When the capital plan was built, last Autumn, final costings were not yet available, as a result there are now some projects reporting increases in costs:
- Elwick Temporary Car Park: This was completed and open for use in September, it had a final spend of £122,000, which is £17,000 over the original estimate
  - Stour Centre Taxi Car Park: Currently under construction and expected to be completed and operational by December 2017. Current costs are expected to be £140,000, which is £20,000 over the original estimate
  - Zebra Crossing on Station Approach: This project is expected to be completed by the end of the year, but is dependent on the taxi rank relocation. Current costs expected to be £82,000, which is £27,000 over the original estimate.
38. The resurfacing of the car park at International House (IH) has been brought forward from 2018/19 into 2017/18 to take advantage of the opportunity to use the new Quinn CQ car park on a temporary basis. This will minimise the disruption to IH tenants. It is estimated to cost £230,000 and expected to be completed by the end of the financial year.

### Model Railway

39. The loan for £850,000 to AIMREC has been removed from the plan in 2017/18, and is likely to form part of capital planning in future years.

### Repton Park Community Centre

40. The planned construction of the new community centre is complete, although there are some minor works to landscaping yet to be completed. The forecast expenditure for 2017/18 is £916,000 and on target.

### Stour Centre

41. The allocation of £682,000 for energy efficiency measures to be spent in 2017/18 has been re-phased and will be allocated as part of the capital plan for future years.

### Street Lighting Replacement

42. Works have been slow to start as we are dependent on third party contractors, therefore £970,000 will be re-allocated to 2018/19.

### CCTV Single Operating Platform

43. Works will start in 2017/18 on cameras in Tenterden at a cost of £50,000. However, the planned camera work for Ashford, costing £150,000, will now be completed in 2018/19.

### Public Toilets Demolition and Hothfield Cafe

44. There is no current plan to progress the café at Hothfield and the allocation of £280,000 has been removed from the plan.

## **Treasury**

45. The forecast outturn for treasury management is still in line with quarter 1 which predicted additional income of £190,000.
46. Treasury management activity has been as expected through the last quarter, although liquid investment balances have reduced, as payments fall due for the Elwick Place development.
47. Officers have progressed with the previously reported strategy of borrowing for previous capital projects, such as International House, with a view of placing the created balances into equity funds. This treasury management strategy is now being implemented and in October £3,000,000 was invested in the CCLA Diversified Income Fund. Further deposits of £11,000,000 are still to be made which will be split between two existing fund managers and a new fund manager, once the due diligence process has been completed.
48. As we look to quarter 3 the Council's strategy will further develop and given further payments for Elwick and the Council's property company, the Council will need to go to the market to borrow, borrowing will be reported in future updates.
49. A full list of the Council's investment portfolio show at Appendix A

## **Portfolio Holder's Views**

50. To be given at the meeting

## **Contact and Email**

51. Maria Seddon
52. [maria.seddon@ashford.gov.uk](mailto:maria.seddon@ashford.gov.uk)

## Treasury Management Activity

| Counter Party  | Deal Date  | Rate<br>% | Amount<br>£        | Fair Value<br>£   | Comment   |
|--|------------|-----------|--------------------|-------------------|---|
| <b>Temporary Investments</b>   |            |           |                    |                   |   |
| National Counties  | 17/07/2017 | 0.36      | 2,000,000          | 2,000,000         | Matures 25/10/2017  |
| <b>Total Temporary Investments</b>   |            |           | <b>2,000,000</b>   | <b>2,000,000</b>  |   |
| <b>Long Term Investments</b>   |            |           |                    |                   |   |
| Blaenau Gwent  | 21/10/2014 | 2.00      | 3,000,000          | 3,000,000         | Matures 21/10/2019  |
| <b>Total Long Term Investments</b>   |            |           | <b>3,000,000</b>   | <b>3,000,000</b>  |   |
| <b>Investment Accounts</b>   |            |           |                    |                   |   |
| Santander  | Various    | 0.25      | 1,935,000          | 1,935,000         | Deposit Account   |
| Goldman Sachs  | Various    | 0.15      | 50,000             | 51,295            | AAA rated deposit facility *                                |
| ICD Portal - BNP Paribas   | Various    | 0.22*     | 1,003,300          | 5,000,000         | AAA rated deposit facility *                                |
| Payden Global MMF  | Various    | variable  | 3,000,000          | 3,003,195         | AAA rated deposit facility *                                |
| <b>Total Investment Accounts</b>   |            |           | <b>5,988,300</b>   | <b>9,989,490</b>  |   |
| <b>Pooled Funds</b>  |            |           |                    |                   |   |
| CCLA Local Authority Property Fund   | Estimate   | 4.90      | 10,000,000         | 10,932,865        | Rate is Net of Management Fees<br>(Variable Rate of Return) |
| <b>Total pooled funds Accounts **</b>  |            |           | <b>10,000,000</b>  | <b>10,932,865</b> |   |
| <b>Equity Funds</b>  |            |           |                    |                   |   |
| City Financial Multi Asset Diversified Fund  | 27/08/2015 | variable  | 997,687            | 1,012,939         | Long term investment **                                     |
| UBS Multi Asset Income Fund  | 26/08/2015 | variable  | 994,504            | 1,018,482         | Long term investment **                                     |
| M&G Global Dividend Fund   | 27/08/2015 | variable  | 997,914            | 1,388,435         | Long term investment **                                     |
| Schroder Income Maximiser  | 03/11/2015 | variable  | 992,152            | 1,053,053         | Long term investment **                                     |
| <b>Total Equity funds **</b>   |            |           | <b>3,982,257</b>   | <b>4,472,909</b>  |   |
| <b>Total Investment Portfolio</b>  |            |           | <b>24,970,557</b>  | <b>30,395,263</b> |   |
| <b>Long Term Borrowing</b>   |            |           |                    |                   |   |
| Public Works Loan Board***   | various    | various   | 117,664,150        |                   | Maturity Date - various                                     |
| <b>Total Long Term Borrowing</b>   |            |           | <b>117,664,150</b> |                   |   |
| <b>Grand Total Borrowing</b>   |            |           | <b>117,664,150</b> |                   |   |
| * Money Market Fund (MMF) are AAA rated deposit facilities which have variable rates of interest but have constant net asset |            |           |                    |                   |   |
| ** Equity funds and the Property fund have variable rates of interest and also have fluctuating capital values               |            |           |                    |                   |   |
| *** HRA borrowing  |            |           |                    |                   |   |

**Agenda Item No:** 8  
**Report To:** Cabinet  
**Date of Meeting:** 9 November 2017  
**Report Title:** The Medium Term Financial Plan 2018-23  
**Report Author & Job Title:** Maria Seddon – Accountancy Manager  
**Portfolio Holder** Cllr. Shorter  
**Portfolio Holder for:** Finance & IT



**Summary:** This report presents the Medium Term Financial Plan, a budget forecast including underlying assumptions, covering a five year period from 2018 to 2023 for the General Fund (the Business Plan for the Housing Revenue Account will be covered separately in a report to the December Cabinet.

The Plan highlights a budget gap from 2020/21 and measures to close this gap, including the Inflation Management Strategy.

**Key Decision:** YES

**Significantly Affected Wards:** All

**Recommendations:** **The Cabinet is recommended to:-**

- I. Note the forecast and accept the underlying assumptions**
- II. Endorse the Inflation Management Strategy**
- III. Note that this is the third year of the four year settlement**
- IV. Note the one year change to the New Homes Bonus policy**
- V. Delegate authority to the Director of Finance and Economy in consultation with the Leader and Portfolio Holder for Finance and IT to agree the Council's continued participation in the Kent Business Rates pool**

**Policy Overview:** In line with the Council's commitment to agree an annual budget and financially plan for the next 5 years

**Financial Implications:** The Medium Term Financial Plan is built based on the Corporate Plan 2015-2020, this ensures that financial resources are used to deliver the Council's priorities.



|                                     |   |
|-------------------------------------|---|
| <b>Equalities Impact Assessment</b> | As part of the Budget Setting process             |
| <b>Other Material Implications:</b> | None  |
| <b>Exempt from Publication:</b>     | <b>NO</b>   |
| <b>Contact:</b>                     | Maria.seddon@ashford.gov.uk – Tel: (01233) 330547 |

## Report Title: The Medium Term Financial Plan 2018-23

### Purpose of the Report

1. The Corporate five year plan was approved by Cabinet in October 2015 which outlines the following priorities:
  - a. Enterprising Ashford
  - b. Living Ashford
  - c. Active and Creative Ashford
  - d. Attractive Ashford
2. Underpinning these priorities are the Ashford principles that strive for the council to be well resourced, with effective governance, delivering high quality services with good communication in a safe environment – all of which should demonstrate good compliance and standards.
3. To ensure the service continued to be delivered the Council has been developing an alternative to formula grant that will be possibly negative (the Council having to pay a tariff) from 2019/20. These alternatives include generating income through investment in residential and commercial property.
4. An integral part of that Plan is the resource planning to ensure that resources are available and targeted to priorities. This report presents the Council's Medium Term Financial Plan (MTFP).
5. Members are reminded that this report covers the General Fund budget; the Council also has a Housing Revenue Account (HRA) and this has its own separate 30 year business plan and this will be covered in detail in a report to the December Cabinet.

### Background & Context

#### *The Economy*

6. The economic outlook is complicated by the BREXIT negotiations and there is a weakening outlook due to the uncertainty. The pound remains weak, with inflation expected to rise and indications from the Monetary Policy Committee (MPC) that they may consider raising base rate earlier than first thought. This action may strengthen the pound going forward and weaken inflation. However the MPC has previously mentioned base rate rises which haven't happened, and history suggests that base rate increases have failed to bring inflation back in line.
7. With a weakening economy we may see the UK enter a period of recession however this shouldn't be felt as hard as the 2007 global crash as it should be isolated to the UK.

#### *Government Agenda*

8. The Government have been quiet regarding policy over the last few months due to their focus on BREXIT and at this time it is unclear how they are likely to proceed on a number of initiatives that are progress.
9. Last financial year saw the announcement of 100% Business rate retention however it is still unclear how this will work for Local Councils, and due to this

the MTFP has assumed income based on LG Futures predictions released earlier this year. However as previously reported to Cabinet the Council is looking to be part of a pilot bid for 100% rates retention and Members will be updated more fully as government make announcements on the pilot bids.

10. There has been limited information regarding the Fair Funding Review which is still being developed by Government, however it is unclear when it will be implemented. The Council will be responding to the consultation when this is announced.
11. One issue that is growing importance is negative RSG, this is where the funding mechanism calculates that an Authority has too much resource and places a negative figure for formula grant. This is effectively the redistribution of Council Tax resources around the country with the poorer areas receiving funding which will be financed by other authorities. There are serious issues of the fairness of this, as Local Councils make decisions on Council Tax Levels based on local needs and this can now be moved elsewhere. Ashford will move into negative RSG in 2019/20 paying government around £200,000. The Council will continue to raise its objection to this approach at every opportunity.

### **The Four Year Settlement and Efficiency Statement 2015**

12. The previous Chancellor presented the four year settlement at the end of 2015 and Councils could choose whether to accept the settlement and produced an efficiency plan as part of the agreement.
13. The settlement is detailed in the table below and shows that the Council's Revenue Support Grant will be removed over the four year period, there is also a 'Negative RSG' being applied to the council's tariff to further reduce funding in the final year, as well as information regarding redistribution of council tax across the UK, so in 2019/20 council tax could effectively be taxed. This has not been reflected in the MTFP however the Council will notify members once details are made clearer.
14. Government have suggested that authorities who accept the four year settlement will not have their tariffs amended with 'Negative RSG' however the MTFP does assume a tariff will be paid.

**Table 1: 4 year settlement**

|                               | <b>2016-17<br/>£m</b> | <b>2017-18<br/>£m</b> | <b>2018-19<br/>£m</b> | <b>2019-20<br/>£m</b> |
|-------------------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Settlement Funding Assessment | 3.90                  | 3.30                  | 2.98                  | 2.85                  |
| of which:                     |                       |                       |                       |                       |
| Revenue Support Grant         | 1.27                  | 0.62                  | 0.21                  |                       |
| Baseline Funding Level        | 2.63                  | 2.69                  | 2.76                  | 2.85                  |
| Tariff/Top-Up                 | -15.62                | -15.93                | -16.40                | -16.93                |
| Tariff/Top-Up adjustment      |                       |                       |                       | -0.24                 |

15. It must be remembered that this only covers formula grant (which is due to reduce to £0) and there are major changes to government funding for local authorities including New Homes Bonus, business rates reform, etc that could reduce the Council's funding in future years.
16. This settlement only remains for two years and the Council still awaits information regarding Business Rate 100% retention and how it will affect

funding in future years. Ashford along with other Kent authorities are currently investigating the opportunity to become a pilot pool within the new scheme, this could produce a one year 'win' for the participating authorities due to a delay in the tariff resets.

### Key Assumptions

17. *Revenue Support Grant* (the 'staple' of local authority funding) has been decreasing since the Comprehensive Spending Review in 2010 and the four year settlement sees the level dropping to zero by 2019 with a tariff of £240,000 from 2019/20.
18. Assumptions have been made that key grants supporting the administration of the revenues and benefits team are reduced by 44% over the next 2 years as a result of the introduction of Universal Credit.
19. *Inflation* is a factor that needs to be managed carefully within any financial planning regime. The council benefitted from the low levels of inflation over the last few years, however, over the current year inflation has started to rise and the MTFP reflects a higher inflation level for the next two years which falls back to the 2% target by 2020/21.
20. *Interest rates* have been forecast in line with the Arlingclose (Treasury Management Advisors) forecasts. As a net investor the General Fund is more affected by its ability to generate returns on its cash balances rather than borrowing cheaply. Savings have been made in recent years by not borrowing to fund projects and using cash balances, however as interest rates rise the council will want to lock into low long term rates.
21. *Pay* – Within the model pay assumptions are linked to inflation with allowances made for incremental progression.
22. *New properties* – Assumptions for new properties have been based on information from the planning and visiting officer teams, looking at the number of properties under construction and taking a view on the delivery of sites with planning permission and allocated sites. It should be noted that these figures may differ from those in the emerging local plan but for prudence a lower figure is taken. These assumptions drive figures for growth in tax base, and new homes bonus receipts. This forecast is summarised in the table below.

**Table 2 : Local Plan Housing Delivery Projections (note: New Homes Bonus is measured Oct- Oct)**

|                                 | 2018-19      | 2019-20      | 2020-21      | 2021-22      | 2022-23      |
|---------------------------------|--------------|--------------|--------------|--------------|--------------|
| Sites Under Construction        | 300          | 300          | 211          | 120          | 100          |
| Extant Permission - not started | 439          | 405          | 434          | 587          | 693          |
| Sites allocated in Local Plans  | 263          | 718          | 879          | 915          | 805          |
| <b>Total</b>                    | <b>1,002</b> | <b>1,423</b> | <b>1,524</b> | <b>1,622</b> | <b>1,598</b> |

23. *Business Rates* – Increases in business rates are set by the RPI level in the preceding September. However government has capped increases in business rates at 2% where RPI was higher than this figure and the model assumes that this will continue for the life of the plan.

24. *Council Tax* – Government has so far capped the level that council tax can be increased by without a local referendum at 2% or £5 whichever is the greater. A 2% increase would result in a £3 increase in Council Tax for a band D property. For planning purposes the MTFP has assumed a £3.50 (2.28%) increase for 2018/19, a £3 (1.9%) increase in 2019/20 and 2% for the remainder of the plan. The decision on the level of Council Tax is taken each year by Council in February.
25. A table of assumptions is included in **Appendix A**  
Reserves
26. The Council's general fund reserves - as at 31 March 2017 - are shown in **Table 3** below, with a forecast for movements within the current financial year. This shows that the Council's reserves are robust and adequate. The Council has a policy of maintaining the general fund balance of at least 15% of net budget requirement which is currently around £2.32m. Reserves have been earmarked to fund a number of Corporate Projects; the corporate project plans are monitored and updated regularly.
27. During 2016/17 a single pot approach was adopted to fund corporate plan projects. This effectively allows reserves that are not earmarked for a specific purpose to be made available for projects. This strategy enables the Council to allocate funding to future income generating projects, as well as projects that will regenerate and support the Borough.
28. The current project plan is fully funded with a number of other projects being developed, funding will be approved based on projects meeting criteria set out in the plan.

**Table 3: Summary of Earmarked Reserves**

|                               | Balance as at 31 March 2017 | 2017/18 Transfers | Estimated Balance as at 31 March 2018 | 2018/19 Transfers | Estimated Balance as at 31 March 2019 |
|-------------------------------|-----------------------------|-------------------|---------------------------------------|-------------------|---------------------------------------|
|                               | £'000                       | £'000             | £'000                                 | £'000             | £'000                                 |
| <i>Earmarked reserves</i>     |                             |                   |                                       |                   |                                       |
| Corporate Plan                | 4,988                       | 84                | 5,072                                 | (1,225)           | 3,847                                 |
| Fund Future expenditure       | 3,037                       | (560)             | 2,477                                 | (153)             | 2,324                                 |
| Maintenance of assets         | 1,569                       | (195)             | 1,374                                 | (195)             | 1,179                                 |
| Reserves requires (statute)   | 278                         | (119)             | 159                                   | 0                 | 159                                   |
| Developer Contributions       | 6,919                       | (980)             | 5,939                                 | (880)             | 5,059                                 |
| <b>Total Earmarked</b>        | <b>16,791</b>               | <b>(1,770)</b>    | <b>15,021</b>                         | <b>(2,453)</b>    | <b>12,568</b>                         |
| General Fund Balance          | 2,602                       | 109               | 2,711                                 | 94                | 2,805                                 |
| <b>Total General Reserves</b> | <b>19,393</b>               | <b>(1,661)</b>    | <b>17,732</b>                         | <b>(2,359)</b>    | <b>15,373</b>                         |

29. The reserves are based on known information, with the potential to grow reserves through future Community Infrastructure Levy and future corporate projects not yet defined. There is an assumption that Planning reserves will be fully allocated to appeals and Section 106 reserves will decrease due to completion of projects such as Repton Park community centre.

#### Inflation Management Strategy

30. For a number of years (2013-2016) the Council made the decision to manage the inflationary impact from absorbing the pressure through savings elsewhere within services. With continued pressure from inflation it is important to review regularly and understand how inflationary pressures will be managed for the life of the MTFP.
31. The MTFP includes projects to generate more income streams, maximise treasury management returns, whilst safeguarding capital and considering council tax setting policies, Ashford continues to be the lowest council tax in Kent.
32. The Inflation Management Strategy is attached in **Appendix B**, and Cabinet is asked to support the principles of the strategy.

#### New Homes Bonus

33. The Council receives a New Homes Bonus (NHB) payment for four years for every property built or brought back into use in the borough. This non ring-fenced grant can be used for both revenue and capital purposes at the Council's discretion.
34. The amount the Council receives is also top sliced to divert funding to Adult Social Care and this has been modelled in the MTFP.

35. Assumptions on future levels of NHB are based upon the forecast numbers of new properties, however there is an element of delay built in based on historical information and information received from the investigation team, that monitor properties completion for Council Tax charging.
36. Currently £1.6m of NHB is being used to fund the Base Budget and in addition to this a number of revenue corporate projects are also funded. The remaining amount of the NHB is set aside to fund other Corporate Projects and is allocated to reserves within the MTFP.
37. NHB is an important element of the Council's funding and due to this being a transitional year, contributions reducing from 5 years to 4 years, it is proposed that the amount supporting the base budget is increase to account for this transition. This would increase the contribution by £100,000 for 2018/19 and reverting back to 50% base budget funding and 50% Corporate Projects from 2019/20.

### Business Rates Growth

38. Business rates is a major part of local government funding, retaining 40% of business rates collected, although this is subject to a tariff of £15.7m leaving baseline funding of £2.7m. The current scheme also allows a retention of 50% of any growth over the set baseline position. The current general fund budget is £3.7m this suggests that the Council has already achieved £1m of growth.
39. There is current a deficit on the Collection Fund due to the spreading of appeals however 2017/18 should be the final year which will clear the ongoing deficit.
40. In forecasting business rates there are essentially four issues:
  - a. Was our opening forecast for business rates yield for 2017/18 reasonably accurate?
  - b. Is the appeals provision prudent?
  - c. What is the performance of the pool?
  - d. How should we look at future business rate growth as funding for the budget?
- a. *The 2017/18 Yield Forecast*
41. The rateable value of business properties is revalued every five years, the most recent revaluation came into effect at 1 April 2017.
42. The second quarter's data has been analysed and it's expected that the annual yield projection will be lower than the anticipated yield. The budget has allowed for a significant increase in the appeals provision due to this being the first year of the revaluation, however this can be reviewed and will narrow the gap.
43. In the event of a sudden and large drop in business rate yield a 'risk provision reserve' was set up on commencement of the new business rate system.

*b. The Business Rate Appeals Provision*

44. For 2017/18 a new appeals system was introduced 'Check. Challenge. Appeal'. It is hoped that a large majority of cases will be resolved at the 'check' stage, and that the process will result in a faster turnaround time for appeals, and create more certainty for Local Authorities in regards to likely outcomes.
45. To support the Council in calculating the appeals provision the council uses the services of 'Analyse Local' – a company whose software is able to analyse the appeals list and estimate the likely losses. In addition the Council analyses trends within its own data to assess the likelihood of a successful appeal. In previous years around 28% of appeals were successful and result in some movement in RV, on average this is an 11% reduction in RV.
46. There is no data available in respect of appeals on the 2017 valuation list, with all outstanding appeals are based on the 2010 list. The deadline for businesses to appeal the 2010 list was 31 March 2017, so there should be no further applications in regards to this list. There are currently 173 outstanding appeals, in respect of the 2010 list, with a rateable value of £51m, these are expected to be cleared over the next 2/3 years. In 2017/18, to date, we have paid £700,000 in respect of appeals out of the provision.
47. The Council had an appeals provision of £3.4m at the start of the year, this position is monitored throughout the year and reported to Cabinet.

*c. Performance of the Pool*

48. From 1 April 2015 the Council joined the Kent Business Rates Pool, which contains most of the Kent Authorities and provides a mechanism to reduce the levy payable by local authorities on growth and to promote economic development. The pool will continue until there is an application to change the membership.
49. Membership of the pool has resulted in a reduction in the levy payable on growth, from 50% to 1.6%. In 2016/17 the Council's share of this saving was £266k, with a further £133,000 allocated to Economic Development whose use will be determined jointly between Kent County Council and Ashford Borough Council. As the expenditure would not be in the budget framework, any scheme would need to be approved by Cabinet and Council.
50. For 2017/18 there were some changes in pool membership, with one member withdrawing from the Pool. There is another member of the Pool that has been in Safety Net due to the closure of a major employer in their Borough, the pool has set aside funds to manage this and is still expected to deliver the benefits of membership.
51. For 2018/19 Government have announced that it is seeking bids from areas to pilot 100% Business Rates Retention. Delegated Authority has been given to the Chief Executive and Director of Finance and Economy, in conjunction with the Leader and Portfolio Holder, to agree a bid proposal for Kent to join this pilot scheme (Cabinet October 2017). Should a Kent pilot go ahead for 2018/19 it is expected that each member authority would be at least £500,000 better off than the baseline and that the business rate income currently paid to



government would be retained in the county to enhance public services. The pilot is only guaranteed for 1 year.

- d. Should Kent not be part of the pilot scheme the Kent Pool will continue to operate. The usual DCLG deadline for pool applications is the end of October. It is therefore recommended that authority be delegated to the Director of Finance & Economy in conjunction with the Leader and Portfolio Holder for Finance & IT to agree any amendments to the membership of the pool.
  - e. *Future Year's Business Rate Growth*
52. There are several prospective large commercial developments in the pipeline, with added focus from the Council, we may be able to secure these developments over the next five years, and this should be a primary focus, as the additional rates yield is an important aspect of the MTFP.

#### Developing Future Income Streams

53. During this year, two new strategies have been developed to replace the Borrowing and Acquisition Strategy approved in 2014/15. This strategy has been successful in promoting inward investment, business growth and employment, with developments such as International House, Park Mall and the Elwick Place development; however, to avoid a concentration risk, other Commercial investment opportunities are being investigated. The Council's property Company is working with developers to bring forward further investment opportunities in accordance with its business plan.
54. These new strategies are part of the Commercial Investment Strategy, which is comprised of three elements, Real Estate Investment, Loans to the Property Company and Strategic Investment. A full report will be presented to Cabinet in the future introducing these policies and the future income projections.
55. The Medium Term Financial Plan includes income from projects that have been confirmed, such as investment in the Property Company, £50m included within the plan (£10m per annum) and the Elwick Place development is also included within the plan. Future projects that have not yet been approved or started have not been included.

## MTFP Forecast

56. The forecast detailed in the table below takes into account the items discussed above. The forecast, which is not cumulative, shows that the budget gap is manageable for the life of the plan, however Members and Management Team need to manage any pressures coming through to ensure the gap does not widen. Income streams that have or are set to be achieved are mitigating the impact of inflation in the medium term as planned.

|  | 2018/19<br>£'000's | 2019/20<br>£'000's | 2020/21<br>£'000's | 2021/22<br>£'000's | 2022/23<br>£'000's |
|--|--------------------|--------------------|--------------------|--------------------|--------------------|
| Revenue Support Grant                                  | (264)              | 140                | 211                | 283                | 358                |
| S31 Grant NNDR reliefs                                 | (1,060)            | (59)               | (68)               | (69)               | (70)               |
| Retained Business Rates                                | (3,317)            | (3,985)            | (3,702)            | (4,144)            | (4,746)            |
| New Homes Bonus (50% allocated to support base budget) | (2,694)            | (3,074)            | (3,310)            | (3,291)            | (3,366)            |
| Government Funding                                     | (7,335)            | (6,978)            | (6,869)            | (7,221)            | (7,824)            |
| Council Tax  | (7,195)            | (7,522)            | (7,855)            | (8,210)            | (8,588)            |
| Total Income Receipts (Including Specific Grants)      | (49,106)           | (48,254)           | (48,098)           | (47,945)           | (47,773)           |
| Base Budget Gross Expenditure                          | 64,680             | 64,971             | 65,465             | 66,149             | 66,811             |
| Budget Increases                                       | (1,110)            | (1,979)            | (2,510)            | (2,723)            | (2,840)            |
| <b>BUDGET GAP</b>                                      | <b>(66)</b>        | <b>238</b>         | <b>133</b>         | <b>50</b>          | <b>(214)</b>       |

57. It should be noted that the plan is based on what we currently do and growth in the population could put more pressure on services than is currently recognised. There is a savings target of £130,000 per annum (cumulative) to be achieved through services which equates to around 1% of net budget requirement.

### Balancing the budget gap

58. Management Team have discussed this and have proposed to manage the gap by managing inflation pressures by ensuring they are working in the most efficient way possible. Maintaining restraints around budget spend and regularly reviewing budgets.
59. Digital transformation will aspire to manage growth in demand within resources through smarter working.
60. The Investment Strategy has been developed and generating future income to support the underlying budget is being continuously reviewed.

### Next Steps

Note the Medium Term Financial Plan and request that Management Team deliver a balanced budget.

**Key Assumptions**

|                              | <b>2018/19</b> | <b>2019/20</b> | <b>2020/21</b> | <b>2021/22</b> | <b>2022/23</b> |
|------------------------------|----------------|----------------|----------------|----------------|----------------|
| Pay inflation and increments | 2.70%          | 2.70%          | 2.70%          | 2.70%          | 2.70%          |
| Contract inflation           | 3.50%          | 3.25%          | 3.00%          | 3.00%          | 3.00%          |
| Income inflation             | 3.00%          | 2.75%          | 2.50%          | 2.50%          | 2.50%          |
| General inflation            | 2.50%          | 2.25%          | 2.00%          | 2.00%          | 2.00%          |
| Utilities inflation          | 4.00%          | 3.75%          | 3.50%          | 3.50%          | 3.50%          |
| Business rate growth         | 2.00%          | 2.00%          | 2.00%          | 2.00%          | 2.00%          |
| Benefits Inflation           | 0.00%          | 1.00%          | 1.00%          | 1.00%          | 1.00%          |
| Pension                      | 4.00%          | 4.00%          | 4.00%          | 4.00%          | 4.00%          |
| Base rate                    | 0.25%          | 0.25%          | 0.25%          | 0.25%          | 0.50%          |
| Council Tax Increase         | 2.28%          | 1.90%          | 2.00%          | 2.00%          | 2.00%          |

## **Developing a clear counter-inflation strategy and choices as counter-inflation measures**

*The role of council tax and council tax increases.*

1. All the while council tax increases are low, they are effectively doing no more than combating inflation. This Council has a desire to stay the lowest Council Tax in Kent, so increases are unlikely to increase at the highest level available for the current level of service.

*Managing inflation cost pressures*

*a) Pay*

2. The largest single inflationary impact is £372k. Action to control the pay bill will contribute towards the effective management of inflationary pressures. This has been negotiated and agreed and is reflected within the MTFP.

*b) Non-pay budgets*

3. Exercising constraint requiring services to consume inflationary impacts, by reducing the budget uplifts, this places more onus on budget managers to manage demands through greater efficiency, stronger procurement or negotiations with contractors. It would be unwise to adopt this practice for a number of years without periodic review. In line with this policy, for 2018/19 an increase of 2.5% has been assumed for non-pay (service) budgets. This is in line with the OBR forecasts
4. Those services linked to contracts are uplifted by the index used in deciding the annual contract review price.

*c) Efficiency and new sources of income*

5. We should use efficiency and a new income sources programme, as clear counter-inflation measures. The Council is in the process of transforming the way in which it communicates with clients, although there will be an initial cost it is expected that efficiencies will come through in later years, even though no actual savings targets are attached to the project.
6. The Council is updating its investment strategy looking at other ways to diversify investments, helping to manage risk along with achieving higher returns.

*d) The role of service fees and charges*

7. The MTFP forecast assumes fees and charges will increase by 0.5% above the rate of the Consumer Prices Index (taken at the November preceding the financial year). This assumption relates only to charges where the council has the discretion to decide increases. Car park charges, however, are more sensitive and so need more judgment and therefore fee levels are considered separately. The MTFP, over its lifetime, does not make any assumptions about car park charges changing.

8. As a counter inflation measure fees and charges must keep pace with rising costs of service provision, particularly for services where fees and charges do not cover full costs.

*e) The treasury management role and interest on investments*

9. Day-to-day treasury management plays an important role in contributing an income source to the council. Core cash for treasury management purposes varies between £20m and £40m. Interest rates and investment yields are, among other things, a reflection of financial markets' view of the path of inflation over the longer term. For this reason treasury management returns should be viewed as part of the council's counter inflation strategy.

**Agenda Item No:** 9  
**Report To:** Cabinet  
**Date of Meeting:** 9 November 2017  
**Report Title:** Mid Kent Joint Waste Partnership; Ashford's Progress  
**Report Author & Job Title:** Mrs Tracey Butler  
Head of Environment and Land Management  
**Portfolio Holder** Cllr. Mrs Clair Bell  
**Portfolio Holder for:** Environment and Land Management



**Summary:** This report examines Ashford Borough Councils progress in the Mid Kent Joint Waste Partnership and asks Cabinet to agree to continue with the same collection methodology until re-procurement begins in 2019 / 20 and to make some slight adjustments to non-statutory services to cover costs and encourage digital service participation.

**Key Decision:** NO

**Significantly Affected Wards:** All

**Recommendations:** The Cabinet is recommended to:-

- I. Note the positive progress on the contract to date
- II. Agree, that in the life of this contract, Ashford Borough Council will continue with the same collection methodology (subject to no legislative / regulatory changes that indicate to the contrary).
- III. Agree that in 2018 – 19, we will engage with our residents to achieve, as far as is practicable, a future quality household waste collection service our residents demand and continue to understand and support.
- IV. Support adjustments to non-statutory services to cover costs from next financial year and encourage digital service participation.

**Policy Overview:**

**Financial Implications:** None above those envisaged on the annual contract uplift

**Legal Implications** None

**Equalities Impact Assessment** Not Required because there is no change in collection methodology

**Other Material Implications:** None

**Exempt from Publication:** No

**Background Papers:**

**Contact:** Tracey.butler@ashford.gov.uk – Tel: (01233)

## Agenda Item No.

# Report Title: Mid Kent Joint Waste Partnership; Ashford's Progress

## Introduction and Background

1. Ashford Borough Council partners with Swale Borough Council, Maidstone Borough Council and Kent County Council to form the Mid Kent Joint Waste Partnership. KCC is the waste disposal authority whilst Ashford, Swale and Maidstone are the collection authorities. The contracting partner for kerbside collection is Biffa. This partnership began in 2013, with the aim of increasing household waste recycling and reducing collection and disposal costs to relevant partners.

## Current Position

2. The partnership is about to enter Year 5 of a 10 year contract. The Kent Resource Partnership (KRP) End Destination Report demonstrates not only excellent recycling rates for Ashford, exceeding government targets but residual waste largely going to energy recovery (incineration), with less than 2% of waste generated in Ashford going to landfill, (government target of 10%). (Appendix 1)
3. The most current recycling data (currently provisional – awaiting ratification and publication by DEFRA) has placed Ashford top in Kent for the third consecutive year. Our recycling rate has risen from 53.1% to 55%, exceeding rates from our partner authorities. This can be attributed to a number of factors;
  - a. Strong contract management (dedicated staff with an excellent understanding of the contract, who use the performance management tools effectively)
  - b. A sound communication plan (agreed with additional funding by Cabinet in January 2017) and an outstanding in house communications team that support our service.
  - c. Residents who are keen to recycle as much as possible
  - d. Membership of the KRP, that “horizon scans” legislative and public engagement initiatives and opportunities on our behalf
  - e. An engaged contractor
4. Disposal arrangements through KCC continue to present challenges in the form of stringent “contamination sampling” but our communication strategy considers this and pro-actively engages with our residents based on our Cabinet agreed communications plan.
5. In the summer of 2017, an assessment of the efficacy of both the Mid Kent and East Kent waste partnerships was commissioned by the KRP, to inform



the emerging West Kent waste partnership working group and to consider if the benefits predicted to all partners had been realised. The “headlines” appear below.

6. Ashford leads the way in dry mixed recycling but also resident’s participation in our food waste recycling programme is the highest across the partnership. (see Appendix 1)
7. It could be expected that recyclate values would be higher in source segregated collections, rather than co-mingled recycling, which Ashford has. However, due to the reduced market value of paper and card and the on-going uncertainty of end destinations for some recyclate streams (attributable to withdrawal of end market destinations and uncertainty over our future trading relationship with Europe) that predicted cost benefit has not materialised. Consequently, Ashford continues to provide a cost effective, co-mingled waste and recycling service through our current methodology.
8. There are areas for improvement in the Mid Kent partnership that can only realistically be investigated at contract re-negotiation (such as; fleet complexity and lifespan when choosing collection methodology, subsequent choice of containerisation, a methodology that suits topography and demographics, waste infrastructure and processing and end destination markets). However, partnership working is successful for all concerned as it has been a catalyst for a step change in recycling performance and generated savings for both collection and disposal authorities.
9. We are now examining our waste data more closely than ever to ensure we target areas where either recycling is poor or contamination high (or both) to achieve the highest recycling rates possible.
10. Our garden waste (paid for) service continues to grow (just over 14700 customers at Oct 2017). With Cabinet support, it is intended to move the charge from £35 per annum to £40 per annum by 2021 (in line with Mid Kent partners). It is intended that this should support digital delivery for the council in that customers who sign up on-line and use direct debit will benefit by a slightly reduced tariff for the garden waste service;

Non DD 2018/19 = £37.50

DD 2018/19 = £35.00

Non DD 2019/20 = £37.50

DD 2019/20 = £35.00

Non DD 2020/21 = £40.00

DD 2020/21 = £37.50

From 2021 /22 all customers will pay £40 per annum for garden waste services.

Garden waste has a cost to the council in the first year that the customer signs up to the service, as the cost of the bin, the delivery of the bin and the collections service are not recovered from £35.00. However, this service has

the greatest “take up” of all Mid Kent partners. Costs of service provisions are recovered by year 2 and therefore, it is recommended that we continue to provide the service without an initial charge for the bin (consistent with the fact that we do not charge householders for their bins and they remain the property of Ashford Borough Council).

11. Our bulky collection service is currently charged at £24.00 for a 4 item collection. However, our contractor charges us separately for white goods or televisions as they have a separate disposal route. Mid Kent partners (Swale and Maidstone) have moved to charging £24.00 for 4 items where none of them are white goods or televisions. Each item of white goods (or televisions) are charged at £24.00 per item. (Next financial year becoming £25)

Currently, customers can book 4 items for £24, with a maximum of one of those being white goods or TV. However, where that is the case, we are not covering costs, as we are charged twice by our contractor.

Should Members choose to move to the same charging regime as our Mid Kent partners (£24 per 4 items [no white goods], white goods charged individually at £24) concerns have been raised with regards to the possible negative impact this increase could have on flytipping. However, our Mid Kent partners have moved to this charging regime to cover costs without seeing an increase in flytipping.

To mitigate concerns about the possibility of increased flytipping, we are carrying out the following;

Through our current funding to the Kent Resource Partnership, as a County we have agreed to trial fund (for 2 years) an intelligence officer who will be dedicated to the detection of and data sharing on waste crime. This should enable us to track and jointly enforce against persistent and / commercial waste criminals, potentially taking mutli-authority prosecutions and reducing the ability of people to flytip without consequence.

Additionally, we will be exploring the possibility of mobile camera flytipping enforcement with our litter and dog fouling enforcement contractor and the contract arrangement they have with a separate provider to carry out this work.

## **Implications for the future and Risk Assessment**

12. With regards to the suggestion for alterations in charges for garden waste and bulky waste collection, this will bring us into line with our partners in the Mid Kent contract. It is not anticipated that either of these changes will have increase flytipping, however, mitigation has been suggested that should ensure this concern is addressed.
13. In is anticipated, through Brexit negotiations, that most if not all European waste regulations will be incorporated into UK law. However, until this positon has been confirmed, end destination markets for recyclates are proving to be

volatile, affecting income and expenditure modelling for partnerships currently negotiating or re negotiating terms.

14. Government is considering clarifying “producer responsibility” in waste disposal and increasing the target to 75% for recycling packaging waste. Potentially, if you are a supplier of a product that does not reduce your products packaging, you may face a charge for the end disposal of the additionally generated waste. In turn, if introduced, this is likely to have an impact on what elements of the household waste generated waste stream remains directly recyclable (rather than going to energy from waste).
15. Environment Minister, Michael Gove, is exploring a “return and reward” scheme for bottles, most specifically plastics. This has the potential to alter the recoverable recycle stream.
16. Central Government is in the process of putting together a long term environment plan. As part of that process it is anticipated that a recycling target may be introduced for **municipal** waste of 65%, aligning the UK with Europe. Currently, our 50% recycling target is for **household** waste and these are weight based targets. Therefore, it is possible that more waste streams will form part of the target figure. Government are also being lobbied to incorporate carbon and quality targets alongside weight based targets.
17. Some waste partnerships and individual authorities across the country have changed collection methodologies when re procuring, some moving to 3 weekly residual waste collections (e.g.; food waste collected weekly, week 1 all recycling except paper and card collected, week 2 paper and card collected and week 3 residual waste collected). Alternatively, they have moved to smaller residual waste bins and larger recycling bins, slightly altering collection regimes. Changes in containerisation, collection regimes and / or methodologies will all have an additional cost impact for Ashford Borough Council alone should we choose to change our methodology now.
18. We are almost halfway through the term of our waste collection contract. We have the greatest recycling results in the County and have increased our recycling again from 53.1% – 55%. The service is well managed and engagement with residents is pro-active and positive. Ashford is above current government targets for household waste recycling, residual waste is almost exclusively going to energy recovery with some of the lowest diversion rates to landfill in the UK (see Appendix 1). At this point in time, with the uncertainties highlighted above (12-16) it is proposed that we do not change our collection methodology (subject to regulatory or legislative alterations that drive change).

