



## To the Members of the Borough Council

Dear Sir/Madam

You are hereby summoned to attend a Meeting of the Ashford Borough Council to be held in the Council Chamber, Civic Centre, Tannery Lane, Ashford, Kent TN23 1PL on Thursday the 17<sup>th</sup> July 2014 at 7.00 pm.

Yours faithfully

T W Mortimer  
Head of Legal and Democratic Services

### Agenda

	Page Nos.
1. Apologies	
2. To consider whether any items should be dealt with in private because of the likely disclosure of Exempt or Confidential Information.	
3. <b>Declarations of Interest:-</b> To declare any interests which fall under the following categories, as explained on the attached document:	1
a) Disclosable Pecuniary Interests (DPI)	
b) Other Significant Interests (OSI)	
c) Voluntary Announcements of Other Interests	
See Agenda Item 3 for further details	
4. To confirm the Minutes of the Council Meeting held on the 15 <sup>th</sup> May 2014	
5. To receive any announcements from the Mayor, Leader or other Members of the Cabinet	
6. To receive any petitions	
7. To receive any questions from, and provide answers to, the public (being resident of the Borough), which in the opinion of the Mayor are relevant to the business of the Meeting	
8. To receive, consider and adopt the recommendations set out in the Minutes of the Meetings of the Cabinet held on the 12 June and 10 July 2014 (to follow).	2-9

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9. To receive the Minutes of the Audit Committee held on the 26 <sup>th</sup> June 2014.	10-15
10. Report of the Overview and Scrutiny Committee – call-in of Cabinet Minute 397/4/14: M20 Junction 10A	16-33
11. Overview and Scrutiny Annual Report	34-42
12. Audit Committee Annual Report 2013/2014	43-57
13. To consider Motions of which Notice has been given pursuant to Procedure Rule 11.	
14. Questions by Members of which Notice has been given pursuant to Procedure Rule 10.	

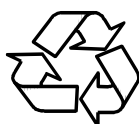
NOTE:- If debate on any item included within this Agenda gives rise to the need to exclude the press and public due to the likelihood of Exempt or Confidential information being disclosed the following resolution may be proposed and seconded and if carried, the press and public will be requested to leave the meeting for the duration of the debate.

That pursuant to Section 100A(4) of the Local Government Act 1972, as amended, the public be excluded from the meeting during consideration of this item as it is likely that in view of the nature of the business to be transacted or the nature of the proceedings that if members of the public were present there would be disclosure of exempt information hereinafter specified by reference to the appropriate paragraphs of Schedule 12A of the Act

KRF/VS  
7<sup>th</sup> July 2014

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Queries concerning this agenda? Please contact Keith Fearon:  
Telephone: 01233 330564 Email: [keith.fearon@ashford.gov.uk](mailto:keith.fearon@ashford.gov.uk)  
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**Declarations of Interest (see also “Advice to Members” below)**

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

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

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

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

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

- 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](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 3<sup>rd</sup> 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 **15<sup>th</sup> May 2014**.

## Present:

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

Cllrs. Aaby, Apps, Bartlett, Mrs Bell, Bennett, Mrs Blanford, Britcher, Buchanan, Chilton, Clark, Clarkson, Claughton, Clokie, Davidson, Davison, Mrs Dyer, Feacey, Galpin, Heyes, Mrs Heyes, Hodgkinson, Howard, Mrs Hutchinson, Link, Miss Martin, Mrs Martin, Michael, Mortimer, Ovenden, Robey, Shorter, Sims, Wedgbury, Yeo.

Prior to the commencement of the meeting the Reverend John Mackenzie said prayers.

## Apologies:

Cllrs. Adley, Bell, Burgess, Davey, Hicks, Marriott, Taylor

## Also Present:

Chief Executive, Deputy Chief Executive, Head of Legal and Democratic Services, Head of Culture and Environment, Member Services and Scrutiny Manager, Assistant Communications Officer, Senior Member Services and Scrutiny Support Officer.

## 1 Election of Mayor

Councillor Clokie nominated Councillor John Link for election as Mayor of Ashford Borough Council for the forthcoming municipal year.

This was seconded by Councillor Davidson.

Councillor Clokie said it was always an honour to be able to propose a new Mayor for their worthy and exciting Borough. There were few Councillors better qualified to be taking up the Office of Mayor than Councillor John Link along with his wife Jill as Mayoress, who had supported John over all his years of Civic duty. John was uniquely qualified for the tasks ahead as he had been the Borough Mayor for the Municipal Year 2008/09, and he was from Tenterden, which he hoped all colleagues knew was not only part of the Borough but also known as the Jewel of the Weald. Unlike many previous Mayors, John was well trained in the arts of 'Mayorship' when Town Mayor of Tenterden for four years from 1991-1994. He was also one of the Borough's longest serving Councillors when taking into account his 24 years' service as a Parish and Town Councillor.

Councillor Clokie said that no proposal speech in this Borough was complete without its traditional history moments and he was deeply indebted to his former late lamented colleague John Kemp for the following information. Councillor John Link was born with a bang on the 5<sup>th</sup> November in the year that: - Doctors had denounced drink driving tests as 'unfair'; Southern Rail opened a station to serve Gatwick; Auguste Escoffier, the chef who invented the peach melba died at the age of 88 in Switzerland; Lawrence of Arabia died; Major Atlee was elected as Leader of the

Socialist Party; Jack Hobbs wrote his letter of resignation; Joe Louis married and then later on the same day knocked out Max Baer in the fourth round! He wondered if he needed to get home for anything! In that year a football commentator declared that English players were not up to the required standard, so few things had changed over the years! Finally the Highway Code and Driving Test came in. The main tests were reversing, stopping and starting on a hill and a compulsory question such as 'when is it permitted to sound your horn when stationary?' The answer – 'when someone is about to back in to you!'

He said that there were, however some things colleagues may not know about John. He was a Grandad twice. He enjoyed walking, which was strange for a man who had spent his life with all forms of mechanical transport and for many days, underneath them. However this may have originated from his love for Westmorland and the Lake District. John had previously told him that if he could not be found, you should send out the helicopters and he would be found on The Fells. It had been said that the food and beer in those northern climes was quite exceptional including the cream teas! Maybe something to do with the constant rain there, which we were led to believe from the TV weather forecasts never stopped. John played cricket in his younger days but unlike many cricketers he had left that for golf. Unfortunately the duties of Mayor, as John may remember, were not conducive to shrinking your handicap! In addition to all the Tenterden affiliations and Cinque Ports Mayors' Committee (he had been the first Borough Mayor to have full accreditation to that noble body), there would now be a whole new sea of voluntary and leisure organisations in the Borough (it was amazing how many there were) that may now seek him out for a visit.

In concluding Councillor Clokie said he would like to mention John's "long suffering" wife, who had for many years put up with greasy overalls and smelly walking socks! Jill would be as charming and graceful a Mayoress as any before her. She brought with her an experience to the task like no other Consort before her. He said it gave him great pleasure to nominate Councillor John Stephen Link for the post of Mayor of the Borough of Ashford for the following Municipal Year.

Councillor Davidson said it was his great pleasure to second the nomination of Councillor John Link as Mayor of the Borough of Ashford for the forthcoming year.

He said his thunder had been stolen a bit, but to add a little bit of detail, John had been born on Guy Fawkes Day and attended Homewood School, ending up as Head Boy which gave him a good start in life. He then began a five year apprenticeship at a local garage before assuming responsibility for it later on. He then began two years National Service, stationed with the REME at Durham. He married Jill in 1956 and now had two Grandchildren. When living in High Halden he was elected to the Parish Council and served 12 years at the start of his political career. He was Chairman of the local Village Hall Committee when they won the best kept village competition for the area. John and Jill then moved to Tenterden and John became a Tenterden Town Councillor and served as the Mayor of Tenterden for four consecutive years. He had been Chairman of Tenterden Day Centre and in that role he fought and won the battle to keep West View Hospital open, against the wishes of Kent County Council. He was also President of the Lions Club and had played football and cricket. Later in life he had taken up golf, although he thought he now struggled to get round an 18 hole course. He was however led to believe that John was going to set up a golfing challenge as part of his Mayoral year. John also liked sea fishing, but like any older person he had now moved on to his latest sporting pursuit – bowls! John also enjoyed gardening and walking, particularly walking the dog.

In conclusion, Councillor Davidson said he could think of no-one better than Councillor John Link to be Mayor. He was a good communicator, he was good at working with people, he had a lot of respect from the residents of the Tenterden area and he and Jill would be welcomed into the role. He wished them all the best for their year and said that he seconded the nomination.

There were no other nominations.

**Resolved:**

**That Councillor John Link be elected Mayor of the Borough of Ashford for the Municipal Year 2014/2015.**

## **2 Declaration of Acceptance of Office by the Mayor**

Councillor Link made his Declaration of Acceptance of Office. The retiring Mayor, the Chief Executive, the newly elected Mayor and his Chaplain then left the meeting. Upon their return, having been invested with his chains of office His Worshipful the Mayor, Councillor John Link assumed the Chair.

## **3 Appointment of Mayor's Chaplain**

His Worshipful the Mayor said that his Chaplain for the coming year would be the Reverend Eileen Harrop, Curate of St Michaels. The Reverend Harrop then said prayers.

## **4 Vote of Thanks by the Mayor for His Election**

His Worshipful the Mayor began by thanking everybody present this evening - family, friends, Councillors and Officers who had all come to support him. He especially wanted to thank the Council Members for allowing him to serve another term as Mayor of the Ashford Borough. Most importantly of all he wanted to give special thanks to his wife Jill for her support and help. She had always supported him in Tenterden and in the Ashford Borough and he knew that they would work together as a team to promote the Borough wherever they went.

He said it was important not to forget the importance of the Mayor. As the Mayor people did look up to you and you were in the public eye when out and about in the Borough and elsewhere. You therefore had to try and do the right things by everyone – the young, the old, rich or poor and people of all backgrounds. Ashford was now a diverse Borough and as Mayor he would try to engage with and visit all sections of society when asked. It was important to make all feel welcome and part of the Borough – part of us now and in the future. It had been said before that Ashford was 'Best Placed' and he said he certainly believed this. He also believed what a previous Mayor had said in that Ashford was 'best placed for people'.

