



To the Members of the Borough Council

Dear Sir/Madam

You are hereby summoned to attend the Annual Meeting of the Ashford Borough Council to be held in the Council Chamber, Civic Centre, Tannery Lane, Ashford, Kent TN23 1PL on Thursday the 15th May 2014 at 7.00 pm when the following business is proposed to be transacted.

Yours faithfully

T W Mortimer
Head of Legal and Democratic Services

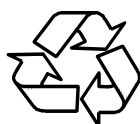
Agenda

1. Election of Mayor
2. Declaration of Acceptance of Office by the Mayor
3. Appointment of Mayor's Chaplain
4. Vote of thanks by the Mayor for his Election
5. Vote of thanks to the Retiring Mayor and Mayoress
6. Response by the Retiring Mayor
7. Election and Appointment of Deputy Mayor
8. Declaration of Acceptance of Office by the Deputy Mayor
9. Apologies for Absence
10. Declarations of Interest
11. To consider the Minutes of the Meeting of the Council on the 24th April 2014
12. To receive any announcements from the Mayor
13. Confirmation of Cabinet Arrangements for 2014/15 by the Leader of the Council
14. To consider the Minutes of the Meeting of the Selection and Constitutional Review Committee held on the 6th May 2014 (to follow)
15. To consider the Minutes of the Meeting of the Cabinet held on the 8th May 2014 (to follow)

7th May 2014



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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:

- a. Membership of outside bodies that have made representations on agenda items, or
- b. Where a Member knows a person involved, but does not have a close association with that person, or
- c. 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 plus the link sent out to Members at part of the Weekly Update email on the 3rd May 2013.
- (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 Head of Legal and Democratic Services and Monitoring Officer or from other Solicitors in Legal and Democratic Services as early as possible, and in advance of the Meeting.

Ashford Borough Council

Minutes of a Meeting of the Ashford Borough Council held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **24th April 2014**.

Present:

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

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

Also Present:

Chief Executive, Deputy Chief Executive, Head of Legal and Democratic Services, Head of Planning and Development, Member Services and Scrutiny Support Officer.

Prior to the commencement of the meeting Deputy Chaplain Anne King said prayers.

Apologies:

Cllrs. Mrs Bell, Mrs Heyes, Hodgkinson, Yeo.

408 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.

409 Declarations of Interest

Councillor	Interest	Minute No.
Bartlett	Made a 'Voluntary Announcement' as he lived in Sevington.	413 (b)
Davey	Made a 'Voluntary Announcement' as the Ward Member for Highfield.	413 (b)
Davidson	Made a 'Voluntary Announcement' as the Ward Member for Willesborough North.	413 (b)
Hicks	Had declared an Other Significant Interest at the Cabinet Meeting as a Council appointed representative on the Ashford Leisure Trust.	413 (a)

Councillor	Interest	Minute No.
Howard	Made a 'Voluntary Announcement' as some members of his family lived in Kingsford Street, Mersham.	413 (b)
Mortimer	Made a 'Voluntary Announcement' as the Ward Member for Willesborough North and he lived near to the proposed location for J10A.	413 (b)
Wedgbury	Made a 'Voluntary Announcement' as a Member of Kent County Council Planning Committee.	413 (b)

410 Minutes

Resolved:

That the Minutes of the Meeting of the Council held on the 20th February 2014 be approved and confirmed as a correct record.

411 Announcements

(a) His Worshipful the Mayor

His Worshipful the Mayor advised that he had sent all Councillors some tickets for his End of Term 'Spring Draw'. He hoped that Councillors would support the Draw and advised that more tickets were available should they be required.

His Worshipful the Mayor also advised that the REME Freedom March would be taking place on 10th May, which was the last Saturday of his Term of Office. REME would march through the Town with their bayonets fixed. Following on from this there would be a week of art and music at the Parish Church and a shop in the Town. Many schools were involved along with local art groups. This would run over into Councillor Link's Term of Mayor.

(b) The Leader

The Leader advised that he wished to make a statement regarding Chilmington Green and Garden Cities. Members were aware of the recent television and radio coverage about this matter. He wanted to clarify the position, last week the Government issued a prospectus seeking interest in new Garden Cities and suggested that each should be a minimum size of 15,000 new homes. This was a very different proposition to the scale of development planned for Chilmington Green. The Government prospectus would have no impact on the scale of the development proposed at Chilmington Green which remained at 5,750 homes. The proposed development area of Chilmington Green was in the original Core Strategy, adopted in 2008, in which plans for up to 7,000 new homes were being

suggested. Following the introduction of the new space standards, along with the Councils desire to achieve lower densities and a spacious masterplan, the proposed accepted development for this area was reduced to 5,750 homes. A planning application had been received for a development of this scale and a decision on this was likely later in the year. Whilst Chilmington Green would not be a Garden City in terms of its size, it would reflect some of the design principles of the successful garden cities, like tree-lined streets, spacious layout with high quality public spaces and a strong local community managing their own local facilities. It would also include major areas of open space, schools, community facilities and places to work so that it was a well-balanced community, not a housing estate.

The Leader then drew Members' attention to some recent positive developments in the Borough. At the beginning of April, it had been the 40th anniversary of the Borough, which was formed on 1 April 1974 by the merger of the borough of Tenterden with Ashford Urban District, and East Ashford, West Ashford and Tenterden Rural Districts. In size, it became the largest council area in Kent. Some four decades later Ashford Borough Council was still going strong, providing high quality services to the residents of the Borough and services which were getting national recognition.

Last month the Council's recycling service, as part of the Mid Kent Partnership, received the Gold Award for Transformation in Waste and Environment, awarded by the Improvement and Efficiency Social Enterprise. It recognised the work carried out to ensure the new services worked seamlessly across Mid Kent and provided value for money to local taxpayers. This was particularly pleasing for Ashford, as residents had really embraced the new service and all were now reaping the rewards.

The Leader felt that one of Ashford's strongest selling points was its international connection and status. Hadlow College, were expected to announce the new name of their college, which he hoped would soon become a reality, the Ashford International College Campus. Hadlow was one of the top colleges in the UK, graded as 'Outstanding' by Ofsted and the Council was looking forward to working closely with them to help deliver a college that excelled in meeting the needs of students; needs that fed into the start of a vibrant working and life experience. It was hoped that the Council would be on the Board of the College to influence the curriculum in that way. Following on the international theme, over the last few years Jasmin Vardimon Company, whilst being based in Ashford, had toured their work to many international destinations including America, Italy, Korea and France. Dancers came to the Stour Centre from all over the world to audition and work with the company, and they had even managed to franchise out some of their work created in Ashford to Belgrade in Serbia. The Council was proud of Jasmin's growing international status, and were pleased that they actively told the world, through their brochures and media interviews, of their home in Ashford.

The annual Create Music Festival continued to attract big name national and local talent to the town every year, and was probably the biggest festival in Kent. This year he was delighted to have a brand new supporter for this excellent family event. Canterbury College would be supporting the event on Sunday 27th July in Victoria Park. It was a pleasure to be working with this educational college, one of the best regarded in the South East. He then congratulated the Arts and Cultural Industries

Manager for all of the work that he undertook for the Create Festival and on the birth of his daughter earlier that week.