## Consultation Planned

19. It is recommended that in financial year 2018 – 2019, we consult with our residents on the service currently provided. We explore how they use the service, what barriers they have to using our services, what they think could be improved, what they would prefer to see from the future service Etc. We will use the results of this survey to inform low / no cost changes that could

improve recycling and ensure, where possible, we consider the wishes and suggestions of our residents in negotiations on future contract provision.

## **Other Options Considered**

20. Change collection methodology or container capacity now to drive potential further improvements in recycling rates. However, there would be a considerable cost implication for re-containerisation, possible vehicle changes and route optimisation not envisaged in the original contract (therefore to be found by Ashford Borough Council).
21. Do not increase bulky waste charges in line with our Mid Kent partners. However, if each booking involved white goods, the service will run at a cost to the council and not just the resident using the service.
22. Do not increase garden waste charges whilst incentivising digital customers. However, garden waste charges for the collection service from the contractor to Ashford Borough Council will increase (due to the price banding structure in the contract and contract uplift each year). The support of Cabinet for the altered pricing structure will support the growth of the garden waste service and incentivise customers to engage with that service through digital interaction.

## **Reasons for Supporting Option Recommended**

23. We have the best recycling rate in the County at 55% (due to be ratified and formally announced by DEFRA shortly), well above government targets. Therefore we do not have to strive for a target that we currently cannot reasonably achieve, inside the terms and conditions of this contract.
24. If we were to make alterations to collection methodology at this stage of the contract through choice there would be considerable financial implications for the Authority, over and above those reasonably expected in the provision of the current contract. This could have a detrimental effect on our medium term financial plan.
25. We will continue to carefully manage the contract, continue to engage with residents through our Communications plan and with the support of Cabinet, proactively engage with residents about the wants and needs for this service in the future, all within budgets currently envisaged to 2019.

26. With Cabinets agreement we will increase charges for bulky waste (to cover costs) and work pro-actively with our litter enforcement contractor and the intelligence officer provided through the KRP to improve our response to, investigations of and where necessary prosecutions of flytipping.
27. Increases in garden waste charges will ensure that costs are covered for service provisions and recovered more quickly from the first point of new customer “sign up”, whilst supporting digital delivery across the council.

## **Conclusion**

28. Cabinet is asked to support the recommendations as they appear on this paper

## **Portfolio Holder's Views**

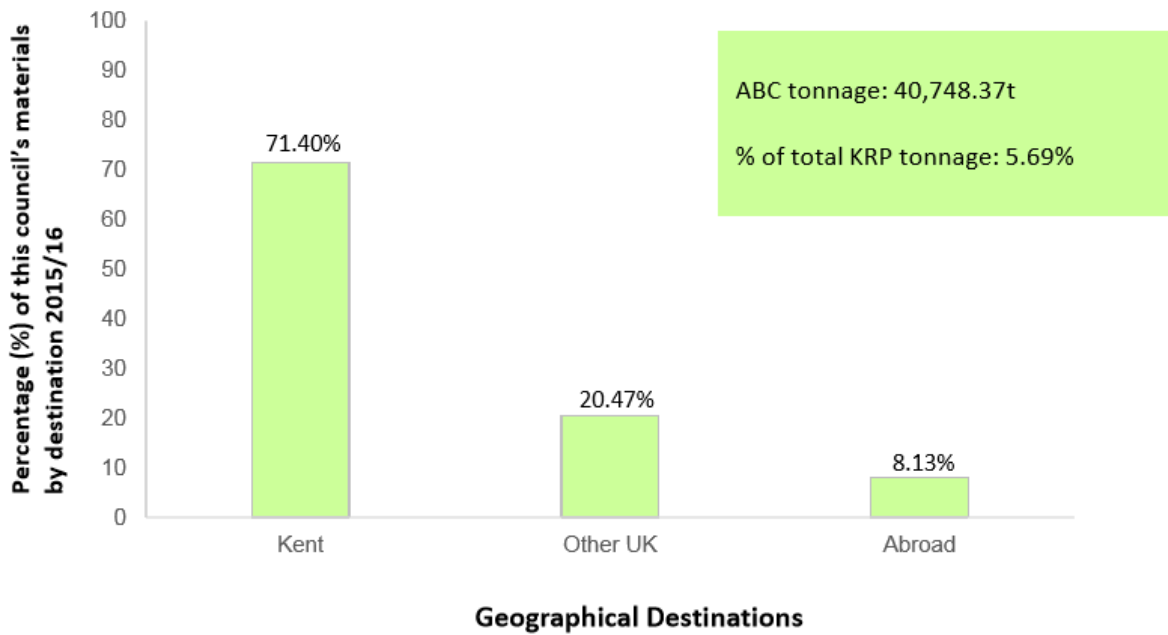
29. We can be justly proud of recycling achievements to date whilst continuing to strive for improvements where possible, through engagement with our residents. Suggested changes to the charging regime for the non-statutory services highlighted above will ensure that we continue to provide a value for money service for those residents who require them.

## **Contact and Email**

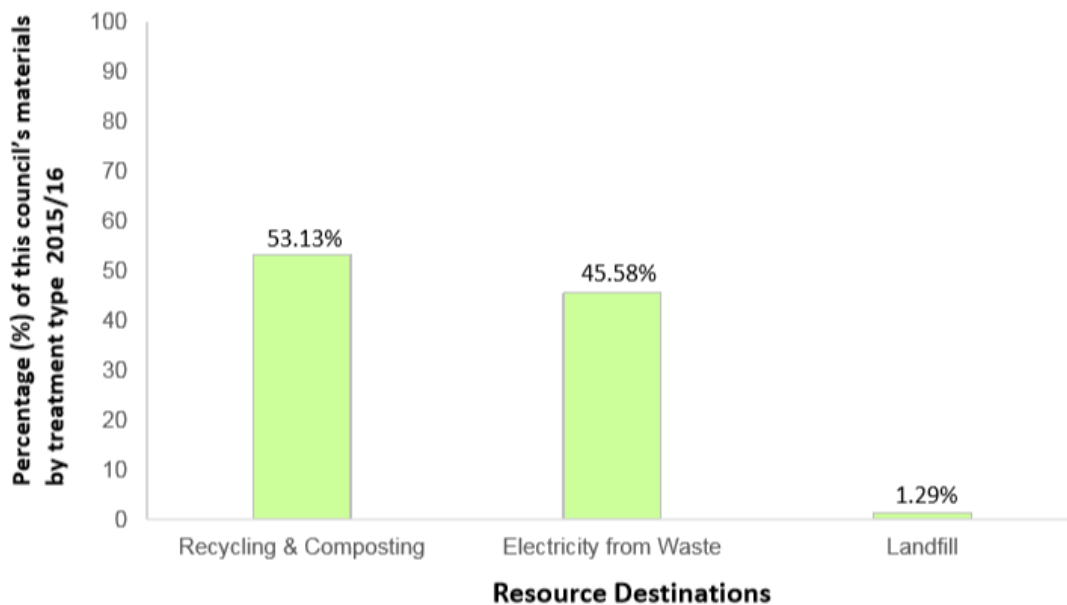
30. Mrs Tracey Butler, Head of Environment and Land Management, [tracey.butler@ashford.gov.uk](mailto:tracey.butler@ashford.gov.uk)

Appendix 1

Source; Kent Resource Partnership, End Destination report 2015 / 16 (last year of published destination data).

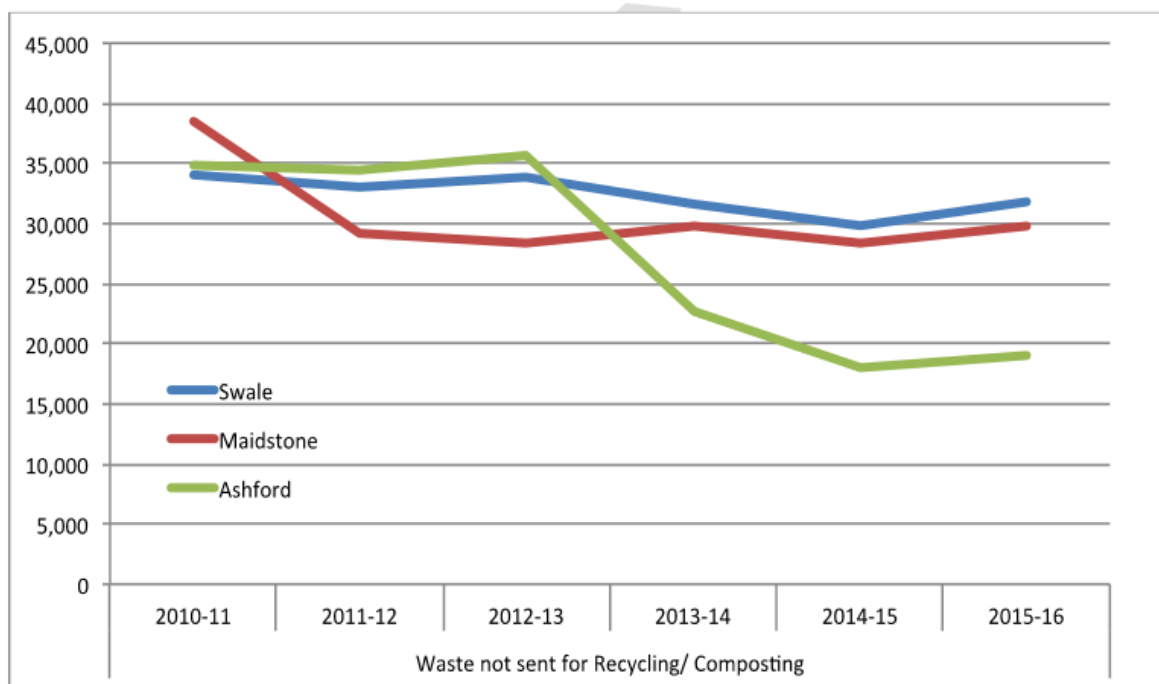


Graph showing where Ashford's waste is sent for processing. Low foreign market destination will reduce impact from China withdrawing end destination markets and possible impact from Brexit. UK reprocessing also ensures that the value of the recycle remains in our economy.



Graph showing Ashford has highest recycling rate in Kent (data from 2015 / 16 report), most of residual waste going for energy recovery in the Energy from Waste plant at Allington and only 1.29% of Ashford's household waste is going to landfill.

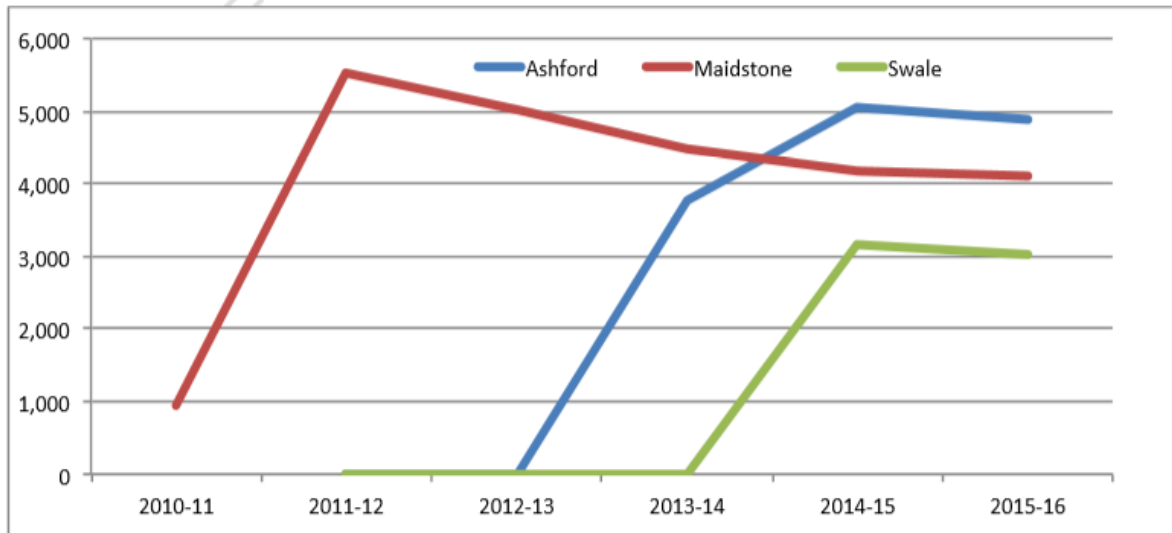
Source; Review of East and Mid Kent Joint Waste Partnerships, Author; Waste Consulting.



Graph showing the considerable reduction in waste not sent for recycling or composting, as compared to our other Mid Kent partners (Maidstone and Swale).



Graph showing increases in recycling performance across the Mid Kent partnership. For Ashford the new service began part way through 2013.



“In terms of Food Waste collections, each authority in the joint contract began collecting this waste stream at different times, with Maidstone already providing a Food Waste collection service prior to the commencement of the contract. Despite only beginning collections in 2013/14 Ashford has consistently outperformed the other Partners in terms of the average weight of kgs they collect from each household per week”



**Agenda Item No:** 10

**Report To:** Cabinet

**Date of Meeting:** 9<sup>th</sup> November 2017

**Report Title:** Playing Pitch and Indoor Sports Facilities Strategies (2017 – 2030)

**Report Author & Job Title:** Len Mayatt, Cultural Projects Manager

**Portfolio Holder** Cllr. Mike Bennett  
**Portfolio Holder for:** Culture, Leisure, Environment and Heritage

**Summary:** Both of these strategies have been produced by Max Associates, to assess current and future demand for indoor and outdoor sports facilities. They both support the emerging Local Plan and will address the Borough's qualitative and quantitative needs. This Report seeks endorsement of the draft strategies and authority to adopt them following public consultation. Copies of both strategies can be found in the Members Room and on the Ashford Borough Council website.

**Key Decision:** Yes

**Significantly Affected Wards:** Borough wide

**Recommendations:** **The Cabinet is recommended to:-**

- I. Note the responses made against the draft Playing Pitch and Indoor Sports Facilities Strategies following consultation;**
- II. Approve the Playing Pitch and Indoor Sports Facilities Strategies and authorise their adoption;**
- III. Delegate authority to the Director of Place and Space, in consultation with the necessary Portfolio Holders, to put in place all actions necessary to implement both names strategies.**

**Policy Overview:** Both documents fulfil requirements of Sport England and the emerging Local Plan 2030.

**Financial Implications:** Various partners will contribute to the delivery of both strategies. It is proposed the Council will work with partners to secure external funding for key projects throughout the life of the strategies and may bid for funding for individual projects at the appropriate time.



|                                     |  |
|-------------------------------------|--|
| <b>Legal Implications</b>           | None identified at this time   |
| <b>Equalities Impact Assessment</b> | See Attached   |
| <b>Other Material Implications:</b> | Continued support from key officers for the sport and leisure sector |
| <b>Exempt from Publication:</b>     | <b>NO</b>  |
| <b>Background Papers:</b>           | Both reports are available in the                                    |
| <b>Contact:</b>                     | Ben.Moyle@ashford.gov.uk – Tel: (01233) 330475                       |

## Report Title: **Playing Pitch and Indoor Built Sports Facilities Strategies.**

### Introduction and Background

1. Cabinet received copies of both of these strategies in their draft form on 11<sup>th</sup> May 2017 and authorised their placement on the Council's consultation portal. Cabinet also delegated authority to the Head of Culture in consultation with the relevant Portfolio Holder to incorporate any changes and complete the final versions of both strategies.
2. More detail on the consultation responses received and incorporated into the strategies is provided in paragraphs 21 to 23 of this Report.
3. Both of the strategies in their completed format follow the guidance produced by Sport England and are supported by National Governing Bodies for Sport. Their support and involvement ensures the documents are robust and follow approved guidelines to ensure accuracy and consistency. They have both been produced by external consultants, Max Associates.
4. The two strategies attached at **Appendix I** and **Appendix II** analyse the facilities under consideration in terms of quantity, quality and accessibility. They review facilities provided by the Council and other providers where there is current or potential community use.
5. The strategies identify an approach to be taken by the Council and its partners to ensure there are agreed priorities to meet current and projected demand. They both focus on the provision of sporting infrastructure, not the day to day programming or delivery of events. However, they reflect on any relevant opportunities to maximise usage within facilities where appropriate.
6. The documents recognise the balance needed between setting priorities for actions and the pressure on budgets in the public sector. Therefore, they identify the need for a partnership approach with Sport England, National Governing Bodies of Sport, schools, local clubs, town and parish councils and private facility operators; to enable delivery of the action plans which accompany each strategy, as resources allow.
7. The findings are based on individual technical, qualitative and quantitative assessments which were used to summarise the baseline data. This included site visits, consultation with site owners, users and key stakeholders.
8. Both strategies will be used to inform relevant sections of the emerging Local Plan to ensure future demand for indoor and outdoor sports facilities is planned and addressed. Sport England is a statutory consultee on planning applications and requires local authorities to have up-to-date assessments and strategies with a recommendation that the evidence base is reviewed every three years.

## **Proposal/Current Position**

9. The Borough of Ashford is experiencing a significant period of growth, with substantial new residential development proposed during the life of these strategies and emerging Local Plan. Therefore, it is important the Council works with its partners to ensure there is a range of quality sporting facilities available for the Borough's residents to enjoy and benefit from.
10. This importance is reflected in the Borough Council's Corporate Priority 3, Active & Creative Ashford: Healthy choices through physical, cultural and leisure engagement.
11. Both strategy documents contain Action Plans aimed at ensuring those aspirations are met, along with indicative timescales and key partners for delivery.
12. The overall proposals focus on ensuring that any current or projected shortfalls in facility provision are met during the life of both strategies which align with the emerging local plan i.e. until 2030.
13. For example the Indoor Sports Facilities Strategy suggests that gymnastics is a sport that will require closer support to ensure future provision meets demand at both Ashford and Tenterden. It also identifies an opportunity for the Council and key partners to aim to secure community use agreements to safeguard current and future sports club use of key Education Facilities.
14. The Playing Pitch Strategy contains a range of measures for a Playing Pitch Steering Group to deliver. It is proposed the Group should consist of key stakeholders, National Governing Body representatives and representation from the Council and will work with the identified individual sites to ensure the quantity, quality and accessibility of outdoor facilities is met.
15. Both documents propose the development of a "hub approach" for the Borough. This will enable the Council and its partners to maximise any capital or revenue funding that becomes available; as well as ensuring residents have access to suitable facilities within an acceptable travel time (currently twenty minutes drive time for indoor built sports facilities).

## **Implications and Risk Assessment**

16. The implications for the Council generally fall into two main areas, which are; financial and operational. This will mean that wherever possible the Council will seek to continue to support and improve on the provision of such facilities. The Council will need to work with partners to secure funding for new and existing projects from the most appropriate source and in line with the priorities identified in the Action Plans.

17. Operationally, the Council is a key partner, with a central role to play in facilitating elements of the work identified in the Action Plans. This will include supporting the Steering Group and acting as a central point of contact within the Borough on sports and leisure facility issues. This will require support from officers across a range of disciplines but mainly from the Culture and Planning teams.
18. Without each of these documents the Borough Council is at risk of challenge from Sport England (and others) on planning applications relating to indoor and outdoor sports facilities. Also, without these key strategic documents the Borough as a whole is at risk of missing opportunities for funding, development and not supporting the Council's aims of encouraging sport and leisure at a time of unprecedented growth for the Borough.

### **Equalities Impact Assessment**

19. Members are referred to the attached Assessment. The key issues arising are that the strategies under consideration will not have a negative impact on people with protected characteristics.
20. Provision will need to be made to continue providing facilities for people with different abilities and characteristics.

### **Consultation Planned or Undertaken**

21. Consultation on the development of both strategies has included Sport England, National Governing Bodies of Sport, Sports Clubs, Facility Providers, Users and Town & Parish Councils.
22. The draft strategies were placed on the consultation portal for the general public to comment upon. Sports clubs, schools and organisations were also directly approached for comment. The process ended on 30th June 2017.
23. Amendments of fact and opinion, where relevant and informative, from sports clubs, schools and organisations, relating to the draft strategies have been incorporated in to the final strategies. A summary of representations is enclosed at Appendix III.

### **Options and Reason for Recommendation**

24. As identified above under Risks, it is important the Council produces these documents in consultation with key stakeholders. In doing so, they need to follow the prescribed Sport England guidance and criteria.
25. The work by Max Associates has followed the Sport England guidance and has been approved by each of the appropriate National Governing Bodies as statutory consultees as part of their development.
26. Therefore, it is recommended both draft strategies are adopted.

## **Next Steps in Process**

27. Adopt the final versions of the strategies and develop a timetable for facilitating the delivery of the Action Plans for both documents and review progress in three years.

## **Conclusion**

28. Both of these strategies form an integral part of the Council's commitment to supporting sport and leisure opportunities for the Borough. They provide substantive evidence for the development of associated policies in the emerging Local Plan and provide a clear way forward to ensure the quantity and quality of provision meets current and future demand.

## **Portfolio Holder's Views**

29. I fully support the evidence based approach offered by these strategies and recommend their adoption.

Cllr Michael Bennett

## **Contact and Email**

30. Len Mayatt. Cultural Projects Manager. [Len.mayatt@ashford.gov.uk](mailto:Len.mayatt@ashford.gov.uk)
31. Ben Moyle Facility Development Manager. [Ben.moyle@ashford.gov.uk](mailto:Ben.moyle@ashford.gov.uk)

# Equality Impact Assessment

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1. An Equality Impact Assessment (EIA) is a document that summarises how the council has had due regard to the public sector equality duty (Equality Act 2010) in its decision-making. Although there is no legal duty to produce an EIA, the Council must have **due regard** to the equality duty and an EIA is recognised as the best method of fulfilling that duty. It can assist the Council in making a judgment as to whether a policy or other decision will have unintended negative consequences for certain people and help maximise the positive impacts of policy change. An EIA can lead to one of four consequences:

- (a) No major change – the policy or other decision is robust with no potential for discrimination or adverse impact. Opportunities to promote equality have been taken;
- (b) Adjust the policy or decision to remove barriers or better promote equality as identified in the EIA;
- (c) Continue the policy – if the EIA identifies potential for adverse impact, set out compelling justification for continuing;
- (d) Stop and remove the policy where actual or potential unlawful discrimination is identified.

## Public sector equality duty

2. The Equality Act 2010 places a duty on the council, when exercising public functions, to have due regard to the need to:
- (a) Eliminate discrimination, harassment and victimisation;
  - (b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - (c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it (ie tackling prejudice and promoting understanding between people from different groups).

3. These are known as the three aims of the general equality duty.

## Protected characteristics

4. The Equality Act 2010 sets out nine protected characteristics for the purpose of the equality duty:

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

\*For marriage and civil partnership, only the first aim of the duty applies in relation to employment.

## Due regard

5. Having 'due regard' is about using good equality information and analysis at the right time as part of decision-making procedures.
6. To 'have due regard' means that in making decisions and in its other day-to-day activities the council must consciously consider the need to do the things set out in the general equality duty: eliminate discrimination, advance equality of opportunity and foster good relations. This can involve:
- removing or minimising disadvantages suffered by people due to their protected characteristics.
  - taking steps to meet the needs of people with certain protected characteristics when these are different from the needs of other people.
  - Encouraging people with certain protected characteristics to participate in public life or in other activities where it is disproportionately low.
7. How much regard is 'due' will depend on the circumstances. The greater the

potential impact, the higher the regard required by the duty. Examples of functions and decisions likely to engage the duty include: policy decisions, budget decisions, public appointments, service provision, statutory discretion, decisions on individuals, employing staff and procurement of goods and services.

8. In terms of timing:

- Having 'due regard' should be considered at the inception of any decision or proposed policy or service development or change.
- Due regard should be considered throughout development of a decision. Notes shall be taken and kept on file as to how due regard has been had to the equality duty in research, meetings, project teams, consultations etc.
- The completion of the EIA is a way of effectively summarising this and it should inform final decision-making.

**Case law principles**

9. A number of principles have been established by the courts in relation to the equality duty and due regard:

- Decision-makers in public authorities must be aware of their duty to have 'due regard' to the equality duty and so EIA's must be attached to any relevant committee reports.
- Due regard is fulfilled before and at the time a particular policy is under consideration as well as at the time a decision is taken. Due regard involves a conscious approach and state of mind.
- A public authority cannot satisfy the duty by justifying a decision after it has been taken.
- The duty must be exercised in substance, with rigour and with an open mind in such a way that it influences the final decision.
- The duty is a non-delegable one. The duty will always remain the responsibility of the public authority.
- The duty is a continuing one so that it needs to be considered not only when a

policy, for example, is being developed and agreed but also when it is implemented.

- It is good practice for those exercising public functions to keep an accurate record showing that they have actually considered the general duty and pondered relevant questions. Proper record keeping encourages transparency and will discipline those carrying out the relevant function to undertake the duty conscientiously.
- A public authority will need to consider whether it has sufficient information to assess the effects of the policy, or the way a function is being carried out, on the aims set out in the general equality duty.
- A public authority cannot avoid complying with the duty by claiming that it does not have enough resources to do so.

The Equality and Human Rights Commission has produced helpful guidance on "Meeting the Equality Duty in Policy and Decision-Making" (October 2014). It is available on the following link and report authors should read and follow this when developing or reporting on proposals for policy or service development or change and other decisions likely to engage the equality duty. [Equality Duty in decision-making](#)



|  |   |
|--|---|
| <b>Lead officer:</b>   | Ben Moyle   |
| <b>Decision maker:</b>   | Cabinet   |
| <b>Decision:</b> <ul style="list-style-type: none"> <li>• Policy, project, service, contract</li> <li>• Review, change, new, stop</li> </ul>   | Adopt the Playing Pitch Strategy for Ashford Borough  |
| <b>Date of decision:</b><br>The date when the final decision is made. The EIA must be complete before this point and inform the final decision.  | 11 <sup>th</sup> May 2017   |
| <b>Summary of the proposed decision:</b> <ul style="list-style-type: none"> <li>• Aims and objectives</li> <li>• Key actions</li> <li>• Expected outcomes</li> <li>• Who will be affected and how?</li> <li>• How many people will be affected?</li> </ul>   | <p>To ask for Member's approval to adopt the Playing Pitch Strategy for Ashford Borough which has been compiled by external consultants Max Associates over the past 18 months to assess current and future need across the sports and recreation infrastructure and inform the Local Plan.</p> <p>The adoption of the strategy will affect the population borough-wide</p>                       |
| <b>Information and research:</b> <ul style="list-style-type: none"> <li>• Outline the information and research that has informed the decision.</li> <li>• Include sources and key findings.</li> </ul>   | <p>The Strategy has been formed from research in to the current shortfalls in demand for sport and recreational facilities and opportunities and the potential future shortfall through housing growth.</p> <p>Sources have included, clubs, organisations, schools and parish councils</p> <p>Key findings include potential shortfalls in pitches, sports halls and swimming lanes to 2030.</p> |
| <b>Consultation:</b> <ul style="list-style-type: none"> <li>• What specific consultation has occurred on this decision?</li> <li>• What were the results of the consultation?</li> <li>• Did the consultation analysis reveal any difference in views across the protected characteristics?</li> <li>• What conclusions can be drawn from the analysis on how the decision will affect people with different protected characteristics?</li> </ul> | <p>Max Associates have consulted widely as above.</p> <p>The consultation has resulted in key findings above</p> <p>The decision will have no impact on people with different protected characteristics.</p> <p>The decision to adopt the Strategy positively affect people with different protected characteristics not</p>  |

**Assess the relevance of the decision to people with different protected characteristics and assess the impact of the decision on people with different protected characteristics.**

When assessing relevance and impact, make it clear who the assessment applies to within the protected characteristic category. For example, a decision may have high relevance for young people but low relevance for older people; it may have a positive impact on women but a neutral impact on men.

| <b>Protected characteristic</b>       | <b>Relevance to Decision<br/>High/Medium/Low/None</b> | <b>Impact of Decision<br/>Positive (Major/Minor)<br/>Negative (Major/Minor)<br/>Neutral</b> |
|---------------------------------------|---|---|
| <u>AGE</u><br>Elderly                 | MEDIUM  | POSITIVE  |
| Middle age                            | MEDIUM  | POSITIVE  |
| Young adult                           | MEDIUM  | POSITIVE  |
| Children                              | MEDIUM  | POSITIVE  |
| <u>DISABILITY</u><br>Physical         | MEDIUM  | POSITIVE  |
| Mental                                | MEDIUM  | POSITIVE  |
| Sensory                               | LOW   | NEUTRAL   |
| <u>GENDER RE-<br/>ASSIGNMENT</u>      | NONE  | NEUTRAL   |
| <u>MARRIAGE/CIVIL<br/>PARTNERSHIP</u> | NONE  | NEUTRAL   |
| <u>PREGNANCY/MATERNITY</u>            | NONE  | NEUTRAL   |
| <u>RACE</u>                           | NONE  | NEUTRAL   |
| <u>RELIGION OR BELIEF</u>             | NONE  | NEUTRAL   |
| <u>SEX</u><br>Men                     | NONE  | NEUTRAL   |
| Women                                 | NONE  | NEUTRAL   |
| <u>SEXUAL ORIENTATION</u>             | NONE  | NEUTRAL   |

|   |     |
|---|-----|
| <b>Mitigating negative impact:</b><br>Where any negative impact has been identified, outline the measures taken to mitigate against it. | N/A |
|---|-----|

**Is the decision relevant to the aims of the equality duty?**

Guidance on the aims can be found in the EHRC’s [Essential Guide](#), alongside fuller [PSED Technical Guidance](#).

| Aim  | Yes / No / N/A |
|--|----------------|
| 1) Eliminate discrimination, harassment and victimisation  | YES            |
| 2) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it | YES            |
| 3) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it           | YES            |

|  |  |
|--|--|
| <p><b>Conclusion:</b></p> <ul style="list-style-type: none"> <li>Consider how due regard has been had to the equality duty, from start to finish.</li> <li>There should be no unlawful discrimination arising from the decision (see guidance above ).</li> <li>Advise on whether the proposal meets the aims of the equality duty or whether adjustments have been made or need to be made or whether any residual impacts are justified.</li> <li>How will monitoring of the policy, procedure or decision and its implementation be undertaken and reported?</li> </ul> | <p>Due regard has been made to the equality duty, from start to finish of the Playing Pitch Strategy process.</p> <p>There will be no unlawful discrimination arising from the decision</p> <p>The proposal meets the aims of the equality duty as all sections of the community including those with protected characteristics will benefit from the enhancements to the centre.</p> <p>Monitoring of the policy, procedure or decision and its implementation be undertaken and reported will be undertaken by the partners.</p> <p><i>The council’s revised policy register will assist services to meet this</i></p> |
| <p><b>EIA completion date:</b></p>   | <p>23-3-17</p>   |

## Appendix I – Playing Pitch and Indoor Sports Facility Strategies 2017

### Ashford Borough Council

## Public Consultation May – June 2017

- 1.1 The draft Playing Pitch and Indoor Sports Facility Strategies were out to consultation for six weeks ending June 30<sup>th</sup> 2017.
- 1.2 The documents were publically available for viewing on the Ashford Borough Council website, with a questionnaire format for all comments.
- 1.3 The consultation resulted in the following:
- 0 questionnaires via the consultation portal
  - 1 hard copy questionnaires received via email
  - 3 responses via the consultation portal
  - 4 emails
  - 0 telephone calls
- 1.4 The replies have been collated and commented on in the next section of this document.
- 1.5 Some of the respondents used the consultation process as an opportunity to discuss specific sports and recreation issues. These comments have been forwarded to relevant officers within the council. The comments have also shaped and informed the observations and recommendations within the strategy.

### Consultation responses

- 1.6 Questionnaire responses:

|          |  |
|----------|--|
| <b>1</b> | <b>In general do you consider the draft Sports Strategies follow the appropriate planning policy guidance?</b>   |
| Yes      | 1  |
| No       |  |
| <b>2</b> | <b>Do you consider the evidence base and audit that underpins the draft Sports Strategies findings, is broadly accurate?</b>   |
| Yes      |  |
| No       | 1  |
| Comment  | The Playing Pitch Strategy document does not identify that Mersham Sports Club is a multi-sport club and its existing ground and Facilities are in use all year round.<br>September to May it is used for football having 1 x Adult pitch and 3 Junior Pitches, running 2 x Adult teams and teams for ages 5 to 16 years.<br>April to September it is used for Cricket having 1 square with 11 wickets which provide wickets for 3 x Adult teams, 1 x Ladies / Girls |

## Appendix I – Playing Pitch and Indoor Sports Facility Strategies 2017

|                  |   |
|------------------|---|
|                  | <p>team, and 6 Junior teams for ages 11 to 17 years and Kwik Cricket for Under 9's. It is also regularly used as venue for School Cricket tournaments through Chance to Shine and Chance to Compete. On 8 separate occasions within the Playing Pitch Strategy document (see listed above) it mentions that Mersham Sports Cricket Club urgently requires an additional Cricket Square on our existing ground. Mersham Sports Cricket Club does not have sufficient room on existing ground to add an additional Cricket Square.</p>  |
| <i>ABC reply</i> | <i>The PPS has been amended to reflect these comments</i>   |
| <b>3</b>         | <b>Do you agree with the key findings identified in the draft Sports Strategies?</b>  |
| Yes              | 0   |
| No               | 1   |
| Comment          | <p>We do not agree with the key findings relating to Mersham Sports Club. With regard to the cricket section the club does not have sufficient land to establish a second square at the Flood Street ground and therefore the repeated statement that this is what we need is incorrect. In order to alleviate the overuse of the Flood Street ground we would like a second ground but accept that this must form part of our longer term strategy. With regard to the football section with the projected growth in participation it is estimated that the club will require full size pitches to accommodate 6 teams by the 2018/2019 season.</p> <p>For the last 4 years in conjunction with Ashford Leisure Trust, and more recently with Kent Community Cricket and 3 Hills Sports Centre we have run weekly Adult disability cricket sessions, these are currently all held in sports halls. Ideally during the summer month's we would love our players in these sessions to play outside at Mersham Sports Club, but due to our present lack of disability access and disability toilet and changing facilities this cannot be facilitated at Mersham</p> <p>Therefore the essential requirement of Mersham Sports Club is the replacement of the existing clubhouse with a bigger, modern, more user friendly (disabled access) facility that can accommodate both the existing sports and the identified additional sports and recreational activities. With the current decrease in adult participation for many cricket clubs (excluding Mersham whose numbers have again increased) we can see no purpose to the planned expenditure on cricket facilities at Chilmington Green. Instead these costs would be better spent supporting our club to allow us to continue to develop our support of the local community.</p> |
| <i>ABC reply</i> | <i>The PPS has been amended to reflect these comments</i>   |

## Appendix I – Playing Pitch and Indoor Sports Facility Strategies 2017

|                  |  |
|------------------|--|
| <b>4</b>         | <b>Do you agree with the action plan in the draft strategy?</b>  |
| Yes              | 1 in principal   |
| No               | 0  |
| Comment          | We support the principles of the draft action plan in that investment should be focused on clubs who demonstrate long term development, increase participation and have achieved the appropriate accreditations. However Mersham Sports Club has the opportunity to do more with different sections of our local community and it is the absence of a suitable building that is preventing us from achieving these goals.  |
| <i>ABC reply</i> | <i>Noted – meetings have been held with a representative of the Sports Club to offer business plan, funding and planning advice towards the new pavilion.</i>  |
| <b>5</b>         | <b>Are there any additional critical points which you wish to make?</b>  |
| Yes              | 1  |
| No               | 0  |
| Comment          | The Playing Pitch Strategy document details that Mersham Sports Club requires improvements to Changing Rooms and a need to refurbish Club House this is not correct.<br>The Club urgently requires new Changing rooms and new a Club house as the existing facilities do not meet the current demands of the club due to no disabled access or facilities, very limited height in the club house and only 1 Ladies Toilet and 1 Gents Toilet and 1 urinal. Our existing changing rooms are also not up to current standards regarding space, male / female facilities, and shower / toilet facilities.<br>Mersham Sports Club has produced a comprehensive development plan which includes plans to add new entrance to our Ground and also plans to provide new Clubhouse and changing facilities aimed at providing adequate modern facilities for our growing Club. |
| <i>ABC reply</i> | <i>The PPS has been amended to reflect these comments</i>  |

- 1.7 Two comments were provided on the response section of the questionnaire. The comments are summarised below:
- South Ashford FC: would like to be found 1 x 7v7 and 2 x 5v5 pitches on the John Wallis Academy campus when redeveloped due to pitch shortages on the site's 3G pitch. The respondent believes the new primary school on site would also benefit from these pitches.
  - Nathalie Tucker: Supports the re-location of kestrels Gymnastic Club to a dedicated home in Tenterden.
  - Stefanie Kitney: Supports the re-location of kestrels Gymnastic Club to a dedicated home in Tenterden.

## Appendix I – Playing Pitch and Indoor Sports Facility Strategies 2017

*All comments have been forwarded to relevant officers within the council.  
Meetings have been held with the owner of Kestrel Gymnastics Club.*

### 1.8 Emails were received as follows:

- Callie Durrand: Supports the re-location of kestrels Gymnastic Club to a dedicated home in Tenterden.  
*See above*
- Lee Robinson representing Kennington Core Group: Supports increased usage of Sandyacres as a site. Notes residents might object but believe access is better than at similar sites such as Spearpoint.  
*Noted*
- Sandyhurst Lane Residents Association: Strongly supports the development of pitch facilities across the borough especially for young people. Welcomes the PPS finding that Sandyacres could be developed to take on more of a hub status. With the caveat that development should be done in keeping with the local environment, its character and infrastructure. Notes that Sandyhurst Lane sits within a rural not urban ward and this should be considered. Supports all activity at the sports club so long as organisational issues are carefully managed. Notes specific examples of poorly managed events causing parking, and access issues. Concerns over increased traffic volume and noise.  
*Noted*
- Westwell Parish Council: Endorses the comments of the SLRA. Describes the Westwell village centre playing field facilities.  
*Noted*

|                                       |  |
|---------------------------------------|--|
| <b>Agenda Item No:</b>                | 11   |
| <b>Report To:</b>                     | Cabinet  |
| <b>Date of Meeting:</b>               | 9 <sup>th</sup> November 2017  |
| <b>Report Title:</b>                  | Adoption of the Open Space Strategy (2017 – 2030)  |
| <b>Report Author &amp; Job Title:</b> | Emma Powell, Open Space Planning Development Officer   |
| <b>Portfolio Holder</b>               | <b>Cllr. Mike Bennett</b>  |
| <b>Portfolio Holder for:</b>          | <b>Culture, Leisure, Environment and Heritage</b>  |
| <b>Summary:</b>                       | <p>The Open Spaces Strategy has been produced to detail how Ashford Borough Council, in partnership with a range of organisations, plans to protect, enhance and provide open spaces to 2030 and helps inform relevant sections of the emerging Local Plan.</p> <p>Following formal consultation of the draft Open Space Strategy, a number of comments have been received (refer Appendix 1) which has resulted in a few updates to certain parts of the strategy.</p> <p>This report seeks endorsement of the final strategy, a copy of which can be found in the Members Room and on the Ashford Borough Council website.</p> |
| <b>Key Decision:</b>                  | NO   |
| <b>Significantly Affected Wards:</b>  | Borough wide   |
| <b>Recommendations:</b>               | <p><b>The Cabinet is recommended to:-</b></p> <ol style="list-style-type: none"><li><b>I. Note the representations made against the draft Open Space Strategy following consultation;</b></li><li><b>II. Endorse the final Open Space Strategy for adoption by the Council;</b></li><li><b>III. Delegate authority to the Director of Place and Space, in consultation with the necessary Portfolio Holders, to agree final formatting and minor editing and to put in place all action plans necessary to implement the Open Space Strategy.</b></li></ol>  |
| <b>Policy Overview:</b>               | The strategy fulfils requirements for the emerging Local Plan and the National Planning Policy Framework (NPPF 2012).  |
| <b>Financial</b>                      | Continued support for open space provision is set out in the   |



**Implications:** recommendations and the Council will need to work with partners to secure external funding and agree support as projects come forward throughout the life of the strategy and its associated action plan.

