

Ashford Borough Council

Minutes of a Meeting of the Ashford Borough Council held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **12th December 2013**

Present:

His Worshipful the Mayor, Cllr. D O Smith (Chairman);

Cllrs. Adley, Apps, Bartlett, Mrs Bell, Bell, Bennett, Mrs Blanford, Britcher, Buchanan, Burgess, Chilton, Clark, Clarkson, Claughton, Clokie, Davey, Davidson, Davison, Galpin, Heyes, Hicks, Hodgkinson, Howard, Link, Marriott, Miss Martin, Mrs Martin, Michael, Mortimer, Robey, Shorter, Sims, Taylor, Wedgbury, Yeo.

Also Present:

Chief Executive, Deputy Chief Executive, Head of Legal and Democratic Services, Head of Culture and Project Services, Member Services and Scrutiny Manager.

Prior to the commencement of the meeting:-

1. His Worshipful the Mayor asked Members to remain standing in silence in respect for the late Nelson Mandela who had passed away on the 5th December 2013.
2. The Reverend Mackenzie said prayers.
3. His Worshipful the Mayor thanked Members of the Council for paying their respects to Nelson Mandela and said that he would also wished to welcome back the Leader of the Council, Councillor Clarkson following his operation.

Apologies: Cllrs. Adby, Dyer, Feacey, Mrs Heyes, French, Mrs Hutchinson and Wright.

258 Exempt or Confidential Information

The Mayor asked whether any items should be dealt with in private because of the likely disclosure of exempt or confidential information. There were none.

259 Minutes

Resolved:

That the Minutes of the meeting of the Council held on the 17th October 2013 be approved and confirmed as a correct record.

260 Announcements

- (a) **His Worshipful the Mayor**

His Worshipful the Mayor advised that Ann Barnes, the Police Commissioner for Kent and Chief Inspector Hibben of Kent Police had visited the Council that day and had inspected the CCTV Monitoring Centre. He explained that they were both extremely impressed with the facility and Chief Inspector Hibben said it provided invaluable support to police officers out on the street. He also explained that a television crew had been present.

His Worshipful the Mayor also advised that as it was Christmas there would be refreshments in Committee Rooms 1 and 2 after the meeting and said that both Members of the Council and the public present at the meeting were very welcome to join him afterwards.

(b) Deputy Leader

The Deputy Leader said that he was sure he spoke for all Members in saying how pleased they were that the Leader was now back amongst us following his operation which he explained had gone very well. He said that the Leader was infinitely more upwardly mobile and he was continuing his recuperation with a tempered alacrity and with a daily dose of Rose Hip Syrup.

The Deputy Leader then said as 2013 drew to close he thought he would take the opportunity to reflect with colleagues on the progress seen across the Borough in the last twelve months and to mention some of the developments on the horizon. At the beginning of the year the Council had introduced a new look website to make accessing information and services easier. This had proved to be a success with residents telling us how the site looked much better. It was easier to navigate and allowed them to pay, report or apply for things on line.

The Deputy Leader explained that another major service improvement arrived in the summer which had seen the Council roll out its new recycling service. The Deputy Leader said that coming from the position the Council found itself in proved a huge communications, operational and logistical challenge, which included delivering some 200,000 bins to 52,000 properties across the Borough. There were some initial teething problems and lessons had been learnt, but he considered that overall the new service had been an outstanding success.

He explained that when the Council had consulted the community a few years ago on areas which they considered we should prioritise, the message had come back loud and clear "recycling". He therefore said he was delighted to say that not only did the Council take note of this, but it had been acted upon and subsequently delivered on that promise. Residents had embraced the new service and helped to dramatically improve recycling rates from 14% to an impressive 52% in the first few months. This had not only seen Ashford move up the league tables but would also save money and improve the environment. He considered that by anybody's standards this was a win, win situation.