In the summer of 2012 Ashford was named one of 27 national Portas Pilot towns, and was allocated £100,000 of funding to help revitalise its town centre. The Council matched this funding but did not rush to spend these funds, instead had carefully planned for the longer term future. So far the Council had seen the opening of PopUp Ashford in one of the empty shops in Park Mall encouraging small businesses to test out their new ventures and products and a PopUp Art Gallery in the town centre (funded by a grant from the Arts Council). A new monthly farmer's market would be launched in the summer to help attract more people into the high street. Defunct telephone boxes had been removed and the out of date town centre fingerpost signage will be replaced later this year. The Town Centre Action Team was helping to create a new cleaner and invigorated environment for residents to enjoy. In addition a new 'Love Ashford' website and mobile app for town centre shoppers would be launched. This would inform shoppers of what was going on and what bargains were available, with shoppers able to order online and then collect in store. It would also allow smaller and independent shops to offer a similar convenient service as the bigger stores. This was a first in the country and had recently received a ringing endorsement from High Streets Minister Brandon Lewis, who said this was 'an excellent example of how digital technology can be used to promote the high street and he would encourage all businesses in Ashford to sign up and be part of this excellent opportunity to boost their trade in the town centre'. High praise indeed and something the Leader fully endorsed. He hoped that colleagues were proud of the excellent work that was taking place to make the town centre a more attractive and a place recognised as the heartbeat of this Borough.

In conclusion, the Leader advised that Ashford had another 40 to celebrate as the Office of National Statistics recently reported that people in Ashford could expect to live around 20 years longer at the age of 65 – one of the longest life expectancies in Kent and the 40th longest in England and Wales (out of 348 districts). Proving Ashford really was best placed to live.

(c) Deputy Leader

The Deputy Leader advised that with an ageing population and an increasing prevalence of dementia expected over the forthcoming years the Council had recently submitted its action plan to become a more dementia friendly organisation to the Dementia Action Alliance. This was duly accepted and now, aligned with the Kent Dementia Action Alliance, one of the Council's first actions was to increase awareness of dementia and understanding of how to help those suffering from this most debilitating of illnesses. One way to achieve this was for a small number of Members and Staff to become dementia friendly champions, who could then work together to roll out information and training to others across the organisation, ensuring the Council developed a dementia friendly culture and became a more dementia friendly organisation. Dementia Friends Champions could lead the Dementia Friends initiative, helping others to better understand what it was like to live with dementia and the things that could make a difference to those with dementia living within their communities. Sometimes this might only make a small difference, but it could be no less significant and the outcomes could be both

worthwhile and rewarding. If any Members were interested then they could get further information from the Council's Housing Strategy Manager.

(d) Councillor Hicks, Portfolio Holder for Housing and Customer Services

Councillor Hicks wanted to highlight the signing of the Armed Forces Community Covenant. On the 10th May, after the Mayor had taken the salute from REME who would be exercising their right under the Freedom of the Borough, the signing of the covenant would take place. The signing would be held in the Mayors Parlour and the Mayor, the Chief Executive and the Leader would sign on behalf of the Council and three representatives of the Armed Forces would also sign. The covenant was a voluntary pledge of mutual support between a civilian community and its local Armed Forces community. It was intended to complement, at a local level, the national Armed Forces Covenant which outlined the national obligations between the Nation, the Government and the Armed Forces. It was intended to be a living document which she, as Portfolio Holder, would review every six months. Ashford Borough Council was committed to working with partners to make sure that no serving or retired armed forces service man or woman were disadvantaged as a result of serving their country. After the signing of the covenant a website would be launched to enable individuals to make their own pledges and she fully expected there to be a large take up from the many veterans living and working in the Ashford Borough area.

412 Questions from Members of the Public

In accordance with Procedure Rule 9.3 Mr Relf advised that he wanted to ask three questions. He asked how the Council was ensuring that the Jasmin Vardimon project provided best value for money to the Council Tax payer, given the Council's contributions, including up to £3 million projected capital funding. He further questioned how the Council was ensuring that the redevelopment of the facilities met local needs. Finally, he asked if the Council could explain how the Jasmin Vardimon project was 'critical to the future economic growth and prosperity of the Borough' as stated on its website.

Councillor Mrs Blanford, Portfolio Holder for the Environment and Culture, thanked Mr Relf for his questions. The Council was very proud that this International Dance Company had volunteered to make its headquarters at Ashford. She felt that the word "critical" with reference to the Jasmin Vardimon project should not be used. The project was significant but not critical to the Borough's overall growth and prosperity any more than any one of the other projects that the Council was working on to develop the economy and well-being of the Borough. It is very important, however, to the development of our cultural activities. In respect of the effect of Jasmin Vardimon on the Borough the members of the Company were working with a number of schools in Kent, several in Ashford and developing dancing ambitions with a wide range of young people. They were boosting the local economy by bringing people to work at Ashford and providing job opportunities. In addition, of course, there were the performances which were created at Ashford and showcased on the international stage. When the funding came through from the Arts Council and others, it would give the Council a chance to refurbish and modernise the older parts of the Stour Centre so that a dance academy, training many young people, could be

developed. A Members' Working Group to mastermind the regeneration of the Stour Centre and to control the costs and funding had been set up. Councillor Mrs Blanford said whilst it was not critical to the economy, it was very welcome and the Council was delighted to have the Jasmin Vardimon Dance Company based at Ashford.

In accordance with Procedure Rule 9.3 Mr Goodman advised that he wished to ask a question relating to the proposed Sevington warehouse development. He had been a resident of Willesborough for over 40 years and had seen Hythe Road change from a peaceful street to an urban freeway. Many people were concerned about the massive increase in traffic that the Sevington warehouse development would generate and that it would impact dramatically on Junction 10 in spite of the planned mini Junction 10A and that the resulting gridlock would spread back down Hythe Road into Willesborough as it often did. He was recently stupefied to hear an official from the Highways Agency declare that Junction 10 was operating well below capacity. No-one who had had to use the appallingly designed junction and had wasted hours in stationary traffic watching emergency ambulances struggling to reach the Hospital could believe that. With regard to the planned road alterations to facilitate the Sevington development, he understood that London bound heavy goods traffic emerging from it would join the A2070 at a signal controlled junction approximately 300 metres from Junction 10. Already traffic queued at peak hours along the A2070 northbound up to and beyond the junction with Barrey Road. The extra traffic from the development would have great difficulty joining the northbound carriageway of the A2070, and this would make the consequent gridlock at Junction 10 even worse than it already was. He questioned how Ashford could support a scheme that would generate worse gridlock on Junction 10 at peak hours as a matter of routine.

Councillor Robey, Portfolio Holder for Planning and Development, advised that there were two questions being asked in relation to Junction 10 under the Minutes of the Cabinet Meeting on the 10th April 2014 and he would respond then.

413 Cabinet – 13th March 2014 and 10th April 2014

(a) 13th March 2014

Resolved:

That (i) the Minutes of the Meeting of the Cabinet held on 13th March 2014 be received and noted with the exception of Minute No. 361.

(ii) Minute No. 361 be approved and adopted.

In accordance with Procedure Rule 15.5 Councillor Davison requested that it be recorded that he voted against the minutes.