**Legal Implications** None identified at this time.

**Equalities Impact Assessment** See Attached

**Other Material Implications:** Continued support from key officers for the open space sector

**Exempt from Publication:** **NO**

**Background Papers:** -

**Contact:** Emma.Powell@ashford.gov.uk – Tel: (01233) 330444

## **Report Title: Adoption of the Open Space Strategy**

### **Introduction and Background**

1. At the 15<sup>th</sup> June 2017 Cabinet meeting, the Portfolio Holder introduced the draft Open Space Strategy, produced by Allen Scott Landscape Architecture and officers of the Council, which would enable the Council, in partnership with key stakeholders, to ensure current and future demand for public open space was met in terms of quality, quantity, value and access.
2. The report sought endorsement of the draft strategy and authority to complete public consultation, to incorporate any appropriate changes and complete the final version of the strategy.
3. The draft Open Space Strategy was uploaded onto the Council's consultation portal in July 2017 and upon logging in a comment form could be completed. Comments could also be submitted via email or hard copy. Ward Councillors, Town & Parish Councils and partner environmental organisations were directly approached for comment.
4. In all cases, participants were asked whether they considered that the draft Open Space Strategy followed the appropriate planning policy guidance; that the evidence base and audit is broadly accurate; and that they agree with the actions in the Green Corridor Action Plan and findings of the Play Audit.
5. The draft Open Space Strategy was out to consultation for six weeks ending 20<sup>th</sup> September 2017.

### **Consultation Results**

6. During the draft strategy consultation period, a total of 27 responses were received. These representations are summarised in Appendix 1 under the questions asked.
7. The majority of the replies were positive towards the content of the report. Some of the respondents used the consultation process as an opportunity to discuss specific open space design or management issues. These comments have been forwarded to relevant officers within the council.
8. The Open Space Strategy has been amended and expanded to take account of the relevant representations. The final version is available on the Ashford Borough Council website and a copy is available in the Members Room. Officers in Culture also have printed versions available.

## **Open Space Strategy**

9. Open space is defined as public open space which provides generally unlimited free public access; genuinely useable open space for people; and accessibility over the great majority of the open space. This strategy does not include open space which is provided as private or paid for provision, e.g. playing fields within school grounds, golf courses and private estate gardens. It also does not include incidental areas, such as verges or streets or areas of land with the sole purpose of protection of wildlife without public access.
10. The strategy identifies strategic recommendations to be adopted by the Council and its partners to ensure there are agreed priorities to meet current and projected demand. These recommendations focus on:
  - a) relevant opportunities to maximise usage of existing open space;
  - b) strategic planning of proposed open space across the borough to reflect local need; and
  - c) the different approaches that can be adopted for open space management.
11. The overall proposals focus on ensuring that any current or projected shortfalls in open space provision are prioritised during the life of the emerging Local Plan. The strategy deliberately separates the urban and rural areas of the borough, to allow for the different contexts and pressures of development. The strategy also details key issues for the urban and rural areas which are considered and addressed within the strategic recommendations.

## **Implications and Risk Assessment**

12. Without this strategy the Borough Council is at risk of challenge on planning applications relating to open space provision. Also, without this key strategic document the Borough as a whole is at risk of missing opportunities for funding, development and not supporting the Council's aims of supporting quality public open space provision.
13. The Council will need to continue to work with partners to secure funding for new and existing projects from the most appropriate sources and in line with the recommendations identified.
14. The Council has a crucial leadership role to play in facilitating elements of the work which will be identified as a result of the Action Plan process. This will include supporting a newly formed Open Space Working Group and acting as a central point of contact within the Borough on open space issues. This will involve support from officers across a range of disciplines but mainly from the Culture, Planning and Environment teams.

## **Equalities Impact Assessment**

15. Members are referred to the attached Assessment. The key issues arising are that the strategy will not have a negative impact on people with protected characteristics. Provision will need to be made to continue providing facilities for people with different abilities and characteristics.

## Options and Reason for Recommendation

16. As identified above under Risks, it is important the Council produce this strategy in consultation with key stakeholders and the public. The work by Allen Scott Landscape Architecture has followed CABI Space guidance and the PPG17 companion guide. Therefore, it is recommended that the strategy is adopted.

## Next Steps

17. If the Cabinet is minded to adopt the strategy, the Director of Place and Space and relevant officers, in consultation with the appropriate Portfolio Holders, will produce an action plan to cover the first three years of the strategy to help focus project work and general implementation of the strategy.
18. The Action Plan will include elements as identified in the strategy's recommendations such as further consultation with parish councils around future provision and a review of the Public Green Spaces and Water Environment SPD.
19. The Action plan will not commit the Council to funding at this time beyond any current resource available or identified. Projects and funding strategies will be part of individual projects and these will be brought forward as appropriate and for Cabinet endorsement/sign off as required.

## Conclusion

20. The Open Space Strategy forms an integral part of the Council's commitment to providing and supporting public open space for the Borough. The strategy provides evidence for the development of associated policies in the emerging Local Plan and provides a clear way forward to ensure the quantity and quality of provision meets current and future demand.
21. The Open Space Strategy will inform relevant sections of the emerging Local Plan to ensure future demand for public open space is met. It provides a framework of standards for open space provision in terms of quantity, quality and accessibility, and a process for regular and future review.

## Portfolio Holder's Views

22. *I fully support the evidence-based approach offered by this strategy and recommend its adoption.*

Cllr Mike Bennett

## Contact and Email

Emma Powell, Open Space Planning Development Officer.  
[Emma.Powell@ashford.gov.uk](mailto:Emma.Powell@ashford.gov.uk)

# Equality Impact Assessment

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1. An Equality Impact Assessment (EIA) is a document that summarises how the council has had due regard to the public sector equality duty (Equality Act 2010) in its decision-making. Although there is no legal duty to produce an EIA, the Council must have **due regard** to the equality duty and an EIA is recognised as the best method of fulfilling that duty. It can assist the Council in making a judgment as to whether a policy or other decision will have unintended negative consequences for certain people and help maximise the positive impacts of policy change. An EIA can lead to one of four consequences:

- (a) No major change – the policy or other decision is robust with no potential for discrimination or adverse impact. Opportunities to promote equality have been taken;
- (b) Adjust the policy or decision to remove barriers or better promote equality as identified in the EIA;
- (c) Continue the policy – if the EIA identifies potential for adverse impact, set out compelling justification for continuing;
- (d) Stop and remove the policy where actual or potential unlawful discrimination is identified.

## Public sector equality duty

2. The Equality Act 2010 places a duty on the council, when exercising public functions, to have due regard to the need to:
- (a) Eliminate discrimination, harassment and victimisation;
  - (b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - (c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it (ie tackling prejudice and promoting understanding between people from different groups).

3. These are known as the three aims of the general equality duty.

## Protected characteristics

4. The Equality Act 2010 sets out nine protected characteristics for the purpose of the equality duty:

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

\*For marriage and civil partnership, only the first aim of the duty applies in relation to employment.

## Due regard

5. Having 'due regard' is about using good equality information and analysis at the right time as part of decision-making procedures.
6. To 'have due regard' means that in making decisions and in its other day-to-day activities the council must consciously consider the need to do the things set out in the general equality duty: eliminate discrimination, advance equality of opportunity and foster good relations. This can involve:
- removing or minimising disadvantages suffered by people due to their protected characteristics.
  - taking steps to meet the needs of people with certain protected characteristics when these are different from the needs of other people.
  - Encouraging people with certain protected characteristics to participate in public life or in other activities where it is disproportionately low.
7. How much regard is 'due' will depend on the circumstances. The greater the

potential impact, the higher the regard required by the duty. Examples of functions and decisions likely to engage the duty include: policy decisions, budget decisions, public appointments, service provision, statutory discretion, decisions on individuals, employing staff and procurement of goods and services.

8. In terms of timing:

- Having 'due regard' should be considered at the inception of any decision or proposed policy or service development or change.
- Due regard should be considered throughout development of a decision. Notes shall be taken and kept on file as to how due regard has been had to the equality duty in research, meetings, project teams, consultations etc.
- The completion of the EIA is a way of effectively summarising this and it should inform final decision-making.

**Case law principles**

9. A number of principles have been established by the courts in relation to the equality duty and due regard:

- Decision-makers in public authorities must be aware of their duty to have 'due regard' to the equality duty and so EIA's must be attached to any relevant committee reports.
- Due regard is fulfilled before and at the time a particular policy is under consideration as well as at the time a decision is taken. Due regard involves a conscious approach and state of mind.
- A public authority cannot satisfy the duty by justifying a decision after it has been taken.
- The duty must be exercised in substance, with rigour and with an open mind in such a way that it influences the final decision.
- The duty is a non-delegable one. The duty will always remain the responsibility of the public authority.
- The duty is a continuing one so that it needs to be considered not only when a

policy, for example, is being developed and agreed but also when it is implemented.

- It is good practice for those exercising public functions to keep an accurate record showing that they have actually considered the general duty and pondered relevant questions. Proper record keeping encourages transparency and will discipline those carrying out the relevant function to undertake the duty conscientiously.
- A public authority will need to consider whether it has sufficient information to assess the effects of the policy, or the way a function is being carried out, on the aims set out in the general equality duty.
- A public authority cannot avoid complying with the duty by claiming that it does not have enough resources to do so.

The Equality and Human Rights Commission has produced helpful guidance on "Meeting the Equality Duty in Policy and Decision-Making" (October 2014). It is available on the following link and report authors should read and follow this when developing or reporting on proposals for policy or service development or change and other decisions likely to engage the equality duty. [Equality Duty in decision-making](#)

|  |   |
|--|---|
| <b>Lead officer:</b>   | Emma Powell   |
| <b>Decision maker:</b>   | Cabinet   |
| <b>Decision:</b> <ul style="list-style-type: none"> <li>• Policy, project, service, contract</li> <li>• Review, change, new, stop</li> </ul>   | Adopt the Open Space Strategy for Ashford Borough Council   |
| <b>Date of decision:</b><br>The date when the final decision is made. The EIA must be complete before this point and inform the final decision.  | 9 <sup>th</sup> November 2017   |
| <b>Summary of the proposed decision:</b> <ul style="list-style-type: none"> <li>• Aims and objectives</li> <li>• Key actions</li> <li>• Expected outcomes</li> <li>• Who will be affected and how?</li> <li>• How many people will be affected?</li> </ul>   | <p>To ask for Member's approval to adopt the Open Space Strategy for Ashford Borough which has been compiled jointly by external consultants Allen Scott Landscape Architecture and Ashford Borough Council. The strategy considers current and future need for public open space and informs the Local Plan.</p> <p>The adoption of the strategy will affect the population borough-wide.</p>  |
| <b>Information and research:</b> <ul style="list-style-type: none"> <li>• Outline the information and research that has informed the decision.</li> <li>• Include sources and key findings.</li> </ul>   | <p>The Strategy has been formed from research in to the current availability of public open space and opportunities and the potential future shortfall through housing growth.</p> <p>Sources have included GIS data, management organisations, town and parish councils</p> <p>Key findings include ensuring provision of quality open space in terms of capital investment and management; strategic open space connections; strategic investment and planning in open space provision.</p> |
| <b>Consultation:</b> <ul style="list-style-type: none"> <li>• What specific consultation has occurred on this decision?</li> <li>• What were the results of the consultation?</li> <li>• Did the consultation analysis reveal any difference in views across the protected characteristics?</li> <li>• What conclusions can be drawn from the analysis on how the decision will affect people with different protected characteristics?</li> </ul> | <p>Consultation was undertaken with stakeholders during the research process of the strategy. The draft strategy was available for public consultation for six weeks, completed 20<sup>th</sup> September 2017.</p> <p>The consultation has resulted in key findings above.</p> <p>The decision will have no impact on people with different protected characteristics.</p> <p>The decision to adopt the Strategy positively affects people with different protected characteristics</p>      |

**Assess the relevance of the decision to people with different protected characteristics and assess the impact of the decision on people with different protected characteristics.**

When assessing relevance and impact, make it clear who the assessment applies to within the protected characteristic category. For example, a decision may have high relevance for young people but low relevance for older people; it may have a positive impact on women but a neutral impact on men.

| <b>Protected characteristic</b>   | <b>Relevance to Decision</b><br>High/Medium/Low/None | <b>Impact of Decision</b><br><b>Positive</b> (Major/Minor)<br><b>Negative</b> (Major/Minor)<br><b>Neutral</b> |
|-----------------------------------|--|---|
| <u>AGE</u><br>Elderly             | MEDIUM   | POSITIVE  |
| Middle age                        | MEDIUM   | POSITIVE  |
| Young adult                       | MEDIUM   | POSITIVE  |
| Children                          | MEDIUM   | POSITIVE  |
| <u>DISABILITY</u><br>Physical     | MEDIUM   | POSITIVE  |
| Mental                            | MEDIUM   | POSITIVE  |
| Sensory                           | LOW  | NEUTRAL   |
| <u>GENDER RE-ASSIGNMENT</u>       | NONE   | NEUTRAL   |
| <u>MARRIAGE/CIVIL PARTNERSHIP</u> | NONE   | NEUTRAL   |
| <u>PREGNANCY/MATERNITY</u>        | NONE   | NEUTRAL   |
| <u>RACE</u>                       | NONE   | NEUTRAL   |
| <u>RELIGION OR BELIEF</u>         | NONE   | NEUTRAL   |
| <u>SEX</u><br>Men                 | NONE   | NEUTRAL   |
| Women                             | NONE   | NEUTRAL   |
| <u>SEXUAL ORIENTATION</u>         | NONE   | NEUTRAL   |

|   |     |
|---|-----|
| <b>Mitigating negative impact:</b><br>Where any negative impact has been identified, outline the measures taken to mitigate against it. | N/A |
|---|-----|



**Is the decision relevant to the aims of the equality duty?**

Guidance on the aims can be found in the EHRC's [Essential Guide](#), alongside fuller [PSED Technical Guidance](#).

| Aim  | Yes / No / N/A |
|--|----------------|
| 1) Eliminate discrimination, harassment and victimisation  | YES            |
| 2) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it | YES            |
| 3) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it           | YES            |

|  |   |
|--|---|
| <p><b>Conclusion:</b></p> <ul style="list-style-type: none"> <li>Consider how due regard has been had to the equality duty, from start to finish.</li> <li>There should be no unlawful discrimination arising from the decision (see guidance above ).</li> <li>Advise on whether the proposal meets the aims of the equality duty or whether adjustments have been made or need to be made or whether any residual impacts are justified.</li> <li>How will monitoring of the policy, procedure or decision and its implementation be undertaken and reported?</li> </ul> | <p>Due regard has been made to the equality duty, from start to finish of the Open Space Strategy process.</p> <p>There will be no unlawful discrimination arising from the decision</p> <p>The proposal meets the aims of the equality duty as all sections of the community including those with protected characteristics will benefit from the enhancements to the centre.</p> <p>Monitoring of the policy, procedure or decision and its implementation will be undertaken and reported by the partners.</p> <p><i>The council's revised policy register will assist services to meet this</i></p> |
| <p><b>EIA completion date:</b></p>   | <p>04-010-17</p>  |

## Appendix 1 – Adoption of the Open Space Strategy (2017 – 2030)

### Ashford Borough Council

## Public Consultation Review: August – September 2017

- 1.1 The draft Open Space Strategy was out to consultation for six weeks ending September 20<sup>th</sup> 2017.
- 1.2 The document was publically available for viewing on the Ashford Borough Council website, with a questionnaire format for all comments.
- 1.3 The consultation resulted in the following:
- Six questionnaires via the consultation portal
  - Three hard copy questionnaires received via post
  - 17 emails
  - One telephone call
- 1.4 The majority of the replies were positive towards the content of the report. The replies have been collated and commented on in the next section of this document.
- 1.5 Some of the respondents used the consultation process as an opportunity to discuss specific open spaces. These comments have been forwarded to relevant officers within the council. The comments have also shaped and informed the observations and recommendations within the strategy.
- 1.1 Section 2 of the report has been updated to reflect the consultation process following the draft.

### Consultation responses

- 1.2 Questionnaire responses:

|                  |  |
|------------------|--|
| <b>1</b>         | <b>In general do you consider the draft Open Space Strategy follows the appropriate planning policy guidance?</b>  |
| Yes              | 9  |
| No               |  |
| Comment 01       | Yes, but you need to ensure the built edge of Ashford has a buffer between that edge and the villages. In other words extend the green necklace to create a green belt around urban Ashford. This will protect the quality of the rural villages and give the urban area quick access to managed spaces. |
| <i>ABC reply</i> | <i>The proposed spatial planning process will consider creating a buffer of open space where it is feasible, as part of the necessary green infrastructure. Paragraph 7.35 – 7.36 SRO7 provides some detail.</i>   |

## Appendix 1 – Adoption of the Open Space Strategy (2017 – 2030)

|                  |   |
|------------------|---|
| <b>2</b>         | <b>Do you consider the evidence base and audit that underpins the draft Open Space Strategy’s findings, is broadly accurate?</b>  |
| Yes              | 8   |
| No               | 1   |
| Comment 02       | Yes, but greater weight should be given to casual access to "buffer zones" such as Kingsnorth. These need to be protected from development but accessible to casual walkers etc.  |
| <i>ABC reply</i> | <i>The Green Corridor Plan (Appendix 3) details where this green space designation is to be extended, e.g. the Kingsnorth ‘buffer zone’ is to be included.</i>  |
| Comment 03       | I may have misunderstood (the maps are impossible to decipher) but it seems ABC has used a calculation based on a ratio of overall population in the town to space provided. This ignores the fact that many new blocks of flats are planned for the town centre but little or no extra green space is being added to cater for that population increase. The fact that green space is being created elsewhere is very welcome but it doesn't solve the problem of a lack of easily accessible green space for the proposed flats.  |
| <i>ABC reply</i> | <p><i>It is agreed that the town centre has a lack of green space, and it will be difficult for new developments to resolve this and provide meaningful areas of on-site public open space. Necessary green infrastructure will provide some on site green space (e.g. drainage schemes), and roof gardens can be provided to cater for new residents.</i></p> <p><i>The play review identifies a lack of provision, p46: ‘Although there is play provision circling the Town Centre within 600m, the centre lacks an equipped play area immediately available to shoppers using the High Street. An aim is to identify a space for play within the town centre.’</i></p> <p><i>An additional strategic recommendation has been included: SRU11 - Research possibilities for public open space within Ashford town centre.</i></p> <p><i>Financial contributions from town centre developments will also be required to improve existing off-site open spaces close to Ashford town centre e.g. Victoria Park.</i></p> <p><i>The quality of the mapping has been reviewed and updated, however there are limitations as the format is at size A4.</i></p> |
| Comment 04       | It is not up to date, as regards rural areas, as the key findings state.  |
| <i>ABC reply</i> | <i>Agreed. Regarding the rural areas, it is proposed to liaise with all Parish Councils so that the open space database can be as accurate as possible. This will be an on-going process as the quantity and quality of open space changes. The database is considered a ‘live’</i>   |

## Appendix 1 – Adoption of the Open Space Strategy (2017 – 2030)

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|                  | <i>document, with the detail in the strategy representing a snapshot in time.</i>  |
| <b>3</b>         | <b>Do you agree with the key findings identified at p51 in the draft Open Space Strategy?</b>  |
| Yes              | 8  |
| No               | 1  |
| Comment 05       | Within the urban area there is a lack of policy towards Bybrook Nature area, a valuable 4 acres area which needs to be opened up to public access.   |
| <i>ABC reply</i> | <i>This site is currently part of an investigation into fly-tipping, and cannot be opened to the public at the moment. It is part of the Green Corridor and therefore in terms of policy is covered by that designation. However it is agreed that the site requires improved long term management. The comment has been forwarded to the Nature Conservation Officer.</i>         |
| Comment 06       | Cannot answer this because p51 in the document does not contain any key findings.  |
| <i>ABC reply</i> | <i>This section of the report has been reviewed; the detail is still considered to provide key findings of the open space audit.</i>   |
| <b>4</b>         | <b>Do you agree with the strategic recommendations identified in Section 7 in the draft Open Space Strategy?</b>   |
| Yes              | 8  |
| No               | 1  |
| Comment 07       | Yes but you need to factor your requirements into KCC Open Space Strategy. This is because KCC has responsibilities for some Country Parks but none of these are in Ashford. This is wrong and KCC should be willing to support some of Ashford's open spaces. Further KCC are developing their Growth Infrastructure Funding plan for the future, this funding may be accessible. |
| <i>ABC reply</i> | <i>Noted – an initial introduction meeting has been undertaken with KCC regarding the work of Cultural Services; future meetings will include the discussion of public open space.</i>   |

## Appendix 1 – Adoption of the Open Space Strategy (2017 – 2030)

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| Comment 08 | <p>SRO4 - I feel there is a danger that the creation of 'new models of sustainable management and partnerships' may mean: too many groups involved leading to a lack of accountability; a lack of agreement, between partner groups, on actions to take, leading to stagnation and inaction; a lack of transparency and consultation of local people. I feel definitions of 'sustainable management' would be helpful here. It also concerns me that when ABC gives power to a third party to manage open spaces, this could lead to poor management of that space, to charges being introduced or to restrictions on who can use the space being introduced.</p> <p>SRO7 - the idea of hubs of local provision is fine, so long as all residents still have open spaces which are properly accessible to all, for example within walking distance of a small child. I would not support open space provision that left some residents having to walk long distances or to drive to access the spaces.</p> |
| ABC reply  | <p><i>SR04 – The concept of sustainable management is to ensure that open space management meets the community’s needs in the long term. Experience has demonstrated that where management is exclusively provided by the council it is not necessarily fit for purpose – Parish Councils, environmental organisations and community groups can be better placed to provide management, with the additional benefits of third party funding, opportunities for volunteers, relevant qualifications and experience, and a steer on the long term management, driven by local aspirations. Paragraph 7.23 in the report now details.</i></p> <p><i>It is recognised however that a system of monitoring the management of public open spaces is necessary; paragraph 7.29 has been amended.</i></p> <p><i>SR07 – Noted. Where this is hard to achieve it is the routes to open spaces that we will work towards improving.</i></p>   |
| <b>5</b>   | <b>Do you agree with the actions in the Green Corridor Plan?</b>   |
| Yes        | 8  |
| No         | 1  |
| Comment 09 | Yes, but build in the buffer zones to protect the villages from the urban edge.  |
| ABC reply  | <i>The spatial planning process will work towards achieving this.</i>  |
| Comment 10 | I do agree with the plan but wanted to comment that the proposal for North Meadow is exactly what Great Chart with Singleton Parish Council proposed but ABC refused to support its maintenance! I'm astonished and a not a little angry that the proposal is included here when ABC have refused to support it.   |

## Appendix 1 – Adoption of the Open Space Strategy (2017 – 2030)

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| <i>ABC reply</i> | <i>Comment noted. The draft Green Corridor Plan was written prior to the meeting regarding this proposed space. The proposal is not yet finalised, and the comment has been forwarded to the relevant open space officers who attended the meeting.</i>  |
| <b>6</b>         | <b>Do you agree with the findings from the Play Audit?</b>   |
| Yes              | 5  |
| No               | 1  |
| Comment 11       | Site safety is paramount and responsibility for regular audits must be clear and accessible to the public  |
| <i>ABC reply</i> | <i>Comment noted and forwarded to the relevant open space officer. Regular audits are undertaken by both the in-house grounds maintenance team Aspire, and by external auditors.</i>   |
| Comment 12       | The key findings are sound but fail to mention the very real problems at Singleton Oast Play Park. The sap from the lime trees renders the play surface dangerously slippery. The park needs to be totally redeveloped to manage this problem. My suggestion would be a more natural play park with mud kitchens and wooden play sculptures.   |
| <i>ABC reply</i> | <i>Comment noted and forwarded to the relevant open space officer.</i>   |
| <b>7</b>         | <b>Are there any additional critical points which you wish to make?</b>  |
| Yes              | 9  |
| No               |  |
| Comment 13       | Further to the work done by the Bybrook, Bockhanger and South Ashford Advisory Group it has come to my attention that the Green and Open Spaces in the Urban areas should be protected at all costs.<br>With the intensification of urbanisation in these areas the temptation is to use plots of green space to build on. I feel we should safe guard such areas. Especially ones near or adjacent to play areas. One example being the green field adjacent to the St Anne’s Play Area in St Annes Road, which is a small sized play area with a 50metre by 100 metre green field alongside. I feel areas like this should be made permanent fixtures of the green landscape and never built on. Otherwise we will get to a point where our children’s children have very few areas to play. |
| <i>ABC reply</i> | <i>The Green Corridor designation is to be extended into some urban areas within the Ashford town, which will help to safeguard areas of open space. The review of play areas across the borough is still underway, and will consider adjacent open spaces where relevant. The comment has been forwarded to the relevant open space officer.</i>  |
| Comment 14       | Bybrook Nature Reserve is a forgotten gem in the Borough - please support it.  |
| <i>ABC reply</i> | <i>Please refer to the reply to Comment 05</i>   |

## Appendix 1 – Adoption of the Open Space Strategy (2017 – 2030)

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| Comment<br>15 | Much has been made of Conningbrook Lake being a water sports facility in this strategy. I'm a Cub leader and have booked the lake for water activities several times. Every time we have had to cancel because the lake has been unusable due to algae in the water. I feel this problem should be recognised and accommodated in the strategy.   |
| ABC reply     | <i>The strategy is not the appropriate document to accommodate detail at a site specific level. The issue of algae in the water is a management element, and an aeration system will be installed during December 2017 to help combat this problem.</i>   |
| Comment<br>16 | <p>The Draft Open Space Strategy focuses heavily on Ashford itself and the needs of the rural parts of the borough are not covered in any detail. Although I broadly support the objectives of the review I believe much more work needs to be done to assess and address the needs of the rural areas.</p> <p>As a resident of Tenterden I am concerned that plans for the town seem to be mainly focussed on increasing our housing stock. Tent 1A and 1B are currently being built on what used to be green space, thus diminishing the amount of green space that is within easy reach (i.e. walking distance) of the town.</p> <p>Tenterden is essentially a rural town, and its reputation for being the "jewel in the Weald of Kent" attracts many tourists, with all the commercial benefits this brings. I feel strongly that care needs to be taken to ensure that the features that make Tenterden such an attractive and unique place to visit and live in are retained and enhanced. The green / open space that remains, with its wealth of flora and fauna, is an integral and vital part of the town's identity and should therefore be protected for the benefit of the town's visitors as well as the needs and well-being of its growing population.</p> |
| ABC reply     | <p><i>Regarding the rural areas, it is proposed to liaise with all Parish Councils and provide support on enhancing existing open spaces, and planning for new open space where it is needed. This process has already begun.</i></p> <p><i>Tenterden requires its own specific audit in terms of quantity, quality and accessibility, to determine the under/over supply of public open space.</i></p> <p><i>The strategy identifies SRR 2 – Create Tenterden Strategic Hub; the potential for this will need to be in partnership with the town council, who have the lead responsibility for public open space provision.</i></p>  |
| Comment<br>17 | <p>Comment on 6.8, 3rd bullet point:<br/>Protect, enhance and provide Sandyhurst Lane open space hub<br/>We strongly welcome the principle of a Sandyhurst Lane open space green hub, and believe that this would be greatly enhanced if it were possible to extend it to link to the rich biodiversity opportunity area to the north of Sandyhurst Lane.</p>   |

## Appendix 1 – Adoption of the Open Space Strategy (2017 – 2030)

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|                         | <p>Figure 10, the Spatial Diagram of the Urban Area (p. 65) appears to show the land area below Sandyhurst Lane (it is difficult to see clearly what this covers in the online version). We are thinking of the equivalent area to the north of Sandyhurst Lane, presumably in the Rural Area. Here the Biodiversity Opportunity Area runs through the ancient woodland of Podberry Wood into the wildlife site of Lodge Wood and down to Sandyhurst Lane. An arm of the Lodge Wood wildlife site extends towards the ancient woodland on the Lenacre Farm site also to the north of Sandyhurst Lane. These areas of woodland and biodiversity abut or lie close to the Sandyhurst open space green hub, and to the east are within the setting of the Kent Downs AONB. This area to the north of Sandyhurst Lane forms an important part of the rural fringe of Ashford urban area and could be envisaged as an element of the green open spaces surrounding urban Ashford.</p> <p>Although privately owned we feel this area is important in the light of:</p> <ul style="list-style-type: none"> <li>• 1.13 b) Landscape quality and views are preserved so the spaces can still provide the best possible visual amenity and</li> <li>• 7.15 Open space, whether or not there is public access to it, is important for its contribution to the quality of urban life by providing important green lungs, visual breaks and wildlife habitats in built-up areas. Open space enhances the character of residential areas, civic buildings, conservation areas, listed buildings and archaeological sites. It can also help to attract business and tourism and can contribute to the process of Urban and Rural regeneration.</li> </ul> <p>We would appreciate it if this extension of the Sandyhurst Lane hub could be considered.</p> |
| <p><i>ABC reply</i></p> | <p><i>As part of the spatial planning process, if new areas of public open space are required then consideration will be given to available opportunities.</i></p> <p><i>As part of the planning process, the wider landscape character and designations should shape any proposals for built development, and as such any developments within the vicinity of Sandyhurst Lane should take into account the local Biodiversity Opportunity Area, Ancient Woodland etc.</i></p> <p><i>However Ashford Borough Council are not able to simply designate private land as Public Open Space; neither the Local Plan process or the Open Space Strategy can accommodate such a designation unless part of a wider set of proposals for development, land transfer, adoption, etc.</i></p>   |
| <p>Comment 18</p>       | <p>The Parish Council welcome this document which covers all the public open space in the Borough, Rural and Urban. The parish Council understand that Open Space comprises all publically owned land in the Borough which has free open access to the public. Does not include privately owned land or areas which require an entrance fee.</p>   |



## Appendix 1 – Adoption of the Open Space Strategy (2017 – 2030)

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|                         | <p>Section 1. The Parish Council agrees with the 5 overarching themes as expressed in the executive summary.</p> <p>Table 1.9 The Council agrees with the categories as set out in this table. Questions whether forestry commission owned land is included. Not sure who owns Kingwood quoted in the table.</p> <p>Figure 2. This map defines urban and rural land, the Parish Council understand that the area to the north of the Parish including the village is Urban while the area to the south of the village, Stubbs Cross and Steeds lane, is regarded as rural.</p> <p>Section 2. The Parish Council agrees with the benefits of open spaces as set out in this section and endorse the Vision set out in this section. It welcomes the intention to work with Parish and Town councils in maintaining and improving the existing open spaces. The Parish Council welcomes the intention to improve walking and cycling routes in both rural and urban areas.</p> <p>Kingsnorth require space for allotments. There is a good demand for them in the Parish.</p> <p>The Council consider that communication between neighbouring Parishes is essential when considering the provision of recreational facilities.</p> <p>Section 4. Audits of open space. Table 2-4.</p> <p>These table state that the Borough has an over provision of open space. Kingsnorth with 45+ ha is picked out. This must not be used as an excuse to not provide any further open space. Much of the open and proposed open space in the Local Plan is very important for the connectivity for both humans and wildlife. Kingsnorth has a large quantity of housing proposed in the Local plan and all this must have associated Open Space.</p> |
| <p><i>ABC reply</i></p> | <p><i>Table 1.9 – Kings Wood is known to be owned by the Forestry Commission, and has been included in the quantity audit. Orlestone Wood has also been included.</i></p> <p><i>Allotments for Kingsnorth are planned for as part of the new public open space at Bridgefield.</i></p> <p><i>An over provision of public open space in terms of quantity can be misleading, and does not account for the quality and accessibility of the open spaces, which will be considered as part of the open space planning process for new development.</i></p>  |
| <p>Comment 19</p>       | <p>The audit of Open Space is incomplete for Pluckley, as follows:</p> <ul style="list-style-type: none"> <li>The parking area in The Street</li> <li>The village hall and garden</li> </ul> <p>The following Designated Local green Spaces:</p> <ul style="list-style-type: none"> <li>The triangle of land at the junction of Fir Toll and Station Road</li> <li>The area between the station car park and The Grove.</li> </ul> <p>Current developments allow for Field 1 at the Brickworks site to be retained as Open Space, and an allotment at the Thorne Yard site.</p>  |
| <p><i>ABC reply</i></p> | <p><i>Noted – mapping will be updated as necessary, however not all the sites will necessary qualify as public open space.</i></p>   |

## Appendix 1 – Adoption of the Open Space Strategy (2017 – 2030)

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| <p>Comment 20</p> | <p>Wye PC supports the five themes identified in the Executive Summary. In particular, to <i>‘Provide new open space to expand the network strategically’</i> The Consultation Portal ‘Open spaces enrich the quality of our lives and contribute towards a healthy lifestyle. They help define and add to the character and history of a place as well as provide vital green infrastructure for wildlife, biodiversity, water, tranquillity, recreation, play, food production and safe off-road pedestrian and cycling routes.’</p> <p>Wye PC agrees that ‘Ashford borough currently enjoys a wide range of open spaces across its urban and rural environment. The borough has the benefit of existing wildlife sites, protected landscapes and a network of accessible countryside.’ However the typology Natural / Semi-natural Greenspace is aggregated and misleading and does not provide clear guidance for planning purposes.</p> <p><b>Para.</b></p> <p>1.4 The borough has the benefit of existing wildlife sites, protected landscapes and a network of accessible countryside. Agreed, but the typology used does not make a clear distinction between rural open space on the expanding urban fringes of Ashford, and internationally designated nature reserves with public access. See 1.9.</p> <p>1.9 Natural / Semi-natural Greenspace There is no qualitative distinction across this broad typology. In particular, where public access is ancillary to the main purpose of designated sites, e.g. SAC, NNR, which is conservation and access may be restricted for wildlife conservation reasons, grazing management. See 1.10 This distinction is recognised in 1.12 3.</p> <p>1.10 Therefore, open spaces are categorised according to their primary use. Further work is needed to disaggregate the Natural / Semi-natural Greenspace category into meaningful typologies. This distorts the data in Table 2 which shows and overprovision of Natural / Semi-natural Greenspace 1,254.84 ha over provision</p> <p>Figure 10 – Spatial Diagram – Urban Area Wye PC supports the proposed eastward extension of Conningbrook Lakes County Park into the parish of Wye with Hinxhill. This area is understood to cover the existing flood plain.</p> <p>Figure 10 – Spatial Diagram – Urban Area Wye PC supports the proposed creation of new publicly accessible open space in the parish of Wye with Hinxhill, east of Willesborough and connected areas.</p> |

## Appendix 1 – Adoption of the Open Space Strategy (2017 – 2030)

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| <i>ABC reply</i> | <p><i>It is acknowledged that an over provision of public open space in terms of quantity can be misleading, and does not account for the quality and accessibility offer of the open spaces. Paragraph 4.16 specifies that caution should be given to the value of the quantity data. The quantity, quality and accessibility of specific existing open spaces will be considered during the planning process when new development is proposed. Therefore where public access is ancillary to the main purpose of the site, this will be accounted for as part of the planning process.</i></p> <p><i>Informal open space provision is aggregated as it follows the process within the current Public Green Space and Water Environment SPD, which allows for the widest consideration when planning new provision or improvements to existing open space.</i></p> |
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1.3 Further comments were provided by email. These were typically very detailed and therefore have not been included in full. The comments are summarised as:

- Comment 21: Format and mapping of the Green Corridor Plan – *Noted: the GCAP has been reviewed and updated, refer Appendix 3*
- Comment 22: Need to check if there is an immediate demand for new cemetery provision. Potentially provision is available for the next twenty years. – *Noted: this will be reviewed with the Head of Environment and Land Management*
- Comment 23: Is there a need to secure land for future cemetery provision at this point in time? - *Noted – for discussion with the Head of Environment and Land Management*
- Comment 24: Vacancy rates for allotments suggests there is not a need for new sites – *Noted – for discussion with the Head of Environment and Land Management*
- Comment 25: Public Open Space Adoption is being reviewed internally by the Policy team – *Noted – for further discussion with the Policy Team as this work will be a part of the review of the PGS & WE SPD (SRO 5, p71)*
- Comment 26: The establishment of an Open Space Forum should be in place of an existing task group – *Noted – for further discussion with the relevant forum members*
- Comment 27: Ultimate decisions regarding land management rests with the council, and not a committee - *Noted*
- Comment 28: With reference to models of management, tighter controls are necessary to ensure quality management; current caretaker schemes provide some evidence of potential pitfalls – *Noted: It is recognised that a system of monitoring the management of public open spaces is necessary; paragraph 7.29 has been amended to reflect this.*
- Comment 29: Could review current outdoor charges/license fees for events to take place and look for commercial sponsors to take on the costs or pay towards the costs of high profile areas they would like their name

## Appendix 1 – Adoption of the Open Space Strategy (2017 – 2030)

on / be associated with – *Noted: paragraph 7.20 has been amended to reflect this.*

- Comment 30: Request for an audited piece of open space, in public ownership, to be removed from the strategy as the owner wishes to develop the site– *Noted: currently under internal discussion; the open space remains in the audit.*

### 1.4 Comments on specific public open spaces:

- Comment 31: Singleton Oast play area: review adjoining open space
- Comment 32: Singleton East, West and Central Greenways: leave and maintain
- Comment 33: Singleton Lake (North Field): develop for recreation, with a MUGA
- Comment 34: Singleton Lake: Enforcement around the lake to deal with anti-social behaviour issues, deal with litter
- Comment 35: St Annes Play Area and Green Space: Invest in both spaces
- Comment 36: Cuckoo Park: Provide a hard surface to the kickabout area
- Comment 37: Noakes Meadow: Invest in the site with regards play, informal ball games, and manage litter
- Comment 38: St Stephens Walk Play Area: Repair / replace play equipment and litter pick
- Comment 39: Key Points:
  - 1) Litter collections in and around every play area need to occur weekly, every week. Not just when asked for ad-hoc or on a monthly basis.
  - 2) Visible inspections of every play area once a month to assess condition of play instruments for damage / wear and tear.
  - 3) ASB assessments on a rolling basis in co-ordination between Cultural Services and ABC's CSU, with spot checks on play areas at random times to assess for ASB.

*As the strategy does not directly consider individual open spaces in detail, all comments have been forwarded to relevant officers within the council*

### 1.5 Comments on specific private open space:

- Comment 40: Ten representations were submitted by email concerning an area of land in Tenterden known locally as 'Limes Land'. The council have been asked to provide an official designation of 'Open Green Space'.

*As part of the spatial planning process, if new areas of open space are required then consideration will be given to available opportunities. Ashford Borough Council are not able to simply designate private land as Public Open Space. The question of a Local Green Space designation in terms of the National Planning Policy Framework paras 76-77 has been forwarded to colleagues for consideration.*

## **Appendix 1 – Adoption of the Open Space Strategy (2017 – 2030)**

- 1.6 Comment 41: One telephone call was received, to clarify the names of open spaces at South Willesborough.

*Mapping has been updated to reflect this*

**Agenda Item No:** 12  
**Report To:** Cabinet  
**Date of Meeting:** 9 November 2017  
**Report Title:** Digital Transformation Strategy  
**Report Author & Job Title:** Michelle Pecci  
Head of HR and Customer Services  
Ben Robinson  
Customer Services Manager  
**Portfolio Holder** Cllr. Alan Pickering  
**Portfolio Holder for:** Human Resources & Customer Services



**Summary:** The attached strategy sets out how the council will go about developing greater online service delivery to provide customers with the widest choice of ways to access to services and to improve efficiency of service provision.

