

Cabinet

Minutes of a Meeting of the Cabinet held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **14th March 2013**.

Present:

Cllr. Clarkson (Chairman);

Cllrs. Mrs Blanford, Claughton, Heyes, Hicks, Howard, Shorter.

Apologies:

Cllrs. Robey, Taylor.

Also Present:

Cllrs. Bennett, Britcher, Burgess, Chilton, Clokie, Davison, Galpin, Michael, Mortimer, Wedgbury, Yeo

Chief Executive, Deputy Chief Executive, Head of Legal and Democratic Services, Head of Planning and Development, Head of Cultural and Project Services, Head of Personnel and Development, Revenues and Benefits Manager, Cultural Projects Manager, Policy and Performance Officer, Communications and Marketing Manager, Member Services and Scrutiny Manager.

Prior to the commencement of the meeting:-

1. Members stood in silence in respect of Councillor Peter Wood who had recently passed away.
2. The Chairman welcomed Councillor Britcher to the meeting and said he hoped she enjoyed her term of office.
3. The Chairman advised that Councillor Shorter was standing in for Councillor Taylor and explained that although he would speak he would not vote as he was not a Cabinet Member.

380 Declarations of Interest

Councillor	Interest	Minute No.
Mrs Blanford	Announced an "Other Interest" as a large area of her Ward fell within the proposed Chilmington Green Area Action Plan and she also knew a number of people who lived in that area.	392

Councillor	Interest	Minute No.
Britcher	Announced an "Other Interest" as she knew the Chairman of the Ashford Leisure Trust.	385, 389
Chilton	Announced an "Other Interest" as he knew the Chairman of the Ashford Leisure Trust.	385, 389
Claughton	Announced an "Other Interest" as he knew the Chairman of the Ashford Leisure Trust.	385, 389
Clokie	Announced an "Other Interest" as he knew the Chairman of the Ashford Leisure Trust.	385, 389
Davison	Announced an "Other Interest" as he knew the Chairman of the Ashford Leisure Trust	385, 389
	Announced an "Other Interest" as he was the Ward Member for Weald South and part of the Chilmington Green Area Action Plan area was within that Ward. He also knew a number of people who lived in that area.	392
Galpin	Announced an "Other Interest" as he knew the Chairman of the Ashford Leisure Trust.	385, 389
Hicks	Announced an "Other Interest" as she lived near to the Chilmington Green area and was the Ward Member for part of the area.	392
Howard	Announced an "Other Interest" as he was a member of the Ashford Town Bowling Clubs.	387
Shorter	Announced an "Other Interest" as a member of Kingsnorth Parish Council and as a tenant farmer of land elsewhere in the Borough.	392
Yeo	Announced an "Other Interest" as she knew the Chairman of the Ashford Leisure Trust.	385, 389

381 Minutes

Resolved:

That the Minutes of the Meeting of the Cabinet held on the 14th February 2013 be approved and confirmed as a correct record.

382 Joint Transportation Board - 19th February 2013

Resolved:

That the Minutes of the Special Meeting of the Joint Transportation Board held on the 19th February 2013 be approved and adopted.

383 Announcements

Councillors Hodgkinson and Taylor

The Portfolio Holder for Community and Wellbeing said that both Councillors Hodgkinson and Taylor had had short spells in hospital but were now at home recovering. He said he was sure that all Members hoped that both Members would be back soon.

384 Notice of Motions Referred from the Council Meeting held on the 21st February 2013

Set out within the agenda were the two Motions which had been referred from Council held on the 21st February 2013. Accompanying the Motion regarding Welfare Reform Changes was a note explaining the steps the Council was taking to deal with this particular issue. In terms of the Motion about the Living Wage, the report "Pay Policy Statement – Annual Review" later on the agenda had made reference to this issue.

The Chairman said that the issues within the Motions had been discussed at the Group Leader meeting earlier that week and explained that they would both be subject to further work and a report back to Cabinet in due course.

The Portfolio Holder for Community and Wellbeing referred to the Council document produced on Welfare Reform and explained that it set out in a clear and understandable way details of the changes and the steps the Council was taking to manage the Welfare Reform changes.

In response to a question from a Member, the Portfolio Holder for Housing and Customer Services advised that the Communications Team had already issued a press release setting out the statistics as to how the Welfare Reform changes affected the residents of the Borough.

A Member also advised that Opposition Group Leaders had discussed this issue and said that they intended to encourage their Members to contact the affected residents direct to offer assistance. The Portfolio Holder for Community and Wellbeing advised that Officers had already visited all those directly affected by the changes.