(b) 10th April 2014

In accordance with Procedure Rule 9.3 Mr Ross advised that he wished to ask three questions. He lived in Mersham and advised that the village would be significantly

affected by the impacts arising from Junction 10A. The current design of the proposed interim Junction 10A provided for slip roads only in the direction of to and from Folkestone. This would not seem to offer any alleviation of the current congestion on the north going A2070 and the existing Junction 10 let alone meet the increased traffic volumes that would result from current and planned developments to the south east of Ashford. It seemed reasonable to assume that a substantial proportion of the increased traffic that would be generated by the aforementioned developments would be directed towards London or the railway station and that any increase in traffic in the direction of Folkestone would be minimal. He questioned whether Ashford Borough Council was willing to share with Council Tax payers the outcomes of any traffic modelling studies undertaken to date, that they had effectively funded, and to consider re-visiting this modelling to re-validate the current design and if necessary modify same. If the contention in Question 1 proved to be correct and the design of interim Junction 10A was not modified did the Ashford Borough Council have any contingency plan to address the likely congestion that would arise? The current plans for an interim Junction 10A indicated Highfield Lane would no longer connect to the A20, but would be aligned with the single track, narrow Kingsford Street, directing traffic to the centre of Mersham. Under the AXA/DMI proposed plans for U19, Highfield Lane would be upgraded to a two-lane highway. There was a petition of over 230 residents who are totally opposed to the proposal, primarily on the grounds of the safety of residents in Kingsford Street and Mersham. Should a decision be taken to proceed with Junction 10A he asked if the Council would acknowledge these concerns by closing off access between Kingsford Street and Highfield Lane effectively making Kingsford Street a cul de sac.

Councillor Wedgbury apologised for interrupting, he felt it was important for all present to understand that it would be Kent County Council that would make the final decision on this issue not Ashford Borough Council. Therefore the questions being put forward should be put to Kent County Council rather than this Authority.

In accordance with Procedure Rule 9.3 Mr Murphy from Mersham and Sevington Parish Council advised that he wished to ask a question. He was representing the residents of Sevington and Mersham to raise their concerns about Minute 397 considered under item 8 of the agenda. When the Parish representatives attended a meeting on 20 January at the Council Offices, they heard disturbing conclusions being drawn that did not reflect the facts presented. The message on 20th January was that the interim scheme would fail. If it were assumed that a reduction of 15% in traffic volumes from "green" measures was achieved, would such failure be avoided. The 15% reduction was stated as the maximum that could be credibly hoped for. He questioned why the Council was supporting a scheme that would trigger significant additional building in the Ashford Borough with associated incremental traffic and congestion when the analysis to date predicted failure.

Councillor Robey, Portfolio Holder for Planning and Development advised that the three questions each raised issues regarding the design and likely operational effectiveness of the proposed interim Junction 10A. To avoid repetition the following position statement was designed to address all the points raised. The proposed interim Junction 10A had been subject to traffic modelling by the specialist consultants advising the Highways Agency, which was the Agency of Government responsible for improvements to the national motorway network. This work had

concluded to the Highways Agency's satisfaction that the interim scheme will help divert sufficient traffic movements away from the existing Junction 10 and that the overall impact will be to create sufficient capacity for the new arrangement to last well into the 2020s. The assessment of when the scheme would come under pressure was based on the year 2030 not on the date of opening. This assessment took account of the extra traffic further planned development in the area would generate in that time. On this basis the scheme was put forward for funding from the South East Local Enterprise Partnership (LEP) by Kent County Council and the LEP had provisionally identified substantial funding towards this project. It remained the position that the Council wished to see the full, all movements Junction 10A scheme opened as soon as it was needed. But in the absence of any specifically identified government funding to deliver that scheme, the interim Junction 10A proposed was an important step forward if the growing congestion problems at the existing junction were to be addressed which would otherwise only get worse. The interim scheme has been designed to be easily converted into the full scheme when funds allowed. Against this background the Borough Council's Cabinet considered the interim scheme at its last meeting and decided to support the project in principle at this stage. Kent County Council was now responsible for taking forward the project by testing it in detail and working up detailed designs, including the way local roads such as Kingsford Street and Highfield Lane were dealt with. This work would take several months and would provide the detailed information required for all parties to fully assess the proposals. Full information would need to be submitted by the County Council when a planning application was made for the new Junction 10A and related road improvements and this would, as normal, be available to the public to enable them to comment. When a planning application was made the Borough Council, as a key consultee, would need to consider the detailed evidence and full assessment of the project before concluding whether or not the scheme delivered the anticipated benefits, would work effectively and should be supported.

Councillor Bartlett drew attention to the minutes of the report on Junction 10A. He felt that whilst the minutes referred to a number of pros and cons there was also reference to one Portfolio Holders view that the report dwelt too heavily on the pros. He agreed with this statement. He wanted to set out some additional cons that were not set out in the report that went before Cabinet. Therefore he felt that the Cabinet may have misled themselves by supporting a scheme that was bad for Ashford. He referred to a meeting at International House on 23rd March 2011 at which he said the Council was told that the link road from the A2070 to the Junction 10A at Highfield Bridge may not be attractive to road users and would not remove trips using Junction 10. Because of that users, could expect the same level of traffic to use Junction 10 once Junction 10A was built. At a meeting at the Civic Centre on 30th May 2012 he said the Council was told that modelling accuracy would be lower for this privately funded scheme than one that involved public money. As this scheme would be privately funded the traffic modelling would be less reliable and less accurate, that was what the Highways Agency had advised. At the Highways Agency meeting on the 20th January 2014, the Highways Agency would not and indeed could not change the way in which traffic joined the M20 at Junction 10 other than altering the timing of the traffic lights on Hythe Road which fed the M20 entry. With the additional building in Willesborough, Sevington and Mersham that was intended, by the Cabinet, to follow the construction of Junction 10A, it meant that traffic leaving Willesborough seeking to join the M20 either to reach Tesco or the William Harvey Hospital would

have no choice but to be held at the traffic lights for much longer than they were at the present time. It was also advised at the meeting on 20th January that the interim scheme was designed to ensure that traffic did not queue on the M20 and it was not a concern to the Highways Agency that there would be queues on the existing Junction 10 roundabout. The new design would fail every evening rush hour, not might, not maybe, but would fail. The result of this scheme according to the Highways Agency would be twice daily traffic chaos. Highfield Lane traffic would be directed through the village centre of Mersham, through Kingsford Street and Mersham would therefore become a rat-run for traffic from Bilsington, Kingsnorth and Aldington heading towards the A20. He felt that the most disturbing aspect of the report was contained at paragraph 22 where it stated that 'the scheme would assist the Borough to deliver its future housing targets of 700 houses per year'. Without the scheme the report stated that these houses would need to be built in, what the report author described, 'unsuitable parts of the Borough'. He felt this set out the mindset of the Cabinet very clearly, that the 700 houses being built, would be built in Kingsnorth, Mersham and Stubbs Cross. This scheme would have the wholly undesirable effect of building yet more in a very congested part of the Borough. In short, he felt that it was a poor show that the paper to Cabinet did not cover these points. Colleagues from the Overview & Scrutiny Committee may wish to consider these further. In fact, they did, the paperwork had been delivered to Officers that evening to enable a more formal debate of these issues.

Councillor Robey, Portfolio Holder for Planning and Development, requested that Councillor Bartlett submitted his comments in writing.

Councillor Bartlett advised that the comments had been submitted as part of the Overview & Scrutiny Call-In, and he was certain that Council Officers would be able to provide copies of all of the questions that he had asked that evening. He was happy to send the minutes of the meetings with the Highways Agency, to the Portfolio Holder, which seemed to have not been properly considered in drafting the Cabinet report.