The report recommends that Cabinet approve and adopt the strategy and associated action plans, and delegate the member level monitoring of the strategy delivery to the IT & Digital Transformation Advisory Committee.

**Key Decision:** YES

**Significantly Affected Wards:**

**Recommendations:** **The Cabinet is recommended to:-**

- I. Approve and adopt the attached Digital Transformation Strategy**
- II. Delegate the member level monitoring of the delivery of the strategy and actions plans to the IT & Digital Transformation Advisory Committee**

**Policy Overview:**

**Financial Implications:** Procurement processes for a new Customer Service Platform is to be concluded but it is anticipated that an investment of up to £160k will be required over two years. There is will be funded from budget allocated to this project in the delivery

plan. It is intended that on-going revenue costs of circa £58k will be met from efficiency savings. A one of increase of £15k to the Corporate training budget is necessary too to be met from the delivery plan allocation.

**Legal Implications** It will be necessary to undertake a GDPR impact assessment on the new software platform as it is essential that any new system is able to comply with this important legislation.

**Equalities Impact Assessment** See Attached

**Other Material Implications:**

**Exempt from Publication:** NO

**Background Papers:** None

**Contact:** Michelle.pecci@ashford.gov.uk – Tel: 01233 330602  
[Ben.robinson@ashford.gov.uk](mailto:Ben.robinson@ashford.gov.uk) – Tel: 01233 330849

## **Report Title: Digital Transformation Strategy**

### **Introduction**

1. This report has come via the IT & Digital Transformation Advisory Committee who are charged with making recommendations to Cabinet in order to support digital transition and technical advances that promote more effective service delivery.
2. At the meeting on 19 September 2017 the IT & Digital Transformation Advisory Committee, gave support for the attached strategy and now recommend to Cabinet that the strategy be adopted.

### **Background**

3. The council has a good track record of 'channel shift' where we have changed our business processes to make it easier for customers to transact with us online. This was driven by the need to reduce costs and for the council to ensure efficient deployment of resources. Now many of our services are accessible online, some of them online by default (i.e. there is no other choice of access channel).
4. This has worked well and overall we have delivered the required efficiencies and introduced some innovative ways to deliver services, examples include Revenues and Benefits services that are largely online and we have a wide range of 'report-it functions on our website enabling customers to make online report of issues such as fly-tipping, missed bin collections or noise nuisance.
5. More recently, the focus on the move to online services has been smaller scale and ad hoc digitisation largely led by services taking opportunities as they arose. As a result, there has not been a joined up strategy in making sure that we remain fit for purpose, and keep up with customer demands across all service areas, nor do we have a consistent approach to online services. This has had the impact of placing a big demand on the in-house development team who are 'expected' to come up with a system in unrealistic timescales without considering the whole life cost of the development, nor the relative priority for the council.
6. The expectations of our customers are changing; increasingly customers expect to be able to go online to request a service, pay a bill, report a problem or see how far the council has got in dealing with their request at a time and place that suits them.
7. We currently offer a reasonable range of services through our website but behind the scenes there is considerable manual intervention, meaning that



officers have to re-enter details of service requests into business systems and customers receive limited feedback as to the progress of their request.

8. This is in direct contrast to the way that other government services are delivered. A good example being a Passport application process. The whole application is online, even allowing a digital photograph to be submitted. Throughout the process, passport applicants receive information to advise the progress of their application, for example:
- “we have received your application”
  - “we have received your old passport”
  - “your application and photo have been approved”
  - “your new passport has been dispatched”.

Previously applicants would have to telephone to determine progress, or wait for a letter to say there was a problem with the application or photograph. This approach is increasingly becoming the expected and accepted method of providing services, even online shopping enables you to track the progress of your order.

9. As well as meeting the expectations of our customers, the benefit of using technology to deliver services is that the back office functions become more efficient, requiring less manual intervention, helping to manage demand and reduce calls into the civic centre. This can mean that we can spend more time dealing with complex enquiries, and those customers who are unable/do not wish to access online services.

## **Proposal**

10. Attached to this report is a proposed Digital Transformation Strategy that aims to put our customers at the centre of service design and service delivery. There are four strands of the strategy:
1. Website
  2. Technology
  3. Digital inclusion
  4. Culture

## **Website**

11. The website is the key digital tool that customers will use to access ABC information and services. We have recently upgraded the back office system that manages our website with the aim of improving the data and information it produces so that we can analyse how and what our customers are accessing.
12. Once we have sufficient data from the new system we will be able to redesign the content in a more user-friendly way. For example currently if you search “moving house” you are presented with 14 items which include “cockerel noise”, three pages about under occupancy, and a number of items for ABC housing tenants. The aim will be to use the data from the new website to structure the website in such a way that the most relevant information is presented together

to make it easier for customers to find the information they need. The easier it is for customers to navigate the website the more likely they will return to use it for future transactions.

13. Tied into this redesign will be consideration of accessibility from both a plain English/literacy perspective as well as a disability perspective. A range of tools will be explored that help support customers with disabilities or literacy difficulties that might make it difficult for customers to access web services.

## **Technology**

14. The technology strand is focused on introducing new software that can support end-to-end service delivery, in much the same way as the Passport Office example above, improving customer service, ability to access services as well as reducing the need for manual intervention by the back office.
15. The proposal is that we procure a new Customer Service Platform that has a web functionality (similar to Report-It) but with the capability of integrating with business systems. For example: a fly-tip is reported online and automatically emails the contractor for attention, the contractor will then be able to update the status when it has been cleared, and a series of emails, or texts are sent letting the customer know that the contractor is aware of the fly-tip and has cleared it.
16. Currently we have a high number of internally developed applications. Whilst this is positive in that we can amend and further develop as we need to. The disadvantage is that this means there is a high level of maintenance and support to keep up with service demands and integrate into other systems. If we were to develop a platform in-house it would be an almost impossibly large project to resource by the IT service. Procuring an off the shelf product has many benefits in that it is largely built, the bugs, glitches and developments are dealt with by the software supplier meaning the IT team can focus on other work.
17. The other element of this strand is the use of technology in our day-to-day work. We will be introducing devices that make it easier for mobile and flexible working. This combined with the new Customer Service Platform will allow officers to complete business processes efficiently without the need for time-consuming processing and write-ups when back in the office. This will require a good understanding of our customers' needs and expectations as well as fundamental review of processes. These skills will need to be developed and learning and development in these areas will be rolled out across the council. It is important that staff understand how to map a process, or how to map a customer journey so that we do not digitise clunky processes and clunky customer service.
18. A further benefit of the customer services platform is that it can provide a 'one-view' of our customer which will be useful in enhancing the current My Ashford functionality but also for the detection of fraud. Currently it is difficult for the fraud team to fully investigate the extent of a suspected fraud as they do not have access to all business systems.

19. An important consideration of introducing a customer service platform is the impact of the General Data Protection Regulations (GDPR). It will be necessary to conduct a GDPR impact assessment as well as ensure that the information we collect is stored, processed, destroyed and shared correctly and that appropriate privacy notices are provided to customers whose data is stored on this system. The Governance & Data Protection Officer has already been engaged with this digital strand to ensure this fundamental issue is embedded in the project.
20. The benefits of a new system should be fully understood and welcomed, it is necessary to highlight the functionality in a wider sense. It will need to be appreciated that the any new platform will not deliver everything. We will need to understand and accept that 80% of needs met is acceptable especially if the 20% of unmet needs are very small areas of business that would be disproportionate to invest in specialist system. Traditionally our first point of call to deliver these unmet needs has been to our in-house development team, however at times the time spent developing, maintaining and updating bespoke systems for discrete service areas is disproportionate to the benefit received. In order to determine if the internal development time is appropriate it will be necessary to implement a robust framework in which internal development needs are approved.

## **Digital Inclusion**

21. As technology develops and customer requirements grow it is important that no one is left behind and unable to access services. The reasons for digital exclusion are complex, and rarely is there one reason for exclusion. The four main challenges are:
  1. Access- the ability to connect to the internet
  2. Skills- to be able to use the technology
  3. Motivation- knowing why using the internet is a good thing
  4. Trust- fearing lack of security and online crime
22. There are many organisations across the public and private sector who already provide services to help overcome digital exclusion. A significant element of this part of the strategy will aim to promote, advertise and signpost sources of information and resources to help individuals to overcome digital barriers.
23. However, a tangible way that Ashford Borough Council can contribute to digital inclusion is through enforcing the new Local Plan Policy of requiring housing developers to provide 'fibre to the front door'. This has benefits to both residents and businesses and will promote economic benefits too.

## **Culture**

24. Developing and delivering digital services with the customer at the heart of the process is only possible if staff understand the vision and have the skills and motivation to work and think differently.
25. We will commence this strand with a comprehensive digital skills audit to determine where our strengths and weaknesses are and a temporary increase of £15k to the corporate training budget for 2018/19 will be prudent to ensure we have the ability to respond quickly to significant skills gaps that may otherwise hamper progress.
26. The skills audit will help to inform the corporate training programme and will enable us to identify those staff who have specific digital skills to become a 'Digital Champion'. Digital Champions will be called upon to provide help and support on a less formal basis to colleagues as well as on occasions to help test systems before they go live and help shape new digital services within their service areas.
27. All service plans and appraisals will have a digital objective/target that will make a difference to a key business process. For example, the Legal team may seek to use greater functionality of their case management system, to help internal efficiencies whereas the HR team may introduce mobile functionality of the HR/Payroll system.
28. As well as a shift in approach from services we will need to have a smarter way of making decisions about internal development versus off the shelf investments. A change in emphasis for the IT team will require us to invest in skills development for the IT team to ensure they are capable of supporting a more web-based approach and will require a more robust framework in which to approve IT development work. A recent review of the IT service highlighted this issue and a further report on the governance of IT development will be considered by Management Team to ensure appropriate decisions are being made in light of corporate objectives.

## **Implications and Risk Assessment**

29. This project will impact upon each service area and will be a long-term project, real transformation is a continually evolving. The main risk of these long-term projects is that delivery is stalled, as the day job becomes a priority. It is proposed that a small core team of officers continue to lead the strands with additional support from the Customer Service Business Analyst who has business process mapping skills. Directors and the wider Management Team will monitor progress, risks and issues for this project to ensure that any risks to delivery are identified and unblocked.
30. In addition it is recommended that the IT & Digital Transformation Advisory Committee monitor the overall delivery of the strategy to ensure delivery stays on track.

31. A significant officer resource is likely to be required to implement the Customer Service Platform. Once a supplier has been selected, a detailed project plan will be produced outlining an implementation plan and the resources required.
32. A further risk of focusing on digital service delivery is that quality face-to-face service delivery will be overlooked. The culture element of this plan will look to introduce the concept of customer focused service redesign. We will use different customer profiles, based on ACORN data, when reviewing business processes. These profiles will include those who cannot access, or do not wish to access services online to ensure there is a good quality and simple solution for this group of people too.
33. It is acknowledged in the culture strand that well skilled staff are important if we are to realise the delivery of this strategy. This is the reason that a skills audit will be carried out as a matter of urgency to establish a baseline on which to build. The recent review by SOCITM will help to identify the skills that the council needs in order to help deliver its digital ambitions.

## **Equalities Impact Assessment**

34. Members are referred to the attached Assessment. The key issues arising are that we need to ensure that as business processes and the website are redesigned that we take into account the diverse nature of our customers. Accessibility tools are a key part of the website design and consultation with specific stakeholders will be undertaken as part of this project. In addition customer profiles that represent people with different characteristics will form the basis of service redesign to ensure we meet the needs of all those in our community.

## **Consultation Planned or Undertaken**

35. This strategy has been developed using a series of working groups and SPACE sessions with a wide range of staff across the council including Unison reps. The draft strategy has been shared with Unison for feedback and further consultation will be undertaken through the Joint Consultative Committee on 2 November 2017.
36. The IT & Digital Transformation Advisory Committee have considered this strategy and now recommend to Cabinet that this strategy be adopted.
37. The SOCITM consultants who have been reviewing the IT Service for the Director of Finance and Economy have confirmed that they feel the Digital Transformation Strategy has a good/viable project structure and is integrated with the business. This is important validation from professionals experienced in IT and Digital projects.

## **Other Options Considered**

38. Do nothing, continue with an ad hoc approach to technology and digital transformation with limited corporate ownership and direction. Services will continue to deliver the day job however capacity will not be released to improve resource on the value added elements of our service delivery, or for time to innovate.
39. We could continue to use mainly internally developed apps to help improve digital service delivery however the volume of apps we already have are already difficult to maintain and develop further and we do not have the necessary resource to keep up with demand. A central platform that could replace many of these apps and will have the software provider making development improvements within the licence fees and will free up capacity for other important IT work.

## **Reasons for Supporting Option Recommended**

40. Increasingly customer expectations are that they should be able to transact with us online, they can with their bank, supermarket and other government departments. There is risk of reputational damage if we are not able to keep up with customer expectations. In addition failing to act will continue to perpetuate a range of inconsistent, poorly planned and unfocused system developments.

## **Portfolio Holder & Chair of IT & Digital Transformation Advisory Committee Comments**

41. **Cllr Knowles- Chair of IT & Digital Transformation Advisory Committee:**

“The Customer Service and IT teams have worked well to bring together this digital transformation strategy and the digital transformation team should be applauded for all their hard work.

Digital transformation is one of the most important activities that this Council, and the Public sector in general, will undertake in the near future as it impacts on every strand of service delivery to the end citizen and each activity within each our service verticals.

Technology and working practices will change due to this strategy, and because of technology change, adoption of new software platforms and applications, the digital transformation team will need to adapt the strategy accordingly. IT & Digital Transformation Advisory Committee will need to review progress made accordingly.

There is a great opportunity through this strategy for Ashford Borough Council to look at collaboration with other public sector partners and find ways to work

together with partners to drive efficiencies and deliver better services to citizens.”

**42. Cllr Pickering- Portfolio Holder HR & Customer Services:**

“As a Council we recognise that digital services have been evolving rather quickly and we also recognise that our customers are now expecting far more services to be available on line and as seamless as possible.

This strategy gives the council the focus to be able to roll out our IT Digital Transformation proposals. This is under the direction of the IT & Digital Transformation Advisory Committee, and the Chairmanship of Cllr Callum Knowles, who brings considerable knowledge and experience. The Head of HR and Customer Services, whose involvement at this level is on the basis that she heads up the two departments most affected by the way we transform our services, website and its functionality, will coordinate delivery.

The new systems will not be in place overnight as it is such a major project, the current plans run onto 2020 with step changes every year until a further review of the progress and next steps is carried out.

There will be some initial costs; however, we believe that these will be recouped by the cost savings achieved and greater efficient working practices during the transition.

We are also very conscious that a fair number of customers may not have access to the internet or not have the skills. We shall continue to ensure they continue to receive a good quality service.”

## **Conclusion**

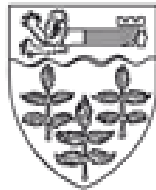
43. The expectations of customers are increasingly demanding access to services at a time and place that is convenient to them. Online service provision is becoming part of day-to-day life. This strategy helps to ensure that the council keeps up with customer expectations.
44. An important benefit of greater digitisation are the efficiencies created by freeing up officer time due to fewer transactional queries, and less manual processing so that time can be spent with customers with more complex queries, or with those who cannot, or do not wish to access services online.
45. This strategy aims to support the transformation by making sure that the tools, the culture and the view of the customer are consistent and that the steps to achieving change are clear.

## **Contact and Email**

46. Michelle Pecci: [michelle.pecci@ashford.gov.uk](mailto:michelle.pecci@ashford.gov.uk)
47. Ben Robinson: [ben.robinson@ashford.gov.uk](mailto:ben.robinson@ashford.gov.uk)



## **Digital transformation 2017-2020**



**ASHFORD**  
BOROUGH COUNCIL

**November 2017**

## Our vision for digital transformation 2017-2020

*“As a developing digital council we will use technology to provide our customers with the best possible service which adapts to their changing needs.”*

### Digital by choice, not default

Digital transformation will mean putting our customers at the centre of service design, and this will mean making sure that we also provide non-digital channels for those customers who are not digitally able.

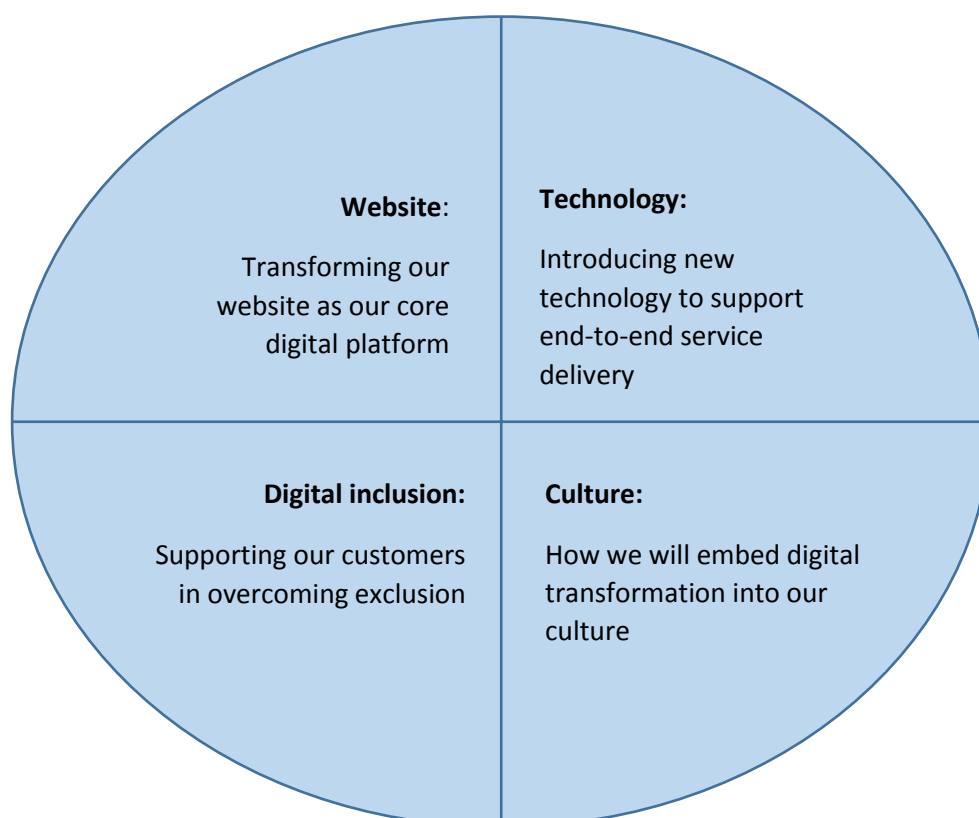
Physical and virtual technology are important enablers and tools to achieve digital transformation, however digital transformation is more about developing a culture internally and externally that puts digital service design at the heart of how we deliver.

By introducing improved and increased digital services, our customers will have greater choice about when and how they access our services. This is particularly important as our customers become more ‘digital savvy’ and have expectations that they should be able to transact with us on-line at a time and place that suits them.

This will ultimately need a fundamental shift in mind-set away from a more traditional service-centric model we currently use at Ashford Borough Council

The challenges to achieving this vision will include how we develop and update business applications to support modern on-line services and maintaining momentum to make this transformation a success.

This document sets out four strands that will guide us in addressing these challenges and focus our priority actions.



## Our Priority Areas

### 1.0 Website

The website is the core digital platform our customers use and must be at the centre of our digital focus. We have recently updated the back-office system that manages our website, this will help us to improve the reporting and data we get from the existing website so we can get a greater understanding of user experiences, journeys and interactions. We can then use this intelligence to change the structure of our website to make it more user friendly.

| Our website in numbers: |                                 |
|-------------------------|---------------------------------|
| 845,333                 | page views in 2016              |
| 58.7%                   | returning visitors              |
| 41.2%                   | of contacts is via our website  |
| 48.5%                   | website views via mobile/tablet |

#### 1.1 What will we do?

##### a) Accessible and user friendly

We will create a fresh looking, quicker and easier user journey online for customers making sure that the website is accessible to everyone. In turn helping officers to streamline processes and work in a smarter way.

This will be achieved through redesigning and modernising the Ashford.gov website, following the principles and standards set by the Government Digital Services. We recognise that the design and structure of our current website can be confusing, this is exacerbated by having duplicated pages, sometimes containing out of date information.

We will create a website that is both well designed and functional and will use analytical data to help us do this. The redesign will entail reviewing the language we use so that we use the same terminology that our customers use as well as structuring the site more logically.

##### b) Technology led

Central to our vision is that customers will be able to transact with us when they want and where they want, 48.5% of our customers used a mobile or tablet device to access our website, so it will be important that we are fully mobile and tablet enabled on all our pages and that our self-service and web-forms are quick and easy to use however they are accessed.

We will also look at software and tools that support digital inclusion, examples may include web-chat and video content.

Our staff will be provided with the tools to help them work as efficiently and flexibly as possible whether they are office based, or out and about.

**c) Customer accounts**

We will invest in the functionality of the 'My Ashford' secure personalised customer accounts that are accessed via ashford.gov. Customers will be able to view accounts held with the Council and be able to report issues and keep track of their progress. The account will also enable outward communication to customers.

**d) Better use of analytics and data**

Using data from the website, we will monitor customer journeys to continuously improve our services, both digital and face-to-face. Customers visit our website to find information and we will be able to see whether this has been successful, investigate if it has failed and take steps to prevent it happening again.

**Priority 1 : Website****Draft website transformation plan 2017- 2020**

|           | <b>What we will do</b>  | <b>Who</b>   | <b>Budget required</b>   | <b>When</b>                     |
|-----------|---|--|--|---------------------------------|
| Website   | <p>We will redesign our website (ashford.gov.uk):</p> <ul style="list-style-type: none"><li>• ensuring we follow the best practice guidance issued by GDS on digitally inclusive language</li><li>• ensure the content is written in plain English</li><li>• introduce options for web-chat, skype and other digital assistance tools</li><li>• building on the success of the Benefits video and, where possible produce video content to help people with low literacy skills</li><li>• regularly ensuring the website meets required accessibility standards using tools such as site improve etc</li><li>• refresh content regularly</li><li>• seek feedback from user testing at all stages of the process</li><li>• hold service workshops to disseminate and interpret feedback and analytics.</li><li>• ensure that our pages are mobile enabled.</li></ul> | Web team/<br>IT/<br>Communications<br>/<br>Customer Services | Y<br><br>Some additional resource may be required, to assist on this project further details to follow with a project plan | July 2017 -<br>December<br>2018 |
|           | <p>Customer accounts:</p> <ul style="list-style-type: none"><li>• Enhance the MyAshford functionality.</li><li>• Better use of email address data to communicate with our customers.</li></ul>  | Web team/<br>IT/<br>Communications<br>/<br>Customer Services |  | December<br>2019                |
| Analytics | <p>We will use analytics and feedback to improve and inform our service design, whether those services are digital or face-to-face.</p>   | Web team/<br>services  |  | Ongoing<br>from April<br>2018   |

## **2.0 Technology**

The success of any digital transformation project will focus on integrating new and existing technologies such as social media, mobile, Skype and cloud computing with digitally reimagined business and service processes.

Simply introducing individual devices and digital technologies to solve discrete service or business problems will not lead us to successfully transform our business offering, these are the tools that will enable change, and therefore should not dictate how the change is achieved.

The culture and technology strands of this digital strategy are closely linked, new technologies will require a new way of working, behaving and thinking by the organisation to be a success.

### **2.1 Digital Technologies**

The strength of digital technologies does not lie in each one individually, instead it stems from how we integrate them to transform how we work and do business with our customers.

### **2.2 What will we do?**

#### **a) Digital Customer Platform**

A new 'Digital Customer Platform' solution will be purchased to help us to integrate digital services and new ways of working with existing back office solutions. This will help drive more efficient and effective processes, addressing customer needs quickly and enabling staff to spend time on more complex enquiries and 'value adding' work instead.

#### **b) Social**

The use of the various existing and new social media platforms continues to grow amongst both customers, staff and members. This presents us with opportunities to integrate the data from it with business systems and engage with people on a virtual platform. This might be as simple as exploring options to 'sign-up' for new services using social media sign-ins or using social media accounts to provide service updates and news.

#### **c) Mobile and flexible working**

As the most popular devices used to access our website are mobile devices it makes sense that any new digital service, software system or process will need to be compatible with all types of mobile devices. Ensuring the main website and the services offered are 'responsive' on all devices makes the user experience better, easier and encourages return visits.

Mobile technology has revolutionised the possibilities for flexible working. We have introduced the use of tablets to improve the efficiency of management meetings and this will be rolled-out to members in due course. Site based staff increasingly use mobile devices as a core tool of their work, completing records and updating back office systems whilst on site. We will review the success of our mobile working to-date, ascertain the lessons learned, and prioritise areas to develop and focus on in the future.

To facilitate mobile working it is important that the infrastructure supporting flexible and mobile working is reliable and accessible to all, so greater emphasis will be given to the availability of the Public Sector roaming service "Govroam" and public/guest Wi-Fi in ABC buildings.

#### **d) Internet of things**

The Internet of Things (IoT) such as internet connected boilers and heater systems, smart meters etc. has many possibilities for the council to explore. Initially we will look to use these technologies internally where we can make efficiency savings however as we become more familiar with this technology and the possibilities we will look to explore how our customers, partners and other stakeholders could benefit from greater use of IoT.

#### **e) Communications**

Adoption of Unified Communications (UC) for the integration of communication services such as instant messaging (chat), presence, voice, audio and web conferencing, desktop sharing etc. This can aid a better, more flexible and efficient work practices.

We have introduced Skype for Business (SfB) as the corporate tool for UC, and as it is used we will develop new working practices around this with officers using it offsite to interact with the back office function, customers and clients in a more flexible manner.

#### **f) Cloud computing**

A significant benefit of cloud computing is resilience and responsiveness, however with this comes a revenue cost without necessarily a commensurate back office saving. Currently we are adopting a hybrid cloud-computing model to aid resilience and free up internal resourcing for other more important projects.

We need to develop a better understanding of how a cloud computing strategy can help us deliver our services more efficiently and effectively and develop a cloud strategy that will guide our decision making when starting out on technology and systems projects. Making sure that it is easier to scale the services as our digital transformation processes mature and improve.

**g) Online collaboration**

Cross service, projects often require many officers to input into reports, project plans and other documents. This can result in multiple version and significant editing and multiple versions to review. We will consider online collaboration tools to help make this process more efficient and improve communication when managing processes such as these.



**Priority 2: Technology**

**Draft technology transformation plan 2017- 2020**

|                                   | <b>What we will do</b>   | <b>Who</b>                        | <b>Budget required</b>   | <b>When</b>                 |
|-----------------------------------|--|-----------------------------------|--|-----------------------------|
| Digital Customer Service Platform | Procurement of a “Digital Customer Platform” (DCP) to help integrate new ways of working digitally and process improvements with back office systems.  | IT/Customer Services/Digital team | Y<br>Circa £100k, level to be confirmed on conclusion of procurement process | August 2017 – August 2019   |
|                                   | Develop a priority list of services / process to be delivered in a Phase1 development of the DCP. Priority will be given to any service being run from a similar solution as part of any trials depending on final decision.<br><br>We will implement a digital group that will help shape the priority list for approval from the newly formed IT and Digital Transformation (ITDT) Advisory Committee. | Digital team and ITDT Committee   |  | August 2017 – December 2017 |
| Collaboration                     | We will explore online collaboration tools that will improve cross service working.  | IT/Digital team                   |  | Ongoing                     |

|                     |   |                       |   |            |
|---------------------|---|-----------------------|---|------------|
| Communications      | Complete rollout of Skype for Business (SfB) Unified communications platform across the authority and communicate the functionality and benefits to the organisation  | IT/<br>Communications | Y<br>£10k for replacement handsets from existing hardware budgets | April 2018 |
| Cloud               | Develop a “Cloud Strategy” to formalise our strategy for making decisions around what services and solutions will be provisioned in “the Cloud”.  | IT                    | Y<br>From existing software revenue budgets                       | March 2018 |
| Mobile and Flexible | <p>We will ensure that mobile friendly is the starting point of all system developments and new software.</p> <p>We will ensure ABC buildings (e.g. Civic Centre, Sheltered Schemes) have public/guest Wi-Fi connectivity where appropriate using the Govroam service.</p> <p>We develop a programme to rollout hardware upgrades to mobile workers that will support flexible working.</p> | IT                    |   | Ongoing    |
| Social media        | We maintain a review of the functionality presented by social media accounts to simplify customer log-ins to help remove barriers to use of digital channels.   | IT/Digital team       |   | Ongoing    |

### **3.0 Digital Inclusion**

Like most authorities, Ashford Borough Council (ABC) has already experienced a significant level of channel shift in recent years encouraging our residents and businesses to transact with us online. As technology develops, and customer requirements grow, further transformation work is planned and it is important that no one is left behind and unable to access services.

While we are focusing our efforts towards digital an element of our customer service model is still designed to accommodate customers who cannot access online services by offering assisted self-help, telephone contact as well as face-to-face appointments; and by enabling those people who are able to transact with us online it further frees up resource to support customers affected by exclusion.

Very often the reasons for customers not accessing digital services is not through choice but due to a number of challenges to getting online and there is no single approach to solving the problem. Appendix 1 provides more information about the barriers to digital inclusion, but the four main challenges can be categorised as:

- Access - the ability to actually connect to the internet
- Skills - to be able to use the internet
- Motivation - knowing the reasons why using the internet is advantageous
- Trust - a fear of crime, to not knowing where to start to go online

Helping more people go online can help to tackle wider social issues, support economic growth and close equality gaps as well as provide our customers with a wider choice of how they interact with us and other organisations they deal with.

#### **3.1 Rates of Exclusion in Ashford**

Appendix 2 shows an excerpt from a heat-map produced by the Tech Partnership in association with the Local Government Association and Lloyds Banking Group. This shows the likelihood of inclusion, or exclusion in Ashford.

The borough of Ashford has medium overall likelihood of digital exclusion, with infrastructure (i.e. Broadband and 4G speed and availability) being a significant challenge together with skills and education.

Income and health are less likely reasons for exclusion in Ashford, but they are still a factor. All data can be viewed at <http://heatmap.thetechpartnership.com>.

#### **3.2 The impact of being digitally included**

Being digitally capable can make a significant difference to individuals and organisations day to day. Broader benefits can include addressing wider social and economic issues, like reducing isolation and supporting economic growth, which is the No.1 priority in the Council's corporate plan.

### **a) Individuals and Families**

Accessing services online is becoming the default option for many people, these services range from public services, information, education, entertainment and each other. Those who are offline and not capable of using the internet risk missing the benefits that the internet can offer.

For individuals this can mean reduced costs of living by being able to shop, compare prices and pay bills online. Similarly, being digitally excluded decreases a person's employment opportunities as increasingly application processes are online and basic ICT skills are required. A 2009 Price Waterhouse Coopers report 'Champion for Digital Inclusion' highlighted that people with good ICT skills earned between 3-10% more than people without.

For families the inability to get online due to one or more barrier impacts on children, preventing them from fully engaging with their education as schools are using online tools and resources to support learning both in school and as part of the homework curriculum.

### **b) Older people**

In situations where people already feel excluded, the impact of isolation is exacerbated by being digitally excluded; this typically affects groups such as the elderly or disabled. In Ashford 19% of the population are over 65. The stereotype is that older people are not motivated to go online but increasingly this group have been introduced to different devices by their families. The challenge that older people have is knowing what the technology can do, and being confident using it in different ways.

Technology advances have the potential to change the way older people interact with others and receive healthcare support. Building confidence in digital skills will help older people access help through assisted technologies, social media, and provide greater awareness of community support, events and facilities local to them.

### **c) Businesses, Voluntary/Community and Charitable organisations**

As well as reducing some operating costs through efficient working methods, etc. digital reach is vital for these groups too. A business without a website cannot share their opening times and may lose custom to a business that does have a website; a charity who does not accept online donations is missing-out on a potential donor base that can make all the difference to a small charity.

## **3.3 Who is doing what?**

**The Government Digital Service (GDS):** The GDS have been implementing one of the largest digital transformation programmes in Europe. The result has been significant investment in government digital services (online passports, tax returns, benefits claims etc.) as well as a well-developed set of guidance and standards for organisations embarking on their digital journey.

There has been a range of government funded digital support services. The Tech Partnership is one of the most recent, this is a network of employers who want to create skills for a digital economy. The Tech Partnership have a programme that aims to ensure everyone has at least basic level of digital skills needed for life. Their website provides information and resources for employers, teachers, students and trainers.

There are many private sector initiatives, some companies have a digital inclusion focus as part of their corporate social responsibility programmes, others have them more explicitly linked to their own digital strategies. Perhaps one of the most well-known digital programme is the Barclays Digital Eagles programme where their staff are supporting in providing support to access digital skills to members of the local community through workshops and events. There are many other private sector initiatives.

**Housing providers:** many social landlords have digital programmes aimed at supporting their tenants in developing digital skills and digital confidence. They recognise that tenants with digital skills are more likely to be able to find employment (and sustain their tenancy). There are also advantages to the provider of investing in these schemes because of the savings that can be made through on-line tenancy administration (paying rent, reporting repairs etc.)

**The voluntary and community sector:** organisations such as Age UK have digital inclusion programmes aimed at supporting older people to gain confidence when using technology to help them reap the social and financial benefits of being online.

**Local councils:** Kent County Council also have inclusion strategies such as ‘borrow an iPad’ run through libraries, and have open access computers so that people can use library equipment and internet connection for personal use as well as more typical library services such as genealogy. These initiatives are designed to help people get to grips with technology.

### **3.4 What will we do?**

Given the complexity of the barriers and the number of organisations already working to tackle digital exclusion we will aim to focus our efforts in the most effective way possible to avoid duplication of effort.

We will:

- a) ensure that the council’s services are designed appropriately to ensure digital inclusion; we will do this by putting our customers at the centre of our service design, making sure our staff have the skills and knowledge to be able to consider how they deliver services in a digitally inclusive way.
- b) promote, advertise and signpost to sources of information, resources and activities designed to help individuals, local businesses, charities, voluntary and community organisations overcome digital barriers.

- c) undertake specific projects (where we are best placed) to address the barriers to digital inclusion in the borough of Ashford.

**Priority 3: Inclusion**

**Draft Digital Inclusion action plan 2017- 2020**

| <b>What we will do</b>  | <b>Who</b>  | <b>Budget required</b> | <b>When</b>                                 |
|---|---|------------------------|---|
| <p>ABC will adopt a new planning policy within the local plan for all new developments to install fibre to the premises to ensure inhabitants are able to access superfast broadband within these developments in the future.</p> <p>ABC will work with Kent County Council to maximise the impact of the roll out of the BDUK project and other grant schemes to bring superfast broadband to existing residents and businesses through the delivery of fibre to the cabinet in existing residential and business areas.</p> <p>In addition, ABC will work with other telecoms providers to maximise private investment in telecommunications networks within the borough.</p> | Economic Development/Planning                         |                        | Linked to Local Plan approvals              |
| <p>We will explore the feasibility of creating a database of Wi-Fi hotspots across the borough so that people with connectivity barriers have options for getting on-line (e.g. pubs, cafes, shops, community centres etc.)</p> <p>We will publicise where local access points are available through Gateways/libraries etc. so that people without the equipment to go online know where they can get access to equipment.</p>   | Communications and Digital team<br><br>Communications |                        | 2019 post completion of phase II of website |

|  |  |  |                         |
|--|--|--|-------------------------|
| <p>We will allow a public Wi-Fi access point in ABC buildings (e.g. Civic Centre, Sheltered Schemes) using the Govroam service.</p>  | <p>IT</p>  |  |                         |
| <p>We will redesign our website (ashford.gov.uk):</p> <ul style="list-style-type: none"> <li>• ensuring we follow the best practice guidance issued by GDS on digitally inclusive language</li> <li>• ensure the content is written in plain English</li> <li>• introduce options for web-chat, skype and other digital assistance tools</li> <li>• building on the success of the Benefits video and, where possible produce video content to help people with low literacy skills</li> <li>• regularly ensuring the website meets required accessibility standards using tools such as Site Improve</li> </ul> | <p>Web team<br/>IT<br/>Communications<br/>Customer service</p> |  | <p>Late 2018/19</p>     |
| <p>We will review the conditions applied to the community grants scheme to ensure that the conditions for funding for digital projects are simple for the voluntary and community sector to navigate and access.</p>   | <p>Cultural Services</p>                                       |  | <p>Post web project</p> |
| <p>ABC will investigate developing a volunteer programme to help individuals gain digital confidence; the intention will be that the volunteers can take these skills into their communities beyond any organised events.</p> <p>Partner organisations could be schools, the local college, community &amp; voluntary sector partners and local branches of private sector organisations who are signed up to the UK's Digital Inclusion Charter (e.g. Argos, Asda, Barclays, BT, EE, Lloyds Banking Group, Remploy, Three).</p>   | <p>Digital team</p>  |  | <p>Post web project</p> |



|   |  |  |                |
|---|--|--|----------------|
| <p>We will signpost and publicise services and information that help with Digital skills (e.g. The tech partnership, Age UK, Housing Associations, etc.)</p>  | <p>Communications and Digital teams</p>    |  |                |
| <p>We will:</p> <ul style="list-style-type: none"> <li>• will remind people of the benefits of using ABC's digital services</li> <li>• remind our customers of the assistance that is available from ABC (assisted self-help customer services model)</li> <li>• signpost customers to economic and social reasons for accessing online services (e.g. genealogy, staying in contact with distance family, money comparison sites for saving money, accessing online weight loss or healthy option services)</li> <li>• link into national campaigns that support digital inclusion such as Get Online Week (2 – 8 October 2017)</li> </ul> | <p>Communications</p>                      |  | <p>Ongoing</p> |
| <p>We will:</p> <ul style="list-style-type: none"> <li>• signpost and highlight how to spot secure sites and how not be to be caught out by fraud</li> <li>• Use our website to notify the public of any scams we are made aware of (in conjunction with Kent Police and the wider community safety partnership)</li> <li>• We will use a range of tools including social media/text/website to assure our customers that communication from the council is genuine</li> </ul>  | <p>Communications, IT and digital team</p> |  | <p>Ongoing</p> |

## **4.0 Culture**

Delivering good quality digital services with the customer at the heart of the processes will rely on the organisation as a whole getting behind the vision. In the same way that customers have different expectations of, and barriers to, digital services staff (and members) will have views that will affect the way digital delivery is received.

If we are serious about taking the next step, then we need to take everyone on the journey with us. It is crucial that people at **all levels** of the council are engaged as it takes everyone to make our digital vision a reality.

### **4.1 Common internal challenges**

#### **Lack of digital skills:**

Staff can lack confidence and struggle to keep up with technology developments and are intimidated by new software and equipment. Very often, 'on the job' systems training covers the process in-hand is not refreshed, or is delivered in a narrow way (potentially training bad habits too).

This is particularly true of older generations; in Ashford 8.5% of staff are over 60 years, and almost 22% are aged between 51-60 years. Approximately 14% of staff are aged 30 or under; this group typically have greater confidence with technology and have grown up using digital tools.

This different experience base can manifest itself as a steep learning curve (both skills and understanding), leading to possible resistance from older employees, and frustrations from more digitally savvy staff when the pace of change is slow.

This is damaging not only for the pace of digital change but also for productivity, turnover and reputation of the council as an employer making talent attraction and retention difficult.

#### **Leadership:**

Linked to the generational divide, as senior staff tend to be older, it can be that senior staff are less digitally savvy which can influence the pace and attitude to change as they can feel out of their depth in understanding what technology can do. It is important that senior staff are able to be role models that support and encourage change as they are setting the expectations for the rest of the council.