Resolved:

That the Motions referred from Council be subject to further work and a report back to Cabinet be submitted in due course.

385 Stour and Civic Centres: Review of Either Biomass Boilers or Combined Heat and Power (CHP) for Heat Provision to the Buildings

The report of the Overview and Scrutiny Committee advised that following site visits to three biomass facilities to view their operations, the Committee had on the 26th February 2013 considered a report which reviewed the provision of either Biomass Boilers or Combined Head and Power (CHP) for heat provision within the Stour and Civic Centres. The Overview and Scrutiny Committee considered that CHP was the most effective, efficient and economic heating method for the two buildings. However, they had expressed the view that they wished to have Biomass Boilers seriously considered for other suitable applications in the Borough especially where there was more likelihood that the provision of the wood fuel could be from a local supplier.

The Chairman and the Portfolio Holder for Environment both advised that the exercise had ascertained that the biomass option on this occasion did not give the best value for local taxpayers. In response to a comment, the Chairman said that he gave his assurance that the use of biomass on other schemes would be looked at on an individual basis.

Resolved:

- That (i) the Cabinet decision on the 10th January 2013 to proceed with the Stour Centre Essential Repairs and proposed Invest to Save Project (including the choice of a CHP plant for heat and power supply to the buildings, based principally on the significant saving) be confirmed.**
- (ii) consideration be given to using biomass boilers for other suitable and less sensitive buildings.**

386 Revenues and Benefits Recommended Write-Off Schedule

The report proposed the formal write-off of 149 debts totalling £350,038.54. The proposals were in line with the Council's Revenues and Benefits Service Write-Off Policy. The existing bad debt provisions already more than covered the sums involved.

Tabled at the meeting was a note which explained that recommendation 3 of the report was to be withdrawn.

Resolved:

- That (i) the action that accounts totalling £34,810.90 had been written off under the Delegated Powers (Financial Regulations 11.1) be noted.**
- (ii) the write-offs listed in the exempt appendices totalling £315,227.64 be approved.**

387 Discretionary Rate Relief – Recommended Policy, Post Public Consultation

The report advised that following Cabinet's approval of a draft scheme in December 2012, the Council had sought the views specifically of groups currently receiving Discretionary Rate Relief as well as making the consultation available for all residents to comment upon. The consultation took place between Monday 14th January and Monday 11th February 2013. The report asked the Cabinet to recommend to Council changes arising from the consultation exercise and as suggested by the Cabinet Task Group on Discretionary Rate Relief.

The Lead Member for Procurement and IT explained that this was a significant report and contained a lot of detail. He believed the correct process had been followed by the Council and said that he fully supported the recommendations within the report.

The Portfolio Holder for Youth and Sport whilst welcoming the report, considered there were handling issues in terms of the possible effect the new Policy would have on some sports clubs in the Borough. The Chairman said that in the current economic circumstances the Cabinet had no intention of penalising smaller clubs as he considered that the contribution made by the voluntary sector was very much relied upon.

In response to a question from the Portfolio Holder for Community and Wellbeing, the Policy and Performance Officer explained that the Impact Assessment had been completed by Officers and had not been drawn from the direct questioning of the organisation or the public.

Recommended:

That

- (i) the responses received to the Discretionary Rate Relief Consultation (including Annex 1 of the report) be noted.**
- (ii) the following amendments to the proposed policy (as considered by Cabinet in December 2012), and as suggested by the Cabinet Task Group on Discretionary Rate Relief (formerly the Efficiency, Governance and Accountability Mini PAG) in response to the consultation (Annex 3 of the report) be agreed:**

- a) that, for the 20% discretionary 'top up', there should be a minimum banding of support for those organisations which are awarded discretionary rate relief, set at 5%. This would only be in cases where there is some connection to the Council's strategic objectives, and 0% discretionary relief can be applied to those organisations outside the Council's priorities. Thereafter, relief will be awarded in 5% increments up to full 20% top-up.
 - b) for unregistered charities, the council will provide information and signposting – but no financial contribution - to CASE Kent's advice on registering as a charity, if registering is the wish of the organisation concerned.
 - c) the simplified 'Sports Clubs Matrix' as suggested by the Cabinet Task Group, is adopted in place of the matrix in the previous draft (Appendix 1 of the report).
 - d) a review of the policy's implementation should happen after the first year, and at that time a formal review of the time period for the next complete review of the policy should be agreed.
 - e) to extend the role of the Cabinet Discretionary Rate Relief Task Group (in consultation with relevant Portfolio Holders) to consider Officers' recommendations from the reapplication review (to be done in three tranches over the next eight months) and take consideration of overall outcomes before then making suggestions to Cabinet at the end of the review of reliefs to individual organisations as part of the 2014-2015 budget cycle.
 - f) further, that the Cabinet Task Group considers how an appeals process (through widening the scope of the Appeals Committee) might operate, particularly on more sensitive cases, and report suggestions to Cabinet as part of the first review.
 - g) the Cabinet Task Group receives a specific paper on Leisure Trusts at their next meeting, and that suggestions from that Task Group on this be submitted to the Cabinet in due course.
- (iii) Subject to the changes recommended in (ii) above, the Discretionary Rate Relief Policy be recommended to Full Council for adoption.

