

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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