His Worshipful the Mayor said that as all knew Ashford was continuing to grow and there were some exciting times and developments ahead such as Conningbrook Country Park, the extension to the Outlet Centre and a proposed Railway Museum to name just a few. He hoped that as Ashford's Mayor and Mayoress they could give them their support as well as other developments that would arise during the year. Throughout their year they would endeavour to promote any new business that

wanted to come to the Borough. There were already many national stores in the Borough, but everybody knew that the market was not an easy one and they were in difficult times. They would therefore promote Ashford Borough with its good rail connections to London and Europe.

His Worshipful the Mayor said he wanted to give his thanks to Councillor David Smith and his wife Christine for all their hard work during the past year. As he well knew it certainly was hard work at times! Perhaps not manually but it was tiring and he knew David would relate. David had not always been in the best of health this past year but he had done a very good job, doing everything asked of them, except judging Ashford's babies which had been passed to him! The Ashford Borough had had excellent representatives for the last year and he was sure they enjoyed the experience and that they both left Office with many good memories. He wished them good luck and good health. In conclusion he once again thanked everyone for the honour and privilege of being Mayor of the Ashford Borough for 2014/15.

## **5 Vote of Thanks to the Retiring Mayor and Mayoress**

Councillor Chilton began his speech by congratulating Councillor Link on his appointment as Mayor of Ashford and wished him and the Mayoress all the best for their year in Office.

Councillor Chilton addressed the Mayor, Members, Officers, members of the public and comrades and said he would like to propose on behalf of the workers and the people of Ashford a motion of thanks to the outgoing Comrade First Citizen of the Borough Comrade David Smith! He said it was hard to believe how quickly the year had passed. It felt like only yesterday that David had assumed Office. Time had flown by and it had been quite a year. With countless engagements, functions, luncheons, charity events, concerts, school visits, sealing ceremonies and a parade, it had been a jam packed year - a year which David had carried off with dignity, style and good humour.

Many momentous events had taken place during David's year as Mayor. The world had lost Nelson Mandela and the Mayor had led tributes in this Council Chamber in his memory. Britain's only female Prime Minister Baroness Thatcher had passed away as had the great Tony Benn who famously "left Parliament to give more time to politics"! The world had lost many greats during David's time as Mayor, political giants, the like of whom will probably not be seen again, at least until Councillor William Howard and himself made it there!

Returning to Ashford, Councillor Chilton said he was sure David would have many stories and memories that he would keep with him for years to come. One that stuck in his mind was the role he played in rescuing the horses trapped due to rising flood waters during the bad weather a few months ago. Every day he had driven down the road next to the field where the horses were and every day the water level rose and the available land for the horses reduced. David's intervention and highlighting of their plight ensured that attention was focussed on the need to save the horses and successfully led to their rescue.

He said animals were of course David's great passion. Frogs in particular were one of his favourite animals. Councillor Chilton said he was not going to make any remarks about David being hopping mad or him 'ribbiting' on too much! However, he did think he could say that he had never seen such a variety of frog related items of

jewellery on one man. Actually he did not think he had ever seen any frog jewellery on anyone before!

Also during his time as Mayor David had attended many Concerts of the Ashford Choral Society. As Honorary President of the Society he had been a key supporter at many of their events and he knew this was something for which they were very grateful.

Councillor Chilton said David's charities for the year had focused on his passions and interests. David's charities for 2013/14 had been 'Folly Wildlife Rescue' a charity that cared for injured animals and Citizens Rights for Older People who campaigned for elderly people. Many Members of this Council would be very pleased that this particular campaign had received Mayoral support! Despite living in times where people did not necessarily have much to give, David had managed to raise a significant amount of funds. This year, at the time of this speech, £3340.50 had been raised for his respective charities, but it was important to note that cheques were still coming in and the grand total would be announced at a later date.

He said he thought it was important to also note the Council's thanks to all those who had supported David over the past year. Thanks in particular to Sandra and Andrea for ensuring David's year as Mayor passed off without a hitch and particular thanks of course to the outgoing Mayoress Christine. Christine had been a pillar of support for David and had held the office of Mayoress with similar dignity, style and good humour. Congratulations should be given to her and thanks for all the work she had done over the past year.

Councillor Chilton said he knew David had thoroughly enjoyed his year as Mayor, but he also knew he could not wait to get back onto the benches and to get stuck into the work of the Committees. They looked forward to welcoming him back as an ordinary Member and looked forward to working with him in the final year of this Council. It gave him great pleasure to propose that this Council passed a motion of thanks to Comrade Smith, The Red Mayor of Ashford!

Councillor Galpin said he would like to add his congratulations to those of Comrade Chilton on Councillor Link's appointment as Mayor!

He said he was pleased to second the motion for a vote of thanks to Councillor Smith and the 'sparkling' Christine as retiring Mayor and Mayoress. It had been a pleasure to work with them this past year and to see them in the town and out and about on various occasions. He was also heartened to hear that he didn't judge Ashford's babies as he understood that three of them were found guilty!

## **6 Response by the Retiring Mayor**

Councillor Smith said it was difficult to know how to follow Councillor Chilton's comments, but in the first instance he wanted to congratulate Councillor Link on his election as Mayor for the coming year and he knew he would continue to do a good job as all before him had tried to do. He said the old saying about 'not working with animals and children' had been relevant in him passing on the baby judging to Councillor Link as his Deputy. He had made sure he had a hospital appointment that day, but he had to confess it had been cancelled. He had only had one previous judging experience of that nature and it had been a bit of a failure so he thanked him for taking that on!



Councillor Smith said it had been an absolute honour to be Mayor of Ashford. He had been in Ashford since 1967, working for the Urban and Borough Councils from 1967 to 1996 and then worked here for a finance company before coming back to the Council as a Member in 2007. It was however tinged with a touch of poignancy because he had come in to the role following the loss of his dear friend Peter Goddard and he had been particularly sought out by the Council's late Leader Peter Wood. He still remembered the phone call and Peter's voice coming down the phone saying that they would like to put him forward as Deputy Mayor and eventually Mayor and it had left him speechless and he had had to pass the phone to Christine! He had spent some time thinking about those two when he was deciding what to say this evening.

He said it had been a great year. They had met so many different people – diverse people from diverse organisations – some of which he had never come across or knew existed. Some of these had really impressed him and he hoped he had been able to raise their profile in some way. He had been disappointed today reading one of the local papers who had splashed comments about Ashford being no good again, made by some anonymous person on the internet. This annoyed him as there was a Council here which was working hard to make Ashford go. He knew they still had to agree on some of the finer details but this was all happening and someone out there was always trying to bring the place down. He had been to places in the Borough this year like Premier Foods, who had taken over Batchelors and saved them from closure, investing huge amounts of money to keep them open, provide employment and support Ashford and this was great. He had also been to the refurbishment of the Kwik Fit and Currys/PC World stores, both companies that had pumped money into Ashford because they could see it growing and going places. John Lewis had opened this year and there were plenty of other developments coming on stream in the near future that were mentioned earlier. It just annoyed him that people continued to decry this town. Although he had been born in Folkestone he had been here 47 years now and viewed it as 'his town!'

Councillor Smith said that he had also been amazed by some of the hidden talents that the Borough had. The Choral Society he knew well known, but there were other musical groups for children, youngsters, disabled people and everyone that were doing amazing work out of village halls, sheds and garages, but they were producing great music and entertainment and he had been so impressed with what he had seen this year. Another thing that had impressed him was the pupils from the John Wallis and Ashford Schools at the Kent Young Enterprise Awards in Goudhurst. They had done really well and represented the Borough fantastically. That same week they had attended the Rock Challenge at Hastings, which was an anti-drugs, anti-bullying, anti-crime event, and some 13 and 14 year old pupils from John Wallis gave a presentation alongside 18 and 19 year olds from other areas, but they really punched above their weight and picked up a number of awards for their efforts. It had been a privileged and a pleasure to witness that and see that Ashford had schools working so hard to look after our youngsters and promoting them to the outside world.

He said on the ceremonial side, it had been a pleasure to attend events of the Lord Lieutenant of Kent and the High Sheriff. It was pleasing to note that the new High Sheriff was a resident of this Borough, Hugh Fenwick, and he had been able to go and lead his parade in Egerton which was a lovely afternoon. He had tried his best to promote Ashford and present it in a good light. Every place had things it needed to improve upon, but the Council was doing its best to improve Ashford – spending money in the right way and he hoped that would continue.

Councillor Smith said that having been the Mayor, he was expecting the usual letters of complaint, but they had been few and far between. He had however been surprised at the tenor of one of the letters which had referred to him as a “smug careerist who would never challenge the establishment”. It had been anonymous so he was not sure where that comment had come from, and he had not had an opportunity to redress it, but he considered it seriously misjudged the role of a Councillor and Mayor! Apart from that one, comments from the public had been totally supportive so he was thankful for that.

He said that his final weekend as Mayor last week had been brilliant. There had been the REME Freedom Parade which had gone off extremely well despite the wet weather, the signing of the Community Covenant in the Mayor’s Parlour, then the 40 Cheers for 40 Years Concert at St Mary’s Church in town and finally another concert in the evening so it had been a long day. The St Mary’s concert would be repeated this coming Saturday between 2.30pm - 4.30pm and as it was a free event Councillors had no excuse for not attending!

He thanked Councillor Chilton for his comments on the horses, but said it was due to the support from the Leader and the Chief Executive to find the funding that had got that situation sorted out so quickly. It was something that the people of Ashford wanted and as a Council they had responded, which was the important thing.

Finally, he said he would like to thank all of the Members and Officers of the Council for their support over the last year. He had been reminded that when he had become Mayor a year ago it was on the Anniversary of the Dambusters raid, and this year the date of Mayor Making had fallen on the anniversary of the day he had met Christine. He said he was thankful to the Council as they had given her a piece of jewellery tonight so he did not have to! In all seriousness, he did have a gift for Christine and he wished to thank her for all her help this year. Councillor Smith then asked to Christine to make a presentation on behalf of them both to his hard working Chaplain, Reverend John Mackenzie, to commemorate his year of working with them and looking after him during the past year. In conclusion he said he wished the Council another year of good fortune, hoped he could be part of working on the Groups that developed Ashford which he was passionate about and said he would support the new Mayor in whatever way he could.