Resolved:

That subject to the expiry of the period by which decisions arising from the meeting of the Cabinet held on the 10th April 2014 may be called in, i.e. 24th April 2014

- (i) the Minutes of the Meeting of the Cabinet held on 10th April 2014 be received and noted with the exception of Minute Nos. 392 and 393.**
- (ii) Minute Nos. 392 and 393 be approved and adopted.**

414 Selection and Constitutional Review Committee – 16th January 2014

Councillor Davison advised that he would be voting against the approval of the minutes as he objected to the appointment of the Chairman of Ashford KALC as the Vice-Chairman of the Parish Forum. He felt that the gentleman spoke as KALC not

as a Parish Councillor and he felt that this was not the correct Forum for him and he was not an elected Member.

The Leader of the Council advised that Forum was as suggested, a Forum where the Council met with Parish Councils. They were KALC members and the gentleman in question was the Chairman of that organisation it seemed wholly right that the Chair should be shared with them in the spirit of inclusiveness and cooperation.

Resolved:

That the Minutes of the Meeting of the Selection and Constitutional Review Committee held on 16th January 2014 be approved and adopted.

In accordance with Procedure Rule 15.5 Councillor Davison requested that it be recorded that he voted against the minutes.

415 Appeals Committee – 10th March 2014

Resolved:

That the Minutes of the Meeting of the Appeals Committee held on the 10th March 2014 be received and noted.

416 Audit Committee – 18th March 2014

In accordance with Procedure Rule 9.3 Mr Relf advised that he wanted to ask a question. He felt that the minutes misrepresented what he said at that meeting, and requested that the Council explained why some figures provided by him and statements made by him, relating to protecting the public purse, were not shown in the Minutes?

Councillor Clokie, Chairman of the Audit Committee, thanked Mr Relf for his question which he believed related to Minute No. 372 – Presentation of Financial Statements. He advised that Mr Relf had already raised these issues by letter to the Chief Executive and he was sent a full reply on 3rd April. As advised in the letter Councillor Clokie, and others at the Audit Committee meeting were consulted on the comments raised in Mr Relf's letter and all had confirmed that they considered the Minutes were a correct record. It was explained that Committee Minutes were not a verbatim record of everything said at the meeting. They were a summary of the proceedings and of the decision reached, including where appropriate reference to the main threads of discussion that led to the decision. He was satisfied that the Minutes meet these criteria although it would be a matter for the Audit Committee at its next Meeting to approve the Minutes or otherwise, and of course Mr Relf would have an opportunity to address that Meeting.

Resolved:

That the Minutes of the Meeting of the Appeals Committee held on the 18th March 2014 be received and noted.

417 Questions by Members of which Notice had been given

(a) Question from Councillor Clark to Councillor Clarkson, Leader of the Council

“Will the Leader join me in condemning the illegal practice of blacklisting within the construction industry?”

Reply by Councillor Clarkson

“Mr Mayor, I am pleased to join Councillor Clark in condemning the illegal practice of blacklisting. This Council will not condone any illegal practice which is contrary to the statutory regulations which we are obliged to observe. Nor those that are contrary to our own set of standards. The Parliamentary Scottish Affairs Committee has been investigating blacklisting and noted that no contractor has been found guilty of blacklisting since the practice was made illegal in 2010. Thank you Mr Mayor.”

Supplementary Question by Councillor Clark

“Thank you Leader for that very thoughtful answer. I have a supplementary question. At the next Full Council Meeting I intend to submit a motion stating ‘Ashford Borough Council deplores the illegal practice of blacklisting within the construction industry and will ensure that any company known to have been involved in blacklisting practices and not to have indemnified their victims will not be invited to tender contracts by Ashford Borough Council’. A very similar motion has been passed with cross party support by other Councils in the South East of England. So my question to the Leader is this, do you hope, as I do, that this motion will receive cross party support at this Council?”

Reply by Councillor Clarkson

“Mr Mayor, I am very hopeful that it will not receive cross party support because I do not think it is a very intelligent and thoughtful motion. And I say that because we have to have due regard to a whole range of issues here and that is how long ago the, all these questions about time limitations that will be advised by our Legal Representative come in to play. So I can’t suggest, or go along with you that we are likely to support that. I’ve made a statement here very firmly, very clearly, that we will not support any illegal action or anyone involved in practices that are illegal. We, when we are tendering will always look and scrutinise those that we are tendering with or seeking to tender with and I think that is as far as I would go. Thank you Mr Mayor.”

(KL)

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Selection & Constitutional Review Committee

Minutes of a Meeting of the Selection & Constitutional Review Committee held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **6th May 2014**

Present:

Cllr. Clarkson (Chairman);
Cllrs. Bennett, Chilton, Davidson, Davison, Mrs Dyer, Galpin, Howard, Mrs Martin, Robey, Smith.

Apology:

Cllr. Cloughton.

Also Present:

Cllr. Marriott.

Senior Member Services & Scrutiny Support Officer.

425 Minutes

Resolved:

That the Minutes of the Meeting of this Committee held on the 16th January 2014 be approved and confirmed as a correct record.

426 Background and Principles of Political Balance and Administrative Structure

The report of the Head of Legal & Democratic Services presented the Political Balance for the Authority and sought to agree a number of other constitutional matters which needed to be recommended to the Annual Meeting of the Council on the 15th May 2014. The agreed Political Balance is contained at Appendix A to these Minutes. The report also outlined the Leader's appointments to the Trading and Enterprise Board.

The Chairman also advised that there would be some changes to the Portfolio Responsibilities of the Cabinet Members and these would be outlined in more detail at the Annual Meeting of the Council on the 15th May 2014.

The Chairman ran through the membership of Committees, Groups and Forums one by one. With input from Members, the membership for 2014/15 was updated including the nominations for Chairmen and Vice-Chairmen. This is contained at Appendix B to these Minutes.

Recommended:

That (i) the Political Balance of the Authority as contained at Appendix A to these Minutes be adopted, subject to the Council agreeing that the requirements of the Political Balance Regulations be not applied to the Membership of the Joint Transportation Board, Appeals, Audit and Standards Committees and the Sub-Committee of the Licensing and Health and Safety Committee established under the Licensing Act 2003 and Gambling Act 2005.

(ii) the following Committees be constituted for the 2014/15 Municipal Year as detailed in Part 3 of the Constitution:

**Audit
Overview and Scrutiny
Planning
Selection and Constitutional Review
Licensing and Health and Safety
Appointments
Appeals
Standards
Transportation, Highways and Engineering Advisory Committee
Education and Vocational Skills Advisory Committee
Joint Arrangements – Joint Transportation Board**

NB: Details of Members appointed to Membership of each Committee etc by Group Leaders is shown at Appendix B to these Minutes. Note: This may be subject to amendments from Group Leaders.

(iii) the Council appoint the Chairman and Vice Chairman for each Committee etc as shown in Appendix B to these Minutes.

(iv) the Scheme of Cabinet (Executive) and Council Delegations as set out in Part 3 of the Constitution be reaffirmed.

(v) the intention of the Cabinet to reconstitute the Forums and Groups as listed in Part 3 Appendix 2 to the Constitution be noted.

(vi) it be noted that the Leader of the Council has appointed Councillors Mrs Bell, Claughton, Galpin and Robey from the Cabinet and Councillor Feacey from outside the Cabinet to the Trading and Enterprise Board.

(vii) Councillor Smith be allocated the one remaining seat available for allocation on the Selection and Constitutional Review Committee.

427 Representatives on Outside Bodies/Organisations

The report of the Head of Legal & Democratic Services gave details of those organisations or outside bodies to which the Council appointed or nominated representatives, and the names of the Members of the Council and others who currently served in this capacity. Details of attendance by the Council's appointed representatives at meetings of the organisations during the past year (where known) and retirement dates were also shown. The covering report also provided additional information about current vacancies.