#### **Fear of change:**

Often digital services are seen as a way for organisations to cut costs (jobs), and like many authorities, Ashford Borough Council has undertaken a significant level of channel shift in recent years to deliver savings. The primary driver for Ashford is a greater choice of access channels for customers and reducing transactional processes to allow a better focus on value adding, and better quality face-to-face services for those customers who need support with needs that are more complex.

## 4.2 What will we do?

To be able to take the next steps on the digital journey it will be important to ensure that the common challenges highlighted above are addressed. Embedding digital into a workplace is more than simply introducing a new software system, a new way of working or a new piece of kit. There needs to be a consistent message and behaviours lead from the top that underpin 'the way we do things'.

Leadership on the digital agenda is about articulating the value of digital to the council and consistently reinforcing and challenging the organisation to consider services in innovative ways as well as supporting teams and individuals in taking risks.

The competency framework and corporate values (Ambitious, Creative and Trustworthy) reinforce these behaviours and day-to-day ways of working highlights the importance of digital, for example:



- We are fortunate that we already have approaches that are designed to support new ways of working; cross-service SPACE sessions are a pre-requisite for all projects to encourage collaboration and effective idea sharing and contribution.
- Services have web-editors who have responsibility for making sure their service has a comprehensive presence on the ABC website.
- Our customer services model is designed to maximise customers' ability to self-help either at home or with assistance in the civic centre.
- Key HR activities affecting all staff such as payroll, training and appraisals are provided through software solutions.

In addition to internal role modelling, we are also a role model externally and it is important that our behaviours and messages both internally and externally are consistent.

There will be external signs that we are taking digital services seriously, the use of systems such as Report-It and Modern Gov and the changes in working practices that this Modern Gov will lead to. It is important that our Elected Members have the confidence in these tools as well as to use these tools as they will be key ways in which our customers will transact with us and find out about the issues that matter to them.

Staff have expectations that they should be able to work flexibly being able to complete processes on-site. Having the ability to work in different locations on a range of devices. It will be important to review our successes to date and translate the lessons learnt into future mobile and flexible working priorities.

**Priority 4: Culture**

**Draft Digital Staff Culture plan 2017- 2020**

|               | <b>What we will do</b>  | <b>Who</b>                      | <b>Budget required</b>                      | <b>When</b>                           |
|---------------|---|---------------------------------|---|---------------------------------------|
| <b>Skills</b> | Skills Audit:<br>We will conduct a skills audit of all staff to ascertain whether there are basic skills gaps that need addressing and also to identify more capable staff to share their knowledge with others.  | HR                              | Possible training budget requirement<br>TBD | Nov 17                                |
|               | Introduce digital champions:<br>Having highlighted the more digitally skilled staff we will approach this group to become service digital champions that: <ul style="list-style-type: none"><li>• provide support to less digitally capable people (internally and externally),</li><li>• contribute to digital projects</li><li>• contribute to drop-in sessions designed to help build confidence with technology as well as social media and other on-line tools</li><li>• help to develop how to guides and videos.</li></ul> | HR/Digital Team                 |   | Jan 18                                |
|               | Introduce digital member champions:<br>These members will lead the way and support how new technologies and systems will be rolled out and used by members.   | Member Services/Digital Team/IT |   | TBD, following Modern Gov test launch |
|               |   |                                 |   |                                       |

|                   |   |                                 |  |   |
|-------------------|---|---------------------------------|--|---|
|                   | <p>Recruitment:</p> <p>To attract and test digital capabilities of potential new recruits we will introduce greater use of digital tools in recruitment and selection, for example:</p> <ul style="list-style-type: none"> <li>• Use of social media such as Twitter/Facebook/Glass Door</li> <li>• Use of on-line testing and better assessment of digital skills during recruitment.</li> <li>• Update competency based questions database to include digital competence questions</li> </ul> | HR                              |  | <p>Q4<br/>2017/18</p> <p>April<br/>2019</p> <p>Q1<br/>2018/19</p> |
|                   | <p>Appraisals:</p> <p>We will include digital objectives in annual appraisals; these will be to develop either a digital capability or skill, to support someone else in becoming proficient, or to take part in a digital project.</p>   | All managers                    |  | <p>Q4<br/>2017/18</p>   |
|                   | <p>Service Plan:</p> <p>Services will be required to include at least one digital objective/project in their annual service plan.</p>   | Policy team                     |  | <p>2017/18<br/>Service<br/>planning</p>                           |
| <b>Leadership</b> | <p>Digital channels to communicate key corporate messages:</p> <p>The Chief Executive and other senior managers will consider the use of video messages and Blogs to complement face-to-face communication methods.</p>   | Communications                  |  | <p>Q1<br/>2018/19</p>   |
|                   | <p>Corporate Twitter accounts for leaders:</p> <p>We will consider how we can support senior leaders in communicating externally though social medial channels.</p>   | Communications<br>/Digital Team |  | <p>Q1<br/>2018/19</p>   |
|                   | <p>Digital skills:</p>  | HR                              |  |   |

|                          |   |                                 |                                  |                      |
|--------------------------|---|---------------------------------|----------------------------------|----------------------|
|                          | <p>It is important that the leadership of digital transformation is seen as authentic and managers will be encouraged to undertake training to use digital tools in-order to:</p> <ul style="list-style-type: none"> <li>• be able to role model</li> <li>• understand the potential benefits</li> <li>• gain insight into how easy it is to overcome challenges</li> </ul>         |                                 |                                  | During 2017 and 2018 |
|                          | <p>A range of digital tools are available managers will be required to:</p> <ul style="list-style-type: none"> <li>• consistently apply good practice principles of using tools such as Skype, email and other online tools</li> <li>• use and promote the use of technology as a tool for efficient working</li> </ul>   | All Manager/Digital Team/ IT    |                                  | During 2017 and 2018 |
|                          | <p>Promote a customer centric approach to problem solving as well as collaborative working (using SPACE) to review services and processes.</p>  | Digital Team                    | Budget required for training TBD | Q1 2018/19           |
| <b>Change management</b> | <p>Agile working methods:<br/>Agile working enables problem solving to be achieved in a swift and iterative way, this is important in IT development projects where low-level prototyping and testing are often easier in a live environment. We will provide staff with training on how to use agile working techniques to problem solving.</p>                                    | Digital Team/HR                 | Budget required for training TBD | Q2 2018/19           |
|                          | <p>Customer centric service design:</p> <ul style="list-style-type: none"> <li>• We will develop a range of persona's that can be referred to when reviewing a service or process to encourage services to focus on the service from a customer perspective rather than the council's perspective.</li> <li>• We will provide training on how user based service design.</li> </ul> | Digital Team/HR/ Communications | Budget required for training TBD | Q1 2018/19           |

|  |   |                                 |  |                                  |
|--|---|---------------------------------|--|----------------------------------|
|  |   |                                 |  |                                  |
|  | We will include a field on the PID template where digital transformation and implications can be highlighted.   | Policy team                     |  | Q3<br>2017/18                    |
|  | Corporate values:<br>Newly articulated corporate values to be launched as part of the communications we will ensure that the link with digital services is explicit.  | HR/<br>Communications           |  | Q3<br>2017/18                    |
|  | Include standard digital operational competency in all new JDs as a tangible indicator to all existing and potential staff that digital services are intrinsic to our way of working.   | HR                              |  | Q4<br>2017/18                    |
|  | We will carry out workshops with services to establish staff ideas on service improvements on the top areas of focus for digital transformation (build into 2019/20 service plans).   | Digital team/HR                 |  | Spring/<br>Summer<br>2018        |
|  | Digital project communications through Root & Branch:<br>We will ensure that the progress, successes, and learning from failures of digital projects are regularly shared through the council's on-line staff magazine.   | Communications<br>/Digital Team |  | From<br>Autumn<br>2017           |
|  | Communications:<br>We have a range of electronic communication methods including the intranet; we will review these to ensure they remain relevant, responsive, up to date and easy to use.<br><br>The staff benefit platform My Ashford Rewards has capability to become an internal communications hub that supports blogs, video content, online polling, recognition schemes and discussions we | Communications<br>/HR           |  | Ongoing<br>from<br>Q4<br>2017/18 |

|  |  |                               |  |                        |
|--|--|-------------------------------|--|------------------------|
|  | <p>will review this capability with a view to launching an enhanced offer.</p> <p>Social media:<br/>There is an expectation that we will use social media channels to communicate with our customers. We will ensure that we include social media in all communications plans and on literature and publicity where possible include social media logos and QR codes that direct customers to the appropriate URL.</p> <p>We will also work with services to support them in developing their own social media feeds and campaigns as a communication channel.</p> |                               |  |                        |
|  | <p>Annual Staff awards:<br/>A new category that reflects the priority of digital transformation will be created to recognise and celebrate good work and outcomes.</p>   | <p>HR/<br/>Communications</p> |  | <p>2018<br/>Awards</p> |



# APPENDICES

## Appendix 1

### The barriers to digital inclusion

Typically, there is one or more barriers that work together to prevent digital inclusion.

The four main challenges are:

| <b>1. Access</b><br>the ability to actually connect to the internet | <b>2. Skills</b><br>to be able to use the internet | <b>3. Motivation</b><br>knowing the reasons why using the internet is a good thing | <b>4. Trust</b><br>a fear of crime, to not knowing where to start to go online |
|---|--|--|--|
| Accessibility   | Literacy skills                                    | Risks  | Identity   |
| Location  | Digital Skills                                     | Necessity  | Security   |
| Cost  | Security skills                                    | Financial benefits   | Reputation   |
| Infrastructure  | Confidence   | Social benefits  |  |
| Language  | Technology   | Health and wellbeing benefits  |  |

### Access:

Some organisations have limited regard to **accessibility** i.e. ensuring their digital services are compatible with the tools some disabled people use such as screen readers or braille software, as well as making their sites capable of being read with lower tech solutions such as coloured screen filters. There is an obvious impact on the individual looking to access the online service, but equally lack of understanding of this issue reduces the potential customer base of businesses and other organisations with poor digital services accessibility.

**Location and infrastructure** issues are a significant factor in Ashford due to the large spread of rural areas in the borough. Some people cannot get broadband or it is slow and the mobile network coverage can be poor.

- 9% of households in Ashford cannot get broadband speeds of at least 10Mbps
- almost 71% households cannot get 4G coverage from all providers.

There are many reasons for lack of availability of broadband speed, but usually it is due to commercial viability in rural communities that require significant investment in physical infrastructure. ABC has been working with DCLG and DCMS to influence national planning policy to allow the planning authority to adopt a policy for all new developments to install fibre to the premises to ensure inhabitants are able to access superfast broadband within these developments in the future.

Government recently announced in the Housing White paper that all local authorities should be adopting such a policy, following the inclusion of a policy in the draft Ashford Local Plan.

ABC is also working with Kent County Council to maximise the impact of the roll out of the BDUK project and other grant schemes to bring Superfast broadband to existing residents and businesses through the delivery of fibre to the cabinet in existing residential and business areas. In addition, ABC has been working with other telecoms providers to maximise private investment in telecommunications networks within the Borough.

**Cost** is a barrier to people going online due to the price of equipment, installation, connection and ongoing fees, often requiring credit checks. This means people on low income, with poor credit history or frequent address changes are excluded. The cost of equipment is falling however the connectivity costs continue to be a barrier, very often the cheapest option for people unable to obtain credit is Pay-As-You-Go 4G mobile packages, but these are often poor value for money in comparison with other deals and this adversely affect lower income households.

Very often, the **language** and terminology used on line can be intimidating and confusing leading to inability to access the information or services the individual requires. This has a knock-on impact in that trust and motivation to use digital services is eroded even if the individual has some, or all of the basic digital skills.

### **Skills:**

As well as language and terminology, low **literacy** skills can be the reason that people are not online, being faced with pages of text can be intimidating and service providers need to consider other ways to support this group of people with accessible digital services.

People need basic **digital skills** to get online and stay safe online. Basic skills include browsing, using a search engine and filling out forms. The heat map data shows that, in Ashford 77% of residents have basic skills, but only 37% have used all five basic skills. Not regularly using these skills can lead to 'learning decay' where people forget "how to", which in turn affects confidence going online.

People can lack **confidence** and struggle to keep up with **technology** developments and are intimidated by being able to set up devices as well as use to them. This is particularly true of older generations, in Ashford almost a fifth of residents are over 65.

### **Motivation:**

People are afraid of the **risk** of making mistakes, and worried the technology will let them down. This can be overcome by assistance, practice and reminding (and showing) people how easy it is, and of the **social, financial and wellbeing benefits** of using digital tools.

### **Trust:**

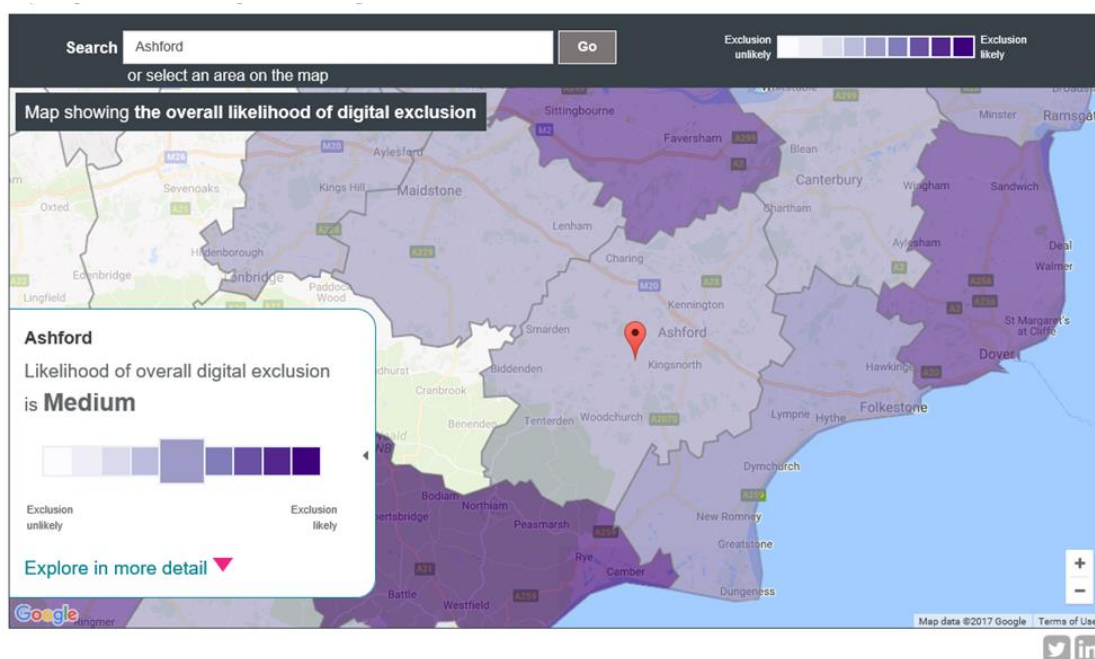
Some people are worried about **identity theft** and scams. When individuals have better digital skills, they are more confident in evaluating which websites to trust. Similarly, better digital skills and knowledge help people identify secure websites and **reputable sites** they can trust and avoid other **security risks**.

### Rates of Exclusion in Ashford

The following heat-map produced by the Tech Partnership in association with the Local Government Association and Lloyds Banking Group, shows the likelihood of inclusion, or exclusion in Ashford. The borough of Ashford has medium overall likelihood of digital exclusion, with infrastructure (i.e. Broadband and 4G speed and availability) being a significant challenge together with skills and education.

Income and health are less likely reasons for exclusion in Ashford, but they are still a factor.

All data can be viewed at: <http://heatmap.thetechpartnership.com/>



## Explore indicators in more detail

### Digital Indicators

The combined digital indicator is made up of four metrics that indicate digital exclusion. These are [infrastructure](#), [the number of people who have never been online](#), [Basic Digital Skills](#) and [Basic Digital Skills used](#).

#### INFRASTRUCTURE (COMBINED)

[View infrastructure \(combined\) on map](#) 



The combined infrastructure metric is made up of two sets of data: household broadband speeds; and the household availability of 4G mobile data.

#### INFRASTRUCTURE - BROADBAND 10MBPS



**9.00%** of households in Ashford **do not receive broadband speeds of at least 10 megabits per second (Mbps)**. [Learn more](#)

You can also view the percentage of households not receiving speeds of at least 2Mbps. [Show](#)

#### INFRASTRUCTURE - 4G MOBILE DATA



**70.98%** of households in Ashford **do not receive 4G mobile data from all providers**. [Learn more](#)

#### OFFLINE

[View offline on map](#) 



**10.6%** of adults in Ashford have **never been online**. [Learn more](#)

#### BASIC DIGITAL SKILLS

[View Basic Digital Skills on map](#) 



**77%** of adults in Ashford have **all five Basic Digital Skills**. [Learn more](#)

#### BASIC DIGITAL SKILLS USED

[View Basic Digital Skills used on map](#) 



**37%** of adults in Ashford have **used all five Basic Digital Skills in the last three months**. [Learn more](#)

## Social Indicators

The combined social indicator is made up of four social metrics that indicate digital exclusion. These are [age](#), [education](#), [income](#) and [health](#).

### AGE

[View age on map](#) 



**19.0%** of adults in Ashford are **over 65**. [Learn more](#)


### EDUCATION

[View education on map](#) 



**36.80%** of adults in Ashford have **no qualifications and/or no Level 1 qualifications**. [Learn more](#)


### INCOME

[View income on map](#) 



**£22,200** is the **average income per taxpayer** in Ashford. [Learn more](#)

### HEALTH

[View health on map](#) 



**16.2%** of adults in Ashford have **long-term illness or disability**. [Learn more](#)

# Equality Impact Assessment

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1. An Equality Impact Assessment (EIA) is a document that summarises how the council has had due regard to the public sector equality duty (Equality Act 2010) in its decision-making. Although there is no legal duty to produce an EIA, the Council must have **due regard** to the equality duty and an EIA is recognised as the best method of fulfilling that duty. It can assist the Council in making a judgment as to whether a policy or other decision will have unintended negative consequences for certain people and help maximise the positive impacts of policy change. An EIA can lead to one of four consequences:

- (a) No major change – the policy or other decision is robust with no potential for discrimination or adverse impact. Opportunities to promote equality have been taken;
- (b) Adjust the policy or decision to remove barriers or better promote equality as identified in the EIA;
- (c) Continue the policy – if the EIA identifies potential for adverse impact, set out compelling justification for continuing;
- (d) Stop and remove the policy where actual or potential unlawful discrimination is identified.

## Public sector equality duty

2. The Equality Act 2010 places a duty on the council, when exercising public functions, to have due regard to the need to:
- (a) Eliminate discrimination, harassment and victimisation;
  - (b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - (c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it (ie tackling prejudice and promoting understanding between people from different groups).

3. These are known as the three aims of the general equality duty.

## Protected characteristics

4. The Equality Act 2010 sets out nine protected characteristics for the purpose of the equality duty:
- Age
  - Disability
  - Gender reassignment
  - Marriage and civil partnership\*
  - Pregnancy and maternity
  - Race
  - Religion or belief
  - Sex
  - Sexual orientation

\*For marriage and civil partnership, only the first aim of the duty applies in relation to employment.

## Due regard

5. Having 'due regard' is about using good equality information and analysis at the right time as part of decision-making procedures.
6. To 'have due regard' means that in making decisions and in its other day-to-day activities the council must consciously consider the need to do the things set out in the general equality duty: eliminate discrimination, advance equality of opportunity and foster good relations. This can involve:
- removing or minimising disadvantages suffered by people due to their protected characteristics.
  - taking steps to meet the needs of people with certain protected characteristics when these are different from the needs of other people.
  - encouraging people with certain protected characteristics to participate in public life or in other activities where it is disproportionately low.

7. How much regard is 'due' will depend on the circumstances. The greater the potential impact, the higher the regard required by the duty. Examples of functions and decisions likely to engage the duty include: policy decisions, budget decisions, public appointments, service provision, statutory discretion, decisions on individuals, employing staff and procurement of goods and services.

8. In terms of timing:

- Having 'due regard' should be considered at the inception of any decision or proposed policy or service development or change.
- Due regard should be considered throughout development of a decision. Notes shall be taken and kept on file as to how due regard has been had to the equality duty in research, meetings, project teams, consultations etc.
- The completion of the EIA is a way of effectively summarising this and it should inform final decision-making.

### Case law principles

9. A number of principles have been established by the courts in relation to the equality duty and due regard:

- Decision-makers in public authorities must be aware of their duty to have 'due regard' to the equality duty and so EIA's must be attached to any relevant committee reports.
- Due regard is fulfilled before and at the time a particular policy is under consideration as well as at the time a decision is taken. Due regard involves a conscious approach and state of mind.
- A public authority cannot satisfy the duty by justifying a decision after it has been taken.
- The duty must be exercised in substance, with rigour and with an open mind in such a way that it influences the final decision.
- The duty is a non-delegable one. The duty will always remain the responsibility of the public authority.

- The duty is a continuing one so that it needs to be considered not only when a policy, for example, is being developed and agreed but also when it is implemented.
- It is good practice for those exercising public functions to keep an accurate record showing that they have actually considered the general duty and pondered relevant questions. Proper record keeping encourages transparency and will discipline those carrying out the relevant function to undertake the duty conscientiously.
- A public authority will need to consider whether it has sufficient information to assess the effects of the policy, or the way a function is being carried out, on the aims set out in the general equality duty.
- A public authority cannot avoid complying with the duty by claiming that it does not have enough resources to do so.

The Equality and Human Rights Commission has produced helpful guidance on "Meeting the Equality Duty in Policy and Decision-Making" (October 2014). It is available on the following link and report authors should read and follow this when developing or reporting on proposals for policy or service development or change and other decisions likely to engage the equality duty. [Equality Duty in decision-making](#)

|  |  |
|--|--|
| <b>Lead officer:</b>   | Michelle Pecci   |
| <b>Decision maker:</b>   | Cabinet  |
| <b>Decision:</b> <ul style="list-style-type: none"> <li>• Policy, project, service, contract</li> <li>• Review, change, new, stop</li> </ul>   | To adopt the <b>Digital Transformation Strategy</b> and associated actions plans that aim to improve the level of service provision, and business processes that are delivered by digital means.   |
| <b>Date of decision:</b><br>The date when the final decision is made. The EIA must be complete before this point and inform the final decision.  | 9 November 2017  |
| <b>Summary of the proposed decision:</b> <ul style="list-style-type: none"> <li>• Aims and objectives</li> <li>• Key actions</li> <li>• Expected outcomes</li> <li>• Who will be affected and how?</li> <li>• How many people will be affected?</li> </ul>   | <p>The aim is to improve the council's ability to deliver services digital that will improve customer choice in how and when they access our services, as well as improve back office processes to improve efficiency.</p> <p>Key actions will be to redesign the website, introduce a common corporate customer service system to help deliver inline services and process improvements and to develop the digital skills of staff to be able to implement this project and support our customers.</p> <p>All staff and all customers will be able to access more digital services and ways of working.</p> |
| <b>Information and research:</b> <ul style="list-style-type: none"> <li>• Outline the information and research that has informed the decision.</li> <li>• Include sources and key findings.</li> </ul>   | This strategy has been informed by review of good practice across the public and private sector and key information has been sought from the Government Digital Service, one of the leading governmental digital service providers in the world.   |
| <b>Consultation:</b> <ul style="list-style-type: none"> <li>• What specific consultation has occurred on this decision?</li> <li>• What were the results of the consultation?</li> <li>• Did the consultation analysis reveal any difference in views across the protected characteristics?</li> <li>• What conclusions can be drawn from the analysis on how the decision will affect people with different protected characteristics?</li> </ul> | <p>No detailed consultation has been undertaken as this strategy is concerned with a direction of travel.</p> <p>When the website is redesigned accessibility, and accessibility tools, will be a key consideration and consultation will be undertaken with representative groups to ensure there are able to access our services.</p> <p>In addition to this as business processes are reviewed customer profiles, based on ACORN data, will take into account the range of protected characteristics when considering customer needs.</p>   |



**Assess the relevance of the decision to people with different protected characteristics and assess the impact of the decision on people with different protected characteristics.**

When assessing relevance and impact, make it clear who the assessment applies to within the protected characteristic category. For example, a decision may have high relevance for young people but low relevance for older people; it may have a positive impact on women but a neutral impact on men.

| Protected characteristic          | Relevance to Decision<br>High/Medium/Low/None | Impact of Decision<br><b>Positive</b> (Major/Minor)<br><b>Negative</b> (Major/Minor)<br><b>Neutral</b>   |
|-----------------------------------|---|--|
| <u>AGE</u><br>Elderly             | Medium  | <b>Negative:</b> Some Elderly customers may not have access, skills or motivation to access services on line.  |
| Middle age                        | Medium  | <b>Neutral:</b> Some middle age customers may not have access, skills or motivation to access services on line   |
| Young adult                       | Medium  | <b>Positive:</b> Young Adults expect to be able to access services on line   |
| Children                          | None  |  |
| <u>DISABILITY</u><br>Physical     | Medium  | <b>Positive:</b> Digital service provision can be a positive step for many with disabilities, we will need to ensure our accessibility tools are suitable for a range of disabilities. |
| Mental                            | Medium  |  |
| Sensory                           | Medium  |  |
| <u>GENDER RE-ASSIGNMENT</u>       | None  |  |
| <u>MARRIAGE/CIVIL PARTNERSHIP</u> | None  |  |
| <u>PREGNANCY/MATERNITY</u>        | None  |  |
| <u>RACE</u>                       | None  |  |
| <u>RELIGION OR BELIEF</u>         | None  |  |
| <u>SEX</u><br>Men                 | None  |  |
| Women                             | None  |  |
| <u>SEXUAL ORIENTATION</u>         | None  |  |

|   |   |
|---|---|
| <p><b>Mitigating negative impact:</b><br/>Where any negative impact has been identified, outline the measures taken to mitigate against it.</p> | <p>There is no intention to remove face to face or telephone customer service. The time saved by staff due to reduced demand and more efficient processes will support a better level of service to those who cannot, or do not wish to, access services on line.</p> |
|---|---|

| <p><b>Is the decision relevant to the aims of the equality duty?</b><br/>Guidance on the aims can be found in the EHRC's <a href="#">Essential Guide</a>, alongside fuller <a href="#">PSED Technical Guidance</a>.</p> |                |
|---|----------------|
| Aim   | Yes / No / N/A |
| 1) Eliminate discrimination, harassment and victimisation   | N/A            |
| 2) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it  | N/A            |
| 3) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it  | N/A            |

|   |  |
|---|--|
| <p><b>Conclusion:</b></p> <ul style="list-style-type: none"> <li>Consider how due regard has been had to the equality duty, from start to finish.</li> <li>There should be no unlawful discrimination arising from the decision (see guidance above).</li> <li>Advise on whether the proposal meets the aims of the equality duty or whether adjustments have been made or need to be made or whether any residual impacts are justified.</li> <li>How will monitoring of the policy, procedure or decision and its implementation be undertaken and reported?</li> </ul> | <p>The fundamental basis of this strategy is that no-one is left behind. We will not be removing face to face or telephone customer service and this project is about improving choice of access to services for our customers.</p> <p>A significant strand of this strategy is Digital inclusion and this theme runs throughout the project. Digital exclusion can be caused by a number of challenges but from an EIA point of view usually due to disability or age (lack of skills). We will be making provision to ensure that disabled and low skilled customers are supported either through accessibility tools or through traditional methods of contact with the council. It is not recommended that any adjustments need to be made other than ensuring the principles of equity duty and accessibility to services are applied when designing service provision and the website.</p> <p>Management team and the IT &amp; Digital Transformation Board will monitor delivery of this strategy.</p> <p>Particular customers feedback will be considered through the customer services team to ensure that negative impacts are identified swiftly and rectified where necessary.</p> |
| <p><b>EIA completion date:</b></p>  | <p>08/09/17</p>  |

**Agenda Item No:** 13

**Report To:** Cabinet

**Date of Meeting:** 9<sup>th</sup> November 2017

**Report Title:** Garage Commercialisation Strategy

**Report Author & Job Title:** Maria Hadfield – Senior Accountant  
Philip Bond – Commercial, Development and Regeneration Officer

**Portfolio Holder:** Cllr. Shorter - Finance & IT  
**Portfolio Holder:** Cllr. Galpin – Corporate Property



**Summary:** This report seeks Cabinet approval to implement the Garage Commercialisation Strategy which will improve revenues from existing garages and provide improved parking and landscaping in and adjacent to the Councils estates. The strategy will also identify sites suitable for development or alternative uses.

**Key Decision:** NO

**Significantly Affected Wards:** None specifically, garages can be found across the borough.

**Recommendations:** **The Cabinet is recommended to:-**

- I. Note the development of the Garage Commercialisation Strategy**
- II. Authorise the Head of Corporate Property & Projects, in consultation with the Portfolio Holders for Corporate Property and Finance & IT and following consultation with relevant ward members to approve alternative usage of garage sites to maximise the value of such sites to the council;**
- III. Authorise the Head of Corporate Property & Projects following consultation with the Portfolio Holders for Corporate Property and Finance & IT and the Director of Finance and Economy to approve any revised pricing strategy developed as part of the implementation of the Garage Commercialisation Strategy.**

**Policy Overview:** The commercialisation strategy sets out how the council will approach increasing revenue from and improving visual and environmental amenity of the council's garage stock.

**Financial** Capital budget requirements within the Planned

**Implications:** Maintenance Schedule 2018-20 will need to be allocated following the condition survey discussed in Stage 2 of the Garage Commercialisation Strategy.

**Legal Implications** Whilst there are no legal implications in the short term in the longer term where it is proposed to develop garage sites then both legal and planning requirements will need to be met and dealt with accordingly.

**Equalities Impact Assessment** Not Required – see report clause 14

**Exempt from Publication:** NO

**Contact:** **Maria Hadfield:** maria.hadfield@ashford.gov.uk – Tel: 01233 330 545  
**Philip Bond:** phil.bond@ashford.gov.uk – Tel: (01233330695)

## Report Title: Garage Commercialisation Strategy

### Introduction and Background

1. In February 2015, as part of the Council's medium term financial plan proposals, it was agreed to transfer the ownership of the majority of the Council's garages from the Council's Housing Revenue Account ("HRA") to the Council's general fund on 1 April 2015. In April 2017 a further 10 garages, which had no development potential for the HRA, were transferred.

### Current Position

2. The Council's general fund now owns 1580 garages, which generate net revenues of £385,000 per annum. Roughly 450 are currently void, with approximately 118 which cannot be occupied because of their state of disrepair. At the end of August 2017 there were 45 people on the waiting list for garages, clearly demonstrating that supply outstrips demand. The Council is not alone in finding that the demand for garages has dropped in recent years as many other Local Authorities are experiencing the same decline in demand.
3. Low demand is usually as a result of a combination of factors including poor security, the condition of the stock, antisocial behaviour (ASB) and in some areas sufficient on and off street parking. Garages vary in size across the borough, with some not being large enough to accommodate certain types of cars on the market. This limits the customer base to some extent.
4. The garages are spread out across the whole of the borough with approximately 830 (53%) located around the town of Ashford and approximately 740 (47%) located outside this area. There are more voids within the Ashford town area (32%) than the outlying areas (22%). Appendix 1
5. There is evidence to suggest that currently a proportion of garages are being used for storage or other purposes. This is evidenced by the location of the garage to the tenant's home address which in some cases is more than 3 miles from the garage. Appendix 2
6. The Corporate Property Performance Annual Report 2015/16, which went to Cabinet in September 2016, recommended that a study be undertaken to analyse the garage income and see whether the profitability could be improved upon. The garages represent a significant asset in their own right and its effective management contributes to the look and feel of the surrounding area. Following this analysis a Garage Commercialisation Strategy has been developed.

# The Garage Commercialisation Strategy

## Aims and Objectives

The aims and objectives of the garage commercialisation strategy are to ensure that garages and surrounding land are managed effectively and efficiently thereby contributing to the built environment, maximising income for the Council and providing a valuable resource for the public.

## Objectives of the Strategy

- To determine which garage sites have development potential
- To determine the garage sites that do not have development potential but have a high demand and the level of investment required to retain and increase income levels
- To determine the future uses of any garage sites that have neither development potential or demand to be let as garages
- To determine the level of staffing required to efficiently managed the existing garage sites, any alternative uses for sites and to introduce a digital infrastructure to support this process
- To determine a suitable rental strategy

The strategy has 4 stages:

### 7. **Stage 1**

To analyse the garage sites taking into account development potential, condition, demand, location and ASB. To determine staffing levels and explore technological/digital solutions to cut down on administrative processes. To test whether and where demand for garages can be increased by means of an advertising campaign.

### 8. **Stage 2**

Under take a condition survey and develop a planned maintenance programme for the garages with no development potential, but high demand, prioritising garages that are experiencing ASB. This stage will give due consideration to the long term liability of the garages that have asbestos roofs. This work will reduce complaints from tenants in relation to maintenance and repairs.

### 9. **Stage 3**

Explore innovative uses for the garages sites with no development potential and no demand. The alternative uses either will benefit the community or be commercially driven; the location and size of the site will determine the most appropriate use.

Alternative uses could include:

- Demolition and creation of secured parking bays for vehicles or caravans
- Provision of communal gardens/seating to improve the area
- Storage facilities
- Allotments
- Facilities for young people such as youth shelters and/or play areas

- Small office space

This stage will include consultation with ward members, parish council's and relevant local residents.

#### **10. Stage 4**

Development plan for garages that have been identified as having development potential.

### **Management proposals - staffing**

11. As mentioned previously the HRA have managed the garages with responsibility switching to the General Fund from April 2015. Since that date there have been temporary arrangements in place, with a member of staff on secondment from the HRA and some reliance from Customer Services dealing with administration, telephone and initial point of contact communications
12. However due to pressures within Customer Services this arrangement has become unviable and a member of staff has been engaged on a 12 month contract to take on the work previously supported by the HRA and Customer Services and to start work on implementing various parts of the Garage Commercialisation Strategy.
13. It is anticipated that during this 12 month period the staffing requirements for the management of the garages as well as developing and delivering the Garage Commercialisation Strategy will become clearer as detailed plans are developed for the various sites.

### **Equalities Impact Assessment**

14. At this stage an Equalities Impact Assessment has not been undertaken as this report only considers how the council could manage garages going forward. However, should a garage management team be created it is likely that as part of the team's work a review of the council's current garage policy would need to be undertaken. The review of this policy would require an equalities impact assessment to ensure that any revised garage policy promoted equality and did not prejudice any existing groups.

### **Consultation Planned**

15. Should the recommendations contained within this report be approved then work would be undertaken with finance to develop appropriate budgets and business plans for the development of the garages.
16. This will include consultation with ward members when considering introducing improvements or changes to garage sites within a ward member's area as well as discussions with local Parish Councils to gauge their views on any proposed change to use of garages within their area.

## **Other Options Considered –**

17. With the changes to the proposed HRA structure having being implemented then it is essential that new management arrangements are introduced to manage the garages on behalf of the council. If the recommended new management proposals are not introduced then there will be no direct control or management of the garages threatening a substantial source of income for the council.

## **Next Steps in Process**

18. It is proposed to continue with and complete stages 1 and 2 of the proposed commercialisation strategy as detailed above. Once this is completed work on stages 3 & 4 can commence including consultation with ward members and Parish Councils.
19. Once stages 3 and 4 of the strategy are completed for each garage site it is proposed that the Head of Corporate Property & Projects, subject to approval of the recommendations contained within this report, implements any suggested change in usage of the garage sites.

## **Conclusion**

20. For a number of years the council has recognised the importance of generating sufficient income to replace the formula grant that the council receives and that is being phased out by central government. The council's garages represent an undervalued asset that could be utilised to provide additional income.
21. This strategy outlines how the council proposes to increase income from our garages as well as improving the amenity of garage areas and reduce antisocial behaviour that is sometimes associated with garages.

## **Portfolio Holder's Views**

22. Portfolio Holder for Corporate Property: It is the responsibility of the Council to maximise the financial return from the garage assets purchased from the HRA. These were moved into the General Fund. The financial return contributes significantly to relieving the pressure of loss of Formula Grant. This Strategy document shows that the Council is discharging this duty in a balanced and inclusive way. It will ensure that the structures, if in demand either locally, or from far afield are in the appropriate condition. If there is no demand then other uses will be found for the space. Officers have carried out exhaustive work in preparing this strategy and I commend it to Cabinet
- 23.