The Deputy Leader said that in 2013 a number of high profile schemes had come forward. Foremost amongst these had been a new John Lewis at Home Store, the Panorama, i.e. the conversion of the old Charter House, Chilmington Green and

Finberry (its current name) at Cheesemans Green. The Deputy Leader considered that not only would they benefit the Borough in terms of its economic prosperity, but would also reinforce its growing reputation as a Borough of opportunity. In addition to those sites the Morrisons and Designer Outlet proposals indicated that the future was looking bright. He said that the Council would continue to strive to keep the town centre vibrant both by day and by night, and ensure it did all it could to make Ashford Borough the place to be, for customers and businesses alike.

Following the Council's successful Portas bid, a Town Team was now in place. Furthermore several popular events have been held in the High Street. The launch of Pop Up Britain in the town had occurred and the Council's own T-CAT Team had been launched to ensure the streets were kept clean and tidy.

The Deputy Leader said that the Council continued to make great strides in delivering much needed housing for the residents, both in terms of affordable sheltered housing, and the flagship project at Farrow Court which was a major step forward for the Borough's older residents. By its high standards it set a bench mark for future schemes of this type. Following on from that, health wise with the emphasise very much on increased life expectancy and conditions such as Dementia, the Ashford Health and Wellbeing Board, which the Deputy Leader said he chaired, had a number of responsibilities including ensuring effective Local Government on health and care issues and developing a local communication engagement strategy to ensure clear lines of communication and consultation with residents, the County Council, Neighbourhood Forums and Patient/Public networks. All meetings were now held in public.

The Deputy Leader said that another string to the Council's bow, which was one in which he took particular pleasure, was in the award winning music and arts venue at Arts at St.Mary's. He said that the Council was proud to have established Revelation as a centre of excellence for the arts in the heart of Ashford and he looked forward to an even bigger and brighter cultural future with St.Mary's alongside the hugely popular Create Festival, the prestigious Jasmin Vardimon Dance Company and exciting proposals for an International Dance Academy. He said that in all its diverse forms Ashford had a wealth of artistic talent.

In summary he said that it had been a year of great challenges, but one of great achievement too. The economic climate was indeed tough but with the Council's proven track record of prudent financial management and foresight the Council had found itself in a position where it could continue to deliver quality services. With strong leadership, clear goals and the little matter of a great deal of hard work, the Council's aims and aspirations were that 2014 would prove to be a prosperous one. In conclusion he said that to those who may seek to cast aspersions he considered that promotion was infinitely preferable to demotion, and as he had shown there was much to promote in the Borough. He also wished to thank colleagues and officers for all their efforts this year. Success was often brought about by solid team work and working together and Ashford Borough Council had a staff of whom the Council could be justifiably proud. On behalf of the Council he said he wished to wish all of the residents a very happy Christmas.

(c) Councillor Mrs Blanford, Portfolio Holder for Culture and the Environment

Councillor Mrs Blanford explained that the bid for Stage 1 Funding to the Arts Council for the Jasmin Vardimon Company had been submitted the previous evening. Councillor Mrs Blanford referred to the Cabinet Meeting on the 5th December 2013 and in particular to the decision to support the bid for the Jasmin Vardimon International Dance Academy (Minute No. 242/12/13 refers).

Councillor Mrs Blanford said that she was pleased to advise that the Kent County Council had also agreed to support the application with a funding offer as an expression of interest. From discussions with County Councillor Mike Hill and their Portfolio Holder and Officers, there was a belief that the project had a significant potential at a national and international level. She said that considerable work had gone into making the bid feasible and in the new year work would go ahead to develop concept designs to support the Stage 2 bid for funding to the Arts Council. Jasmin Vardimon not only used the Stour Centre as a performance base and a space for creative work performed internationally, but also wished to run an International Dance Academy in Ashford and to support dance education in the Borough. Councillor Mrs Blanford said that potentially there would be a space for a 300 seat multi-purpose performing space which would be available for other organisations to use. Councillor Mrs Blanford said that by supporting the Jasmin Vardimon Company it did not mean that the Council would be cutting back on the sport and leisure activities which currently took place in the building. She advised that an all member group had been set up "The Stour Centre Regeneration Steering Group", which would ensure a balanced approach, thus enabling the older parts of the Stour Centre to be given a new lease of life.