## **7 Election and Appointment of Deputy Mayor**

Councillor Clarkson proposed that “Councillor Geraldine Dyer be elected Deputy Mayor for the Borough of Ashford for the ensuing year”.

This was seconded by Councillor Galpin.

There were no other nominations.

### **Resolved:**

**That Councillor Geraldine Dyer be elected Deputy Mayor of the Borough of Ashford for the Municipal Year 2014/2015.**

## **8 Declaration of Acceptance of Office by the Deputy Mayor**

Councillor Mrs Dyer made her Declaration of Acceptance of Office. The Deputy Mayor was then invested with her chains of office.

## **9 Minutes**

**Resolved:**

**That the Minutes of the Meeting of the Council held on the 24<sup>th</sup> April 2014 be approved and confirmed as a correct record.**

## **10 Announcements**

His Worshipful the Mayor announced that his chosen charities for the year would be the Pilgrims Hospice (Ashford) and Hi-Kent, a charity for the deaf and hard of hearing.

## **11 Confirmation of Cabinet Arrangements for 2014/15**

The Leader of the Council, Councillor Clarkson, said he wished to draw Members' attention to the tabled paper which set out details of the changes he had made to the roles and responsibilities of Portfolio Holders within the Cabinet. The tabled paper also set out the names of the Lead Members he wished to appoint to assist each of the Cabinet Members so indicated. He proposed that the Council noted the Portfolio changes and agreed his appointment of Lead Members as set out below: -

Deputy Leader, Health & Wellbeing, Education & Skills and Community Safety      **Cllr Claughton**

Lead Member – Cllr Clokie

Tourism & Rural Focus, Customer Services and Waste and Recycling      **Cllr Mrs Bell**

Lead Member – Cllr Mrs Dyer

Arts & Culture, Sports & Leisure and Environment & Open Spaces      **Cllr Mrs Blanford**

Lead Member – Cllr Mrs Martin

Finance & Budget, Resource Management and Procurement      **Cllr Galpin**

Lead Member – Cllr Buchanan

Transportation, Highways & Engineering and Parking Management      **Cllr Heyes**

Lead Member – Cllr Burgess

Social Housing, Local Needs and Special Care Housing      **Cllr Hicks**

Lead Member – Cllr Bell

Information Technology, Communications and  
Social Media

**Cllr Howard**

Lead Member – Cllr Miss Martin

Planning & Development, Building Control and  
Design & Quality

**Cllr Robey**

Lead Member – Cllr Apps

Town Centre Focus, Commercial Property and  
Joint Working

**Cllr Shorter**

Lead Member – Cllr Wedgbury

**Resolved:**

**That the Council note the Portfolio changes and agree the Leader of the Council's appointment of Lead Members.**

## **12 Selection and Constitutional Review Committee - 6<sup>th</sup> May 2014**

The tabled papers set out a change to Committee Membership further to the Minutes of this Meeting.

Councillor Clarkson proposed that “the Minutes of the Selection and Constitutional Review Committee held on the 6<sup>th</sup> May 2014 be approved and adopted”.

This was seconded.

**Resolved:**

**That the Minutes of the Meeting of the Selection and Constitutional Review Committee held on the 6<sup>th</sup> May 2014 be approved and adopted subject to the following:-**

- (i) Joint Transportation Board – Councillor Feacey replacing Councillor Mrs Bell as a Member of the Board.**

## **13 Cabinet – 8<sup>th</sup> May 2014**

Councillor Clarkson proposed that “the Minutes of the Meeting of the Cabinet held on the 8<sup>th</sup> May 2014 be approved and adopted or noted as appropriate”.

This was seconded.

**Resolved:**

**That subject to the expiry of the period by which decisions arising from the Meeting of the Cabinet held on the 8<sup>th</sup> May 2014 may be called in i.e. 21<sup>st</sup> May 2014:**

- (i) the Minutes of the Meeting of the Cabinet held on the 8<sup>th</sup> May 2014 be received and noted with the exception of Minute Nos. 433 and 436.**

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150514

**(ii) Minute Nos. 433 and 436 be approved and adopted.**

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(DS)  
MINS:

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## **Cabinet**

Minutes of a Meeting of the Cabinet held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **12<sup>th</sup> June 2014**.

### **Present:**

Cllr. Clarkson (Chairman);

Cllr. Claughton (Vice-Chairman);

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

### **Apologies:**

Cllrs. Mrs Bell, Ovenden.

### **Also Present:**

Cllrs. Bennett, Britcher, Buchanan, Burgess, Clokie, Davison, Michael, Sims.

Chief Executive, Deputy Chief Executive, Head of Legal and Democratic Services, Head of Planning and Development, Head of Communities and Housing, Head of Cultural and Project Services, Finance Manager, Strategic Environmental and Customer Services Manager, Interim Waste Contract Manager, Senior Communications Officer, Member Services and Scrutiny Manager.

## **33 Minutes**

### **Resolved:**

**That the Minutes of the meeting of the Cabinet held on the 8<sup>th</sup> May 2014 be approved and confirmed as a correct record.**

## **34 Leader's Announcements**

The Leader said that the statement recently issued advising that the Highways Agency at a Board Meeting had agreed to recommend that the full Junction 10A scheme be implemented was welcomed. He advised that the partners on the Ashford Strategic Development Board and the MP had been lobbying for this which was now subject to Ministerial approval.

The Leader then referred to the report issued by Mary Portas on the progress on the Portas Pilot Initiative and in particular to the favourable comments she had made in respect of the progress Ashford had been making. Despite these complimentary comments the Leader said that there was still a lot to do and therefore the Council could not be complacent.

The Leader said that Members would shortly be receiving a briefing note from him advising that the first ever Ashford Annual Report had been produced which covered the previous financial year. He said it was an exciting document to look at and included detailed information on the work of the Council over the previous year. He emphasised that the document had been printed in-house and Members would be encouraged to request copies of the report if they wished to distribute them within their Wards. He also explained that they would be sent to all Parish Councils and be available at the Gateway.

### **35 Recommendations Arising from the Overview and Scrutiny Committee's Meeting on 20<sup>th</sup> May 2014**

The report advised that the Committee had received a report on "Fly Tipping – Powers and Obligations for the Council" and had reviewed the Ashford Borough Council Business Plan Quarter 4 2013/14 report. The Committee had made three recommendations for consideration by the Cabinet.

The Portfolio Holder for Finance, Budget and Resource Management referred to the recommendation regarding Gas Safety Certificates and advised that Certificates ran for a period of 12 months and therefore before they lapsed Officers took steps to ensure that they were renewed. This process commenced two months before the expiry date. He advised that there were some instances where difficulties were encountered in gaining access to properties and he said that in appropriate cases legal action would be taken to gain entry to premises.

In terms of the recommendation that the Cabinet consider amending the contents of the Business Plan report to include benchmarking and comparators, he said that in his view the current report was clear and easy to read and it set out 19 data sets of information which were updated quarterly. Therefore Members could examine previous reports to establish base data. In terms of comparator information, for example with other Authorities, he said this could be misleading as it was not possible to compare like with like. He therefore asked that the request from the Overview and Scrutiny Committee be noted.

In terms of the recommendation regarding trialling the use of surveillance at known fly tipping hotspots including covert methods, the Portfolio Holder for Environment, Culture, Leisure, Parks and Open Spaces said that this recommendation had already been taken on board and would be progressed. She advised, however, that there was a legal requirement to give notice in the respective areas that cameras were to be set up.

The Vice-Chairman of the Overview and Scrutiny Committee referred to the recommendation about benchmarks and comparators and advised that in his capacity as a School Governor he found them useful in terms of comparisons with other schools.

#### **Resolved:**

**That (i) the use of surveillance at known fly tipping hotspots including covert methods where lawful be trialled.**

- (ii) **action be taken to ensure that 100% of the Council's homes have a Gas Safety Certificate.**
- (iii) **the recommendation about amending the content of the Business Plan Report to include benchmarks and comparators be noted.**

### **36 Financial Outturn 2013/14**

The report detailed the final outturn position for the Budget for 2013/14 together with information on the Council's capital expenditure and financing and the use of reserves, all of which had been in line with the Budget plans.

The Portfolio Holder for Finance, Budget and Resource Management clarified that in recommendation (ii) the reference to the table should say "Table 5" rather than "Table 4". For the general fund he advised that the outturn was £97,000 below budget for the financial year and it was proposed that this be transferred to the general reserve. The Housing Revenue Account had produced a small surplus of £1,000 and capital expenditure had been £13.3 m with £8.2 m funded through HRA resources and £2.2 m through borrowing. He believed that the report demonstrated that the Council's budget had been prudently managed over the financial year.

In response to a question from the Deputy Leader about the potential slippage on the Farrow Court Sheltered Housing Development, the Head of Communities and Housing advised that the first phase was still scheduled to be completed by March 2015 and on the overall work, significant steps had been taken to catch up with the construction programme.

#### **Resolved:**

- That
- (i) **the financial outturn for 2013/14 and reserves balances be noted.**
  - (ii) **the capital outturn and financing as set out in Table 5 of the report be noted.**

### **37 Local Growth Fund – HRA Borrowing Programme 2015/16 and 2016/17**

The report advised that there was an announcement in the Autumn Statement that additional HRA borrowing would be made available to help stockholding Authorities build more new affordable homes via a bidding process. The Cabinet was asked to support and approve the bids for additional HRA borrowing as detailed in the report.

The Portfolio Holder for Social, Local Needs and Special Care Housing advised of a minor amendment to recommendation (3) by the insertion of the figure of "21" after the word "purchase" and in paragraph 2 of the report, the word "building" be substituted with the word "purchase". She explained that the report gave an opportunity for the Council to restructure its debt and increase its debt cap and thereby to enable the Council to provide 21 additional new affordable homes for the Borough.



In response to a question as to why the 21 dwellings were split on the basis of 13 for rent and eight for shared ownership, the Head of Communities and Housing advised that the properties were being purchased from a Section 106 site where 35% would be made available as the affordable element. The split between properties for rent and shared ownership was in accordance with the Section 106 Agreement. She also advised that a letter had been received that day from South East Local Enterprise Partnership (SELEP) in support of the bid.