## Contact and Email

**Maria Hadfield:** maria.hadfield@ashford.gov.uk – Tel: 01233 330 545  
**Philip Bond:** phil.bond@ashford.gov.uk – Tel: (01233330695)

## Appendix 1 – Garage occupancy, voids and income

| Garage Address        | No of Garages | No of Voids |
|-----------------------|---------------|-------------|
| <b>Appledore</b>      |               |             |
| Elm Tree              | 5             | 0           |
| Heathside             | 24            | 16          |
| <b>Ashford</b>        |               |             |
| Beaver Lane A 1-16    | 6             | 1           |
| Beaver Lane B 1-13    | 13            | 1           |
| Beaver Lane C 28-36   | 9             | 1           |
| Bond Road 1 -32       | 29            | 1           |
| Boxley 1-9            | 5             | 1           |
| Boxley 14-19          | 6             | 2           |
| Boxley 20-43          | 24            | 17          |
| Cleves Way A 1-10     | 10            | 5           |
| Cleves Way B 1-22     | 22            | 9           |
| Crownfield Road 1-9   | 9             | 0           |
| Cryol Road 1-9        | 9             | 0           |
| Elm Place             | 19            | 6           |
| Essetford Road 1-10   | 10            | 1           |
| Godfrey Walk          | 19            | 6           |
| Harper Road A         | 24            | 10          |
| Harper Road B         | 29            | 26          |
| Hillbrow A 1-8        | 8             | 2           |
| Hillbrow B 1-7        | 7             | 4           |
| Jemmett Road 1-12     | 12            | 5           |
| Maypits               | 13            | 3           |
| Musgrove              | 11            | 4           |
| Noakes Meadow A       | 16            | 1           |
| Noakes Meadow B       | 12            | 2           |
| Oak Tree Road A       | 14            | 4           |
| Oak Tree Road B       | 7             | 4           |
| Pollard Close         | 10            | 3           |
| River View 1-8        | 8             | 5           |
| River View 9-21       | 13            | 2           |
| River View 22-46      | 10            | 2           |
| Stour Close 47-54     | 8             | 0           |
| Stour Close 56-68     | 13            | 1           |
| Stour Close 69-84     | 16            | 1           |
| Stour Close 85-97     | 13            | 0           |
| Watercress Lane 1-10  | 10            | 1           |
| Watercress House 3-23 | 21            | 4           |
| <b>Bethersden</b>     |               |             |
| Bailey Field 1-8      | 8             | 2           |
| Chester Avenue 1-6    | 6             | 0           |
| The Dene 1-6          | 6             | 0           |
| <b>Biddenden</b>      |               |             |
| Chulkhurst 1-17       | 13            | 4           |
| Cheeselands 1-4       | 4             | 0           |
| The Meadows 1-19      | 22            | 6           |

| <b>Garage Address</b>                 | <b>No of Garages</b> | <b>No of Voids</b> |
|---------------------------------------|----------------------|--------------------|
| <b>Charing</b>                        |                      |                    |
| Clearmount Drive 1-6                  | 6                    | 2                  |
| Wheler Road 1-20                      | 20                   | 6                  |
| <b>Chilham</b>                        |                      |                    |
| Felborough Close 1-8 +1               | 9                    | 0                  |
| <b>Egerton</b>                        |                      |                    |
| New Road 1-12                         | 12                   | 0                  |
| <b>Great Chart</b>                    |                      |                    |
| Coronation Drive                      | 8                    | 0                  |
| Hillcrest 1-6                         | 6                    | 0                  |
| Singleton Road A                      | 2                    | 0                  |
| Singleton Road B                      | 10                   | 4                  |
| The Paddocks 1-11                     | 11                   | 3                  |
| <b>Hamstreet</b>                      |                      |                    |
| Carters Wood                          | 12                   | 0                  |
| Cotton Hill House                     | 1                    | 1                  |
| Fairfield Terrace                     | 4                    | 1                  |
| <b>High Halden</b>                    |                      |                    |
| The Chennells 1-4                     | 4                    | 1                  |
| The Chennells 5-24                    | 20                   | 7                  |
| Tilden Close 1-6                      | 6                    | 4                  |
| Tilden Close 7-15                     | 9                    | 3                  |
| <b>Hothfield</b>                      |                      |                    |
| Beech Drive 1-6                       | 6                    | 1                  |
| Coach Drive 1-2                       | 2                    | 2                  |
| Plantation Close 1-22                 | 22                   | 3                  |
| Sackville Close 1-7                   | 7                    | 3                  |
| Thanet Terrace 1-12                   | 12                   | 8                  |
| <b>Kenardington</b>                   |                      |                    |
| The Wish 1-6                          | 6                    | 0                  |
| <b>Kennington</b>                     |                      |                    |
| Beecholme Drive 24-43                 | 20                   | 5                  |
| Beecholme Drive 44-60                 | 17                   | 2                  |
| Bockhanger 1&2, Belmont Road          | 2                    | 0                  |
| Bockhanger E Block 1-13, Bybrook Road | 13                   | 0                  |
| Bockhanger H Block 1-9, Bybrook Road  | 9                    | 6                  |
| Bockhanger J Block 1-24, Bybrook Road | 24                   | 15                 |
| Bockhanger K Block 1-22, Nine Acres   | 22                   | 5                  |
| Bockhanger L Block 1-15, Nine Acres   | 15                   | 5                  |
| Great Burton House 1-14, Dudley Road  | 14                   | 1                  |
| Hurst Road 18-29                      | 12                   | 5                  |
| Hurst Road 30-38                      | 9                    | 0                  |
| Kenbrook 1-18                         | 18                   | 9                  |
| Nettlefield 1-17                      | 17                   | 4                  |
| Rothbrook Drive 1-12, Dale Walk       | 12                   | 3                  |
| Rothbrook Drive 13-17                 | 5                    | 0                  |
| Towers View 53-62                     | 10                   | 6                  |
| Towes View 63-72                      | 10                   | 7                  |

| <b>Garage Address</b>                   | <b>No of Garages</b> | <b>No of Voids</b> |
|---|----------------------|--------------------|
| <b>Kingsnorth</b>                       |                      |                    |
| Church Hill 1-8                         | 8                    | 1                  |
| Riverside Close 1-21 (1-5, 6-13, 17-21) | 18                   | 1                  |
| <b>Newenden</b>                         |                      |                    |
| Lossenham Lane 1-6                      | 6                    | 1                  |
| <b>Pluckley</b>                         |                      |                    |
| Station Road 1-4                        | 4                    | 1                  |
| Thorne Estate 1-18                      | 18                   | 10                 |
| <b>Rolvenden</b>                        |                      |                    |
| Gatefield 1-12                          | 12                   | 2                  |
| Maythan Road 1-8                        | 8                    | 1                  |
| Money Penny                             | 12                   | 1                  |
| Sparkwood Avenue 1-12                   | 12                   | 4                  |
| Sparkwood Avenue 13-22                  | 10                   | 4                  |
| Sparkwood Avenue 23-32                  | 10                   | 2                  |
| <b>Shadoxhurst</b>                      |                      |                    |
| Moreton Terrace 1-3                     | 3                    | 2                  |
| Nairne Close 1-8                        | 8                    | 2                  |
| Nairne close 13-20                      | 8                    | 2                  |
| <b>Smarden</b>                          |                      |                    |
| Glebe Close 1-6                         | 6                    | 4                  |
| Green Alne 1-8                          | 8                    | 2                  |
| The Oaks 1-12                           | 12                   | 2                  |
| <b>Smeeth</b>                           |                      |                    |
| Calland 1-30 (1-5 & 9-30)               | 30                   | 0                  |
| Caroland 1-3                            | 3                    | 0                  |
| <b>Stone</b>                            |                      |                    |
| Oxney Cottage 1-8                       | 8                    | 3                  |
| Stone Green 1-4                         | 4                    | 4                  |
| Stone Green 5-7                         | 3                    | 1                  |
| <b>Tenterden</b>                        |                      |                    |
| Chalk Avenue 1-42                       | 42                   | 6                  |
| Coombe Lane 1-12                        | 12                   | 1                  |
| Crisfield Court 1-8                     | 8                    | 3                  |
| Marshalls Land 1-10                     | 10                   | 0                  |
| Pittlesden 1-11                         | 11                   | 0                  |
| Priory Way 1-8                          | 8                    | 3                  |
| Priory Way 9-17                         | 9                    | 2                  |
| Priory Way 18-26                        | 9                    | 3                  |
| Priory Way 27-34                        | 8                    | 1                  |
| Priory Way 40-41                        | 2                    | 0                  |
| Station Road Cottages 4-9               | 6                    | 0                  |
| The Pavement 1-6                        | 6                    | 2                  |
| <b>Town Centre</b>                      |                      |                    |
| Repton Manor 1-15                       | 15                   | 11                 |
| Repton Manor 16-28                      | 13                   | 8                  |
| Repton Manor 29-33                      | 5                    | 1                  |
| <b>Westwell</b>                         |                      |                    |
| Gold Hill 1-6                           | 6                    | 0                  |

| <b>Garage Address</b>         | <b>No of Garages</b> | <b>No of Voids</b> |
|-------------------------------|----------------------|--------------------|
| <b>Willesborough</b>          |                      |                    |
| Albion Place 1-8              | 8                    | 0                  |
| Alsops Road 1-8               | 8                    | 0                  |
| Bath Road 1-7                 | 7                    | 2                  |
| Bath Road 8-25                | 18                   | 7                  |
| Bath Road 27-35               | 9                    | 1                  |
| Bentley Road 1-12             | 12                   | 6                  |
| Bentley Road 13-14            | 2                    | 0                  |
| Orion Way 1-7                 | 7                    | 2                  |
| Orion Way 51-62               | 12                   | 5                  |
| Orion Way 63-78               | 16                   | 7                  |
| Osborne Road 11-17            | 7                    | 3                  |
| Twelve Acres 7-12             | 6                    | 4                  |
| <b>Wittersham</b>             |                      |                    |
| Forge Meads 1-10              | 10                   | 3                  |
| Forge Meads 11-20             | 10                   | 3                  |
| Lloyds Green 7-12             | 6                    | 1                  |
| Swan Cottages 1-8             | 8                    | 4                  |
| <b>Woodchurch</b>             |                      |                    |
| Mill View 1-6                 | 6                    | 0                  |
| <b>Wye</b>                    |                      |                    |
| Bramble Lane 1-6              | 6                    | 0                  |
| Churchfield Way 1-14          | 14                   | 0                  |
| Little Chequers: 1-17 & 23-50 | 45                   | 0                  |

## Appendix 2

| <b>Locality</b>     | <b>Garage Street Name</b> | <b>Distance</b> |
|---------------------|---------------------------|-----------------|
| Willesborough       | Alsops Road               | 3 miles         |
| Hillbrow Lane       | Watercress House          | 3 miles         |
| Kennington          | Beecholme Drive           | 3.1 miles       |
| Tenterden           | Pittlesden                | 3.1 miles       |
| Wye                 | Little Chequers           | 3.1 miles       |
| Shadoxhurst         | Nairne Close              | 3.2 miles       |
| South Ashford       | Bond Road                 | 3.2 miles       |
| Kennington          | Bockhanger Lane           | 3.3 miles       |
| Kennington          | Bockhanger Lane           | 3.3 miles       |
| Hothfield           | Plantation Close          | 3.4 miles       |
| Kennington          | Beecholme Drive           | 3.5 mile        |
| Charing             | Wheler Road               | 3.5 miles       |
| Great Chart         | Hillcrest                 | 3.5 miles       |
| South Willesborough | Bath Road                 | 3.5 miles       |
| Willesborough       | Bentley Road              | 3.5 miles       |
| Willesborough       | Bentley Road              | 3.5 miles       |
| Bethersden          | Bailey Field              | 3.6 miles       |
| Hothfield           | Plantation Close          | 3.6 miles       |
| Kennington          | Nettlefields              | 3.6 miles       |
| Shadoxhurst         | Nairne Close              | 3.6 miles       |
| Biddenden           | The Meadows               | 3.8 miles       |
| Kennington          | Bockhanger Lane           | 3.8 miles       |
| St Michaels         | Chalk Avenue              | 4 miles         |
| St Michaels         | Chalk Avenue              | 4 miles         |
| Bethersden          | Chester Avenue Garages    | 4.1 miles       |
| Charing             | Wheler Road               | 4.1 miles       |
| High Halden         | The Chennells             | 4.1 miles       |
| High Halden         | The Chennells             | 4.1 miles       |
| High Halden         | The Chennells             | 4.1 miles       |
| Woodchurch          | Mill View                 | 4.1 miles       |
| Wye                 | Bramble Lane              | 4.1 miles       |
| Willesborough       | Twelve Acres              | 4.4 miles       |
| Hothfield           | Beech Drive               | 4.5 miles       |
| Kingsnorth          | Riverside Close           | 4.6 miles       |
| Kingsnorth          | Church Hill               | 4.8 miles       |
| Great Chart         | Singleton Road            | 4.9 miles       |
| Ashford             | Crownfield Road           | 5 miles         |
| Kennington          | Kenbrook                  | 5 miles         |

| <b>Locality</b> | <b>Garage Street Name</b> | <b>Distance</b> |
|-----------------|---------------------------|-----------------|
| Great Chart     | Singleton Road            | 5.1 miles       |
| Great Chart     | Singleton Road            | 5.1 miles       |
| Tenterden       | Coombe Lane               | 5.3 miles       |
| Ashford         | Elm Place                 | 5.8 miles       |
| Shadoxhurst     | Nairne Close              | 6 miles         |
| Wye             | Bramble Lane              | 6 miles         |
| Hamstreet       | Fairfield Terrace         | 6.2 miles       |
| Kennington      | Beecholme Drive           | 7.3 miles       |
| Bethersden      | Bailey Field              | 7.6 miles       |
| Pluckley        | Thorne Estate             | 7.6 miles       |
| Smeeth          | Calland                   | 8 miles         |
| Egerton         | New Road                  | 8.7 miles       |
| Rolvenden Layne | Maytham Road              | 8.7 miles       |
| Tenterden       | Priory Way                | 9 miles         |
| Tenterden       | Priory Way                | 13.8 miles      |
| St Michaels     | Chalk Avenue              | 13.9 miles      |
| South Ashford   | Cleves Way                | 15.6 miles      |
| Kennington      | Beecholme Drive           | 16.5 miles      |
| Kennington      | Bockhanger Lane           | 39 miles        |
| Willesborough   | Bentley Road              | 54.3 miles      |

**Agenda Item No:** 14  
**Report To:** **Cabinet**  
**Date of Meeting:** 9 November 2017



**Report Title:** **Primary Authority Partnerships**

**Report Author & Job Title:** Linda Golightly, Environmental Health Officer  
Gavin Richardson, Senior Technical Officer

**Portfolio Holder** Cllr G J Bradford.  
**Portfolio Holder for:** Highways, Wellbeing and Safety

**Summary:** The purpose of this report is to seek delegated authority for the Head of Service to enter into Primary Authority partnerships with suitable businesses.

Primary Authority partnerships describe an arrangement between businesses and regulators, which improve the sharing of advice and guidance on regulatory matters relating to food hygiene, health & safety and licensing.

The benefit can be increased business confidence enabling them to concentrate more on enterprise; the regulator can make better use of limited resources and those protected by regulation benefit from greater compliance and raised standards.

**Key Decision:** NO

**Significantly Affected Wards:** All

**Recommendations:** **The Cabinet is recommended to:-**

- i. Delegate authority to the Head of Health, Parking and Community Safety to enter Primary Authority partnerships under the provision of Section 25 of the Regulatory Enforcement and Sanctions Act 2008 as amended by The Enterprise Act 2016 and the Co-ordination of Regulatory Enforcement Regulations 2017.**

**Policy Overview:** The Corporate Plan 2015 – 2020 seeks to promote a borough which is effective, efficient and sustainable in terms of finance, resources, service delivery and enforcement.

The underpinning aspirations of the plan go on to refer to 'a well-resourced council with effective governance, high quality services, good communications, safe surroundings,



demonstrating good compliance and high standards by ensuring that enforcement powers are used effectively and appropriately’.

**Financial Implications:**

Primary Authority partnerships are primarily about improved service delivery and not income generation.

The partnerships will be resourced within existing budgets. Under the Regulatory Enforcement and Sanctions Act 2008 and the ‘Statutory Guidance for Primary Authority’ made thereunder, a local authority is entitled to charge on a cost recovery basis for ‘primary authority services supplied through a partnership’.

**Legal Implications:**

The Primary Authority partnership agreement is statutory under the Regulatory Enforcement and Sanctions Act 2008. The scheme is managed by ‘Regulatory Delivery’ part of Department for Business, Energy and industrial Strategy.

The Secretary of State has issued statutory guidance under the Act that describes how the partnerships are to be managed, delivered and reviewed.

Entering into an agreement with a business does not fetter the enforcement powers or duties of the local authority in respect of the regulated areas included in the scope of the partnership agreement.

**Equalities Impact Assessment:**

Yes, see attached

**Other Material Implications:**

None

**Exempt from Publication:**

NO

**Background Papers:**

None

**Contact:**

Linda Golightly  
Environmental Health Officer  
Linda.golightly@ashford.gov.uk – Tel: (01233 330594)

## Report Title: Primary Authority Partnerships

### Introduction and Background

1. The Council has a responsibility to make sure it delivers its enforcement duties to the highest achievable standard making the best use of its limited resources.
2. Primary Authority is a statutory scheme, established by the Regulatory Enforcement and Sanctions Act 2008. They are positive legal agreements between a regulator and business offering improved compliance, and raised standards benefitting the business, the local authority in whose areas they operate and those protected by the regulation.
3. It has helped businesses avoid inconsistent and confusing red tape, by having a single authority provide advice and support to both the businesses and to other local authorities that have the businesses' outlets in their districts.
4. The partnership relates to duties the local authority has regulatory responsibility for and the regulator and business will agree the exact scope in each individual case. Most commonly they cover:
  - a. Food hygiene
  - b. Health and safety
  - c. Nuisance
  - d. Licensing
5. Once agreed, the proposal has to be approved by the Secretary of State and entered into the Primary Authority Register.

### Proposal/Current Position

6. In August 2017 there were 16,431 businesses in partnerships involving 189 different local authorities across the UK.
7. The experience from existing partnerships is that the local authority regulator, the business and those protected by the regulation all experience benefits from the arrangement through:
  - a. Improved standards of compliance – resulting in safer and better managed establishments; and
  - b. Better working relationships between the regulator and the business as each understands the other better.
8. It has helped to increase business confidence and reduce operational costs, allowing enterprises to focus on expansion.

9. The agreements cover specific services: food hygiene, nuisance, health and safety and licensing, but do not presently cover housing, planning or economic development.
10. The benefits of the existing scheme are apparent to government and they have recently expanded it to make it easier for businesses and local authorities to enter into partnership agreements.
11. In addition the Food Standards Agency have recently published a paper entitled 'Regulation our Future' looking at how food regulation could be delivered from 2019 onwards. This shows movement to the enhanced Primary Authority partnership scheme for securing effective and efficient enforcement and regulation in the future.

12. **Five principles**

Government has given clear direction that regulatory services will be delivered differently in the future. Regulating our Future is structured with this in mind and is based around five principles:

- i. Businesses have a responsibility to be transparent about their products
- ii. Regulators should be measured in how they discharge their duties
- iii. Regulators should take all sources of available information into account
- iv. Businesses 'doing the right thing' should be recognised
- v. Businesses should meet the costs of good regulation

Primary Authority is a key part of delivering these principles.

**Ashford Borough Council's position**

13. At the present time the Council it is not party to any Primary Authority partnerships. However, it has been approached by two multi-site businesses interested in entering into a Primary Authority agreement.

**Implications and Risk Assessment**

14. Entering into a Primary Authority partnership raises the status and kudos of both the business and the local authority involved.
15. As the reasonable costs of setting up and delivering the partnership is recoverable from the business concerned, it means the resources needed are included so the partnership can be delivered within existing resources.
16. Should the scheme require additional resources in the future, these costs would be met under the terms of the relevant agreements.
17. The Statutory Guidance advises local authorities to recognise that the benefits of the scheme can be accompanied by an increased risk of bias and perceptions of regulatory capture.

*'Primary Authorities should be mindful of this risk and should take appropriate steps to maintain their independence and objectivity and that of staff assigned to support partnerships'.*

18. The statutory guidance also stresses the need for transparency and accountability under the partnership. Where the local authority decides to charge for some or all of the services it:

*'should publish clear and transparent information explaining its cost recovery policy in line with the requirement of the Regulators Code. It is recommended this information is easily accessible to business and is included on the local authorities' website'.*

## **Equalities Impact Assessment**

19. Members are referred to the attached assessment. Equality must be taken into account at all stages of enforcement. The scheme must be delivered in accordance with the standards set externally by Regulatory Delivery which require transparency and equality.

## **Consultation Planned or Undertaken**

20. Evidence from existing partnerships indicate the relationships developed though Primary Authority are welcomed by business and can have a positive impact for economic development.
21. As the partnerships also encourage early contact with regard to changes in a business including small scale refurbishment or larger scale expansion or development it can bring about better communication between regulators and development / building control and the business concerned.
22. Both Development Control and Economic Development have been consulted in preparation of this report and are supportive.

## **Other Options Considered**

23. To not enter a Primary Authority partnerships.

There is no obligation or requirement to enter into such partnerships at the moment. However, the tone of reports such as Regulating Our Future, indicate it is likely there will be an expectation or direction for local authorities to enter into such agreements in the future.

## **Reasons for Supporting Option Recommended**

24. Entering into a Primary Authority partnership has the potential to improve business compliance and raise standards in those businesses covered by the partnership.

25. Businesses have found that Primary Authority partnerships can enable them to release resources to concentrate on enterprise and business development due to reduced 'red tape' and removal of inconsistent advice where multiple regulators are involved.
26. The scheme is strongly supported by Government and local authorities are being encouraged to enter into them.
27. The scheme has the potential to raise the profile of Ashford Borough Council.

### **Next Steps in Process**

28. Prepare a proposal specifying the Primary Authority services the Council wishes to provide.
29. Identify cost recovery levels and mechanisms.
30. Identify eligible businesses and engage with them with a view to forming agreements which can be put forward to Secretary of State for nomination and approval.

### **Conclusion**

31. Evidence from existing partnerships shows they are of significant benefit to businesses, the regulator and those protected by the relevant legal provisions. The Government is encouraging local authorities and businesses to enter into Primary Authority partnerships and this represents a positive enforcement development for the council.

### **Portfolio Holder's Views**

32. Entering into partnerships with business like this means we work better with them and help reduce the regulatory burden. I am pleased to support this opportunity to enhance our positive relationship with business particularly as it is expected to also improve standards affecting the health, safety and welfare of the public.

### **Contact and Email**

33. Linda Golightly. Environmental Health Officer

[Linda.golightly@ashford.gov.uk](mailto:Linda.golightly@ashford.gov.uk)

### **Appendix A: Equalities Impact Assessment**

# Equality Impact Assessment

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1. An Equality Impact Assessment (EIA) is a document that summarises how the council has had due regard to the public sector equality duty (Equality Act 2010) in its decision-making. Although there is no legal duty to produce an EIA, the Council must have **due regard** to the equality duty and an EIA is recognised as the best method of fulfilling that duty. It can assist the Council in making a judgment as to whether a policy or other decision will have unintended negative consequences for certain people and help maximise the positive impacts of policy change. An EIA can lead to one of four consequences:

- (a) No major change – the policy or other decision is robust with no potential for discrimination or adverse impact. Opportunities to promote equality have been taken;
- (b) Adjust the policy or decision to remove barriers or better promote equality as identified in the EIA;
- (c) Continue the policy – if the EIA identifies potential for adverse impact, set out compelling justification for continuing;
- (d) Stop and remove the policy where actual or potential unlawful discrimination is identified.

## Public sector equality duty

2. The Equality Act 2010 places a duty on the council, when exercising public functions, to have due regard to the need to:
- (a) Eliminate discrimination, harassment and victimisation;
  - (b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - (c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it (ie tackling prejudice and promoting understanding between people from different groups).

3. These are known as the three aims of the general equality duty.

## Protected characteristics

4. The Equality Act 2010 sets out nine protected characteristics for the purpose of the equality duty:

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

\*For marriage and civil partnership, only the first aim of the duty applies in relation to employment.

## Due regard

5. Having 'due regard' is about using good equality information and analysis at the right time as part of decision-making procedures.
6. To 'have due regard' means that in making decisions and in its other day-to-day activities the council must consciously consider the need to do the things set out in the general equality duty: eliminate discrimination, advance equality of opportunity and foster good relations. This can involve:
- removing or minimising disadvantages suffered by people due to their protected characteristics.
  - taking steps to meet the needs of people with certain protected characteristics when these are different from the needs of other people.
  - encouraging people with certain protected characteristics to participate in public life or in other activities where it is disproportionately low.
7. How much regard is 'due' will depend on the circumstances. The greater the

potential impact, the higher the regard required by the duty. Examples of functions and decisions likely to engage the duty include: policy decisions, budget decisions, public appointments, service provision, statutory discretion, decisions on individuals, employing staff and procurement of goods and services.

8. In terms of timing:

- Having 'due regard' should be considered at the inception of any decision or proposed policy or service development or change.
- Due regard should be considered throughout development of a decision. Notes shall be taken and kept on file as to how due regard has been had to the equality duty in research, meetings, project teams, consultations etc.
- The completion of the EIA is a way of effectively summarising this and it should inform final decision-making.

**Case law principles**

9. A number of principles have been established by the courts in relation to the equality duty and due regard:

- Decision-makers in public authorities must be aware of their duty to have 'due regard' to the equality duty and so EIA's must be attached to any relevant committee reports.
- Due regard is fulfilled before and at the time a particular policy is under consideration as well as at the time a decision is taken. Due regard involves a conscious approach and state of mind.
- A public authority cannot satisfy the duty by justifying a decision after it has been taken.
- The duty must be exercised in substance, with rigour and with an open mind in such a way that it influences the final decision.
- The duty is a non-delegable one. The duty will always remain the responsibility of the public authority.
- The duty is a continuing one so that it needs to be considered not only when a

policy, for example, is being developed and agreed but also when it is implemented.

- It is good practice for those exercising public functions to keep an accurate record showing that they have actually considered the general duty and pondered relevant questions. Proper record keeping encourages transparency and will discipline those carrying out the relevant function to undertake the duty conscientiously.
- A public authority will need to consider whether it has sufficient information to assess the effects of the policy, or the way a function is being carried out, on the aims set out in the general equality duty.
- A public authority cannot avoid complying with the duty by claiming that it does not have enough resources to do so.

The Equality and Human Rights Commission has produced helpful guidance on "Meeting the Equality Duty in Policy and Decision-Making" (October 2014). It is available on the following link and report authors should read and follow this when developing or reporting on proposals for policy or service development or change and other decisions likely to engage the equality duty. [Equality Duty in decision-making](#)

|  |  |
|--|--|
| <b>Lead officer:</b>   |  |
| <b>Decision maker:</b>   | Cabinet  |
| <b>Decision:</b> <ul style="list-style-type: none"> <li>• Policy, project, service, contract</li> <li>• Review, change, new, stop</li> </ul>   | Delegated authority to enter into Primary Authority partnerships.  |
| <b>Date of decision:</b><br>The date when the final decision is made. The EIA must be complete before this point and inform the final decision.  | 9 <sup>th</sup> November 2017  |
| <b>Summary of the proposed decision:</b> <ul style="list-style-type: none"> <li>• Aims and objectives</li> <li>• Key actions</li> <li>• Expected outcomes</li> <li>• Who will be affected and how?</li> <li>• How many people will be affected?</li> </ul> | <p><b>Aim and objective:</b></p> <p>The report seeks delegated authority to the Head of Health, Parking and Community Safety to enter into partnerships with businesses and to request nomination of partnerships under the provision of Section 25 of the Regulatory Enforcement and Sanctions Act 2008 as amended by The Enterprise Act 2016 and The Co-ordination of Regulatory Enforcement Regulations 2017.</p> <p>Primary Authority is a statutory scheme which allows businesses to form partnerships with local authorities in order to receive advice and guidance on regulatory matters. It is based on the creation of a statutory partnership between a multi-site business and its “Primary Authority”.</p> <p><b>Key actions:</b></p> <p>No immediate action. The delegated authority once granted enables the Council to seek or enter into partnerships with appropriate and selected businesses. This would be delivered alongside existing statutory functions and within existing resources.</p> <p><b>Expected outcomes:</b></p> <p>Experience elsewhere shows that once established, primary authority partnerships can lead to increased business confidence and higher levels of compliance with resultant better standards.</p> <p>One of the aims of the scheme is to reduce inconsistency in the enforcement of regulation at the local level.</p> <p><b>Who will be affected and how:</b></p> <p><i>Internal staff resources:</i> The partnerships will be scoped and secured using existing resources. The costs of establishing a partnership can be recharged to the business concerned so should additional hours or support be necessary these can be resourced and agreed. Although the partnerships once entered into are statutory, there is no legal pressure or</p> |



|   |   |
|---|---|
|   | <p>timetable which means how and when such agreements are sought and developed can be managed.</p> <p><i>Businesses:</i> As above, the agreement once entered into is statutory, but it is the choice of a business if they wish to do this or not. Evidence indicates that successful partnerships reduce red tape for the business, can increase their confidence in regulatory services. There are currently over 16,000 agreements in place. Business reports being able to release resources to concentrate on enterprise and business development.</p> <p><i>Public.</i> The subject of the agreements cover enforcement functions relating to food hygiene, health and safety and licencing. The public affected are unlikely to be aware of the partnerships but will benefit from raised standards in the premises affected by them.</p> <p><b>How many people will be affected:</b></p> <p>‘The public’ refers to all those using premises covered by the regulatory scope of food hygiene, health and safety and licensing within the Borough and in some cases beyond the borough boundaries.</p> |
| <p><b>Information and research:</b></p> <ul style="list-style-type: none"> <li>• Outline the information and research that has informed the decision.</li> <li>• Include sources and key findings.</li> </ul>   | <p>Primary Authority was introduced by legislation in 2008. The scheme is a statutory one overseen by the Regulatory Delivery part of the Government Department for Business, Energy and Industrial Strategy.</p> <p>The scheme is managed by statute supplemented by statutory guidance.</p> <p>Information about the scheme is also publically available on the primary authority website and the .gov.uk website:<br/> <a href="https://www.gov.uk/guidance/local-regulation-primary-authority">https://www.gov.uk/guidance/local-regulation-primary-authority</a></p> <p>Officers from the Health, Parking and Community Safety service have been on specific training courses on Primary Authority.</p> <p><b>Key findings:</b> Primary Authority partnerships benefit business, regulators and those using the services by better use of resources and higher standards.</p>  |
| <p><b>Consultation:</b></p> <ul style="list-style-type: none"> <li>• What specific consultation has occurred on this decision?</li> <li>• What were the results of the consultation?</li> <li>• Did the consultation analysis reveal any difference in views across the protected characteristics?</li> <li>• What conclusions can be drawn from the analysis on how the decision will affect people with different protected characteristics?</li> </ul> | <p>No public consultation.</p> <p>Consultation with finance and legal colleagues on the implications, which have not resulted in any negative consequences.</p>   |

**Assess the relevance of the decision to people with different protected characteristics and assess the impact of the decision on people with different protected characteristics.**

When assessing relevance and impact, make it clear who the assessment applies to within the protected characteristic category. For example, a decision may have high relevance for young people but low relevance for older people; it may have a positive impact on women but a neutral impact on men.

| <b>Protected characteristic</b>       | <b>Relevance to Decision<br/>High/Medium/Low/None</b> | <b>Impact of Decision<br/>Positive (Major/Minor)<br/>Negative (Major/Minor)<br/>Neutral</b> |
|---------------------------------------|---|---|
| <u>AGE</u><br>Elderly                 | Low   | Neutral   |
| Middle age                            | Low   | Neutral   |
| Young adult                           | Low   | Neutral   |
| Children                              | Low   | Neutral   |
| <u>DISABILITY</u><br>Physical         | Low   | Neutral   |
| Mental                                | Low   | Neutral   |
| Sensory                               | Low   | Neutral   |
| <u>GENDER RE-<br/>ASSIGNMENT</u>      | None  | Neutral   |
| <u>MARRIAGE/CIVIL<br/>PARTNERSHIP</u> | None  | Neutral   |
| <u>PREGNANCY/MATERNITY</u>            | Low   | Neutral   |
| <u>RACE</u>                           | None  | Neutral   |
| <u>RELIGION OR BELIEF</u>             | None  | Neutral   |
| <u>SEX</u><br>Men                     | None  | Neutral   |
| Women                                 | None  | Neutral   |
| <u>SEXUAL ORIENTATION</u>             | None  | Neutral   |

|   |     |
|---|-----|
| <b>Mitigating negative impact:</b><br>Where any negative impact has been identified, outline the measures taken to mitigate against it. | N/A |
|---|-----|

**Is the decision relevant to the aims of the equality duty? No**

Guidance on the aims can be found in the EHRC's [Essential Guide](#), alongside fuller [PSED Technical Guidance](#).

| <b>Aim</b>   | <b>Yes / No / N/A</b> |
|--|-----------------------|
| 1) Eliminate discrimination, harassment and victimisation  | No                    |
| 2) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it | No                    |
| 3) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it           | No                    |

**Conclusion:**

- Consider how due regard has been had to the equality duty, from start to finish.
- There should be no unlawful discrimination arising from the decision (see guidance above).
- Advise on whether the proposal meets the aims of the equality duty or whether adjustments have been made or need to be made or whether any residual impacts are justified.
- How will monitoring of the policy, procedure or decision and its implementation be undertaken and reported?

The services covered by a primary authority partnership are regulatory duties relating to food hygiene, health & safety, nuisance and licensing.

These duties are all delivered within a statutory framework as interpreted within enforcement policies already agreed by Cabinet such as Food Safety Policy agreed by Cabinet September 2016.

**Monitoring:** The policy will be monitored internally as part of the enforcement policies referred to above and externally by the framework provided by the Regulatory Enforcement and Sanctions Act 2008 and the statutory guidance issued thereunder.

*The council's revised policy register will assist services to meet this*

**EIA completion date:**

19<sup>th</sup> October 2017

**Agenda Item No:** 15  
**Report To:** Cabinet  
**Date of Meeting:** 9 November 2017  
**Report Title:** The Armed Forces Covenant  
**Report Author & Job Title:** Will Train  
Corporate Scrutiny and Overview Officer  
**Portfolio Holder:** Cllr. Gerry Clarkson  
(Cllr Stephen Dehnel – Member Champion for Military Covenant and Ceremonial Liaison)



**Summary:** The Armed Forces Covenant is a promise from the nation ensuring that those who serve or have served, and their families, are treated fairly. This commitment is made in recognition of the sacrifices they make on behalf of the country. The Covenant is not designed to give Armed Forces, Veterans and their families preferential treatment compared to other citizens but it should ensure that they get a fair deal and are not disadvantaged because of their Service.

This report outlines an action plan for delivering the Council's commitments under the Armed Forces Covenant and strengthening support for the Armed Forces Community.

**Key Decision:** NO

**Significantly Affected Wards:** None

**Recommendations:** **The Cabinet is recommended to:-**

- I. Approve the action plan outlined at paragraphs 16 to 18 and appendix 2.**
- II. Note the appointment of the Head of Corporate Policy, Economic Development and Communications to the role of lead officer for the Armed Forces Covenant.**
- III. Re-affirm its support for the Armed Forces Covenant.**

**Policy Overview:** The Armed Forces Covenant was signed by the Council in May 2014. It has links with the Council's Lettings Policy, which includes specific sections related to social housing applications from the Armed Forces; however all Council policies should ensure that no member of the Armed Forces community faces disadvantage compared to other citizens in

the provision of public services.

**Financial Implications:**

The majority of actions identified under the plan at appendix 2 can be achieved using existing resources, however supporting bids for Covenant Fund grants (appendix actions G1, G2) may have a capital consideration. Any requests for such funding would be assessed on a case by case basis using the Project Initiation Document (PID) mechanism as appropriate.

**Legal Implications**

The Armed Forces Covenant is enshrined in the 2011 Armed Forces Act.

**Equalities Impact Assessment**

The purpose of the Covenant is to ensure that members of the Armed Forces community are not disadvantaged in the provision of public services, and that special consideration is given where appropriate.

**Other Material Implications:**

There are reputational risks to the Council associated with failure to deliver under the Covenant if any members of the Armed Forces community feel that they have been disadvantaged as a result of their Armed Forces connection.

**Exempt from Publication:**

**NO**

**Background Papers:**

Adoption of Armed Forces Community Covenant, report to Cabinet - 13 March 2014

**Contact:**

will.train@ashford.gov.uk – Tel: (01233) 330394

## Report Title: The Armed Forces Covenant

### Introduction and Background

1. The Armed Forces Covenant is a promise from the nation ensuring that those who serve or have served, and their families, are treated fairly. This commitment is made in recognition of the sacrifices they make on behalf of the country. The Covenant is not designed to give Armed Forces, Veterans<sup>1</sup> and their families preferential treatment compared to other citizens but it should ensure that they get a fair deal and are not disadvantaged because of their Service.
2. There is no set formula for a local authority to follow in providing support to its Armed Forces Community, but it should observe two key principles when writing and implementing policies that impact upon the local population:
  - A. That the Armed Forces Community should face no disadvantage compared to other citizens in the provision of public and commercial services; and
  - B. That special consideration is appropriate in some cases, especially for those who have given the most such as the injured and the bereaved.

### Current Position

3. The Council signed the Armed Forces Community Covenant in May 2014 with the aim of encouraging support for the Armed Forces community in Ashford and recognising and remembering the sacrifices made by members of the Armed Forces community. The Covenant was co-signed by Major Phil Linehan, Officer Commanding for the 133 Field Company of the Royal Electrical and Mechanical Engineers (REME), part of 103 Battalion of the REME based at the Army Reserve Centre on Sir Henry Brackenbury Road, as well as representatives from the voluntary and community sector.
4. In 2015, the Covenant was rebranded from three forms to one, and the former Corporate and Community Covenants have now been subsumed into the Armed Forces Covenant (the Covenant). The aims of the Community Covenant as signed by the Council remain, however the main principles of the Covenant are as described in paragraph 1.
5. Councillor Stephen Dehnel serves as the Council's designated Armed Forces Champion through his role as Member Champion for the Covenant and Ceremonial Liaison. The position of lead officer for the Covenant has been vacant since the former Head of Communications and IT left the organisation in 2016, and from this point there has been no work done at an officer level to

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<sup>1</sup> Veterans are defined as anyone who has served at least one day in the Armed Forces (Regular or Reserve) or Merchant Mariners who have seen duty on legally defined military operations. Many former Armed Forces personnel in the UK choose not to define themselves as Veterans, and may use the term 'Service Leaver'.

develop the Covenant, engage the Armed Forces community or build relationships with relevant organisations and community groups.

6. Part of the role of the Borough History, Heritage and Commemoration Task Group is to liaise with the Member Champion for the Covenant and Ceremonial Liaison on all forms of memorial services and commemorative events. The Council's Cultural Services team and the Task Group are working with Cllr Dehnel on a number of projects related to the commemoration of the First World War which will support engagement with the Armed Forces Community.

## **The Armed Forces in Kent**

7. 11<sup>th</sup> Infantry Brigade and Headquarters South East is one of the British Army's seven Adaptable Force Brigades, comprising of Regular and Reserve units. The Brigade is the Army regional point of contact for the eight counties of the South East of England, and leads on community engagement at a County and Unitary council level within its area of responsibility.
8. District level engagement is led by a network of Community Engagement Task Force Commanders. Ashford Borough Council falls under the area of responsibility for the Commanding Officer of the 36 Engineers Regiment, based at the Invicta Park Barracks, Maidstone. This area of responsibility also covers the Districts of Maidstone, Sevenoaks, Tonbridge and Malling and Tunbridge Wells.
9. The Regiment is a multi-capbadged and multi-skilled organisation, consisting of the following squadrons under the command of the Regimental Headquarters of the 36 Engineers Regiment and the Queens's Gurkha Engineers:
  - A. 50 Headquarters and Support Squadron
  - B. 20 Field Squadron
  - C. 61 Field Support Squadron
  - D. 69 Gurkha Field Squadron
  - E. 70 Gurkha Field Squadron
10. Supporting Corps are the Royal Electrical and Mechanical Engineers (REME); Royal Logistics Corps (RLC); Adjutant General's Corps (AGC) – Staff and Personnel Support Branch and Gurkha Staff and Personnel Support Branch (SPS/GSPS) and the Royal Army Medical Corps (RAMC).
11. Due to the array of specialist trades held by the Royal Engineers in addition to their varied combat engineering skills, Engineers are in high demand for many employments and the Regiment has been heavily engaged in recent years with little respite. Recent deployments have included Cyprus, Iraq, Jordan, Kenya and Nepal.
12. The presence of the other Armed Forces in the County is limited, and as such the focus for engagement under the Covenant lies with the Army. Medway is home to a satellite division (Hawke Division) of HMS President, the Royal Naval Reserve Unit associated with London. Royal Air Force presence in the County is limited to the Defence Fire Training and Development Centre at

Manston, which provides fire training to the RAF, MOD and contractor firefighters.

13. A summary of Regular and Reserve Army units based in Kent is included as Appendix A. Cadet organisations for the Royal Navy, Royal Marines, Army and Royal Air Force are all active within the Borough.
14. There is limited information on the numbers of Regular and Reserve personnel and families. The 2011 census recorded 170 members of the Armed Forces resident within the Borough<sup>2</sup>, and 450 people within the Borough who were the spouse, same-sex civil partner, child or step-child of a member of the Armed Forces<sup>3</sup>.
15. Similarly, there is limited information available on the number and profile of Veterans living in the Borough. The MOD's Annual Population Survey: UK Armed Forces Veterans residing in Great Britain for 2015 estimated a Veteran population for Kent of circa 80,000<sup>4</sup>. Estimates from a study by the Royal British Legion and Experian mapping suggested a veteran population in Ashford of just under 9,000 in 2010<sup>5</sup>, and research conducted by the Gurkha Welfare Trust estimates that the Borough is home to around 1,000 ex-Gurkhas<sup>6</sup>.