261 Cabinet – 7th November and 5th December 2013

(a) 7th November 2013

Resolved:

That the Minutes of the Meeting of the Cabinet held on the 7th November 2013 be received and noted.

(b) 5th December 2013

Resolved:

That subject to the expiry of the period by which decisions arising from the meeting of the Cabinet held on the 5th December 2013 may be called in, i.e. 18th December 2013

- (i) the Minutes of the Meeting of the Cabinet held on 5th December 2013 be received and noted with the exception of Minute Nos. 235, 236, 237, 238 and 242.**
- (ii) Minute Nos. 235, 236, 237, 238 and 242 be approved and adopted.**

262 Audit Committee 3rd December 2013

Resolved:

That the Minutes of the Meeting of the Audit Committee held on 3rd December 2013 be received and noted.

263 Questions by Members of which Notice had been given

(a) Question from Councillor Clark to Councillor Heyes, Portfolio Holder for Transportation, Highways and Engineering

“How many premises in the urban area of the borough presently have a licence to sell alcohol for consumption offsite, and how many of these fall within alcohol control zones?”

Reply by Councillor Heyes

“Thank you Mr Mayor. There are 134 licensed premises within the urban area of Ashford that are either licensed for off sales or on and off sales. These include all types of premises. Within the area of the Designated Public Places Order (DPPO) Zone, also referred to as the Alcohol Controlled Zone, there are 44 premises licensed for off sales.”

Supplementary Question by Councillor Clark

“Thank you Bernard for that full answer. Residents have expressed concern about plans to convert a Church in Kingsnorth Road into an Off Licence. Would you agree with residents who feel that there are enough Off Licences in the urban area, and moreover that there is a case for extending the present alcohol control zone further south?”

Reply by Councillor Heyes

“If we were to consider the extension of the DPPO there would need to be extensive consultation on its practicality and desirability. I do believe the Licensing Committee has discussed this at length but it would be a long process, but we can obviously give it due thought.”

(b) Question from Councillor Yeo to Councillor Clarkson, Leader of the Council

“Several attempts have been made to bring about debate in this Chamber, why is this administration using rules of ‘debate’ that appear to be used by no other Council, including Kent County Council which openly debates important issues?”

Reply by Councillor Clarkson, Leader of the Council

“Thank you Mr Mayor. I would like to thank Councillor Yeo for the question. I have assumed it is referring to the process the Council follows when dealing with Notices of Motion submitted by Members pursuant to Procedure Rule 11. There have been three such Motions submitted to the Council under this Administration. Two of those were in February this year and the most recently submitted by Councillor Clark to the meeting of the Council held on the 17th October 2013, and that was regarding the possibility of the Council submitting a proposal to Government under the Sustainable Communities Act in respect of the protection of community pubs. Members will recall quite correctly that His Worshipful the Mayor advised that once moved and seconded, the Motion should stand referred to the Cabinet without debate as the subject was a matter that was within the remit of Cabinet and therefore the debate should take place in that Forum. I can assure Members that this has been the Council’s custom and practice since the adoption of the Cabinet system of governance in 2001. Under this system the Cabinet is responsible for making decisions on most of the Council’s functions. Indeed when matters within the competency of the Cabinet are under consideration the Council is not able to make decisions itself and therefore it is entirely proper that any debate and discussion takes place in the Forum where the power lies, i.e. the Cabinet. However, and notwithstanding this His Worshipful Mayor also advised Members that Members could vote on whether they wished to debate the Motion that evening or refer it to Cabinet, but no such vote was proposed. Members ultimately decided to refer the matter to the Cabinet and it was included on the agenda for their meeting held on the 7th November. However, as Members can see from the Minutes of that meeting Councillor Clark did not attend to expand upon the reasons for submitting the Motion or take part in the debate. I would like to reiterate the long standing invitation extended by myself and previous Leaders of the Council that all Members are welcome to attend and contribute to the debate at Cabinet Meetings and furthermore each Cabinet Agenda has a standing item for future meetings which gives Members an opportunity to ask the Leader to consider including a specific item on the Agenda for future debate. Having said that the Members will also note from the Council’s Summons this evening that the Minutes of the Cabinet Meeting are on the agenda, and indeed a Tabled Report which accompanies the Cabinet Minutes at each Council Meeting clearly states that the Minutes may be debated. It therefore follows that if Councillor Yeo wishes to have the matter debated then the correct procedure must be adopted and followed. Thank you Mr Mayor.”