**Resolved:**

- That**
- (i) the bid for additional funding be supported.**
  - (ii) the Cabinet be informed in due course of the outcome of the bid to Government.**
  - (iii) subject to the bid described being approved by DCLG, 21 properties be purchased as outlined in the report, subject to detailed diligence being carried out to the satisfaction of the Portfolio Holder for Social Housing, Local Needs and Special Care Housing, the Head of Communities and Housing and the Finance Manager.**
  - (iv) authority be given to the Head of Legal and Democratic Services in consultation with the Strategic Housing and Property Manager to execute and complete all necessary documentation to give effect to the recommendations.**

### **38 Recycling and Waste Collection Policies and Procedure Statement and Guidance to Recycling and Waste Services in Multi-Occupancy Properties**

The report advised that the Recycling and Waste Collection Policies and Procedure Statement and Guidance to Recycling and Waste Services in Multi-Occupancy Properties had been produced to clearly set out the Council's approach to managing this key service activity.

The Portfolio Holder for Environment, Culture, Leisure and Parks and Open Spaces said that it was important to have policies in place which offered a practical and informative guide to Members, residents and Landlords. She explained that recycling was currently over 50% but, however, warned that when the figures from DEFRA were released later in the year it would show in the region of 43% as it was on a part year basis. The Service would be rolled out to flats in the Summer and to houses in multiple occupancy in the Autumn. Furthermore there would be a project to look at those properties which did not have proper storage for bins and she would be working with the Portfolio Holder for Tourism and Rural Focus, Customer Services, Waste and Recycling when taking this forward. The Chairman said he believed that all could be proud of what Ashford had achieved, particularly with recycling being over 50%.

A Member referred to the amount of recycling and waste collected at the Cobbs Wood Transfer station and said he would be interested to find the exact tonnage of material recycled via that facility as he believed it would give a true representation of the overall recycling percentage for the Borough. The Strategic Environmental and Customer Services Manager advised that the tonnage information would be obtained and distributed to Members in due course.

Another Member referred to issues which had arisen regarding the roll out to occupiers of some private flats who had purchased their own bins which had been subsequently taken away by the Borough Council. He asked that Officers ensure that there was good consultation with the owners of flats. The Strategic Environmental and Customer Services Manager advised that this particular incident had been rectified and Officers had learned from that issue. She also explained that in terms of collection rates the figures currently showed 99.96% of collections being achieved correctly on the first collection round.

**Recommended:**

- That (i) the Recycling and Waste Collection Policy and Procedure Statement as set out at Appendix 1 to the report and Guidance to Recycling and Waste Services in Multi-Occupancy properties as set out at Appendix 2 to the report be approved.**
- (ii) authority be delegated to the Head of Cultural and Project Services to apply the Policies and should it be necessary, to undertake any enforcement action as set out in the Policies.**

### **39 Application for the Designation of a Neighbourhood Area for Boughton Aluph and Eastwell Parish Council**

The report advised that the Borough Council had received an application from Boughton Aluph and Eastwell Parish Council for the Designation of a Neighbourhood Area. The application and map of the area was open for public consultation for six weeks from Monday 24<sup>th</sup> March to Friday 2<sup>nd</sup> May 2014. The report provided information about the neighbourhood planning process, details of the application boundary and the response to consultation.

The Portfolio Holder summarised his Portfolio Holder views as set out within the report. He explained that the area did include the Eureka employment site but said it would not be an issue as the neighbourhood plan had to be in accordance with the Borough Council's local plan for the area. In terms of the resource implications, he said that the issue would need to be monitored on an ongoing basis.

**Resolved:**

**That the application to designate the Neighbourhood Area as identified on the plan at Appendix 1 to the report be approved.**

## **40 Dark Skies – Preserving our Skies: Light Pollution and the Need for Darkness Supplementary Planning Document (SPD)**

The SPD set out advice and guidance for applications where lighting was an integral part of development across the Borough. It also summarised the comments received following the Council's consultation on the SPD and detailed the recommended responses and proposed changes to the document which was put forward for adoption.

The Portfolio Holder summarised his comments as set out within the report and said that he believed that the SPD was a major and welcome step forward and an important contribution to the protection of the environment. The Portfolio Holder for the Town Centre Focus and Commercial Property said he believed the report was very well constructed and presented and said he wished this comment to be passed on to the Officer who had produced it who was a graduate Town Planner.

The Chairman endorsed the comment about the quality of the report but also said that the Kent County Council when operating lighting units needed to replace them with the most appropriate unit.

### **Recommended:**

- That (i) **the responses to the representations received and changes made to the SPD contained within Appendix 1 to the report be noted and the final version of the SPD contained within Appendix 2 to the report be approved.**
- (ii) **subject to the changes at (i) above, the SPD be adopted as one of the Council's local development documents.**

## **41 Member Training Panel Annual Report 2013/14**

The report introduced the first Annual Report of the Member Training Panel for 2013/14.

A Member referred to paragraph 7 of the report which stressed that any Member attending an individual training course/session should be asked to give a report back to Members. He said that he was the first Member to have a report circulated to all Members and arising from this he had two points to make. He asked that reports be kept in-house unless agreed with the report author and not be passed to Members of the public as had happened with his report. Secondly, he said that most seminars/courses did not supply much in the way of printed literature for attendees. Usually attendees received, after the event, an email containing attachments which were the notes of the speakers. He asked whether these should be circulated to all Members and if so in what format.

The Chairman asked the Portfolio Holder for Information Technology and Communications and Social Member who was responsible for Member Training to draft appropriate recommendations in consultation with the Member concerned.

**Resolved:**

**That the contents of the Annual Report be received and noted.**

**Post Meeting Note**

**The Portfolio Holder has requested that the following points in (a) and (b) below be conveyed to Members:-**

- (a) All reports produced by Members following attendance at courses/seminars be kept in-house unless agreed with the author Member and should not be passed to Members of the public.**
- (b) The material or notes arising from attendance at seminars/courses be distributed in the format considered the most suitable.**

## **42 Report of the Chairman of the Member Training Panel held on the 15<sup>th</sup> April 2014**

**Resolved:**

**That the report of the Chairman of the Member Training Panel held on the 15<sup>th</sup> April 2014 be received and noted.**

## **43 Transportation, Highways and Engineering Advisory Committee – 28<sup>th</sup> April 2014**

**Resolved:**

**That the Minutes of the Meeting of the Transportation, Highways and Engineering Advisory Committee be received and noted.**

## **44 Joint Transportation Board – Nomination of Membership**

**Resolved:**

**That the following Members be appointed to the Joint Transportation Board:-**

**Cllrs. Burgess, Davey, Feacey, Heyes (VCh), Mrs Martin, Robey, Yeo.**

## **45 Ashford Strategic Delivery Board**

A Member referred to Item 4 Ashford International College Campus and asked whether there was any further progress. The Chairman advised that he was due to meet with the Head of Hadlow College shortly and he hoped to be in a position to report back to Members in due course.

**Resolved:**

**That the Notes of the Meeting of the Ashford Strategic Delivery Board held on the 25<sup>th</sup> April 2014 be received and noted.**

## **46 Planning Task Group**

**Resolved:**

**That the Notes of the Meeting of the Planning Task Group held on the 13<sup>th</sup> May 2014 be received and noted.**

## **47 Schedule of Key Decisions to be Taken**

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

**Resolved:**

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

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(KRF/AEH)

MINS:CAXX1424

## Cabinet

Minutes of a Meeting of the Cabinet held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **10<sup>th</sup> July 2014**.

### Present:

Cllr. Clarkson (Chairman);

Cllr. Cloughton (Vice-Chairman);

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

### Also Present:

Cllrs. Bennett, Britcher, Buchanan, Burgess, Clokie, Davison, Miss Martin, Michael, Mortimer, Ovenden, Smith, Wedgbury.

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

## 61 Declarations of Interest

<b>Councillor</b>	<b>Interest</b>	<b>Minute No.</b>
Cloughton	Made a "Voluntary Announcement" in respect of Agenda Item No. 16 as he was the Chairman of Ashford Access	75
Hicks	Made a "Voluntary Announcement" in respect of Agenda Item No. 6 as she had been appointed by the Council to the Ashford Leisure Trust but explained that the item did not in her view directly affect the financial position of the Trust.	65
Shorter	Made a "Voluntary Announcement" in respect of Agenda Item No. 9 as he was a member of Kingsnorth Parish Council	68

## **62 Minutes**

### **Resolved:**

**That the Minutes of the meeting of the Cabinet held on the 12<sup>th</sup> June 2014 be approved and confirmed as a correct record.**

## **63 Petitions**

The Ward Member for the South Willesborough (Ashford) Ward advised that he wished to present a petition in his capacity as a member of the South Willesborough and Newtown Community Group from the residents of Newtown regarding car parking problems within the area. He explained that the area suffered from commuter parking and from those visiting the Designer Outlet. He explained that any future expansion of the Designer Outlet would only make the problem worse. From a survey recently carried out in a car park clearly marked "Residents Only" which contained 32 spaces, only two of them were cars from residents of Newtown. He therefore said that the petition called upon the Council to introduce a residents only parking scheme for all of the roads within the Newtown area, and including Turner Close. He advised that the petition contained over 160 signatures. He presented the petition to the Chairman.

The Chairman advised that he would pass the petition to the Portfolio Holder for Transportation, Highways and Engineering to examine with officers and explained that he understood a meeting was already planned with the Head of Cultural and Project Services.

### **Resolved:**

**That the Petition be referred to the Portfolio Holder for Transportation, Highways and Engineering.**

## **64 Leader's Announcements**

The Leader advised that Ministerial approval had now been received for the provision of the full Junction 10A Scheme which would cost in the region of £70m and explained that work would be undertaken with the Parish Council, Kent County Council and the Highways Agency regarding the design and operation of the junction to ensure it best fitted with the amenity of the residents of Ashford. He also explained that £10m had been awarded towards work on the A28 to accommodate the Chilmington Green Development and also the Arts Council had increased the revenue grant to the Jasmin Vardimon Dance Academy for the period up to 2018 and had awarded a capital grant of £3m towards the Jasmin Vardimon Academy of Dance.