## Covenant Action Plan

16. Delivering on the Council's commitments to the Armed Forces Covenant will require Member and officer support across the authority on a range of actions, led by the Head of Corporate Policy, Economic Development and Communications. Analysis of multiple local authority implementations of the Armed Forces Covenant by the Forces in Mind Trust (FiMT) and the Local Government Association (LGA) has led to the identification of a core infrastructure for delivery of the Armed Forces Covenant at a local authority level:

| Individuals  | Collaboration   |
|--|---|
| <ul style="list-style-type: none"> <li>• An elected Member champion</li> <li>• An officer point of contact within the council</li> </ul> | <ul style="list-style-type: none"> <li>• A Covenant Forum or co-ordinating group that meets at least twice a year. It includes the following: military representatives; military charities; public sector representatives; effective Council Members (senior elected Members on Cabinet); and the officer champion. Each forum should review its membership, agenda and frequency of meeting every three or four years.</li> <li>• In some places (for example London) Councils may wish to establish a mechanism for collaboration at a sub-regional level. This could include: joint forums and action plans, applications for the Covenant fund, training packages and a shared web presence.</li> </ul> |

<sup>2</sup> 2011 Census AF001 dataset, Office for National Statistics

<sup>3</sup> 2011 Census AF002 dataset, Office for National Statistics

<sup>4</sup> <https://www.gov.uk/government/statistics/annual-population-survey-uk-armed-forces-veterans-residing-in-great-britain-2015>

<sup>5</sup> [http://www.kpho.org.uk/\\_data/assets/pdf\\_file/0004/43816/Veterans.pdf](http://www.kpho.org.uk/_data/assets/pdf_file/0004/43816/Veterans.pdf)

<sup>6</sup> October 2016. <https://www.gwt.org.uk/Handlers/Download.ashx?IDMF=6cbc5fbf-9cf3-42a5-b614-ea84dd5a0118>



| Vision and Commitment  | Communication   |
|--|---|
| <ul style="list-style-type: none"> <li>• An action plan that leads to action and is monitored and reviewed</li> <li>• Policy reviews</li> <li>• Enthusiasm and commitment</li> </ul> | <ul style="list-style-type: none"> <li>• A web page or presence to support delivery of the Covenant with key information and links for members of the Armed Forces community</li> <li>• A clear public statement of what members of the Armed Forces community can expect from the Council</li> <li>• A route through which concerns can be raised</li> <li>• Training of frontline staff</li> <li>• A vehicle for reporting action and achievements such as an annual report, newsletter or forum minutes</li> </ul> |

17. Some of the identified infrastructure (an elected member champion and web presence to support delivery of the Covenant) is already in place within Ashford, and the action plan outlined below seeks to address other aspects of the core infrastructure. The action plan has been constructed in co-ordination with Councillor Dehnel and is informed by best practice from Covenant partners and other local authorities. Further detail is available in Appendix 2.

- A. **Organisation review.** Checking how the Council is fulfilling its duties under the Covenant, ensuring that we are supportive of members of the Armed Forces community resident in the borough and working within the authority. With the adoption of policies relating to the employment of reservists, the Council may be eligible for an award under the Defence Employer Recognition Scheme.<sup>7</sup>
- B. **Staff contact.** Training frontline staff to ask customers whether they or a member of their immediate family have ever served in the British Armed Forces, ensuring that the digital transformation does not disadvantage the Armed Forces community, updating and refining our web presentation for the Covenant.
- C. **Pathways.** Training staff to make appropriate referrals to external services, charities and partners and working with the Armed Forces Network (Kent and Medway NHS) to develop pathway documents for local authority areas of responsibility.
- D. **Partnership working.** Close working and liaison with the Armed Forces, charity and voluntary sector organisations and community groups.
- E. **Health and Wellbeing.** Working with the Ashford Health and Wellbeing Board, the Ashford CCG and the NHS Armed Forces Network to address health and wellbeing issues affecting the Armed Forces community.
- F. **Housing.** Regularly reviewing our lettings policy to ensure that it is fit for purpose with regard to the Armed Forces community.
- G. **Covenant Fund.** Supporting bids for grant funding in the Ashford area.
- H. **Recognise and Remember.** Working with the Borough History, Heritage and Commemoration Task Group to ensure that commemorative and remembrance events in the borough are well supported and of the highest standard.

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<sup>7</sup> Organisations may self-nominate for a Bronze award. Silver and Gold awards require external nomination. As of September 2017, Bronze award holders in the County include Maidstone Borough Council, Medway Council, the Ashford CCG and Tenterden Town Council. Kent County Council currently hold a Silver level award.

18. The majority of actions identified within the plan can be achieved within existing resources and increased capital spend is not anticipated. Supporting bids for grant funding from the Covenant Fund may have a capital consideration, but such projects would be assessed on a case-by-case basis utilising the Project Initiation Document (PID) mechanism as appropriate.

## **Implications and Risk Assessment**

19. The lack of definitive information on the size of the Armed Forces community in the Borough means that it is difficult to predict the level of support that the Council will need to provide to this community. Regular engagement with the Armed Forces, voluntary and charity sectors and relevant community organisations is likely to provide a better picture of the Armed Forces community in Ashford and its needs.
20. There are reputational risks to the Council associated with failure to deliver under the Covenant if any members of the Armed Forces community feel that they have been disadvantaged as a result of their Armed Forces connection.

## **Equalities Impact Assessment**

21. The purpose of the Covenant is to ensure that members of the Armed Forces community are not disadvantaged in the provision of public services, and that special consideration is given where appropriate.

## **Other Options Considered**

22. The Council could offer a generic referral service, utilising the Council's website to provide information on voluntary and charity sector support for the Armed Forces community and directing residents to third party organisations as appropriate.
23. This is not recommended as the Council would potentially be acting counter to the principles of the Armed Forces Covenant in not taking account of the particular needs of the Armed Forces community in Ashford, and would not be meeting the commitment of partner organisations in the county including the Armed Forces.

## **Reasons for Supporting Option Recommended**

24. Delivery of the action plan outlined will re-affirm the Council's support for the Armed Forces Covenant, provide greater support for the Armed Forces community in the Borough and strengthen working relationships with the Armed Forces, voluntary and charity sectors and community organisations.

## **Conclusion**

25. Adoption of the actions outlined within this report will re-affirm the Council's support for the Armed Forces community, enable the provision of more effective support for members of the Armed Forces community in the Borough and provide the means to strengthen the Council's partnerships with the

Armed Forces, voluntary and charity sector organisations and community groups.

## **Portfolio Holder's Views**

26. Ashford has long valued and celebrated its military heritage and connections, and this re-affirmation of the Armed Forces Covenant will strengthen the commitment of the Council and the Borough's residents to supporting all members of the Armed Forces community.
27. The Armed Forces Champion has undertaken significant work to ensure the Council has a visible presence and point of contact for the Armed Forces community in the Borough, and the adoption of the actions contained in this report will ensure that appropriate officer support is in place across the authority to work with the Champion to further develop the Armed Forces Covenant in Ashford.

**Cllr G D Clarkson, Leader**

## **Armed Forces Champion's Views**

28. It is imperative that once the new Head of Corporate Policy, Economic Development and Communications is in post sufficient time, energy and direction is assigned to developing the core elements of the Covenant so that the internal processes support the external requirements
29. There is also an aspiration to see how Service personnel, past and present, can better access Ashford's increasing housing stock, including sheltered housing in collaboration with Service charities. Housing is especially important due to the increasing number of Reservists being deployed and as the Regular Services continue to disperse their families into the Community in ever increasing numbers.

**Cllr S Dehnel, Armed Forces Champion**

## **Contact and Email**

Will Train, Corporate Scrutiny and Overview Officer  
[will.train@ashford.gov.uk](mailto:will.train@ashford.gov.uk) 01233 330394

## Appendix 1 – Armed Forces presence in Kent

### Community engagement - County level

**11<sup>th</sup> Infantry Brigade and HQ South East** is one of the Army's seven Adaptable Force Brigades comprising of Regular and Reserve units. The Brigade is the Army regional point of contact for the eight counties of the South East of England, and is based at Roebuck House in Aldershot.

<http://www.army.mod.uk/structure/34892.aspx>

*Kent County Council*

### Community engagement – District Level

**36 Engineer Regiment (36 Eng Regt)** is a Force Support Engineer Regiment and one of the busiest units in the Corps of Royal Engineers. It provides specialist engineer solutions to various force elements and remains poised to deliver theatre entry, indirect support to combat operations, military-civil transition and recovery. It is based at Invicta Park Barracks, Maidstone.

<http://www.army.mod.uk/royalengineers/units/28651.aspx>

*Ashford, Maidstone, Sevenoaks, Tonbridge and Malling, Tunbridge Wells*

**The Royal Gurkha Rifles (RGR)** are a unique unit in the Army with a reputation of being amongst the finest and most feared soldiers in the world. The **2<sup>nd</sup> Battalion (2RGR)** is a Light Role Battalion of the Royal Gurkha Rifles, based at Sir John Moore Barracks, Folkestone.

<http://www.army.mod.uk/infantry/regiments/24001.aspx>

*Dover, Shepway, Thanet*

**1 Royal School of Military Engineering Regiment (1 RSME Regt)** provides artisan engineer training to the Corps of Royal Engineers and the wider Field Army, Fleet and RAF. It is located at Brompton Barracks, Chatham; the home of the Corps of Royal Engineers.

[http://www.army.mod.uk/training\\_education/25904.aspx](http://www.army.mod.uk/training_education/25904.aspx)

*Dartford, Gravesham, Medway, Swale*

**The Princess of Wales's Royal Regiment (PWRR)**, known as 'The Tigers', is an infantry regiment that has been in every major conflict since the second World War and is one of the most decorated Regiments for gallantry in the British Army. **3<sup>rd</sup> Battalion (3PWRR)** is the Army Reserve Battalion of the Regiment, with the HQ Company based at Leros Barracks, Canterbury. The Regiment was granted the Freedom of the Borough on 30 June 1992.

<http://www.army.mod.uk/infantry/regiments/24949.aspx>

*Canterbury*

### Connected to the Borough

**The Intelligence Corps (INT CORPS)** provides accurate, timely intelligence to give Commanders confidence while planning and executing operations. INT CORPS were based at Templer Barracks, Ashford until 1997, and were granted the Freedom of the Borough on 16 May 1979.

**103 Battalion Royal Electrical and Mechanical Engineers (103 REME)** are Reserve Engineers for London and the South East. **133 Field Company** is based at the Army Reserve Centre, Ashford, and were granted the Freedom of the Borough on 7 May 2009.

<http://www.army.mod.uk/remem/103bn.aspx>

#### Historic sites within the Borough

- Mark IV Tank (female), St Georges Square (WW1)
- Anti-Tank defence, Godmersham Park (WW2)
- RAF Ashford, Great Chart (WW2)
- RAF Headcorn, Headcorn (Egerton Forstal) (WW2)
- RAF Kingsnorth, Kingsnorth (WW2)
- RAF Wye, Wye (WW1)

Appendix 2 – Action Plan for the Armed Forces Covenant

| <b>Theme</b> | <b>Principle</b>     | <b>Actions - supervised by Lead Officer and Member Champion</b>   | <b>With support from</b>             |
|--------------|----------------------|---|--------------------------------------|
| A            | Organisation Review  | 1. Review of HR policies regarding reservist/veteran employment   | HR                                   |
|              |                      | 2. Inclusion of Armed Forces community consideration in future equalities impact assessments  | Policy and Performance               |
|              |                      | 3. Consider submission for Bronze Defence Employer Recognition Scheme Award/Forces Friendly Employer status                                     | HR                                   |
| B            | Staff Contact        | 1. Ensure frontline staff are asking customers whether they or a member of their immediate family have ever served in the British Armed Forces. | Customer Services                    |
|              |                      | 2. Provide staff with information on voluntary and charity sector support for the Armed Forces community  | Customer Services                    |
|              |                      | 3. Ensure digital transformation does not disadvantage Armed Forces Community   | Digital Transformation working group |
|              |                      | 4. Revise and improve web presentation on Covenant  | Policy and Performance               |
| C            | Pathways             | 1. Supporting the Armed Forces Network to develop and deliver local authority focused Pathways  | Housing/ Finance                     |
|              |                      | 2. Embedding Pathways into customer contact process   | Customer Services                    |
| D            | Partnership Working  | 1. Regular liaison with 36 Engineers, KCC and County Champions to explore opportunities for joint working and support                           |                                      |
|              |                      | 2. Build effective working relationships with Armed Forces and related charity, voluntary and community organisations                           | Cultural Services                    |
|              |                      | 3. Formation of Civilian Military Partnership Board to discuss issues affecting Armed Forces Community in Ashford                               | Member Services                      |
| E            | Health and Wellbeing | 1. Work with AHWB to address health and wellbeing issues affecting the Armed Forces Community   | Health, Parking and Community Safety |
|              |                      | 2. Include Armed Forces Network on AHWB circulation/priority setting  | Health, Parking and Community Safety |

| <b>Theme</b> | <b>Principle</b>       | <b>Actions - supervised by Lead Officer and Member Champion</b>  | <b>With support from</b>  |
|--------------|------------------------|--|---|
| F            | Housing                | 1. Regular reviews of Lettings Policy with regard to Armed Forces Community  | Housing   |
| G            | Covenant Fund          | 1. Supporting appropriate bids for Covenant Fund grants in Ashford   | Cultural Services   |
|              |                        | 2. Working with 36 Engineers to explore opportunities to deliver collaborative community projects with grant funding   | Cultural Services   |
| H            | Recognise and Remember | 1. Ensure that commemorative and remembrance events in the borough are well supported and of the highest standard  | Heritage & History Task Group/Cultural Services/Member Services |
|              |                        | 2. Plan commemorative events, Armed Forces day and Reserves Day in line with Community Engagement Matrix and in conjunction with Armed Forces events calendars | Heritage & History Task Group                                   |
|              |                        | 3. Publicise local events (Ashford 10k, Triathlon etc.) to 36 Engineers to encourage military participation  | Cultural Services   |

**Agenda Item No:** 16  
**Report To:** **CABINET**  
**Date of Meeting:** 9<sup>th</sup> November 2017



**Report Title:** 'Planning for the right homes in the right places' – response to DCLG consultation  
**Report Author & Job Title:** Simon Cole (Head of Planning Policy)  
**Portfolio Holder** Cllr. Clokie  
**Portfolio Holder for:** Planning & Development

|                 |  |
|-----------------|--|
| <b>Summary:</b> | This report sets out the Council's proposed response to the current consultation document from the Department of Communities & Local Government entitled 'Planning for the right homes in the right places'. |
|-----------------|--|

**Key Decision:** NO

**Significantly Affected Wards:** All

**Recommendations:** **The Cabinet is recommended to:-**

- I. Endorse the proposed responses to the consultation questions set out in the Appendix to this report.**

**Policy Overview:** The potential effects of some of the proposed changes to national planning policy and guidance set out in the consultation document could have significant impacts on future planning policy in the borough.

**Financial Implications:** There are no direct financial implications.

**Legal Implications:** There are no direct legal implications

**Equalities Impact Assessment** Not Required because this is a response to a Government consultation document

**Other Material Implications:** None

**Exempt from Publication:** **NO**

**Background Papers:** None



**Contact:**

Simon.cole@ashford.gov.uk – Tel: (01233) 330642

## Report Title: 'Planning for the right homes in the right places' – response to DCLG consultation

### Introduction and Background

1. DCLG are now consulting on a number intended changes to planning policy and legislation, most of which were first implied through the Housing White Paper published in February this year. The general thrust of the consultation reinforces the view from Government that there is currently a national housing shortage, largely caused by a 'broken' planning system, which needs to be rectified.
2. Amongst a range of measures proposed, the consultation paper establishes a new methodology to simplify how local authority areas calculate their Objectively Assessed Housing Need (OAN). It is claimed that doing so will allow the process to be consistent and transparent whilst also ensure that sufficient land is released for housing in the future to meet projected household growth and to help tackle the affordability of housing in this country, particularly where market demand is at its highest.
3. For the first time since the revocation of the regional plans in 2013, indicative housing targets have been published centrally for each local authority area using the methodology now being proposed. In general, this has resulted in significant increase to annual housing supply that should be being planned for by local authorities, particularly in the South East, where house prices and market demand is higher.

### Current Position

4. The consultation document covers several issues and the key ones described in this report are :-
  - A new methodology for calculation Objectively Assessed Housing need (OAN)
  - Statements of Common Ground to demonstrate compliance with the 'Duty to Co-operate'
  - Planning for a mix of housing needs
  - Neighbourhood planning
  - Viability assessment

*a) A new methodology for calculating OAN*
5. The central component of the consultation paper is the desire from Government to simplify the way in which Objectively Assessed Housing Need (OAN) is calculated. The proposed new methodology is based on three key principles in that it is simple and transparent to understand, uses publically available data and is realistic by reflecting the actual need for homes in each area, taking into account the affordability of homes, in addition to merely household formation assumptions.

6. The new methodology is based on three main components. The first is that projections for household growth should be the demographic baseline for every local authority area and this baseline should be the annual average household growth over a 10 year period. These projected household projections should be directly derived from the Office for National Statistics household projections.
7. The second component of the methodology is to require that the baseline household figure (as per above) is adjusted to take account of an appropriate level of market signals. Doing so will ensure that housing levels in an area reflect the 'actual housing need' in that it ensures that household formations are not suppressed through a lack of supply and that housing supply is adequate to cater for people who want to live in an area but can't because of too few houses.
8. Accordingly, the consultation paper sets out that affordability ratios produced by the Office for National Statistics should be used as a means of adjusting the baseline household figure. These ratios compare median house prices (all properties sold in a local authority area) to median earnings (based on full-time earnings for those working in a local authority area) for the most recent year. Where the ratio exceeds 4, a 0.25% increase in annual housing need is required for every percentage point above 4.
9. The third step of the new methodology relates to a cap on the housing increases applied in districts according to the status of the Local Plan in each area. The cap is set at 40% above adopted annual Local Plan target figures if Plans have been adopted in the last 5 years, or if adopted Plans are older, then 40% above either the annual housing target or the projected household growth whichever is the higher.
10. The conclusion of the application of these three components directly inform what any OAN figure should be for local authorities and should form the basis for Local Plan preparation, unless there are compelling planning reasons not to use this approach (not defined in the consultation).

#### *Transitional arrangements*

11. The Government are clear in their support for the new methodology being advocated in this paper as the means on which to base future Local Plans and for the determination of 5 year housing land supply positions.
12. The consultation paper sets out that the new methodology above will apply after the end of March 2018 through forthcoming amendments to the NPPF and associated national planning practice guidance.
13. If a Local Plan is published but not yet submitted, as is the case for Ashford, the consultation does give a clear steer that the current OAN methodology (i.e. the assessments which led to the housing requirement figure in the emerging Local Plan) can still apply as long as the Local Plan is submitted prior to the end of March 2018. If this route is taken, the housing needs assessment part of the Local Plan would remain valid for 2 years from the submission date of the Plan. Therefore, if the Local Plan is submitted in

December 2017, its housing numbers would remain valid until December 2019. After this time, the consultation document implies that the Council will need to have identified additional housing supply to meet the housing requirements generated by the new OAN methodology

*b) Statements of Common Ground*

14. The consultation document identifies three issues with the Duty to Co-operate as it operates at the moment:-
  - A lack of transparency or certainty in the early stages of plan making about how effectively authorities are working together;
  - Co-operation is only tested towards the end of the plan-making process at the examination at which point it is too late to remedy any failures and plans typically have to be withdrawn; and,
  - Planning authorities are not legally required to reach agreement on issues.
15. In response to this, the document sets out a plan for more effective joint working where planning issues go beyond individual authorities, through a “Statement of Common Ground” setting out how they intend to work together to meet housing needs that cut across authority boundaries.
16. The intention is to set out in the NPPF that all planning authorities should produce a ‘statement of common ground’ over the housing market area or other agreed area where justified. The agreed housing market area should be used as the basis for the geographical area over which to develop statements of common ground.
17. The authorities in the agreed geographical area will be the primary authorities – authorities should only be signatories to those issues covered in the statement of common ground in which they have an interest – eg KCC will need to be a signatory for transport issues.
18. Authorities should have a statement of common ground in place within 12 months following the publication of a revised NPPF but authorities are expected to have an outline statement in place within six months following publication of the revised Framework. The Statement should be reviewed, and if necessary up-dated, when primary authorities each reach certain key milestones in the plan-making process. Co-operation will continue to be tested by virtue of the statutory of the statutory duty to co-operate when a plan is submitted for examination.
19. Alongside this, the tests of soundness for Local Plans are proposed to be amended to include that plans should be prepared based on a strategy informed by agreements over the wider area and plans should be based on effective joint working on cross boundary strategic priorities, which are evidenced in the statement of common ground. However, these new tests will not be applied until 12 months after the revision to the NPPF.

*c) Mix of Housing Needs*

20. The consultation document proposes that plan-makers should disaggregate total housing need to needs for specific types and forms of housing with the

government to up-date guidance on this but it is expected to be more detailed in addressing specific needs.

#### *d) Neighbourhood Planning*

21. The consultation document raises the issue of whether local communities preparing Neighbourhood Plans should have a housing figure provided to enable them to plan for in their areas. It is proposed that national guidance will be amended to enable LPAs to provide a housing target figure for bodies preparing NPs which can be based on a settlement strategy and allocations if the Local Plan is up to date. However, if Local Plans are 'out of date' and cannot be relied on as the basis for allocating housing figures, the consultation proposes that national guidance will set out a formula-based approach which apportions the overall housing need of the district based on the new OAN methodology. This formula would simply relate to the percentage of the district population within the NP area and apply this percentage to the district housing need figure.

#### *e) Viability assessment*

22. The guidance indicates that in plan-making, LPAs will need to set out types and thresholds for affordable housing contributions, infrastructure requirements and how these are to be delivered including expectations from developers. The NPPF is to be amended to make clear that if viability is tested at Plan-making, there should be no need to revisit viability issues at planning application stage and national policy is to be amended to require LPAs to set out in their plans how they will monitor, report and publicise funding secured through S106 and how it is spent.
23. There are additional sections of the consultation document where DCLG seeks views on the potential criteria for enabling additional planning application fee increases and ideas to ensure that build out rates on development schemes are increased and these are addressed in the proposed responses in the Appendix.

### **Implications and Risk Assessment**

24. For Ashford Borough, the proposed new methodology for assessing housing need would result in an increased housing requirement of 989 dwellings per annum which is a rate about 20% above that currently envisaged in the emerging draft Local Plan to 2030. This is due to the relatively high level of house prices in the borough compared to median earnings which creates a multiplier effect on the ONS household projections which also underpin the Strategic Housing market assessment based methodology used to inform the emerging Local Plan.
25. This clearly has potential implications for development in the borough in the longer term as more land for housing development will need to be allocated by the Council to achieve a sound Local Plan. However, the progress of the emerging Local Plan to 2030 means that the Council can take advantage of the transitional arrangements described in para. 13 above and utilise the existing evidence base on housing need that supports the Local Plan by submitting the Plan for examination before the end of March 2018.

26. Nevertheless, the consequences of the proposed methodology change for this borough and all of our neighbouring districts (except Shepway) is of a significant future increase in housing requirements in the area which will provide a major challenge in the years ahead.
27. Other elements of the consultation document also raise some potential significant procedural issues for Plan making in particular and these are covered in the proposed responses to the consultation in the Appendix.

## **Equalities Impact Assessment**

28. There is no EIA associated with this report.

## **Consultation Planned or Undertaken**

29. The Local Plan & Planning Policy Task Group has discussed the key issues raised by the consultation paper and are scheduled to meet again on the 3<sup>rd</sup> November to consider the proposed responses to the consultation set out in the Appendix to this report.
30. At the meeting on the 5<sup>th</sup> October, the Task Group also agreed to continue with the timely submission of the emerging Local Plan to 2030 so that it may proceed under the transitional arrangements referred to above. The 'submission' version of the Local Plan is scheduled to be considered at Cabinet (and then Full Council) in December with actual submission of the Plan to the Planning inspectorate to occur as soon as possible thereafter.

## **Next Steps in Process**

31. As the consultation closes on the 9<sup>th</sup> November, it is proposed that officers will have formally submitted the proposed responses to the consultation set out in the Appendix in advance of the cabinet meeting to ensure DCLG receives the Council's views in time. Cabinet Members are to be specifically invited to the Local Plan and Planning Task Group meeting on the 3<sup>rd</sup> November to shape the final responses.

## **Conclusion**

32. Although only embodied within a consultation document for now, the potential implications of the government's proposals for development in the borough are very significant. By basing their policy on what are, in effect, fairly crude measures of affordability, the Government has signalled that only basic market forces of supply and demand will be used to address the 'national housing shortage'. Unsurprisingly, the vast majority of districts in the southern half of England have seen their OAN figures increase as a consequence with the majority of districts in the North seeing the opposite.
33. Regrettably, the approach also seems predicated on a misplaced assumption that an ever increasing supply of land identified for housing will, of itself, generate a step change in the volume of house construction in the country

with the result that house prices will reduce significantly. There is, of course, no evidence that this would happen and no new measures are proposed in the consultation document to make it more likely.

34. The consultation response provides the Council with the opportunity to identify both the specific concerns over the proposed changes and the more general concern that about the wider approach that addresses only the supply of additional land rather than delivery on that land will not fulfil the government's objectives of increasing the supply of housing on the ground.

### **Portfolio Holder's Views**

35. I endorse the proposed responses to the consultation document and would emphasise the urgent need for the government to introduce clear obligations on developers with planning permissions to require them to build out their schemes as soon as possible. Without such obligations, including the potential for suitable penalties if not met, the government's aim of increasing the delivery of housing on the ground will be frustrated and local communities will be faced with added pressure for more housing on unsuitable sites.

### **Contact and Email**

36. Simon Cole (Head of Planning Policy) 01233 330642 & [simon.cole@ashford.gov.uk](mailto:simon.cole@ashford.gov.uk)

## APPENDIX 1

The consultation paper can be viewed by following this link:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/644955/Planning\\_for\\_Homes\\_consultation\\_document.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/644955/Planning_for_Homes_consultation_document.pdf)

The DCLG consultation contains a list of consultation questions and these provide the template for the proposed responses set out below.

### Question 1(a)

**Do you agree with the proposed standard approach to assessing local housing need? If not, what alternative approach or other factors should be considered?**

No. The methodology is based on what are, in effect, fairly crude measures of affordability. The Government has signalled that only basic market forces of supply and demand will be used to address the 'national housing shortage'. Unsurprisingly, the vast majority of districts in the southern half of England have seen their OAN figures increase as a consequence with the majority of districts in the North seeing the opposite. The Council is not convinced that a methodology that implies an outcome that seeks house prices falling substantially in large parts of the country is, in itself, either a practical or necessarily desirable outcome – certainly not for existing owner-occupiers. A methodology that seeks stability in the housing market is surely more desirable.

Regrettably, the proposed methodology seems predicated on the misplaced assumption that an ever increasing supply of land identified for housing will, of itself, generate a step change in the volume of house construction in the country with the result that house prices will reduce significantly. There is, of course, no evidence that this would happen and no measures are proposed in the consultation document to make it more likely. Furthermore, the level of house prices are affected by a variety of factors including land values, average wages and employment levels in the area – not simply supply and demand.

The proposed methodology appears to be principally about establishing housing need for the owner-occupier market as it is based on house prices (for sale) and mortgage affordability. This does not necessarily provide an accurate picture of housing need in the round and is too prone to outside factors, such as changes to interest rates. It is unclear what the effect of the methodology on affordable housing provision and policy might be as recent SHMAs have made assessments of how much affordable housing needs to be provided as a proportion of a district's overall housing needs. The effects of building more houses to make market housing more affordable which underpins the new methodology must influence this equation in some way.

In a number of instances, the proposed OAN methodology seems flawed. For example, the reliance on median earnings and median house prices as a measure of affordability is crude, especially in locations such as Ashford where many residents work outside the borough in locations where



salaries are higher (such as London) and thus the affordability ratio is inflated, or where the rural and urban housing markets are quite different in nature but lie within a single district area.

It is accepted that there is no flawless way by which housing need can be accurately and consistently represented across the country as housing markets vary greatly. A more sophisticated methodology that takes proper account of housing affordability but which enables some flexibility to take account of local or regional market conditions would be more realistic and likely to deliver results on the ground.

### **Question 1(b)**

#### **How can information on local housing need be made more transparent?**

This will be dependent on the eventual methodology used but on the basis that national household projections will continue to form an important element of establishing future housing need, then the Council believes there should be more transparency in how those projections are reached for individual districts and with a commentary on why they have changed from the previous set of projections (if relevant). This is particularly the case for districts that are expected to experience significant levels on in-migration from other areas, either from within the UK or abroad.

There is a risk that these projections will form the basis of challenges to levels of local housing need if they are not clearly explained or justified.

### **Question 2**

#### **Do you agree with the proposal that an assessment of local housing need should be able to be relied upon for a period of two years from the date a plan is submitted?**

No. This period is too short and would result in adopted Local Plans having an unreasonably short shelf-life. The Housing White Paper indicates that Local Plans should be reviewed every five years and therefore this would be a reasonable time scale for housing figures agreed and adopted through an up to date Local Plan process to remain valid. At a Local Plan review, it would then be reasonable to expect the Local Planning Authority to recalibrate housing need in light of the prevailing data at the time and plan accordingly. The proposal as it stands would undermine the Plan-led approach that Government seeks and act as a disincentive to proper Plan-making and so a period of 5 years post adoption is proposed as a better alternative.

### **Question 3**

#### **Do you agree that we should amend national planning policy so that a sound plan should identify local housing needs using a clear and justified method?**

Yes. The Council agrees with this proposal which would make scrutiny of the Local Plan process more straightforward for stakeholders.

### **Question 4**

#### **Do you agree with our approach in circumstances when plan makers deviate from the proposed method, including the level of scrutiny we expect from the Planning Inspectors?**

Yes, in general. Where an alternative method is proposed, however, there may be some logic to the Planning Inspectorate providing a level of challenge before the Local Plan is subject to the pre-

submission representations period and submission itself. This is to minimise the potential for an inappropriately-justified methodology reaching the examination stage, with all the costs and delays that could be caused if significant further work is needed to deliver a “sound” Local Plan (suspension of the examination, compilation of new evidence, further consultation etc).

**Question 5(a)**

**Do you agree that the Secretary of State should have discretion to defer the period for using the baseline for some local planning authorities? If so, how best could this be achieved, what minimum requirements should be in place before the Secretary of State may exercise this discretion, and for how long should such deferral be permitted?**

Councils that bring forward Local Plans under the proposed transitional arrangements (see below) could currently be at a significant disadvantage in light of the proposals set out in paragraph 48 of the consultation document to utilise the new OAN methodology as the basis for calculating 5 year housing land supply from 31<sup>st</sup> March 2018. It is essential that Local Planning Authorities who are being encouraged to proceed with the submission of their Local Plans prior to the 31<sup>st</sup> March 2018 are exempt from this change. This should be made clear in any revised NPPF and should not be a discretionary element.

**Question 5 (b)**

**Do you consider that authorities that have an adopted joint local plan, or which are covered by an adopted spatial development strategy, should be able to assess their five-year land supply and / or be measured for the purposes of the Housing Delivery Test, across the area as a whole?**

No comment.

**Question 5 (c)**

**Do you consider that authorities that are not able to use the new method for calculating local housing need should be able to use an existing or an emerging local plan figure for housing need for the purposes of calculating five-year land supply and to be measured for the purposes of the housing delivery test?**

Yes. This is of huge importance to Local Planning Authorities seeking to properly plan for the housing needs of their areas through emerging Local Plans. This should apply to those Councils that bring submit Local Plans for examination under the proposed transitional arrangements (see below).

More broadly, the Government should review the application of the 5 year land supply guidance and methodology set out in the NPPF and associated PPG to the use of any standardised OAN methodology, particularly if that methodology is likely to result in changes to OAN calculations on a frequent basis. For example, the Government should make clear that each recalibration of OAN based on changes to household projections or changes to the affordability ratio encompasses any shortfall or over-supply in housing delivery over the previous period. Logic suggests this would be the case as it would be reflected in house prices and this would remove the contentious issue of whether councils are deemed to be persistent under suppliers or not. A simple 5% buffer, for choice and competition, above the recalibrated OAN could remain as part of the 5 year land supply calculation.

In addition, the revision of the NPPF's approach to 5 year housing land supply should end the requirement for Local Planning Authorities to release ever more land where annual housing delivery rates would exceed any realistic expectation of delivery in the local housing market. This may be considered as part of each Local Plan review as is the case now. The current means of calculating 5 year housing land supply acts as a perverse incentive to landowners and developers to restrict build out rates as this forces the release of extra land often in less sustainable locations than those assessed during the Plan making process. See also the response to Question 19 below.

#### **Question 6**

**Do you agree with the proposed transitional arrangements for introducing the standard approach for calculating local housing need?**

Yes. It is reasonable for Plans that are sufficiently advanced to be able to be submitted up to the 31<sup>st</sup> March 2018 to progress on the basis of the existing guidance and methodology. It is important that guidance is updated to ensure that examinations that may be held after the 31<sup>st</sup> March (or the revision of the NPPF) are undertaken on the basis of the existing methodology being considered a sound approach.

#### **Question 7 (a)**

**Do you agree with the proposed administrative arrangements for preparing the statement of common ground?**

Yes. However, much greater clarity is needed to establish how this exercise relates to, or is part of, the wider legal 'Duty to Co-operate'.

#### **Question 7 (b)**

**How do you consider a statement of common ground should be implemented in areas where there is a mayor with strategic plan-making powers?**

No comment.

#### **Question 7 (c)**

**Do you consider there to be a role for directly elected mayors without strategic plan-making powers in the production of the statement of common ground?**

No comment.

#### **Question 8**

**Do you agree that the proposed content and timescales for publication of the statement of common ground are appropriate and will support more effective co-operation on strategic cross-boundary planning matters?**

No. The proposed timescales are too onerous if the content of the Statements of Common Ground are to be meaningful. There needs to be sufficient time available for Local authorities to establish more formalised arrangements for dialogue and discussion when none exist or are based on more informal processes at present. There should also be exemption from the timescales for those Local Authorities who will be submitting their Local Plans under the proposed transitional arrangements

as these matters will be considered at examination under the current Duty to Co-operate obligations.

More generally, the move towards more formalised processes to facilitate cross boundary strategic planning is welcomed but adequate time needs to be devoted to ensuring this is constructive. The Council suggests that an the Statement of Common Ground could be sought 12 months after the review of the NPPF or post adoption of a Local Plan, whichever is the latter and thereafter at the Plan-making milestones suggested in paragraph 81 of the consultation document.

**Question 9 a)**

**Do you agree with the proposal to amend the tests of soundness to include that:**

- i) plans should be prepared based on a strategy informed by agreements over the wider area; and**
- ii) plans should be based on effective joint working on cross-boundary strategic priorities, which are evidenced in the statement of common ground?**

It is not clear whether the creation of a test of soundness relating to agreements over a 'wider area' would amount to a de facto 'Duty to Agree' between local authorities. This would go beyond the current Duty to Cooperate requirements and would run a significant risk of causing delay to the plan-making process. It is unclear how a strategy will be agreed, and what consultation could be undertaken to inform this (particularly in circumstances where plan-making timescales are misaligned).

Clear guidance will be needed to establish what a reasonable expectation is when a Plan is examined in the event that neighbouring authorities cannot agree a strategy.

**Question 9 b)**

**Do you agree to the proposed transitional arrangements for amending the tests of soundness to ensure effective co-operation?**

As stated in response to question 8 above, any transitional arrangements should also relate to a minimum of 12 months post adoption of a Local Plan.

**Question 10 a)**

**Do you have any suggestions on how to streamline the process for identifying the housing need for individual groups and what evidence could be used to help plan to meet the needs of particular groups?**

The Council supports the need to disaggregate total housing need within a Local Plan context as it can provide specific evidence that can guide policy provision. At present, this evidence is principally derived from the SHMA, so in the absence of a SHMA – as advocated by the consultation document – it is difficult to see how this evidence can be collected without seeking a similar level of detailed evidence to the SHMA, thus undermining some of the time and cost benefits that are promoted as part of the new simplified OAN methodology.

The examination of market data for specific forms of housing, e.g. extra-care, age-specific, private rented could provide guidance on the levels of demand for such housing types and this could help to provide 'market signals' as to the need for such accommodation in a local area.

**Question 10 b)**

**Do you agree that the current definition of older people within the National Planning Policy Framework is still fit-for-purpose?**

Yes. However, greater clarity in national guidance is required in relation to meeting housing need in use class C2 and how Local Authorities should plan for and monitor that specific requirement including the role it can play in freeing up general market housing stock to help meet wider housing needs.

**Question 11 a)**

**Should a local plan set out the housing need for designated neighbourhood planning areas and parished areas within the area?**

Whilst this might seem desirable in theory, it is a far from straightforward issue. Many Local Plans covering non-urban areas do not necessarily make allocations on a parish boundary basis, but on a settlement basis. It is often the case that a large rural parish may only have one or, perhaps, two settlements with any level of services; allocations would more normally be made in a Local Plan on a settlement basis (consistent with a settlement hierarchy) than a parish basis. An emerging Local Plan will likely need to make allocations in most/all suitable parishes (consistent with the emerging settlement hierarchy and Sustainability Appraisal), because it may not be safe to assume a Neighbourhood Plan would necessarily come forward or continue to completion in that parish.

For this reason, requiring an emerging Local Plan to set out housing figures for neighbourhood areas and parishes would be fraught with difficulty, and would run a significant risk of causing major complications in the production of the Local Plan. At best, it could cause delays (possibly significant) as there is discussion (and potential disagreement) about appropriate levels for particular parishes; at worst, a Local Plan could run into major SA difficulties if there was serious doubt about whether the choice of sites and housing numbers was “the most appropriate” (or even “an appropriate” strategy).

**Question 11 b)**

**Do you agree with the proposal for a formula-based approach to apportion housing need to neighbourhood plan bodies in circumstances where the local plan cannot be relied on as a basis for calculating housing need?**

No. This is a very crude and simplistic method that would inevitably result in a more dispersed pattern of housing than would otherwise be planned and seems to run contrary to the golden thread of sustainable development that runs through the NPPF. In a borough such as Ashford for example, where planned growth has focused primarily on Ashford town and its surroundings for reasons of accessibility to services, infrastructure, employment, etc, the implications of the formula-based approach would mean much greater amounts of development in the rural villages to the detriment of their inherent character.

Where there are significant areas of a district which are highly constrained, the proposed approach is even more problematic; it would not be possible for neighbourhood plans in these areas to meet their housing need, based on the ‘apportionment’ approach. This could therefore lead to a shortfall in the provision of homes across the district. The only sensible approach in this case would be for

housing numbers to be left entirely to the Local Plan to distribute, with Neighbourhood Plans indicating instead preferred locations of housing growth rather than exact numbers and locations of sites.

#### **Question 12**

**Do you agree that local plans should identify the infrastructure and affordable housing needed, how these will be funded and the contributions developers will be expected to make?**

Yes. However, in order to make it work as effectively as possible, detailed longer-term engagement from various service providers will need to take place; too often, near-complete certainty of costs (say from a water and sewerage company) can often only be provided 5-8 years ahead, due to the nature of the legislative and regulatory regime. This can make it difficult for LAs to understand what some of the infrastructure costs might be, especially on larger sites or those planned to come forward later in the Plan period, raising viability concerns when some of these sites come forward later through planning applications.

#### **Question 13**

**In reviewing guidance on testing plans and policies for viability, what amendments could be made to improve current practice?**

There is a need for guidance to be amended to provide greater clarity as to what level of evidence is regarded as proportionate in justifying viability. This is a potentially lengthy, costly and complex part of the plan-making process and it is not feasible to cover all potential scenarios. In particular, greater clarity around what constitutes a 'reasonable return' to landowners is critical in ensuring that artificially high land values become embedded in the viability evidence base to the detriment of the ability to deliver the necessary infrastructure needed to support new housing development.

#### **Question 14**

**Do you agree that where policy requirements have been tested for their viability, the issue should not usually need to be tested again at the planning application stage?**

Yes, in principle, although clearly the longer the time-gap between the Local Plan being adopted and sites coming forwards, the greater the chance of various costs and values changing in a way that might legitimately impact viability (construction industry costs, for example). Where there is a recently adopted Local Plan, it is agreed that the NPPF should be amended to make clear that an inability to achieve policy compliant levels of developer contributions may only be acceptable in exceptional circumstances. This should apply for at least 12 months post adoption. Guidance should also expect land values to be lower where there are known 'abnormal' costs.