388 Pay Policy Statement – Annual Review

The report advised that the requirement to have a Pay Policy Statement had been introduced the previous year as part of the Localism Act 2011. Members were required to review the Council's Policy Statement on an annual basis.

A Member thanked the Cabinet for the inclusion of comments set out in paragraphs 11 to 13 regarding the Living Wage.

Recommended:

That the reviewed Pay Policy Statement be adopted.

389 Courtside and Pitchside Community Facilities: Proposed Transfer

The report updated the Cabinet of progress on transferring the Courtside and Pitchside facilities, as per the Five Year Business Plan, to other partners. The report suggested a set of recommendations for the transfer.

Tabled at the meeting was a set of revised recommendations.

In response to a comment from a Member, the Cultural Projects Manager advised that negotiations with partners were taking place with a view to agreeing a lease for a period of longer than 10 years.

The Portfolio Holder for Housing and Customer Services advised that she was the Borough Council's representative on the Ashford Leisure Trust and she confirmed that the Trust were supportive of the proposals as outlined within the report.

Resolved:

- That**
- (i) the appropriate Heads of Service with the Head of Cultural and Project Services, in agreement with the Portfolio Holder for Youth and Sport and in consultation with the Ward Member, be authorised to approve the favoured option of transferring the management of the facilities to Ashford Leisure Trust.**
 - (ii) authority be given to the Head of Legal and Democratic Services in consultation with the Head of Cultural and Project Services to execute and complete all necessary documentation to give effect to the recommendation in (i) above.**

390 Localism in Singleton – Proposal to Declare the Ashford Community Woodland as a Local Nature Reserve

The report presented a proposal by the Ashford Community Woodland Steering Group to formally declare the Ashford Community Woodland as a Local Nature Reserve.

The Portfolio Holder said he welcomed the report and explained that currently the site was managed on a voluntary basis and he believed the Group were very committed and had managed the site since 2000. He considered that the site offered an important recreational facility for residents within the area.

A Member who was the Chairman of the Nature Conservation Forum said that the Forum had been involved and were fully in support of the proposal.

Resolved:

- That (i) the proposal to declare the Ashford Community Woodland as a Local Nature Reserve be approved.**
- (ii) the Head of Cultural and Project Services be authorised to submit the proposals to Natural England for further comment prior to formal declaration.**

391 Application for an Exemption to Proposed Permitted Development Rights Changes

The report requested the Cabinet to endorse the Council's application to the DCLG for an exemption from the proposed introduction of permitted development rights for the change of use from B1 (a) offices to C3 residential. The area proposed for the exemption covered the Commercial Quarter and its adjoining office buildings namely International House, Kent House, Templar House and Stourside Place.

In response to a question, the Head of Planning and Development advised that the consultation process had ended and that Local Authorities had been invited to make a case for exemption from the proposed changes. He explained that the application might not be successful. In response to a further question as to whether the provision applied to academic buildings, the Head of Planning and Development advised that the change only applied for Offices in terms of conversion to residential accommodation.

The Lead Member for Economic Development said he wished to congratulate the Economic Development Officer for pulling together the report so quickly.

Resolved:

That the case attached to the report for a proposed exemption therein for permitted development from B1 (a) offices to C3 residential covering the Commercial Quarter and adjoining buildings be endorsed.

392 Chilmington Green Task Group

Resolved:

That the notes of the Meeting of the Chilmington Green Task Group held on the 25th February 2013 be received and noted.

393 Schedule of Key Decisions to be taken

The report set out the latest Schedule of Key Decisions to be taken by the Cabinet of Ashford Borough Council.

Resolved:

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

(KRF/AEH)

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Queries concerning these Minutes? Please contact Keith Fearon:
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