In response to a question from a Member as to whether the work on the A28 would involve dualling along its whole length, he advised that a reply to that specific question would be sent to the Member in due course.

## 65 Informing the Next 5 Years

The report sought approval to a number of measures designed to enable the Council to close a projected budget gap previously reported to the Cabinet in February 2014, over the next 3 to 4 years with an aim towards achieving self-sufficiency.

The Chairman said that the proposals within the report were based on the solid financial position the Council had from prudently managing the budget over previous years. He referred to Table 4 on page 10 of the Agenda and advised that in terms of the proposals for a café on the heathland area of Hothfield, work would start soon with a hope that spend on the project would be achieved in the current financial year. He said that in due course the Council would be looking at other ways in which Hothfield could be regenerated.

In response to a request from a Member, the Chairman said he saw no problem with Appendix E to the report being also considered by the Overview and Scrutiny Budget Task Group which was as detailed in Recommendation (v) within the report.

The Portfolio Holder for Town Centre Focus and Commercial Property referred to the proposed environmental enhancements and in particular in terms of market gates and a bandstand and advised that these matters were being progressed and would be delivered. Following this it was hoped that work would commence on enhancing the gateways to the town centre.

The Portfolio Holder for Community, Wellbeing and Education praised the officers for pulling together all of the issues within the report and he enquired on the progress in terms of the pilot work being undertaken on Universal Credit between the Council and the Department of Work and Pensions (DWP). The Deputy Chief Executive confirmed that the Task Group established to consider this issue would be next meeting on the 14 July and said that very encouraging discussions had already taken place with DWP and indeed they had established an office within International House which the Borough Council could use.

### **Resolved:**

- That
- (i) the Medium Term Financial Plan (MTFP) Assumptions (Appendix A and B to the report), and the detailed saving proposals (Appendix C to the report), be agreed.**
  - (ii) the Counter Inflation Strategy (Appendix D to the report) be re-affirmed.**
  - (iii) the Investment and Borrowing Policy (Appendix E to the report) be agreed and the Council's Direction of Travel be noted.**
  - (iv) the allocation of New Homes Bonus funding to specific projects as listed in Table 4 within the report be agreed.**
  - (v) the Budget Scrutiny Task Group be invited to scrutinise the MTFP Assumptions (Appendix A and B within the report), and the Detailed Savings Proposals (Appendix C within the report) and the**



**Investment and Borrowing Policy (as set out in Appendix E to the report) and to report back to the Cabinet in October prior to the detailed Budget Build Works starting in the Autumn.**

## **66 Revenues and Benefits Recommended Write-Offs Schedule**

The report proposed the formal write-off of 571 debts totalling £243,277.86. The proposals were in line with the Council's Revenues and Benefits Service Write-Off Policy. The existing bad debt provisions already more than covered the sums involved.

The Portfolio Holder explained that this was a standard report and said that the level of write-offs was broadly at the same level as in previous reports. He explained that the collection rate showed that Ashford was in the top 90%. In terms of the table within paragraph 4, he explained that the total bad debt provision made within the budget was under review as it may be in excess of the likely amount needed to cover bad debts. The Chairman confirmed that this would be examined and if appropriate it would be used in other ways.

### **Resolved:**

- That (i) accounts totalling £159,817.76 that had been written-off under Delegated Powers (Financial Regulations 11.1) be noted.**
- (ii) the write-offs listed in the Exempt Appendices in the report totalling £83,460.10 be approved.**

## **67 The Local Development Scheme (LDS) Update 2014**

The report sought approval for adoption of the revised Local Development Scheme (LDS) 2014 which included the production timetable for the Local Plan 2030 and the CIL Charging Schedule and to recommend that it be formally adopted by Full Council.

In response to a question about the publication date of the Ashford Strategic Housing Market Assessment the Chairman advised that this would be checked with the Head of Planning and Development and if appropriate the document would be amended to ensure that the correct date was incorporated.

### **Recommended:**

**That the Local Development Scheme, as required under Section 15 of the Planning and Compulsory Purchase Act 2014 (as amended by the Localism Act 2011) be approved.**

## **68 Extending Bus Services into Park Farm South and East, Kingsnorth**

The report examined the financial and other issues involved for the Council with extending the existing B-Line bus service into Park Farm South and East, Kingsnorth and recommended that the use of funding already agreed by the Council be used for this purpose.

The Portfolio Holder for Transportation, Highways and Engineering said he understood that there were concerns from one of the Ward Members for the area. He also said that there were continuing uncertainties in terms of the overall enforcement of the bus gates which were currently located within the town and believed there was a need for enforcement of the proposals particularly in terms of safety.

The Ward Member for Park Farm South said that when the development at Finberry became on-line there would be increased pressure on the use of the bridge, and he believed it would be inevitable that people would use the bridge as a short cut to save journey time, and therefore there was a safety issue with the proposals.

The Portfolio Holder for Planning and Development said that in view of concerns raised he would suggest that the report be deferred for further discussions with the Ward Members.

The Portfolio Holder for Town Centre Focus and Commercial Property said that the residents of Bridgefield had initially been promised that the bus service would commence on 1<sup>st</sup> April 2014 and whilst understanding the safety concerns said that the delay in introducing the service to these residents should also be noted.

### **Resolved:**

**That the matter be deferred to September to allow for further discussions with the Ward Members.**

## **69 Section 106 Cabinet Annual Monitoring Report 2013/14**

The report set out the Section 106 activity for the period of 1<sup>st</sup> April 2013 to 31<sup>st</sup> March 2014 to show transparently how contributions were being collected and applied in a proper way and to demonstrate the monitoring of Section 106 Contributions remained a very important resource stream.

The Portfolio Holder referred to the chart on page 64 of the Agenda which showed a great variance in terms of the numbers of agreements signed and the end of year balance between the years 2013/14 and 2012/13. He advised that this was largely due to Section 106 Contributions being delayed following the recession.

### **Resolved:**

**That the report be endorsed and made available online to provide information to the public and provide a transparent record of Section 106 activity over the last financial year.**

## **70 M20 Junction 10a - Update**

The report provided an update on the decision of the Highways Agency's Investment Board to restart work on the delivery of the Agency's full "All Movements" scheme for Junction 10a and explained the process from here, including how the Council would be involved in seeking to shape the detailed design of the scheme and any mitigation needed. Under Minute No. 64 – Leader's Announcements, the Chairman had advised that Ministerial Approval had now been received for the full "All Movements" Scheme.

The Portfolio Holder said he believed the decision was very welcome and that as part of the detailed design process the Borough Council would be pressing the Highways Agency to take account of issues raised in the locality, for example regarding the potential for rat running. The total cost was in the region of £70m, with £35m provided by the Government, £20m from the LEP and £15m from developer contributions.

The Chairman explained that shortly before this evening's meeting he had met with Mersham Parish Council who had said that they were pleased that the Government had decided to fund the full Junction 10a scheme. He also explained that he had a letter from the Kent Association of Local Councils thanking Ashford for pursuing the full junction scheme in conjunction with Damian Green MP, and suggesting that priority should be given to this over the partial scheme which should be placed on the back burner.

In response to a question from a Member as to whether up to date measures on capacity and traffic flows would be obtained, the Chairman said that the Council would ensure that those responsible for collecting such data did that.

The Head of Planning and Development also explained that Members would have noticed the large number of traffic counting apparatus associated with this scheme which were already located on various roads around the Ashford area.

### **Resolved:**

- That**
- (i) support be given to the Government and Highway Agency's decision to press ahead with delivering the full Government Scheme for Junction 10a by 2019.**
  - (ii) details of the consultation process the Highways Agency will adopt and the funding arrangements for delivering the scheme be reported to Members in due course.**

## **71 Local Government Pension Scheme Regulations 2013 – Employer Discretions**

The report updated the Council's Local Government Pension Scheme Employer Discretions to bring them in line with the new Local Government Pension Scheme Regulations and made recommendations about how the Council should approach the new regulations that gave the Council discretion to "switch-on" the "85 Year Rule".

In response to a question from a Member as to whether the KCC Superannuation Fund had been consulted on the proposals set out within the report, the Chairman suggested that this be dealt with outside of the meeting.

### **Recommended:**

- That
- (i) the changes to the Local Government Pension Scheme Regulation Numbers be noted.**
  - (ii) Ashford Borough Council allow the "85 Year Rule" to be "switched on" and applied subject to the policy statement attached to the report.**
  - (iii) the updated Policy Statements on Local Government Pension Scheme – Employer Discretions be adopted.**

## **72 Anti-Fraud and Corruption Strategy**

The report presented a "suite" of revised policies which, when taken together, reviewed and strengthened the Council's approach to tackling fraud, corruption and money laundering whilst providing a framework for officers to speak about concerns they might have regarding the organisation.

The Portfolio Holder encouraged Members to read the documents to ensure that they complied with the various provisions set out within the relevant legislation.

### **Recommended:**

**That the updated policies contained within the report be adopted.**

## **73 Youth Employment Offer Review**

The report sought approval to a revised approach to youth employment within the Council which had three elements to provide the focus to the Council's offer and which would enable the Council to lead the way in its quality and diversity of offer to local young people.

The Portfolio Holder for Finance, Budget and Resource Management said that he was keen that the Borough Council did the best for the young people seeking employment and explained that a pilot was being undertaken to provide a structured

period of time in line with vocational training. He explained that Coty had read the report and were enthusiastic about the approach being pursued by the Council. It was acknowledged that the review set out a model which could be followed by other organisations if they so wished. The Portfolio Holder for Town Centre Focus and Commercial Property praised both officers involved with the undertaking of the review and the production of the report.

**Resolved:**

**That the revised approach to supporting employment and employability of local young people, which following a successful pilot period, would become mainstream within the Council, be supported.**

## **74 Differential Service Levels to Tenants**

The report proposed to introduce a policy of offering different service levels to tenants based on the conduct of their tenancy. Those in full compliance with their tenancy conditions would be eligible for the Council's full range of services, whilst those in some form of breach would get a reduced statutory minimum service. The Portfolio Holder said that during the development of this policy discussions had been held with several organisations who had adopted similar policies and the feedback they had received was that it assisted in reducing rent arrears and achieved an overall positive impact. She believed that the document would help tenants to become fully responsible for ensuring that they obtained the appropriate financial assistance which was available to them. For those tenants with full compliance they would receive small rewards.