Supplementary Question by Councillor Yeo

“There is also one point of clarification and one comment on that. There have actually been four motions submitted, not three, and you didn’t answer why you are not using the different rules of debate. Previous debate allows Cabinet to know the feelings of Council and can enter into the debate when they have their Cabinet debate more fully when in Cabinet. It also allows the people of Ashford to see that Councillors do care about them so therefore may I ask that Cabinet look at and adopt rules for future debate to allow Ashford residents to see democracy in action.”

Reply by Councillor Clarkson, Leader of the Council

“Thank you Mr Mayor. We have a Constitution that has served us well thus far and if any Member wishes to propose changes to that Constitution then they can so submit, but at this stage unless I see that we have a majority in favour of change then I see no reason to do so. Thank your Mr Mayor.”

Supplementary Question by Councillor Mrs Martin

“Thank you Mr Mayor. Look I appreciate Councillor Yeo’s question, she wants a debate but the point is we can have a debate but the Leader is correct in saying that we cannot make decisions here. We can have the debate and then we can refer it to a particular Committee. It is not a question of stifling I understand what you are getting at. Am I right in saying that we don’t make decisions?”

Reply by Councillor Clarkson, Leader of the Council

“Mr Mayor, I welcome the comments from my colleague and it is quite right what is being said by the Councillor this Chamber has a remit under our Constitution and it makes the decisions that are appropriate to its Terms of Reference. The Cabinet likewise has its Terms of Reference and makes decisions accordingly. There is a format for debate but we have to use the Rules of Procedure. The fact that Kent County Council or any other Council adopts a different set of rules is neither here nor there. We don’t follow them they probably follow us and in all honesty we have had nothing mentioned of this before and it comes out of the blue. I think there is more room for debate than you imagine. You just have to know the rules I suppose. So it is a question of the right forum, use the rules and you can have all the debate you want.”

(c) Question from Councillor Yeo to Councillor Hicks, Portfolio Holder for Housing and Customer Services

“The “Bedroom Tax” continues to hit people hard, especially those willing to move but who are unable to downsize due to lack of suitable housing stock, what is the Council doing to address this?”

Reply by Councillor Hicks, Portfolio Holder for Housing and Customer Services

“Thank you, Councillor Yeo for asking this question. I am delighted to be able to respond as the Council’s proactive work on all aspects of reform work, not just the social size criteria to which you are referring, has been first class. The Council’s proactive work on this has seen us engage with residents, the voluntary sector, social and private landlords as well as publicising its work in the press and its own residents’ and tenants’ publications and I brought with me tonight the local parish magazine from where I am, only it’s got all this information just to prove to people how we are helping people if they want, to struggle with debts which could be as a result of social size criteria. Our proactive work before April 2013 saw us identify 513 Council tenants who were likely to be affected by the introduction of the social size criteria. Not only did we raise the awareness of this particular welfare reform