The Chairman advised that all of the appointments were currently the subject of a separate wider review in terms of effectiveness and benefit to the Council. The coming year would be used to complete that review and assess all of the appointments, with a view to consolidating the somewhat lengthy list of organisations down to just those the Council wanted to continue supporting. The Council could then inform the relevant organisations whether they would be re-appointing or not in time for May 2015 and the new Council.

The Committee reviewed the appointments and some changes of representative were suggested by Members.

Resolved:

That the names of the persons to be appointed or nominated as Members or Substitute Members (as the case may be) to the organisations listed in Appendix C to these Minutes be agreed.

428 Annual Meeting – Order of Proceedings

The Committee considered the Order of Proceedings for the Annual Meeting of the Council including the movers and seconders of the Mayor, Deputy Mayor and the vote of thanks to the retiring Mayor.

Resolved:

That the Head of Legal & Democratic Services prepare the Order of Proceedings for the Annual Meeting of the Council on the basis of the advice of this Committee.

DS

Queries concerning these Minutes? Please contact Danny Sheppard:
Telephone: 01233 330349 Email: danny.sheppard@ashford.gov.uk
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THE POLITICAL BALANCE CALCULATION
FINAL ARRANGEMENTS
MAY 2014

A All Committees to which balance applies

	Committee	Seats/Committee		Total Seats
1 x 16	Overview and Scrutiny	16	=	16
1 x 16	Planning	16	=	16
1 x 13	Licensing and Health & Safety	13	=	13
1 x 12	Selection	12	=	12
1 x 8	Audit	8	=	8
1 x 8	Transportation and Highways Advisory	8	=	8
1 x 8	Educational & Vocational Skills Advisory	8	=	8
1 x 5	Appointments	5	=	5
			Total	<u>86</u>

B. Percentage of group in relation to total membership of the authority

43 members =		%
30 Conservative	=	69.76744
5 Labour	=	11.6279
5 Ashford Independent	=	11.6279
2 Liberal Democrat	=	4.65116
<u>Note: 1 Independent</u>	=	2.32558
		<u>99.99998</u>

C.1 Allocation of Seats on Committees in proportion to Group strength

Committee	Con	Lab	AI	LD	Ind	Total
1 x 16 O&S	11	2	2	1	0	16
1 x 16 Planning	11	2	2	1	0	16
1 x 12 Selection	8	1	1	1	1*	12
1 x 13 Licensing, Health & Safety	9	1**	1**	1	1**	13
1 x 8 Audit	5***	1	1	0	1***	8
1 x 8 Transport & Highways	6	1	1	0	0	8
1 x 8 Education & Vocational	6	1	1	0	0	8
1 x 5 Appointments	3	1	1	0	0	5
Totals	59(60)*** (60.0000)	10(10) (10.0000)	10(10) (10.0000)	4(4) (4.0000)	3(2)** (2.32550)	86

NB: During the rounding up and down of the percentage figures, it was not possible to achieve overall balance.

1* Under the draft calculation all Groups had received their allocation on the Selection and Constitutional Review Committee, however, one seat remained to be allocated. Group Leaders recommend to Council that this seat be allocated to Councillor Smith, the Independent Councillor

2** Under the draft calculation for the Licensing and Health and Safety Committee there remained one seat to be allocated to either the Labour Group or the Ashford Independent Group. However, if either Group took the seat it would result in them having 1 more seat over and above their overall entitlement. The Leaders of the Labour Group and the Ashford Independent Group agreed to gift this seat to Councillor Smith

3***The Group Leaders wished to retain Councillor Smith on the Audit Committee (in line with previous arrangements) to draw upon his previous experience as a Local Authority Auditor. The Conservative group gifted a seat on the Audit Committee to Councillor Smith to enable this arrangement to continue to apply.

C.2 Allocation of seats on all ordinary Committees to achieve overall proportionality

Political Group entitlement in relation to all seats: 86

Conservative	60.0000 =	60
Labour	10.0000 =	10
Ashford Independent	10.0000 =	10
Liberal Democrat	4.0000 =	4
Independent	2.0000 =	2
Total	86	

D. Committees to which balance will not apply either as a direct result of joint arrangements or the Council agreeing, i.e. no member votes against this arrangement, on each occasion the Council adopts a revised political balance for the Authority.

1 x 3	Appeals	3 Members per meeting drawn on rota from a panel of 15 Members (which does not meet as a Committee)	= 3
*1 x 7	Joint Transportation Board		= 7
1 x 3	Licensing Sub-Committee (3 Member Panels)	3 Members per meeting drawn on rota from a panel of 13 Members (which does meet as a Committee so is itself balanced)	= 3

* Standards – broadly politically balanced as part of membership based on posts.

* Council’s choice as to whether balance will apply to this Committee. **This may only happen if no member votes against this arrangement.**

x Due to the Joint Arrangements and the manner in which seats are allocated by the Kent County Council, it is impossible to have a balanced allocation of seats.

Committee	Con	Lab	AI	LD	Ind	Total
*1 x 15 Appeals	10	2	2	1	0	15
*1 x 7 Joint Transportation	5	1	1	0	0	7
*Standards	5	Plus Chair, Vice-Chair of O&S plus one other minority group member				8

- * **That the requirements of the 'Political Balance' regulations be not applied to the membership of the Appeals and the Licensing and Health & Safety Panels of 3 Members which are drawn for each meeting and Standards. The Appeals Committee of 15 is not part of the political calculation (being as it never meets as a Full Committee).**

SELECTION AND CONSTITUTIONAL REVIEW COMMITTEE

6TH MAY 2014

**MEMBERSHIP OF COMMITTEES, GROUPS AND FORUMS,
INCLUDING CHAIRMEN AND VICE-CHAIRMEN**

Overview and Scrutiny Committee (16 Members)

Members of the Cabinet may not be appointed to this Committee

Conservative (11)	Labour (2)	Ashford Independent (2)	Liberal Democrat (1)	Independent (0)
Apps	Chilton (Ch)	Davison (VCh)	Adby	
Bartlett	Yeo	Mortimer		
Buchanan				
Burgess				
Feacey				
Hodgkinson				
Mrs Hutchinson				
J Martin				
M Martin				
Sims				
Wedgbury				

Audit Committee (8 Members)

*Seat gifted by the Conservatives to draw upon Cllr Smith's experience as a former Local Authority Auditor

Conservative (5*)	Labour (1)	Ashford Independent (1)	Liberal Democrat (0)	Independent (1*)
Buchanan	Yeo	Michael		Smith
Clokie (Ch)				
Link (VCh)				
Marriott				
Shorter				

Planning Committee (16 Members) (plus 1 ex officio)

Conservative (11)	Labour (2)	Ashford Independent (2)	Liberal Democrat (1)	Independent (0)
Apps	Britcher	Davison	Davidson	
Bennett (Ch)	Yeo	Ovenden		
Burgess (VCh)				
Clarkson (EO)				
Clokie				
Mrs Dyer				
Galpin				
Heyes				
Mrs Heyes				
Mrs Hutchinson				
Robey				
Wedgbury				

Selection & Constitutional Review Committee (12 Members)

Conservative (8)	Labour (1)	Ashford Independent (1)	Liberal Democrat (1)	Independent (1)
Bennett	Chilton	Davison	Davidson	Smith
Clarkson (Ch)				
Claughton (VCh)				
Galpin				
Hodgkinson				
Howard				
M Martin				
Robey				