In response to a question as to whether the maintenance of front gardens by tenants would be included, the Housing Improvement Manager explained that a condition about garden maintenance would be included within the policy.

In response to a further question as to whether the changes would breach some tenancy rights, the Chairman said that the Bronze Level would still meet the statutory minimum service which was required to be given.

**Resolved:**

- That**
- (i) the implementation of a policy of offering the full extent of housing services to those tenants in full compliance with their tenancy conditions be approved and those tenants in breach of one or more conditions will only receive the basic statutory service until such time as they have remedied the breach for a sustained period.**
  - (ii) the Head of Community and Housing be authorised to agree the details of the Ashford Promise following the consultation response.**

## **75 Review of Disabled Adaptions Work for Council Tenants**

The report summarised a policy review of the disabled adaptions works provided for Council tenants under Housing Revenue Account (HRA) Funds. It also sought approval of a revised eligibility policy to ensure best use of available funding and better prioritisation of works based on need. There was also a proposal for the Head of Community and Housing to establish an appropriate budget for each year within the overall HRA Budget Cap to deliver the adaption works within recommended Best Practice timescales within 2 years.

The Portfolio Holder explained that it was proposed that the current budget of £320,000 be increased by £80,000 to ensure that no adaption works took more than one year. Furthermore the tendering process would be looked at. The Portfolio Holder for Community, Wellbeing and Education said that in his capacity as Chairman of Ashford Access he was aware that the Housing Improvement Manager had been very helpful in terms of taking on board the comments made by Ashford Access. He considered that communication was essential in the process of managing requests for disabled adaptions and he was of the opinion that this should be conducted in a sensitive manner.

In terms of the section of the report dealing with the right of appeal, he considered that the Appeals Panel should be completely independent and suggested that this be added to the final recommendation within the report.

The Head of Communities and Housing indicated that she considered the Council's Appeals Panel would be the appropriate forum for considering such appeals, however the Chairman indicated that the Chairman of the Panel should be independent of Ashford Borough Council.

### **Resolved:**

- That**
- (i) the policy affecting all Council tenants who applied for disabled adaption works to their new home now or in the future, be approved in principle.**
  - (ii) the impact of the policy be reviewed in 2 years' time.**
  - (iii) the Head of Community and Housing be granted authority to set up an appropriate budget each year to deliver adaption work within recommended best practice timescales. (This to be achieved within two years).**
  - (iv) the Head of Community and Housing to agree the details in relation to the proposed policy in respect of the prioritisation and the Appeals Panel, taking on board the Cabinet wish that the Chairman of the Appeals Panel be independent from Ashford Borough Council.**

## **76 The Council Implementation of the Community Right to Bid (Assets of Community Value) under the Localism Act 2011 (the “Act”)**

The purpose of the report was to ensure that the Council had the necessary powers and delegations in relation to the Community Right to Bid so as to enable community groups to exercise that right and so ensure that it complied with the Act and the regulations.

### **Recommended:**

**That delegated authority be granted to:**

- 1. the Head of Legal and Democratic Services (Principal Solicitor, Strategic Development to substitute) to:**
  - (i) act in all matters relating to any appeal to the First-Tier Tribunal against an Internal Listing Review and an Internal Compensation Review.**
  - (ii) act in all matters required for the entry and removal of any entry at the Land Registry and on the Land Charges Register required as a consequence of the inclusion or removal of land or property from the List of Assets of Community Value.**
  - (iii) sign and issue a Certificate of Compliance on the lawful disposal of land or property that is included on the List of Assets of Community Value.**
  - (iv) act in any matter required in relation to the Community Right to Bid under the Localism Act 2011 and the Assets of Community Value (England) Regulations 2012.**
- 2. The Head of Finance (Principal Accountant to substitute) to determine compensation claims.**
- 3. The Head of Communications and Technology (Deputy Chief Executive to substitute) to carry out and determine internal compensation reviews.**

## **77 Joint Transportation Board – 10<sup>th</sup> June 2014**

### **Resolved:**

**That the Minutes of the Meeting of the Joint Transportation Board held on the 10<sup>th</sup> June 2014 be received and noted.**

## **78 Planning Task Group – 17<sup>th</sup> June 2014**

### **Resolved:**

**That the Minutes of the Meeting of the Planning Task Group held on the 17<sup>th</sup> June 2014 be received and noted.**

## **79 Schedule of Key Decisions to be taken**

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

**Resolved:**

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

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(KRF/VS)

MINS:CAXX1428

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## Audit Committee

Minutes of a Meeting of the Audit Committee held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **26<sup>th</sup> June 2014**.

### Present:

Cllr. Clokie (Chairman);  
Cllr. Link (Vice-Chairman);  
Cllrs. Chilton, Marriott, Michael, Smith.

In accordance with Procedure Rule 1.2(iii) Councillor Chilton attended as a Substitute Member for Councillor Yeo.

### Apologies:

Cllrs. Buchanan, Shorter, Yeo.

### Also Present:

Cllr. Galpin.

Deputy Chief Executive, Head of Audit Partnership, Head of Personnel & Development, Audit Partnership Manager, Finance Manager, Policy & Performance Manager, Investigations Manager, Senior Auditor, Funding & Partnerships Officer, Senior Member Services & Scrutiny Support Officer.

Andy Mack, Lisa Robertson - Grant Thornton.

## 51 Minutes

### Resolved:

**That the Minutes of the Meeting of this Committee held on the 18<sup>th</sup> March 2014 be approved and confirmed as a correct record.**

## 52 Internal Audit Annual Report 2013/14

The report gave the Committee an opportunity to consider the work of the Internal Audit Team over the financial year 2013/14 and the opinion of the Head of Audit Partnership in relation to the Council's control environment. The Committee was asked whether it was satisfied that an effective Internal Audit Service operated at the Council during 2013/14.

The Chairman referred to the five areas (out of 23 audits) which had received a Limited assurance in the past year and therefore where control arrangements were below an acceptable standard, and asked what was being done to bring those up to standard? The Head of Audit Partnership explained that each audit generated an action plan and accompanying recommendations and a follow up review to examine

whether the recommendations had been implemented. He said that in the context of the Authority as a whole, those five issues did not do enough to change his overall opinion that substantial reliance could be placed on the Council's control environment. Whilst there were no particular concerns on progress made against recommendations, he did consider that recommendations could be tracked and followed up upon better, which is why proposals for a refresh to the reporting arrangements had been made later on in the Agenda.

In response to a question, the Head of Audit Partnership said he was not aware of any major changes in the past year that would have affected internal control systems. The only significant change had been the roll out of the new waste management contract and whilst some weaknesses had been identified in terms of contract monitoring arrangements, recommendations had already been accepted and taken on board by Management.

A Member asked about the risks surrounding a total IT systems failure for the Council. The Head of Audit Partnership explained that business continuity had been examined during the last year and received a Limited assurance. This was however chiefly due to the lack of testing. As a result of the concerns though, there was now to be a specific review of ICT Disaster Recovery during 2014/15, which was already underway.

**Resolved:**

- That**
- (i) the Head of Audit Partnership's opinion that substantial reliance can be placed on the overall adequacy and effectiveness of the organisation's framework of governance, risk management and control be noted.**
  - (ii) the results of the work of the Internal Audit Team as shown in Appendix A to the report be noted and it also be noted that this is the prime evidence source of the Head of Audit Partnership's opinion.**
  - (iii) the contents of the report provide evidence of effective Internal Audit operating at the Council during 2013/14.**

## **53 Audit Committee Annual Report 2013/14**

The report set out the Annual Report of the activity of the Audit Committee for 2013/14. The Audit Partnership Manager directed attention to the report's conclusion that the Committee could demonstrate that it had appropriately and effectively fulfilled its duties for the year.

**Resolved:**

**That the content and format of the Annual Committee report be agreed and the Annual Report be forwarded to Full Council to demonstrate how the Committee had effectively discharged its responsibilities.**

## 54 Internal Audit 2014/15 Reporting Refresh

The Head of Audit Partnership introduced the report which set out revisions to the Internal Audit approach for 2014/15 arising from the responses to the recent Institute of Internal Auditors review and a desire to review and refresh a process which had not been examined for some years. As the changes affected the information presented to this Committee in the future, the report was presented to inform Members in advance and give them an opportunity to comment. The principal changes affected the assurance levels, recommendation ratings and process for completing and following up audit projects. It was considered that this would also tie in better with the way the Council was moving forward.

A Member said he liked the new proposals and asked about the recommendation ratings. He thought marking them Priority 1, Priority 2 etc. was sensible but wondered if each should also have a timescale attached. The Head of Audit Partnership confirmed that this was the intention. A timescale would be attached to each recommendation based on priority however he wanted to retain some flexibility on the actual prescribed time.

There was also some discussion about at what point the Audit Committee should be presented with issues as a matter of course. Should a Priority 1 recommendation (Critical) come to the next available Audit Committee Meeting for example, or would an email advising Committee Members suffice? The Head of Audit Partnership said that the timing around this and the follow-up audit was something he would like to examine further. With the Committee meeting quarterly, it might be that some issues were too urgent to wait for three months, whilst others may benefit from further discussions with Officers/Management before they were tackled by the Committee.

### **Resolved:**

**That the Committee note and support the revised approach for undertaking and reporting the work of Internal Audit for 2014/15.**

## 55 Annual Governance Statement 2013/14

The report explained that each year the Council must produce and approve an Annual Governance Statement that summarised the approach to governance and showed how the Council fulfilled the principles for good corporate governance in the public sector. The Statement also drew conclusions about the effectiveness of the Council's arrangements, based on evidence throughout the past year. The Statement would be published alongside the Council's formal audited financial statements which would be considered by the Committee in September. This year's Statement built on previous statements, providing updated information where needed. It concluded that governance arrangements remained appropriate, effective and adaptive to change as circumstances dictated.

In response to a question the Deputy Chief Executive said that the timetable for completion of the areas for review was ultimately the end of the year. The risks of borrowing and income generation was however a topical issue and would be

included within a report to Cabinet in July, reviewing the Council's financial position. The governance issues of this would begin to be addressed during discussions in the autumn.