change, but we promoted solutions in order to incentivise applicants who are over the age of 50 living in family sized housing with two bedrooms more than they require. We told them about applying for assisted move. We pay £500 per bedroom that residents are downsizing if they are moving into sheltered accommodation or a bungalow and an additional £1,000 for those who move into sheltered bedsits. We continue to promote this and the latest edition of our residents' magazine, which I think you have all got in your packs today, features a quote from a lady who has moved to Wye and in turn frees up a three bedroomed house for a family who was on our housing register. We also promote mutual exchanges. These enable tenants to literally swap their homes for another with the consent of their Social Landlords. This has enabled people to swap homes with others who want a larger property. Since April 2013 87 parties have completed a mutual exchange compared with 104 for the whole of the previous year, so this promotion is having an effect. Since April 2013 we have had 22 social tenants who were under occupying that have moved to smaller accommodation. We have also helped with the discretionary housing payments working with the affected households. However, there has been an increase in applications for DHP but this was expected. For 2013 financial year we have a total budget of £170,625 to fund DHP and that is up from £63,000 which we got from the Government the year before. The greater budget is because the Government realised we would need more money to fund DHP due to the recessionary pressures and the introduction of some welfare reforms. Specifically in relation to the social size criteria we have awarded 113 DHPs with a value of over £50,000 for the period from 1st April to 30th September this year. Our Welfare Intervention Officers are working hard, along with our Area Managers to assist as many people as they can and our communications continue. However, there are simply not enough 1 bedroom properties to go round. We have 1,273 one bedroom properties, compared with 1,684 two bedroom, and 1,232 three bedroom. However we are continuing to add to our housing stock and there will be a further 76 one bedroom properties that should be built between now and March 2015. Therefore we are all being extremely proactive and will continue to work with tenants and residents to help them all we can and further progress will be reported to Council Members in due course, thank you."

Supplementary Question by Councillor Yeo

"Yes I mean that was very good advertisement and eventually we got to the answer about two pages down, but it doesn't really answer the question, the one that was in my mind is a few weeks ago we had the chance to insist that two, two bedroomed disabled bungalows that were going to be built were built as one bedroom, but we didn't, we just went on building two bedrooms which allows the poor and disabled to be taxed for the benefit of our revenue stream and I would like to know why we didn't insist, yes I am getting to the question, why we didn't insist that those two properties were actually built as one bedroom, and start working away at that 76 now, and could you tell me how many of that 76 are being built specifically for disabled residents?"

Reply by Councillor Hicks, Portfolio Holder for Housing and Customer Services

“Whilst you might think it is unnecessary to have two bedrooms, quite a few of the disabled people actually have carers and we are thinking about long term buildings here so we would continue I think to have two bedrooms in some circumstances. Of the 76 new single rooms that we are going to have, they will all be built to lifetime standards so that everybody will be able to use their disabled wheelchairs and bedrooms and things like that, thank you.”

Supplementary Question by Councillor Bell

“Thank you Mr Mayor. My supplementary is to the Portfolio Holder. A simple question, I may be a bit out of date on this, but certainly out in the parishes up until a few years ago, Ashford Borough Council’s record in supplying local needs affordable housing were I think better than just about any Council in Kent, if not the whole of the south east of England and the parishes certainly appreciate that because by and large they welcome local needs affordable housing. That is certainly one of the huge measures out in the parishes and I realise that the original question comes from the town area, but does the Portfolio Holder agree that if we can keep up that sort of record it really does help out in the countryside.”

Reply by Councillor Hicks, Portfolio Holder for Housing and Customer Services

“I definitely think we should be helping everybody, particularly in the rural areas, and even in the rural areas we are also building our homes up to the lifetime standard, which again gives people with bathrooms, they have got the shower up, I forget what it is called, it is like an open shower, and all the rooms have got areas to turn wheelchairs round, so I think we are doing quite well in that respect”.

Supplementary Question by Councillor Clarkson, Leader of the Council

“Could I ask the Portfolio Holder if they are alert and welcoming of comments about this issue outside the Chamber here, in the normal working routine, and if so has the questioner approached you on these issues?”

Reply by Councillor Hicks, Portfolio Holder for Housing and Customer Services

“No Leader, I haven’t heard this question before, but we are always working to inform the public so I think the public out there should know and we have employed these two extra Welfare Officers as you know, and I think they are doing fantastic work and they have taken the message forward, thank you.”

264 Season’s Greetings

The Mayor wished all Members and Officers a Merry Christmas and a Happy New Year. He also thanked Members and Officers for their support they had given to him this year and asked that the Officers present at the meeting to pass on the thanks to all their staff.

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(KRF/VS)

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