Licensing and Health and Safety Committee (13 Members)

Conservative (9)	Labour (1)	Ashford Independent (1)	Liberal Democrat (1)	Independent (1)
Bennett	Chilton	Davey	Adby	Smith
Feacey (Ch)				
Galpin (VCh)				
Hodgkinson				
Mrs Hutchinson				
Marriott				
J Martin				
M Martin				
Shorter				

Appointments Committee (5 Members)

Conservative (3)	Labour (1)	Ashford Independent (1)	Liberal Democrat (0)	Independent (0)
Mrs Blanford	Britcher	Davison	Davidson (invited non-voting Member)	Smith (invited non-voting Member)
Clarkson (Ch)				
Cloughton (VCh)				

Appeals (15 Members – 3 Members to be drawn per meeting)

Conservative (10)	Labour (2)	Ashford Independent (2)	Liberal Democrat (1)	Independent (0)
Bennett	Britcher	Mortimer	Davidson	
Buchanan	Chilton	Ovenden		
Burgess				
French				
Hodgkinson				
Mrs Hutchinson				
Link				
J Martin				
Sims				
Wedgbury				

Standards Committee (8 Members)

Conservative (5)	Labour (1)	Ashford Independent (1)	Liberal Democrat (1)	Independent (0)
Mrs Blanford	Chilton	Davison (VCh)	Adby	
Burgess				
Mrs Dyer (Ch)				
Feacey				
Mrs Hutchinson				

Joint Transportation Board (7 Members)

Conservative (5)	Labour (1)	Ashford Independent (1)	Liberal Democrat (0)	Independent (0)
Mrs Bell	Yeo	Davey		
Burgess				
Heyes (VCh)				
M Martin				
Robey				

Transportation, Highways & Engineering Advisory Committee (8 Members)

Conservative (6)	Labour (1)	Ashford Independent (1)	Liberal Democrat (0)	Independent (0)
Burgess	Yeo	Michael		
Claughton				
Feacey (VCh)				
Heyes (Ch)				
Robey				
Wedgbury				

Education & Vocational Skills Advisory Committee (8 Members)

Conservative (6)	Labour (1)	Ashford Independent (1)	Liberal Democrat (0)	Independent (0)
Bell	Britcher	Davey		
Clokie (Ch)				
J Martin (VCh)				
Robey				
Shorter				
Wedgbury				

Grants Gateway Panel (7 Members including the Portfolio Holder for Community & Wellbeing)

Conservative (5)	Labour (1)	Ashford Independent (1)	Liberal Democrat (0)	Independent (0)
Apps (VCh)	Britcher	Davison		
Burgess				
Claughton (Ch)				
Mrs Dyer				
Link				

Joint Consultative Committee (6 Members) – One from each Group - two from the administration.

Membership is to include the Leader and/or appropriate Portfolio Holder.

Conservative (2)	Labour (1)	Ashford Independent (1)	Liberal Democrat (1)	Independent (1)
Galpin (Ch)	Britcher	Davey	Davidson	Smith
Shorter				

Conservation and Environment Forum (8 Members including Portfolio Holder for the Environment)

Conservative (6)	Labour (1)	Ashford Independent (1)	Liberal Democrat (0)	Independent (0)
Mrs Bell	Britcher	Michael		
Bennett				
Mrs Blanford (Ch)				
Mrs Dyer				
Hicks				
Wedgbury				

Parish Forum (6 members) (plus 1 ex officio)

Membership to include the Portfolio Holder and one Member from each Group

Conservative (2)	Labour (1)	Ashford Independent (1)	Liberal Democrat (1)	Independent (1)
Mrs Bell (Ch)	Yeo	Davison	Davidson	Smith
Mrs Dyer				
Clarkson (EO)				

Member Training Panel (8 Members)

Conservative (4)	Labour (1)	Ashford Independent (1)	Liberal Democrat (1)	Independent (1)
Claughton	Chilton	Mortimer (VCh)	Adby	Smith
Mrs Dyer				
Hicks				
J Martin (Ch)				

Parish Council Review and Polling District Review Task Group (10 Members)

Conservative (7)	Labour (1)	Ashford Independent (1)	Liberal Democrat (1)	Independent (0)
Apps	Britcher	Mortimer	Davidson	
Mrs Bell (Ch)				
Clarkson				
Claughton (VCh)				
Clokie				
Hicks				
M Martin				

**APPENDIX C
(Minute No. 426/5/14 refers)**

ASHFORD BOROUGH COUNCIL

APPOINTMENT/NOMINATION TO OUTSIDE BODIES/ORGANISATIONS

NAME OF BODY	NEW REPRESENTATIVES/ NOMINEES	RETIREMENT DATE (UNLESS OTHERWISE STATED – ANNUAL MEETING 2015)
Action With Communities in Rural Kent	Cllr. Burgess Substitute: Cllr Mrs Blanford	
Alzheimer's Society – Ashford and Shepway Branch	Cllr Cloughton	
Ashford Almshouses & Parochial Charities	Cllr Hodgkinson Cllr Miss Martin Cllr Cloughton Cllr Heyes	3 year period expiring 30/11/16 5 year period expiring 31/5/19
Ashford Choral Society	The Mayor – President	Ongoing
Ashford Community Arts Trust	Portfolio Holder for Culture & Leisure	Ongoing
Ashford Community Safety Partnership	Deputy Leader of the Council	Ongoing
Ashford Federation of the Arts	Cllr Mrs Blanford	
Ashford Leisure Trust	Cllr Hicks	
Ashford Mediation Service – Management Committee	Cllr Davidson Patron: The Mayor	Ongoing
Ashford Museum Committee	Cllr Adby	
Ashford Sure Start (Fifth Wave) Partnership	Cllr Chilton	
Ashford Winkle Club	The Mayor (Honorary Member)	Ongoing
Ashford Youth Forum Trustees	Cllr Howard (Trustee) Cllr Chilton (Council Rep)	
Citizens' Advice Bureau Ashford Branch Management Committee	Cllr Cloughton	

NAME OF BODY	NEW REPRESENTATIVES/ NOMINEES	RETIREMENT DATE (UNLESS OTHERWISE STATED – ANNUAL MEETING 2015)
Dungeness Power Station Site Stakeholder Group	Cllr Burgess	
Elwick Club	Mayor & Mayoress (Honorary Members)	Ongoing
Headcorn Aerodrome Consultative Committee	Member from the Weald North Ward (Cllr Mrs Dyer)	Ongoing
High Weald (AONB) Joint Advisory Group	Cllr Taylor	
Home Improvement Agency Support Group	Cllr Britcher	
Home-Start, Ashford: Management Committee	Cllr Davey	
Kennington Parochial Charities (Two Nominative Trustees)	Cllr Buchanan Cllr Sims	Annual Meeting 2016 (4 year period) Annual Meeting 2016 (2 year period)
Kent County Playing Fields Association	Portfolio Holder for Culture & Leisure and Parks & Open Spaces	Ongoing
Kent Downs (AONB) Joint Advisory Committee and Executive Committee	Cllr Marriott	
Kent Downs and Marshes Leader Project	Cllr Burgess	
Kent Invicta Chamber – Economic Development Group	Cllr Galpin	
Local Children’s Trust Board	Cllr Mrs Dyer	
Local Government Association General Assembly Urban Commission Rural Commission	Cllr Taylor Cllr Heyes Cllr Mrs Blanford	
Marshlink Steering Group	Cllr Burgess	