A Member pointed out some minor typographical errors in the report that would need to be amended before final publication.

**Resolved:**

**That the 2013/14 Annual Governance Statement be approved for signature by the Leader and Chief Executive as required by regulations.**

## **56 Anti-Fraud and Corruption Strategy**

The report provided a suite of updated policies which, when taken together, would review and strengthen the Council's approach to tackling fraud, corruption and money laundering whilst providing a framework for Officers to speak up about concerns they might have regarding the organisation. The affected policies were: - Anti-Fraud and Corruption; Money Laundering; Whistleblowing; and a new Bribery Policy. A revised recommendation had been tabled.

A Member pointed out some minor typographical errors in the policies that would need to be amended before final publication.

**Resolved:**

**That the 'suite' of policies in the report be endorsed to the Cabinet.**

## **57 2013/14 Financial Statements – Letters of Assurance to External Auditors**

The report explained that each year, in support of the external audit of the Council's financial statements, it was necessary to provide two assurance letters to the auditors. These were important statements on which the auditors relied for their opinion work. The two completed letters were attached to the report – one from the Chairman on behalf of the Committee; and the second from the Deputy Chief Executive on behalf of management. They covered similar points to assurance letters in the past and had already been shared in draft with auditors. They covered assurances relating to such matters as disclosures of material facts affecting the statements, fraud, contingent liabilities and legal issues affecting the statements.

The Chairman said he would like to place on record his thanks to Officers who had picked up the matter of internal fraud relating to a part of the 2013 Electoral Canvass performed by two temporary staff.

In response to a question about the Impairment Allowance for Bad Debts, the Finance Manager clarified that the report contained provisional figures and the final figures on page 138 of the Agenda should be "£3,926,000 approximately 35% of the value outstanding debt".

A Member pointed out a minor typographical error on page 133 of the Agenda that would need to be amended before final publication.

**Resolved:**

**That the Chairman's and Management's 2013/14 Assurance Letters be endorsed.**

## **58 Annual Fraud Report 2013/14**

The report provided an update on the work of the Investigation Team within Revenues and Benefits over the past year.

The item was opened up for discussion and the following responses were given to questions/comments: -

- 'Administration Penalties' referred to fines for benefit fraud.
- At present the team could still function effectively under current resources. The move to the Single Fraud Investigation Service (SFIS) would change the nature of the Service and there would be further discussions about, and a review of, the Service when that occurred.
- There would be a report to the September Cabinet Meeting about the future of the Fraud Investigation Service within the Council. This Committee had already supported the principle of the Council setting up its own corporate counter fraud team, and the Council was committed to maintaining a good level of resource. There had already been discussions with other agencies about this and there was concern that SFIS may not be as effective as the current arrangements. Representations had been made to the Welfare Minister on this point and it was very much a 'time will tell' issue.
- The Portfolio Holder said that, unlike some Local Authorities, Ashford's working relationships with the DWP were currently very strong. They were working towards a common aim and this would continue.
- With regard to referrals, each referral was examined, risk assessed and prioritised within resources. None were rejected out of hand, although most rejections were made fairly early in the process to avoid abortive work.

**Resolved:**

**That the report be received and noted.**

## **59 External Audit's Work Programme and Scale of Fees 2014/15**

The paper provided the Committee with a report on progress in delivering Grant Thornton's responsibilities as the Council's External Auditors. The paper included a summary of emerging national issues and developments that may be relevant to Members and a number of challenge questions in respect of those emerging issues which the Committee may wish to consider. The 2014/15 Fee Letter, which was omitted from the original papers, was tabled.

Mr Mack advised that he had now personally been the Engagement Lead for Ashford for 7 years, which was the maximum allowed, therefore Grant Thornton would need to introduce somebody new during this year. Lisa Robertson would remain as Ashford's Audit Manager.

The Chairman said he was interested in the challenge questions and asked how far reaching they were for the Council. The Deputy Chief Executive said in his view some should be key considerations for this Committee, with others for the Cabinet, some for Members generally and others for Management Team. The questions should inform this Committee's work programme but they needed to decide when and in what context. The Chairman said it might be useful to provide a quick comment under each question in response and to provide some assurances. A Member said he often read Grant Thornton's website and referred to their documents.

### **Resolved:**

**That the External Auditor's Fee Proposal and Work Programme for the year be received and noted.**

## **60 Report Tracker and Future Meetings**

Officers advised that there would be an additional item to the next meeting of the Committee in September – 'Consultation on the Future of Local Public Audit'.

### **Resolved:**

**That subject to the above the report be received and noted.**

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Telephone: 01233 330349 Email: [danny.sheppard@ashford.gov.uk](mailto:danny.sheppard@ashford.gov.uk)  
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**Agenda Item No:** 10  
**Report To:** Council  
**Date:** 17 July 2014



**Report Title:** Report of the Overview and Scrutiny Committee - Call-in of Cabinet Minute 397/04/14: M20 Junction 10A  
**Report Author:** Senior Scrutiny Officer on behalf of the O&S Committee

**Summary:**

Report on the Overview and Scrutiny Committee Call-In of Minute No.397 (Cabinet 10<sup>th</sup> April 2014). The Committee has debated the M20 Junction 10A report of 10<sup>th</sup> April 2014 and agreed to refer the Cabinet decision to support the interim (SELEP) scheme to full Council under part 4 of the O&S procedure rules. The Committee has also drawn up recommendations which the Council is asked to consider.

**Key Decision:** No

**Affected Wards:** All

**Recommendations:** **The Council be asked to consider the O&S Committee's resolution that :-**

**The O&S Committee notes that:-**

- i. **The interim scheme is fundamentally different from the full scheme for 3 reasons:-**
  - **Highfield Lane**
  - **Hythe Road**
  - **Single carriageway rather than dual carriageway.**
- ii. **The interim scheme poses a risk to the Council because it is so different and could have a negative effect on the quality of life of the residents of the whole Borough.**
- iii. **Council policy is for a full scheme at Junction 10A.**

**The O&S Committee refers the Cabinet's decision to support the interim (SELEP) scheme to full Council under Part 4 of the O&S Procedure rules. The O&S Committee believes that further consideration at full Council should include the following items:-**

- **Independent traffic data**
- **A report on alternative options for Junction 10A**
- **A traffic census on the impact of the interim scheme**
- **Details of compulsory purchase**

- **Details of the funding scheme**
- **Full and detailed consultation with affected residents Borough wide (only if a planning application for the interim scheme is submitted).**

**Policy Overview:** This decision was called-in in accordance with the Constitution.

**Financial Implications:** See report to Cabinet 10 April 2014

**Risk Assessment** See report to Cabinet 10 April 2014

**Other Material Implications:** See report to Cabinet 10 April 2014

**Exemption Clauses:** N/A

**Background Papers:** None

**Contacts:** julia.vink@ashford.gov.uk – Tel: (01233) 330491



## **Report Title: Report of the Overview and Scrutiny Committee - Call-in of Cabinet Minute 397/04/14: M20 Junction10A**

### **Background**

1. Ten Overview and Scrutiny (O&S) Members requested that the Cabinet decision of the 10<sup>th</sup> April 2014 on M20 Junction10A be 'called-in' for further discussion before the resolutions were implemented. The Cabinet had resolved as follows:- That:
  - i. support be given in principle to the delivery of the SELEP funded scheme for Junction 10A by 2019
  - ii. support in principle be given to the subsequent delivery of an enhanced SELEP scheme to create a new, all movements Junction 10A in the same location when funding permits
2. Questions for the meeting were submitted by Members of the Committee and these, together with the Officers' answers, made up the report to the meeting. Officers from ABC and KCC were present to assist the Committee with their review.

A full copy of all the papers submitted to O&S are available on the Council's website <https://secure.ashford.gov.uk/cgi-bin/committee/index.cfm?fuseaction=doctrack.details&ItemID=1729>

### **The Overview & Scrutiny Committee Meeting**

3. The Minutes of the O&S meeting on 11<sup>th</sup> June 2014 are attached at Appendix 1.
4. Prior to the O&S meeting on 11<sup>th</sup> June 2014 there was a public presentation/briefing by the Highways Agency on J10A. Notes of this briefing are attached at Appendix 2.

### **Matters Arising**

5. In view of the O&S Committee's statement that the Cabinet's support, in principle, for the SELEP scheme conflicted with Council policy for a 'full' J10A scheme, the Head of Legal Services and Monitoring Officer has prepared legal advice as set out in Appendix 3.
6. In relation to the request for additional information referred to in the bullet points in the O&S recommendations – the Head of Planning & Development has provided additional information in the attached Appendix 4. If the Council considers that further information or detail is required then it should raise an objection on this basis and refer the decision back to Cabinet – see Paragraph 7 below.

## Options for the Council

7. Having considered the report and recommendations from O&S, Council have the following options:-
  - a) If the Council at this meeting does not raise an objection then the Cabinet decision will be effective from the date of the Council meeting.
  - b) If the Council does object it cannot make its own decision on the matter (unless the Cabinet decision was contrary to the Policy Framework). The Council should refer the decision to which it objects back to Cabinet together with its reasons for objecting. The Cabinet will then decide whether to amend its decision. Given the advice of the Head of Legal Services and Monitoring Officer in Appendix 3, there are no grounds for concluding that the Cabinet decision on 10<sup>th</sup> April 2014 was contrary to the Policy Framework.
  
8. Therefore, the Council needs to decide at this meeting whether or not to object to the Cabinet's decision.

**Contact:** Julia Vink

**Email:** [scrutiny@ashford.gov.uk](mailto:scrutiny@ashford.gov.uk)

Appendix 1 – Minutes of the 11 June 2014 O&S meeting

Appendix 2 – Notes of the Highways Agency presentation/briefing 11 June 2014

Appendix 3 – Head of L&D and MO advice

Appendix 4 – Commentary by Head of P&D on matters referred to in O&S  
Committee recommendations on 11 June 2014

## Overview and Scrutiny Committee

Minutes of a Meeting of the Overview and Scrutiny Committee held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **11<sup>th</sup> June 2014**.

### Present:

Cllr. Chilton (Chairman);  
Cllr. Davison (Vice-Chairman);

Cllrs. Aaby, Apps, Bartlett, Burgess, Clokie, Hodgkinson, Mrs Hutchinson, Miss J Martin, Mrs M Martin, Mortimer, Sims, Wedgbury, Yeo.