The Council also believes that the principle of deferred contributions should also be embedded in national policy to provide greater flexibility and allow contributions deferred at the point of planning permission to be subsequently made where sales values have increased.

#### **Question 15**

**How can Government ensure that infrastructure providers, including housing associations, are engaged throughout the process including in circumstances where a viability assessment may be required?**

The Council considers this is an important aspect of plan-making and planning for new development in general. Our experience is that the engagement of service providers, especially those outside local government, is very patchy and inconsistent and this makes it more difficult to deliver joined up development proposals and infrastructure delivery plans that enable developers and residents to understand how and when infrastructure is needed to support new development.

Local Planning Authorities may largely be engaging appropriate service providers due to the need to meet the Duty to Co-operate in Local Plan-making but similar requirements should be imposed on other service providers in drawing up their own service delivery plans. This may be through the appropriate regulatory body or more directly from the relevant Secretary of State. Alignment of infrastructure planning more generally across different sectors will assist in identifying key infrastructure requirements and phasing that will assist, for example, central Government or LEPs in assessing funding bids in the future.

#### **Question 16**

**What factors should we take into account in updating guidance to encourage viability assessments to be simpler, quicker and more transparent, for example through a standardised report or summary format?**

Essential to improving viability is bringing forward a non-attributable national build cost database. The RICS BCIS index is currently optional and often unpopulated by the volume builders that are most able to drive costs down through bulk buying power.

A standardised format for production of viability assessments would assist in making the process more transparent.

#### **Question 17 (a):**

**Do you agree that local planning authorities should set out in plans how they will monitor and report on planning agreements to help ensure that communities can easily understand what infrastructure and affordable housing has been secured and delivered through developer contributions?**

Yes, these could be set out in Authority Monitoring Reports, which must already be produced and published on councils' websites on an annual basis.

#### **Question 17 (b)**

**What factors should we take into account in preparing guidance on a standard approach to monitoring and reporting planning obligations?**

Each report should cover a single financial year only and contain information on all receipts and spending, plus the developments that they relate to. They will need to be clear as to which stage of the process the developments referred to are at; for many sites, this information will need to be recorded over a number of years (outline consent; reserved matters consent; when triggers requiring particular S106 payments have been met (at a certain threshold of housing completions, for example).

To avoid the process becoming an expensive and involved paper-chase for LPAs to produce, it would be sensible for a minimum threshold of development to be included, to be monitored in detail:

perhaps 50 dwellings. All other, smaller, developments, could be grouped together for simplicity's sake.

**Question 17 (c)**

**How can local planning authorities and applicants work together to better publicise infrastructure and affordable housing secured through new development once development has commenced, or at other stages of the process?**

No comment.

**Question 18 a)**

**Do you agree that a further 20 per cent fee increase should be applied to those local planning authorities who are delivering the homes their communities need? What should be the criteria to measure this?**

Whilst LPAs are a very important part of the process – allocating sites, granting consents, discharging conditions etc – housebuilders actually build most of the homes in the country. Many councils build what they can themselves, and so do housing associations, but at present the private sector is the dominant delivery partner. In these circumstances, it would be unfair to relate additional fee increases to actual delivery on the ground and potentially create an unacceptable situation where private housebuilders could have a significant influence on an authority's ability to cover its costs.

The additional fee increase could be more reasonably applied to LPAs who have an up to date Local Plan that identifies sufficient housing land to meet identified housing needs (i.e have demonstrating all they can reasonably do to meet their housing requirements).

**Question 18 b)**

**Do you think there are more appropriate circumstances when a local planning authority should be able to charge the further 20 per cent? If so, do you have views on how these circumstances could work in practice?**

See answer to question 18 a) above.

**Question 18 c):**

**Should any additional fee increase be applied nationally once all local planning authorities meet the required criteria, or only to individual authorities who meet them?**

It will only be an incentive if applied to individual authorities.

**Question 19:**

**Having regard to the measures we have already identified in the housing White Paper, are there any other actions that could increase build out rates?**

This is a critical element of the Government's overall aspiration to increase house building rates across the country. It is fully accepted that Local Planning Authorities must play an active and full part in identifying enough suitable land for housing development within their areas and where necessary, working with their local authority neighbours to achieve that end but fundamentally private housebuilders are responsible for actually building the vast majority of housing on the ground.



As it stands, the approach to housing delivery proposed in the Housing White Paper, including the Housing Delivery Test and embodied in the 5 year housing land supply requirements in the current NPPF are geared almost solely towards local authorities having to release ever more land as a consequence of developers failing to build out permissions / allocations. Such an approach acts as a perverse incentive to developers to restrict build out and must be changed through revisions to the NPPF to create the right conditions for housing delivery on the ground.

The Council considers that there needs to be much greater control over not just the implementation of a residential planning permission but also in respect of build out including some element of financial penalty on the developer if agreed rates of construction are not achieved. This would help to provide an obvious incentive to deliver homes in a timely manner and act as a more transparent and accountable mechanism to inform assumptions around delivery rates embodied within Local Authority housing trajectories and 5 year land supply calculations.

# NOTES OF THE ECONOMIC REGENERATION & INVESTMENT BOARD

## 27<sup>th</sup> September 2017

**Attending:** Cllr Clarkson (Chairman)  
Cllr Galpin  
Cllr Ovenden  
Cllr Shorter

Tracey Kerly (TK)  
Paul McKenner (PMcK)  
Maria Seddon (MS)  
Steve Parish (SP)  
Ben Lockwood (BL)  
John Fairhall (JF)  
Richard Alderton (RA)  
Rosie Reid (RR) – minutes

**Apologies:** Charlotte Hammersley  
Dean Spurrell  
Sarah Hartles  
Stewart Smith

|   |  |
|---|--|
| <p><b>1. Declarations of Interest</b></p> <p>Cllr Clarkson made a Voluntary Announcement as he was a Director of A Better Choice for Property Ltd.</p> <p>Cllr Shorter made a Voluntary Announcement as he was a Director for A Better Choice for Building Consultancy Ltd and Kent Play Clubs. He also declared that, historically, he had been a Member of Kent Woolgrowers. He had recently written to them to rescind his Membership and to distance himself from the company. A copy of this letter was on file.</p> <p>TK made a Voluntary Announcement as she was a Director of A Better Choice for Property Ltd and A Better Choice for Building Consultancy Ltd.</p> <p>PMcK and MS made Voluntary Announcements as they were Directors of A Better Choice for Property Ltd.</p> |  |
| <p><b>2. Kent Woolgrowers Site</b></p> <p>PMcK introduced this item. He said approaches had been made to the Council regarding potential interest in acquiring the site vacated by Kent Woolgrowers. With the agreement of the Chief Executive, an independent company had been engaged to value the site. Details were</p>   |  |

contained in the body of the report, together with broad estimates of liabilities to mitigate and manage on-site issues. Officers had visited the site, but needed to re-walk the area to understand better the potential for the existing buildings, and this would take place today or tomorrow, if Members so wished. Any offer made to the Administrators would need to be subject to the removal of the existing Option, as well as approval by Cabinet and Full Council. (In June 2012 Kent Woolgrowers entered into an Option with Friends Life Ltd. The Option was registered at the Land Registry as a charge on the site). Planning permission was currently in place for the site, but would expire next year. There were a number of options for future use of the site, including a mix of commercial and residential use.

Members agreed that this was a strategic site which offered many potential development opportunities and uses, and it could be desirable to have this area under the Council's control. However, it was considered that a longer period of contemplation would be required before any decisions were made regarding future use. In particular, the preservation and restoration of Whist House would require some discussion and consideration. Funding and officer resources were currently focused on other major projects, and it may be some time before they could be allocated to this site.

It was agreed that PMcK would make an offer to the Administrators on behalf of the Council. He was authorised to increase the offer, if necessary, up to an agreed value. Above this point, he was to refer back to Members for further discussion. Any offer would be subject to the removal of the current Option, as well as approval by Cabinet and Full Council. It was also considered desirable, if possible, to obtain the intellectual rights to all planning applications and surveys on Whist House from DMI. BL confirmed that the purchase would be funded through the General Fund, and would be financed from New Homes Bonus, interest from the Elwick Place Development and existing money in the projects fund. It was also suggested that there may be some scope for a joint venture with interested developers, who could take on the resourcing responsibility.

**Action: PMcK to make an offer on behalf of the Council. He was authorised to increase the offer, if necessary, up to an agreed value. Above this point, he was to refer back to Members for further discussion. Any offer would be subject to the removal of the current Option, as well as approval by Cabinet and Full Council.**

**PMcK**

**3. Dates of Next Meetings**

|                           |      |                 |
|---------------------------|------|-----------------|
| 26 <sup>th</sup> October  | 2pm  | Council Chamber |
| 21 <sup>st</sup> November | 10am | Board Room      |

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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 13<sup>th</sup> September 2017.

### Present:

Cllr. Clarkson (Chairman);  
Cllr. Clokie (Vice-Chairman);

Cllrs. Mrs Blanford, Bradford, Mrs Dyer, Galpin, Heyes, Shorter

### Apologies:

Cllr. Miss Martin, Smith.

### Also Present:

Cllrs. Mrs Bell, Burgess, Dehnel, Hicks

Simon Cole – Head of Planning Policy, Ian Grundy (IG) – Principal Policy Planner; Daniel Carter (DC) – Principal Policy Planner, Carly Pettit (CP) – Policy Planner, Helen Garrett (HG) – Policy Planner, Jeremy Baker – Principal Solicitor Strategic Development, Keith Fearon – Member Services Manager

## 1 Declarations of Interest

- 1.1 Councillor Clarkson made a Voluntary Announcement as he was a Director for A Better Choice for Property Ltd and a member of the Weald of Kent Protection Society.

## 2 Notes of the Local Plan and Planning Policy Task Group Meeting – 11<sup>th</sup> August 2017

- 2.1 The notes of the Local Plan and Planning Policy Task Group meeting held on the 11<sup>th</sup> August 2017 were agreed as an accurate record subject to the inclusion of apologies from Councillor Smith.

## 3 “Main Changes” to Local Plan – Consultation Update

- 3.1 The report advised that the purpose of the item was to provide Members with a brief summary of the outcome of the Main Changes to the Local Plan Consultation and identify some of the main issues from the consultation. The Task Group received a presentation which set out in more detail the results of the consultation. The presentation covered the following issues:-

- Summary of representations
- Key issues – Strategic Development requirements and Policy SP2
- Key issues – Housing Topic Policies

- Key issues – Environment Topic Policies
  - New Topic Policies
  - Key issues – Site Policies
  - Summary of Representations – New Site Policies
  - Next Steps
- 3.2 In summary, the presentation advised that the total representations received was 1,172 from 608 respondents. 274 representations were supportive and 898 were objections to the proposals set out within the Plan.
- 3.3 The Policy Planner (CP) advised that the majority of objections were from agents and house builders and the Task Group suggested that when they formally considered the representations they be separated out into different categories ie public, Parish Councils, and developers and agents. The Policy Planner (CP) confirmed that the information could be presented in this way.
- 3.4 During discussion on the presentation the following points were raised:-
- The Chairman considered that there was a need to establish a position whereby, if a development was not commenced within three years of the granting of the planning permission, consideration be given to identifying ways in which the Borough Council could take forward development of the site to ensure that the housing delivery figures were met. During discussion on this point the Head of Planning Policy advised of a current court case regarding housing delivery and in particular whether the developer or Local Authority would be at fault if the site was not developed. He considered that the outcome of this court case could be very important. The Chairman asked that the Legal Service and Local Planning Team work together to identify ways by which the Council could ensure that sites with planning permission were developed.
  - It was confirmed that whilst planning permissions were extant the figures for those sites counted towards the Council's housing land supply.
  - The Head of Planning Policy confirmed that the Government was expected to publish new methodology for Objectively Assessed Housing Need and there was a risk that there would be a need to reconsider the figures in the draft Plan.
  - In respect of certain sites, Officers had reduced the anticipated delivery rate of dwellings.
  - The Head of Planning Policy gave details of a representation received from a Local Authority in the South East requesting the Borough Council consider meeting some of their unmet housing need. The Head of Planning Policy undertook to provide members of the Task Group with a copy of the representation from the Local Authority concerned, which was to be clarified. The Chairman also suggested that further consideration needed to be given to the question of how the

Borough may be able to address household growth in the capital that could not be accommodated within Greater London.

- In terms of New Affordable Housing Policy HOU1 it was noted that the objections had stated that PPG required this to be amended to “11 or more” homes as opposed to “10 or more”. The Task Group were content to accept “11 or more”.
- In terms of new windfall housing policies, the Task Group considered there was a need to keep an open mind and consider sites on their own individual merits.
- With reference to ENV9 – Sustainable Drainage, the Chairman asked that the Borough Council’s SUDS policy be reviewed to ensure they were able to deal with the groundwater arising from new development.
- In terms of withdrawal of the Caldecott site (50 homes) it was noted that it was anticipated there would be no need to identify a replacement site as the dwelling numbers should be made up as windfall sites came forward.
- In terms of the Bombardier works (S11A) site, the Principal Policy Planner (IG) undertook to send details direct to Councillor Heyes.
- In terms of the Wittersham site (S61), the Ward Member said it would be difficult to take forward the development of this site.

3.5 The Policy Planner (CP) then explained the next steps in the process which included ensuring that Ward Members were made aware of the new omission sites.

3.6 The Task Group discussed the issue of publishing representations for public view and the Principal Solicitor (Strategic Development) advised that there was an obligation to publish all representations received during the consultation exercise but there was no requirement for this to be done by a set date. The Task Group did not wish to delay publishing representations, and

**Resolved unanimously:**

**That all representations be now published for public view, with the exception of the representation received from a Local Authority in the South East which was subject to further clarification.**

## **4 Gypsy and Traveller Issues and Options Discussion**

4.1 The report advised that the Task Group on the 11<sup>th</sup> August 2017 had resolved that the Council should update the evidence base for the upcoming Development Plan Document and agreed that the Council should prepare an “Issues and Options” report for consultation. As part of the process the Council would be presenting the issues and options for debate at the Parish

Council Rural Forum on the 3<sup>rd</sup> October 2017 with a view to them subsequently being included within the formal consultation. The report was to provide a basis for discussion of the topics that could be included in the Issues and Options consultation prior to them being put forward at the Rural Forum.

4.2 The Principal Policy Planner (IG) and Policy Planner (HG) gave a presentation under the following headings:-

- Introduction
- Current Sites
- Site Identification
- Location of Sites
- Type of Site
- Transit Site Provision
- Chilmington Green
- Next Steps

The Chairman suggested that it would be appropriate for each Parish Council to be sent a formal letter asking them to consider identifying a site within their area for the provision of Gypsy and Traveller accommodation.

4.3 During discussion, the following points were raised:-

- In response to a question, the Principal Policy Planner (IG) advised that the Borough Council had contacts with the Kent County Council Gypsy Liaison Officer and the Gypsy Council. There was also a link via the Housing Department with the Chilmington Site. It was noted, however, that in many cases Gypsy and Traveller families had no representation.
- In terms of identifying suitable sites the Chairman suggested that consideration should be given to identifying sites in both the rural and urban areas.
- If Parish Councils were content with existing unauthorised sites within their areas that had been in existence for three to four years then consideration could be given to adding them to the Borough Council provision and changing the status of those sites to authorised.
- The Portfolio Holder for Environment & Land Management advised that during day to day work being undertaken by Aspire land had been identified which could be considered suitable for Gypsy and Traveller provision. The Task Group agreed that it would be appropriate for Aspire to be briefed by the Planning Officers regarding the type of sites the Borough Council was looking to identify.
- In terms of any future sites which came forward, there would be a need for a protocol to be established governing the conditions on how the sites should be used.

- In terms of the size of the sites, the Task Group considered this should be retained at up to five pitches maximum which equated to a total of 15 structures after taking into account the permanent provision, a mobile unit and a day room.
- In terms of the forthcoming conference, it was considered it was important that the Urban Forums were invited and encouraged to consider allocating a site within their area for inclusion in the DPD.
- A plan of the Borough showing each individual parish was included within the presentation and within that slide current sites were shown together with the proposed sites to be added. The Task Group asked that copies be distributed to members of the Task Group and to the relevant Ward Members. It was also considered appropriate for the detail to be made available at the forthcoming Conference with annotations to show the names of the individual parishes. It was also considered important for Borough Councillors to encourage their Parish Councils to attend the Conference.
- In terms of the type of site considered suitable, the Task Group agreed that the options identified ie publicly owned rental sites, privately owned rental sites and owner/occupier sites were all considered appropriate.
- The Head of Planning Policy said that the control of sites was difficult under the planning legislation and he therefore saw ownership of sites as potentially key in terms of the successful management of sites.
- In terms of the next steps, the Head of Planning Policy advised that the draft Issues & Options Report would be produced for the Task Group and thereafter scheduled into the Forward Plan for consideration by the Cabinet.

**Resolved:**

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

## **5 Dates of Next Meetings**

The dates of the next meetings of the Task Group are as follows:-

- 5<sup>th</sup> October 2017 – Council Chamber – 10.00 am
- 17<sup>th</sup> October 2017 – Council Chamber – 10.00 am (subsequently cancelled)
- 3<sup>rd</sup> November 2017 – Council Chamber – 10.00 am

Councillor Clarkson (Chairman)  
Local Plan & Planning Policy Task Group



LPPP/TG  
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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 5<sup>th</sup> October 2017.

### Present:

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

Cllrs. Mrs Blanford, Bradford, Burgess, Mrs Dyer, Galpin, Heyes, Shorter, Suddards.

In accordance with Procedure Rule 1.2 (iii) Councillor Burgess attended as Substitute Member for Councillor Clarkson.

### Apologies:

Cllrs. Clarkson, Miss Martin, Smith.

### Also Present:

Cllrs. Mrs Bell, Dehnel, Hicks, Wedgbury

Simon Cole – Head of Planning Policy; Ian Grundy (IG) – Principal Policy Planner; Daniel Carter (DC) – Principal Policy Planner; Carly Pettit – Policy Planner; Jennifer Shaw – Housing Strategy Manager; Jeremy Baker – Principal Solicitor (Strategic Development); Rosie Reid – Member Services and Ombudsman Liaison Officer.

## 1 DCLG Consultation on ‘Planning for the right homes in the right places’

- 1.1 The Vice-Chairman in the Chair drew Members’ attention to a paper circulated by a Councillor who had sent her apologies prior to the meeting, as well as a separate question she had posed to the Task Group. It was agreed that these items would be considered as part of the discussion.
- 1.2 The Head of Planning Policy introduced the presentation, which covered the key issues included in the DCLG consultation. He said that these issues could have an impact on the Council and the Local Plan 2030 specifically. The main issue was the Government’s proposed new methodology for calculating Objectively Assessed Housing Need (OAN), and what this could mean for Ashford and neighbouring authorities. He pointed out that under this new methodology, the annual indicative housing target set for Ashford Borough would increase by 164 dwellings per year, which equated to an increase of about 20%. The DCLG consultation paper set out that the new methodology would apply after the end of March 2018 through forthcoming amendments to the NPPF and associated national planning practice guidance. He explained that the consultation indicated that the current OAN methodology could still apply as long as the Local Plan was submitted before the end of March 2018. If this route was taken, the housing needs assessment part of the Local Plan would remain valid for 2 years from the submission date of the Plan. This implied that, if the Local Plan was submitted in December 2017, its housing targets would remain valid until

December 2019. After this time, the Council may need to have identified additional housing supply to meet the extra housing requirements generated by the new OAN methodology.

- 1.3 Members indicated they felt strongly that Ashford's Local Plan should be submitted before March 2018, in order to ensure that the old methodology would be applied to the Borough's housing needs for the next 2 years. Members considered that the Council should continue with the agreed timetable of submitting the draft Local Plan by the end of December 2017.
- 1.4 The Vice-Chairman in the Chair drew Members' attention to the question from a Councillor who had sent her apologies. It was agreed that modular housing could not specifically be accommodated in the current Local Plan, but could be considered in the future, as it was a valid option.
- 1.5 The Head of Planning Policy continued the presentation and drew attention to Statements of Common Ground. He said the consultation document identified three main concerns with the Duty to Co-operate as it currently stood, and set out a plan for more effective joint working where planning issues involved other authorities. He said Ashford Borough Council was likely to need Statements of Common Ground with neighbouring Local Authorities, key stakeholders and service providers, similar to the Council's current agreement with East Kent neighbours. Urgent clarification was required from Central Government on any differences between the current Duty to Co-operate and the proposals in the consultation document. The Head of Planning Policy was due to meet with representatives from one particular District Council shortly, and it was agreed that he would report back on this conversation to the next meeting of the Task Group.
- 1.6 With regard to the mix of housing needs, the Head of Planning Policy said that in the absence of a SHMA, it was unclear how evidence regarding housing need could be collected. Feedback from the Council to the consultation document should indicate that further guidance on this aspect was needed from Central Government.
- 1.7 With regard to Neighbourhood Planning, the Head of Planning Policy said the consultation document proposed that national guidance would be amended to enable Local Planning Authorities (LPAs) to provide a housing target figure for bodies preparing Neighbourhood Plans (NPs) which could be based on a settlement strategy for allocations if the Local Plan was up to date. However, if the Local Plan was considered out of date, the consultation proposed that national guidance would set out a formula-based approach which apportioned the overall housing need of the district based on the new (Objectively Assessed Housing Need) OAN methodology. The Head of Planning Policy said there were concerns with this latter approach, as it was simplistic and it was not clear how it would work in practice. Members also expressed concern about devolving decision-making to Parish level. There were instances of animosity between landowners and residents, which could complicate local decision-making. Members also considered that local decision-making may be negative in terms of community-building and could create more problems for those communities as well as the Local Authority.

- 1.8 On viability assessment, the Head of Planning Policy said the guidance indicated that once LPAs had adopted their Local Plan and set out types and thresholds for affordable housing contributions and infrastructure requirements, there would be no need for future viability assessments to take place. The Head of Planning Policy advised that in practice it was inevitable that some evidence may need to be revisited due to changed circumstances, and the Council's approach to deferred contributions should have enough flexibility to allow for changes in the market.
- 1.9 The Head of Planning Policy said the report for the Task Group described in detail the principal issues for the Council and the emerging Local Plan. A number of these points had been covered by the decision to move the Plan forward for submission as soon as possible. The report set out the suggested Council responses to the consultation document. For several of the points, greater clarification from Central Government was required. In particular, it was important for the Council to emphasise strongly that developers must be encouraged to deliver builds quickly as this was a fundamental aspect of achieving government targets. It was agreed that the next Task Group meeting on 3<sup>rd</sup> November would agree the Council's response to the consultation document, and members of the Cabinet would be invited to attend the meeting in order to consider and endorse the Council's response. Any discussion and agreement of the proposed response beforehand between Officers and Members should be done electronically so the final response could be agreed by the meeting.

**Resolved:**

**That the Local Plan and Planning Policy Task Group agrees that:**

- i) The draft Local Plan to 2030 should proceed on the basis of the housing need calculations already established in the updated SHMA (January 2017), with a view to submitting the Local Plan for examination prior to the end of March 2018;**
- ii) The Task Group endorses the issues and concerns raised by the report on the consultation document and requests the Cabinet to encompass these, and the other points raised at the meeting, within the Council's formal response to the consultation;**
- iii) The members of the Cabinet be invited formally to attend the next Task Group meeting on 3<sup>rd</sup> November to endorse the Council's formal response to the consultation;**
- iv) The Head of Planning Policy report back to the next meeting of the Task Group on his conversation with a nearby District Council.**

## **2. Local Plan to 2030 – Topic policy representations to the 'proposed changes' consultation**

- 2.1 The Policy Planner introduced this item and drew attention to the options for dealing with further changes to the Local Plan to 2030 and the key issues raised in Topic Areas. She explained that the next steps would be for key issues arising from representations to be analysed fully, with a report outlining the proposed responses to these issues to be presented to the next Task Group meeting on 3<sup>rd</sup> November. Prior to the final 'submission' version of the

Local Plan being agreed at Cabinet and Full Council, a full response to representations would be presented to the Task Group for approval. Public consultation regarding any site alterations requested by the Inspector would take place after the Examination hearings.

- 2.2 There was some discussion about the proposed deletion of a sentence from the SUDs policy. One of the Principal Policy Planners (DC) explained that it was not possible to re-insert the sentence without going through a number of processes and creating an element of confusion. He said the SUDs issue would be identified and covered in Planning Conditions, so there was no need for concern that it would be overlooked.

**Resolved:**

**That the Local Plan and Planning Policy Task Group agrees the proposed approach to dealing with the key topic policy issues, as discussed.**

### **3. Dates of Next Meetings**

- 3.1 3<sup>rd</sup> November 2017 – Council Chamber – 10am  
22<sup>nd</sup> November 2017 – CR2 – 9.30am  
5<sup>th</sup> January 2018 – Council Chamber – 10am

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

**Agenda Item No:** 19

**Report To:** CABINET

**Date:** 9<sup>TH</sup> NOVEMBER 2017

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

**Report Author and Job Title:** Danny Sheppard, Senior Member Services Officer

**Portfolio Holder:** Portfolio Holders are individually specified in the attached Schedule.



|                 |  |
|-----------------|--|
| <b>Summary:</b> | To set out the latest Schedule of Key Decisions to be taken by the Cabinet of Ashford Borough Council. |
|-----------------|--|

**Key Decision:** NO

**Significantly 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

**Legal Implications:** n/a

**Equalities Impact Assessment** n/a

**Other Material Implications:** Nil

**Exempt from publication:** No

**Background** None

**Papers:**

**Contacts:**

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

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

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

Ashford Borough Council's Cabinet is made up of: - Councillors Gerry Clarkson; Neil Bell; Clair Bell; Mike Bennett; Gareth Bradford; Paul Clokie; Graham Galpin; Alan Pickering; Neil Shorter; and Gerald White.

*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](http://www.ashford.gov.uk/councillors_and_committees.aspx)*

| Decision Item  | Report Summary   | Relevant Portfolio Holder | Report Author         | Open or Exempt | Added to Schedule |
|--|--|---------------------------|-----------------------|----------------|-------------------|
| <b>9<sup>th</sup> November 2017</b>                  |  |                           |                       |                |                   |
| Corporate Performance Report                         | <i>To give Members and residents an overview of how the council is performing with a key performance 'snapshot'.</i>         | Cllr Shorter              | Nicholas Clayton-Peck | Open           | 11/11/16          |
| Financial Monitoring – Quarterly Report              | <i>Quarterly budget monitoring report.</i>   | Cllr Shorter              | Maria Seddon          | Open           | 11/11/16          |
| Medium Term Financial Plan                           | <i>To ask Cabinet to note the Medium Term Financial Plan ahead of this year's Budget process.</i>                            | Cllr Shorter              | Maria Seddon          | Open           | 11/11/16          |
| Mid Kent Joint Waste Partnership; Ashford's progress | <i>To review the current contract position and make recommendations for the forward provision of non-statutory services.</i> | Cllr Mrs Bell             | Tracey Butler         | Open           | 18/7/17           |



| <b>Decision Item</b>   | <b>Report Summary</b>   | <b>Relevant Portfolio Holder</b> | <b>Report Author</b> | <b>Open or Exempt</b> | <b>Added to Schedule</b> |
|--|---|----------------------------------|----------------------|-----------------------|--------------------------|
| Playing Pitch and Sports Facilities Strategies (2017 – 2030) | <i>To seek adoption of the draft strategies and following public consultation.</i>  | Cllr Bennett                     | Len Mayatt           | Open                  | 20/4/17                  |
| Open Spaces Strategy – Response to Consultation              | <i>Sign off is now required for the final document following consultation. Following the results of the consultation officers have made minor updates to the document.</i>  | Cllr Bennett                     | Christina Fuller     | Open                  | 15/6/17                  |
| Digital Transformation Strategy                              | <i>To set out a proposed strategy to deliver improved digital services with customers at the centre of the service design.</i>  | Cllr Pickering                   | Michelle Pecci       | Open                  | 17/8/17                  |
| Commercialisation of Garages                                 | <i>To propose a commercialisation strategy for the management of garages. The strategy will propose how the Council ensure that garages and surrounding land are managed effectively and efficiently thereby contributing to the built environment, maximising income for the Council and providing a valuable resource for the public.</i> | Cllr Galpin                      | Paul McKenner        | Open                  | 17/8/17                  |

| <b>Decision Item</b>   | <b>Report Summary</b>  | <b>Relevant Portfolio Holder</b> | <b>Report Author</b> | <b>Open or Exempt</b> | <b>Added to Schedule</b> |
|--|--|----------------------------------|----------------------|-----------------------|--------------------------|
| Primary Authority Partnerships   | <i>Primary Authority Partnerships are legal agreements between a regulator and businesses which can offer improved compliance and raised standards to the benefit of the business, the local authority and those protected by the regulation. The agreement relates to areas commonly referred to as environmental health and licensing.</i> | Cllr Bradford                    | Linda Golightly      | Open                  | 18/8/17                  |
| The Armed Forces Covenant  | <i>To provide a summary of the development of the Armed Forces Community Covenant (now the Armed Forces Covenant), since the Council's signing in 2014, summarises the current structure and outlines an action plan for improving communication with the Armed Forces Community and delivering the aims of the Covenant going forward.</i>  | Cllr Clarkson                    | Will Train           | Open                  | 18/9/17                  |
| Planning for the Right Homes in the Right Places – Response to DCLG Consultation | <i>The proposed changes set out in the consultation document have potentially significant implications for the future planning of the Borough and in particular, the level of housing need that must be planned for by the Council. The report will set out a series of proposed responses to the consultation document.</i>                 | Cllr Clokie                      | Simon Cole           | Open                  | 6/10/17                  |

| Decision Item   | Report Summary  | Relevant Portfolio Holder | Report Author   | Open or Exempt | Added to Schedule |
|---|---|---------------------------|-----------------|----------------|-------------------|
| <b>7<sup>th</sup> December 2017</b>                     |   |                           |                 |                |                   |
| Draft Budget 2018/19                                    | <i>To present the preliminary draft service budget and outline MTFP for the purposes of subsequent formal scrutiny by the O&amp;S Task Group and public consultation.</i>                                       | Cllr Shorter              | Ben Lockwood    | Open           | 9/12/16           |
| Council Tax Base  | <i>To present for approval the estimated 2018/19 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           | 9/12/16           |
| Housing Revenue Account (HRA) Business Plan 2017 – 2047 | <i>An annual update of the HRA Business Plan financial projections. This report updates the position for the period 2017-47.</i>  | Cllr White                | Sharon Williams | Open           | 9/12/16           |
| Homeless Reduction Strategy                             | <i>To outline what the new Homeless Reduction Act duties will be, the likely staffing resources needed to cover these duties and the tools that the Council has available to deliver the new service.</i>       | Cllr White                | Rebecca Wilcox  | Open           | 15/6/17           |

| <b>Decision Item</b>  | <b>Report Summary</b>  | <b>Relevant Portfolio Holder</b> | <b>Report Author</b>                 | <b>Open or Exempt</b> | <b>Added to Schedule</b> |
|---|--|----------------------------------|--------------------------------------|-----------------------|--------------------------|
| Chilmington Community Development Strategy                            | <i>To present an analysis of the consultation with residents and stakeholders and an understanding of the key principles upon which the strategy is based. Members will be requested to adopt the strategy and to agree for the Director of Law and Governance and Head of Cultural Services to negotiate an SLA with the CMO (once created in circa May 2017) to deliver the strategy utilising the S106 sum for community development.</i> | Cllr Clokie                      | SallyAnne Logan/<br>Christina Fuller | Open                  | 31/8/17                  |
| Discretionary Business Rates Relief Scheme                            |  | Cllr Shorter                     | Ben Lockwood                         | Open                  | 14/9/17                  |
| East Kent Growth Framework  | <i>To endorse the East Kent Growth Framework.</i>  | Cllr Clarkson                    | Andrew Osborne                       | Open                  | 16/10/17                 |
| Submission Version of Ashford Borough Local Plan 2030                 | <i>To cover the responses to the most recent public consultation on the proposed 'main changes' and seek the Cabinet's approval of the final, submission version of the Local Plan.</i>  | Cllr Clokie                      | Simon Cole                           | Open                  | 21/9/17                  |
| Purchase of Site for Short Term Temporary Accommodation - Beaver Road |  | Cllr White                       | Sharon Williams                      | Open                  | 16/10/17                 |
| Smoke-free Civic & Stour Centre Grounds                               | <i>To update Members on the aspiration for the Civic and Stour Centre grounds to be smoke-</i>   | Cllr Bradford                    | Sheila Davison                       | Open                  | 17/10/17                 |

| Decision Item                                       | Report Summary   | Relevant Portfolio Holder | Report Author                      | Open or Exempt         | Added to Schedule |
|---|--|---------------------------|------------------------------------|------------------------|-------------------|
|   | <i>free. This is a part of the Ashford Health &amp; Wellbeing Board's work helping to create a healthy environment for our residents, visitors and employees.</i>  |                           |                                    |                        |                   |
| <b>11<sup>th</sup> January 2018</b>                 |  |                           |                                    |                        |                   |
| Revenues & Benefits Recommended Write-Offs Schedule | <i>Proposed formal write-off of debts</i>  | Cllr Shorter              | Peter Purcell                      | Open (Exempt Appendix) | 13/1/17           |
| Opt-to-Buy and Keyworkers                           |  | Cllr White                | Sharon Williams/<br>Rebecca Wilcox | Open                   | 9/10/17           |
| Ashford College Update                              | <i>To update members on the progress made by Ashford College, both in terms of the new campus developments as well as improvements to the curriculum offer.</i>  | Cllr Clarkson             | Andrew Osborne                     | Open                   | 2/8/17            |
| Tenterden Leisure Centre Redevelopment Plans        |  | Cllr Bennett              | Ben Moyle                          | Open                   | 21/9/17           |
| Wye 3 Masterplan                                    |  | Cllr Clokie               | Mark Chaplin                       | Open                   | 6/10/17           |
| Singleton Environment Centre – Lease Negotiations   | <i>To present the approach and explain the discussions to date with Great Chart with Singleton Parish Council who wish to see the Centre remain a community facility with an environmental focus and has confirmed their wish to set up a trust entity</i> | Cllr Bennett              | Sarah Barber/<br>Christina Fuller  | Open                   | 13/10/17          |

| <b>Decision Item</b> | <b>Report Summary</b>                                    | <b>Relevant Portfolio Holder</b> | <b>Report Author</b> | <b>Open or Exempt</b> | <b>Added to Schedule</b> |
|----------------------|--|----------------------------------|----------------------|-----------------------|--------------------------|
|                      | <i>to take on the lease and operation of the centre.</i> |                                  |                      |                       |                          |

| Decision Item   | Report Summary  | Relevant Portfolio Holder | Report Author                       | Open or Exempt | Added to Schedule |
|---|---|---------------------------|-------------------------------------|----------------|-------------------|
| <b>8<sup>th</sup> February 2018</b>   |   |                           |                                     |                |                   |
| Financial Monitoring – Quarterly Report   | <i>Quarterly budget monitoring report</i>   | Cllr Shorter              | Maria Seddon                        | Open           | 10/2/17           |
| Revenue Budget 2018/19  | <i>To present the draft revenue budget for 2018/19 to the Cabinet for recommendation to Council.</i>  | Cllr Shorter              | Ben Lockwood                        | Open           | 10/2/17           |
| 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-Peck               | Open           | 10/2/17           |
| Annual Report of Work Undertaken on Domestic Abuse and to Support Victims of Domestic Abuse | <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.</i>  | Cllr Bradford             | James Hann/<br>Elizabeth Mannington | Open           | 10/2/17           |
| 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             | Tracey Butler                       | Open           | 26/2/16           |
| SWAN Centre Pavilion  | <i>To seek authority to proceed with a project to replace the outdated and inadequate football</i>  | Cllr Bennett              | Len Mayatt                          | Open           | 15/6/17           |

| Decision Item                           | Report Summary  | Relevant Portfolio Holder | Report Author         | Open or Exempt | Added to Schedule |
|---|---|---------------------------|-----------------------|----------------|-------------------|
|   | <i>changing facilities at the Swan Centre in South Willesborough and replace them with new fit for purpose facilities by working with the local community football club and Kent County Football Association.</i> |                           |                       |                |                   |
| <b>8<sup>th</sup> March 2018</b>        |   |                           |                       |                |                   |
| Annual Pay Policy Statement             | <i>A review of the annual Pay Policy Statement and Ashford Living Wage Allowance</i>  | Cllr Pickering            | Michelle Pecci        | Open           | 10/3/17           |
| Leisure Procurement                     |   | Cllr Bennett              | Christina Fuller      | Open           | 21/9/17           |
| <b>12<sup>th</sup> April 2018</b>       |   |                           |                       |                |                   |
|   |   |                           |                       |                |                   |
| <b>10<sup>th</sup> May 2018</b>         |   |                           |                       |                |                   |
| Financial Monitoring – Quarterly Report | <i>Quarterly budget monitoring report</i>   | Cllr Shorter              | Maria Seddon          | Open           | 12/5/17           |
| <b>14<sup>th</sup> June 2018</b>        |   |                           |                       |                |                   |
| Final Outturn 2017/18                   | <i>Final budget outturn for previous financial year.</i>  | Cllr Shorter              | Ben Lockwood          | Open           | 16/6/17           |
| Annual Report and Quarter 4 Performance | <i>The Annual Report will build upon the contents of quarterly performance monitoring, but will</i>   | Cllrs Clarkson/ Shorter   | Nicholas Clayton-Peck | Open           | 16/6/17           |



| Decision Item                                       | Report Summary   | Relevant Portfolio Holder | Report Author         | Open or Exempt         | Added to Schedule |
|---|--|---------------------------|-----------------------|------------------------|-------------------|
| Report 2017/18                                      | <i>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> |                           |                       |                        |                   |
| 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 Clokie               | Lois Jarrett          | Open                   | 16/6/17           |
| <b>12<sup>th</sup> July 2018</b>                    |  |                           |                       |                        |                   |
| Revenues & Benefits Recommended Write-Offs Schedule | <i>Proposed formal write-off of debts</i>  | Cllr Shorter              | Peter Purcell         | Open (Exempt Appendix) | 14/7/17           |
| Town Centre Annual Report                           |  | Cllr Galpin               | Jo Wynn-Carter        | Open                   | 14/7/17           |
| <b>9<sup>th</sup> August 2018</b>                   |  |                           |                       |                        |                   |
| Corporate Performance Report                        | <i>To give Members and residents an overview of how the council is performing with a key performance 'snapshot'.</i>   | Cllr Shorter              | Nicholas Clayton-Peck | Open                   | 11/8/17           |
| Corporate Commercial Property – Annual              | <i>To advise of the revenue performance of the Council's corporate property portfolio during</i>   | Cllr Shorter              | Stewart Smith         | Open                   | 11/8/17           |

| Decision Item                           | Report Summary  | Relevant Portfolio Holder | Report Author | Open or Exempt | Added to Schedule |
|---|---|---------------------------|---------------|----------------|-------------------|
| Report                                  | <i>the last financial period and to advise of proposals to increase profitability in the coming financial period.</i> |                           |               |                |                   |
| Financial Monitoring – Quarterly Report | <i>Quarterly budget monitoring report</i>   | Cllr Shorter              | Maria Seddon  | Open           | 11/8/17           |
| <b>13<sup>th</sup> September 2018</b>   |   |                           |               |                |                   |
|   |   |                           |               |                |                   |
| <b>11<sup>th</sup> October 2018</b>     |   |                           |               |                |                   |
| Medium Term Financial Plan              |   | Cllr Shorter              | Maria Seddon  | Open           | 13/10/17          |

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

31/10/17