NAME OF BODY	NEW REPRESENTATIVES/ NOMINEES	RETIREMENT DATE (UNLESS OTHERWISE STATED – ANNUAL MEETING 2015)
Mid Kent Downs (AONB) Advisory Group	Cllr Mrs Blanford	
National Council on Inland Transport – Executive Committee	Cllr Burgess	
Parochial Church of St Mary's the Virgin Ashford Arts & Arts Development Sub-Committee	Cllr Apps	
PATROL – Joint Committee	Portfolio Holder for Transportation, Highways & Engineering	Ongoing
Relate East Kent (Marriage Guidance Council)	Cllr _____ Clarification to be sought on whether nomination needed	
River Stour Internal Drainage Board	Cllr Hicks Cllr Mrs M Martin Cllr Sims Cllr Smith Mr P Howard	Ongoing
Romney Marshes Area Internal Drainage Board	Cllr Burgess	
Sandyacres Trust	Cllr Michael	
Singleton Environment Centre Management Advisory Board	Cllr Hodgkinson	Annual Meeting 2015 (4 year period)
South Ashford Youth Club – Management Committee	Cllr Howard	
South East Employers	Cllr Taylor	
South Kent Dyslexia Association	Cllr French	
Supporting People Commissioning Body	Portfolio Holder for Housing Head of Community & Housing	Ongoing
SWAN Centre Site Management Committee	Cllr Smith Substitute: Cllr Yeo	

NAME OF BODY	NEW REPRESENTATIVES/ NOMINEES	RETIREMENT DATE (UNLESS OTHERWISE STATED – ANNUAL MEETING 2015)
Tenterden Folk Day Trust	Cllr Clokie	
Tenterden Leisure Centre Trust	Cllr Bennett	
Tenterden Town Council – Tourism & Business Committee	Portfolio Holder for Tourism & Rural Focus	Ongoing
Volunteering Ashford	Cllr Feacey	
Willesborough Windmill Trust Limited	Cllr Mortimer	
Wye Rural Museum Trust	Cllr Miss Martin	May 2016

Member Champions

TOPIC	NEW REPRESENTATIVE
Heritage	Cllr Mrs Blanford
Media	Cllr Bennett
Safeguarding Children	Cllr Mrs Dyer
Twinning	Cllr Bennett

Cabinet

Minutes of a Meeting of the Cabinet held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **8th May 2014**.

Present:

Cllr. Clarkson (Chairman);

Cllrs. Mrs Blanford, Galpin, Heyes, Hicks, Howard, Robey, Shorter.

Apologies:

Cllrs. Mrs Bell, Claughton, Marriott, Ovenden, Smith.

Also Present:

Cllrs. Bennett, Britcher, Burgess, Clokie, Davison, Mrs Dyer, Hodgkinson, Michael, Mortimer, Sims, Wedgbury, Yeo.

Chief Executive, Deputy Chief Executive, Head of Legal and Democratic Services, Head of Communities and Housing, Head of Cultural and Project Services, Finance Manager, Health, Parking and Community Safety Manager, Assistant Health, Parking and Community Safety Manager, Assistant Health, Parking and Community Safety Manager, Licensing Manager, Environmental Protection Team Leader, Policy & Performance Officer, Senior Communications Officer, Building Surveyor, Member Services and Scrutiny Manager.

429 Declarations of Interests

Councillor	Interest	Minute No.
Clokie	Made a "Voluntary Announcement" in respect of Agenda Item 14 as he was a Director of the Local Authority Mutual Investment Trust	439

430 Minutes

Resolved:

That the Minutes of the meeting of the Cabinet held on the 10th April 2014 be approved and confirmed as a correct record.

431 Housing Revenue Account 30 Year Business Plan

The report advised that at the Cabinet Meeting in November 2013 the Overview & Scrutiny Committee had been invited to agree the HRA Business Plan 2013-2043

report as part of the Budget Scrutiny process. The report explained that the Budget Scrutiny Task Group had considered the plan which was then presented to the Full Committee. The report further advised that the Overview & Scrutiny Committee commended the HRA Business Plan to the Cabinet.

A Member drew attention to the title of the report on the Agenda cover sheet which was incorrect in that it did not refer to the Housing Revenue Account.

Resolved:

That the Cabinet noted that the Overview & Scrutiny Committee commended the HRA Business Plan.

432 Welfare Reforms – Update, including review of local impacts 2013-14

The report introduced the Welfare Reform Impacts paper which provided a local perspective of the Government's reforms as measured over the last financial year. It also updated on progress made by the Council and its partner organisations. A further update about the Government's timetable for introducing Universal Credit and the potential role for Councillors in supporting the delivery was also incorporated in the report.

The Portfolio Holder referred to the supplementary report tabled at the meeting which covered recent Government announcements concerning Universal Credit trialling and the Single Fraud Investigation Service. He believed that the Council's response to the Welfare Reforms had been very well managed and considered that the Council was in a good position to respond when Universal Credit was introduced. He drew particular attention to the Tabled Paper which advised of trials held in other areas of the country and he explained that the Member Working Group considered that if an opportunity arose, the Council should become involved in a trial to enable it to keep up to speed prior to the introduction of Universal Credit. The trial would involve three areas; a triage service; developing personal budgeting management tools and advisory services and online support services to enable greater personal inclusion. Paragraph 6 of the Tabled Paper set out an amendment to Recommendation (ii) in the report.

The Portfolio Holder for Housing and Customer Services advised that she had attended most of the Task Group meetings and she supported a bid for formal pilot status which would assist the Council in readiness prior to Universal Credit being introduced in December 2015.

The Chairman referred to the various initiatives which had been introduced by the Council to assist in dealing with the impacts of welfare reform.

In response to a question about the Single Fraud Investigation Service, the Chairman explained that the Government wished to establish a single investigation unit which would have an effect on the staffing levels at Ashford. However the Council would retain officers to deal with other types of fraud. The Portfolio Holder advised that he had written to Lord Freud as he believed that elements of the proposals were flawed and in particular the issue that information obtained via investigations would not be shared.

Resolved:

- That (i) the amended Welfare Reform Impacts Paper be noted and agreed for publication and that a further report be presented in 12 months' time.
- (ii) the current position in relation to the implementation of Universal Credit be noted and it be agreed that the Council take up the opportunity proposed by the Government and lead locally on creating a pilot working partnership to develop arrangements designed to support the delivery of Universal Credit when fully implemented; the Deputy Chief Executive, in conjunction with officer colleagues, the Portfolio Holder and the Task Group be granted delegated authority to determine whether the Council should submit an Expression of Interest for pilot status or plan on the basis of informal pilot status.
- (iii) the advice concerning the Government's proposals and timescales for the transfer of Housing Benefit Fraud investigation work to the Department of Works and Pensions be noted.
- (iv) the Council Tax and Welfare Reform Task Group continue to monitor impacts, including overseeing any Universal Credit partnership involving the Council and the impacts of the transfer of benefit fraud work to the Department for Works and Pensions.

433 Expansion of Ellingham Industrial Estate

The report proposed the construction of three new industrial units with changes to a car park access and the provision of additional parking spaces to alleviate tenants' parking problems. It was proposed to finance the project costs from prudential borrowing.

The Portfolio Holder for the Town Centre and Urban Economy said he was delighted that the proposal had come forward and said he believed it was an excellent utilisation of assets. He also said that the proposals would address anti-social behaviour issues caused by lorry parking from the area and with the associated costs of cleaning up the area.

Recommended:

- That (i) the proposals contained in the report be approved subject to any minor variation in budget, (i.e. a cost increase that affects the internal rate of return to fall below 5%, at which point the proposal would be referred back to Cabinet), being agreed by the Chief Executive, Deputy Chief Executive and the Portfolio Holder for Resource Management and Control.
- (ii) the project costs be financed from Prudential Borrowing.
- (iii) the Head of Legal & Democratic Services, in consultation with the Head of Community & Housing, be authorised to negotiate,

execute and complete all necessary documentation to give effect to the above recommendations.

434 Ashford Borough Council's Performance – Quarter 4 2013/14

The report advised Members and the public on the performance of the Council during the quarter. This included information of what the Council had achieved through its decision making, key performance data on front line services and consideration of the wider Borough picture which impacted upon the Council's work.

The Portfolio Holder said he believed that the report presented a favourable picture of the Council's performance.

Resolved:

That the performance for Quarter 4 of 2013/14 be noted.

435 Licensing Act 2003: The Revision to Ashford Borough Council's Licensing Policy

The report sought approval for the revised Licensing Policy to be agreed for the purposes of issuing for consultation.

The Portfolio Holder advised that under the Licensing Act 2003 the Council was required to undertake a the review of the Licensing Policy every 5 years. He outlined details of the principle changes to the policy which would be subject to the consultation process.

Resolved:

- That**
- (i) the revised Licensing Policy be approved for consultation.**
 - (ii) the timetable for developing the policy and reporting to Cabinet and Council be noted.**

436 Taxi Policy Amendment

The report sought approval for an amendment to the Taxi Licensing Policy in relation to Disclosure and Barring Service (DBS) checks in the interest of fairness and public safety.

Recommended:

That paragraph 1.5, page 46 of the Taxi Licensing Policy as outlined in paragraphs 9 and 10 of the report be approved.

437 Improving the Quality of our Environment, Incorporating Generic Enforcement

The report sought approval to roll out a public awareness and education programme focusing on environmental protection throughout the Borough. The first area to be tackled proactively would be littering, followed by fly-tipping, dog fouling, smoking in taxis and other legally enforceable areas within the Council's remit. To support this initiative agreement was sought to the implementation of generic enforcement.

The Chairman said that the programme outlined within the report would be rolled out with care, following the same practice adopted with the introduction of the new recycling service in 2013. In terms of litter he advised that there were constant complaints both from the public and in the media but he commented that littering was caused by certain members of the community. The Portfolio Holder stressed that it was an educational process in terms of changing the behaviour of the public over the issue of littering.

The Portfolio Holder for Culture and the Environment explained that she would be working with the Portfolio Holder for Transport, Highways and Engineering on the issue of litter and fly-tipping, the latter of which she considered was particularly annoying.

A Member suggested there was need to act proactively in this particular area and to consider initiatives by which members of the community could organise events to tidy up and collect litter within their areas.

Another Member said he applauded the new waste disposal programme and the work of Biffa in terms of the small teams they had which collected fly-tipping and litter in the rural areas.

A further Member explained that within his Ward overgrown shrubs had been cleared and this had helped keep areas clean. In terms of enforcement he asked whether any more staff resources would be available to help in this initiative.

In response the Chairman said there were no proposals to increase the level of staff resources on this issue as it was hoped that changes in the public perception would reduce the problem. He, however, confirmed that the issue would be monitored.

A Member also commented that there was need to be vigilant, particularly in terms of graffiti as it could have a depressing effect on the residents affected by it.

Resolved:

- That**
- (i) a public awareness and education programme focusing on environmental protection, supported by the implementation of generic enforcement be agreed.**
 - (ii) the initial focus be within Ashford Town Centre and vicinity.**
 - (iii) after an initial period of public awareness raising and education campaign (minimum of six months) that the date of commencement for commencing enforcement and issuing of**

Fixed Penalty Notices (FPNs) be decided by the Chief Executive after consulting the Portfolio Holder and Leader.

- (iv) prosecutions should take place in cases of contested or unpaid FPN's in accordance with a documented enforcement policy.**
- (v) generic enforcement be evaluated and reviewed after a period of 12 months.**

438 Singleton Village Hall Extension

The report sought approval for the transfer of Section 106 funds to the Singleton Village Hall Charity under a funding agreement. The Village Hall sought an initial release of £25,000 for the investigative works, followed by a "stage payments" release plan as building works proceeded.

The Portfolio Holder said that the hall was a very popular venue and the extension would provide room for a range of additional activities.

Resolved:

That the release of £355,907.26 in Section 106 funds be approved for an extension to the Singleton Village Hall subject to funding agreements on terms agreeable to the Head of Culture and the Environment, in consultation with the Portfolio Holder and the Head of Legal & Democratic Services.

439 2013/14 Finance Update Report

The report provided an update on the financial position before the Final Outturn was reported in detail to the June Cabinet Meeting. The report also included a summary of the financial position for the New Homes Bonus Project Programme, including anticipated outturns for the financial year and carry forward requests. The Portfolio Holder referred to the Tabled Paper and said that when the third quarter was reported to Cabinet in February, there was an overall pressure of £114,000 for the full year. The Tabled Paper now showed that the provisional outturn was £92,000 below the budget. It was advised that the Business Rate outturn looked to be in a good position, together with Treasury Management and Property Investment.

In terms of New Homes Bonus the Chairman advised that the further allocation of these funds would be considered in due course.

With reference to Business Rates a Member asked whether the Council had received any funds over and above the estimate. In response the Finance Manager said had there been no gain this year.

Resolved:

That (i) the progress on the New Homes Bonus Projects be noted and the funding carry forward requests as set out in Table 1 to the report be approved.

- (ii) the anticipated outturns (Appendix A to the report), be noted in respect of the various measures agreed last year to support delivery of “Focus 2013/15” projects, and objectives from reserves.
- (iii) the anticipated outturn in respect of the first year of the Business Rates Retention Scheme be noted.
- (iv) authority be delegated to the Deputy Chief Executive to agree Council Tax Exemptions for properties affected by the January and February flooding in line with the Government’s Flood Recovery Scheme.
- (v) the budget roll forward requests as set out in paragraph 26 of the report be approved.
- (vi) the year end Treasury Management position as set out in paragraphs 27-30 and Appendix C to the report be noted.

440 Property Acquisition Investment and Disposal Panel

The Cabinet received the notes of the meeting of the Property Acquisition Investment and Disposal Panel held on the 17th April 2014.

The Portfolio Holder advised that this was the first meeting of the Panel, and it had considered its Terms of Reference, the acquisition of shops and flats at Court Wurtin, South Ashford, and the grant of a twelve year lease at Shrubcote Stores, which was classed as a disposal under the scheme.

Resolved:

That the notes of the Meeting of the Property Acquisition Investment and Disposal Panel held on the 17th April 2014 and the recommendation contained therein be approved and adopted.

441 Planning Task Group

Resolved:

That the notes of the Planning Task Group held on the 9th April 2014 be received and noted.

442 Schedule of Key Decisions to be taken

The Chairman explained that he had completed the restructure of Cabinet Portfolio responsibilities which he had discussed with Cabinet Members and Group Leaders. He said that he would announce these changes at the Council Meeting on 15th May 2014. He said that he also intended to appoint Lead Members to support each Portfolio Holder.

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Resolved:

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

(KRF/VS)
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