In accordance with Procedural Rule 1.2 (iii) Councillor Clokie attended as Substitute Member for Councillor Feacey.

### Apologies:

Cllrs. Feacey, Marriott, Shorter.

### Also Present:

Cllrs. Davey, Mrs Dyer, Galpin, Michael, Ovenden, Robey, Smith.

Head of Planning and Development, Policy Manager, Principal Solicitor (Strategic Development), Senior Scrutiny Officer, Member Services & Scrutiny Support Officer, KCC Major Projects Manager, KCC Head of Transportation.

## 31 Declarations of Interest

Councillor	Interest	Minute No.
Bartlett	Made a 'Voluntary Announcement' as he lived in Sevington, near to Junction 10.	32
Mortimer	Made a 'Voluntary Announcement' as he lived near to Junction 10, and was also the Ward Member for North Willesborough.	32
Wedgbury	Made a 'Voluntary Announcement' that he was a Member of the KCC Planning Committee. He said he would not be swayed by the view of Ashford Borough Council if an application came before KCC's Planning Committee, but would look at all the information available at that time.	32

## **32 Part I – Matters Referred to the Committee in Relation to Call-in of a Decision made by the Cabinet - To consider the Call-in of Cabinet Minute 397: M20 Junction 10A**

The Chairman introduced this item. He said that a list of questions had been supplied by Cllr Bartlett and if any Members wished to have more information on Question 23, a pink paper was available to provide further details. However, because it would be necessary to exclude members of the public if it were discussed, he would circulate this paper at the end of the meeting if Members wished to see it.

The attending officers from KCC and ABC introduced themselves and explained their roles.

The Head of Planning and Development advised that this meeting had been called to review the decision made by Cabinet in April with regard to the J10A SELEP interim scheme. He explained that there had subsequently been developments in relation to the original full J10A scheme. Within the last week an announcement had been made that the Highways Agency Investment Board were to recommend to the Minister that the full J10A scheme was brought back into the government programme. This indicated a firm degree of commitment to the full scheme, subject to ministerial approval, which was believed to be a relative formality.

The Head of Planning and Development advised that the main issues for the Council related to guarantees regarding the delivery of the full scheme. The Council would need reassurance that there was a strong probability of the scheme being brought forward. The Council would also need clarification on how much funding would have to be provided from the private sector. The first indications from the Department for Transport were that the private funding level that was to support the SELEP scheme would be sufficient to bring forward the necessary public funding for the full scheme. He felt that it would be in the Council's best interests to maintain both schemes in case the funding for the full scheme did not materialise. In answer to a question, he clarified that the £20m available from the Local Enterprise Partnership would be considered public sector funding. He also explained that the Department for Transport had indicated that the absolute sum required from the private sector would remain the same for either the full or interim scheme.

During the ensuing discussion, the following points were covered:

- It was queried whether the Sevington East development was essential to support the interim scheme, and The Head of Planning and Development responded that there was no assumption that the Sevington East development would be necessary to fund the interim scheme. However, he could not give assurances about development contributions to the full scheme from future site allocations.
- There was concern that the full scheme would trigger larger developments, in view of the fact that the interim scheme was expected to give rise to 7,000 houses and 5,000 jobs. The Head of Planning and Development said that

there was no relationship between the size and capacity of the junction and the rate of development. The additional capacity of the full scheme would make life easier for residents throughout the Borough, but would not necessarily lead to greater housing development.

- There was a question about the implications of taking no action. The Head of Planning and Development explained that the Highways Agency would object to the Local Plan if it was considered that the strategic road network could not cope with proposed development. However, future housing numbers were not influenced by one junction alone, and the Local Plan included all types of access, including railway networks.
- It was noted that the Council was only a consultee and had no major role in making the final decision. Not all of the town's residents were concerned. One Member asked what useful action the Overview and Scrutiny Committee could take. The Head of Planning and Development acknowledged that permission for the full scheme to be constructed would be sought via a Highways Agency application to the Planning Inspectorate, which would effectively remove local decision-making. However, he pointed out that the Council was an important consultee and would need to be part of the decision making process, especially with regard to more detailed local issues. He considered the Council had a credible voice to influence the scheme, especially working together with KCC, who also wanted to achieve the full scheme.
- A Member welcomed the news about the full junction scheme, although felt that more commitment and reassurance was needed from government and was concerned that the Council would be open to challenge regarding the Duty to Cooperate. The Head of Planning and Development agreed that this was an important consideration, and the Council should consider all requests very carefully. Infrastructure was important, but there were other critical issues to be considered, such as environmental impact, employment development, availability of services, and impact on villages.
- In answer to a question about traffic flow to the William Harvey Hospital, KCC Major Projects Manager responded that more in-depth surveys would be taking place, lasting between 6-10 months, to get a full picture with regard to where vehicles were travelling to and from.
- A Member noted that the call-in meeting had originally been convened to discuss the interim scheme, but the recent press release had clouded discussion. The Council's Core Strategy stated that the Council wanted a full scheme at J10A, and it was a very different proposition to build an interim junction. The Member considered that the interim scheme failed on many levels. There were concerns with regard to increased traffic congestion on the Hythe Road approach to the M20 London bound on-slip, as well as the danger of Kingsford Street becoming a 'rat run', and that the Cabinet had moved from the agreed and accepted policy by supporting the interim scheme. The Head of Planning and Development responded that although there was no interim scheme envisaged in the Core Strategy, it was referred to in the Urban Sites Development Plan Document, which was produced after the Core Strategy. He considered that for this reason it was recognised in

Council policy. He also pointed out that the issues in relation to M20 access at Hythe Road had been dealt with in the Highways Agency's presentation earlier in the evening. KCC Major Projects Manager said that with regard to either the interim or full scheme there would be full consultation with affected residents, when both sides of the argument would be taken into consideration, and it was early days at present. The Member reiterated that the policy of the Council was a full junction, and the Urban Sites Plan should not be used as an excuse to support the interim scheme. He considered that this was such an important development issue that it should not have been agreed by Cabinet without recourse to Council. He considered that it did not reflect well on Cabinet that Overview and Scrutiny had to call-in their decision.

- Several Members considered that there was a need to understand the issues better in relation to the interim scheme, and to validate the traffic figures quoted by the Highways Agency. There was some discussion about the benefits of considering other options and the possibility of commissioning a consultant to identify and evaluate other solutions. The Policy Manager assured the meeting that many options had been considered over the years, including a flyover, tunnelling and different locations for the scheme. The full scheme had been considered the best option in terms of environmental impact, value for money and traffic management. He said it might be helpful to recirculate details of all the previously considered options for the sake of transparency and to set Members' minds at rest that all alternative solutions had been considered.
- Some Members felt that both schemes should be pursued in parallel; others that the full scheme alone should be sought.

After further debate, it was resolved that:

**This Committee notes that**

- (a) the interim scheme is fundamentally different from the full scheme for 3 reasons:-**
  - 1 Highfield Lane**
  - 2 Hythe Road**
  - 3 Single carriageway rather than dual carriageway**
- (b) The interim scheme poses a risk to the Council because it is so different and could have a negative effect on the quality of life of the residents of the whole Borough.**
- (c) Council policy is for a full scheme at Junction 10A.**

**This Committee refers the Cabinet's decision to support the interim scheme to full Council under part 4 of the Overview and Scrutiny Procedure Rules.**

**This Committee believes that further consideration at full Council should include the following items:-**

- **Independent traffic data**
- **A report on alternative options for Junction 10A**
- **A traffic census on the impact of the interim scheme**
- **Details of compulsory purchase**
- **Details of the funding scheme**
- **Full and detailed consultation with affected residents Borough-wide (only if a planning application for the interim scheme is submitted).**

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## **Presentation on M20 Junction 10a prior to the Meeting of the Overview & Scrutiny Committee on 11 June 2014 at 5.30pm.**

### **Present:**

Cllr. Robey (Chairman);

Cllrs. Aaby, Apps, Burgess, Chilton, Clokie, Davison, Mrs Dyer, Galpin, Hicks, Hodgkinson, Miss Martin, Mrs Martin, Michael, Mortimer, Ovenden, Sims, Smith, Wedgbury.

### **Also Present:**

Richard Alderton – Head of Planning and Development, Simon Cole – Policy Manager, Jeremy Baker – Principal Solicitor (Strategic Development), Julia Vink – Senior Scrutiny Officer, Kirsty Liddell – Member Services and Scrutiny Support Officer.

Paul Harwood – Regional Lead for Economic Development (Highways Agency).

Mary Gillett – Major Projects Planning Manager (Kent County Council)

Tim Read – Head of Transportation (Kent County Council)

Mr Simkins – Kent County Councillor.

### **Presentation**

Paul Harwood advised that he would address the Highways Agency's role in the Junction 10a proposal, the background to the schemes, the Agency's analysis of how the South East Local Enterprise Partnership (SELEP) scheme would perform and the relationship between the SELEP and Highways Agency's proposed schemes for Junction 10a. Using a PowerPoint presentation, with hard copies having been distributed to all those present, he advised that the Highways Agency was not the scheme promoter however it was a potential objector to Ashford's emerging Local Plan to 2030. Their interest was in whether the SELEP scheme would provide enough capacity for development in Ashford's emerging Local Plan to 2030.

In 2000 the M20 Junction 10 was heavily congested with traffic queuing back on to the M20 itself. This meant that traffic from a growing Ashford could not be accommodated at this Junction. Developers paid to improve the Junction in 2007 which in turn meant that development could continue in Ashford until 2000 traffic conditions returned at Junction 10. This however did not provide enough capacity for Ashford's Core Strategy.

The Highways Agency (HA) had originally designed a M20 Junction 10a scheme, east of the existing Junction 10, to accommodate development in Ashford's Core Strategy and address the underlying congestion at Junction 10. Ashford's Core Strategy was based on the scheme being delivered. The HA scheme was put on hold due to the financial crisis. Around this time AXA/DMI announced their desire to develop their Sevington West site. This presented two problems, how to progress the Sevington West site in the short term and would Ashford's Core Strategy be deliverable without the HA scheme for Junction 10a.



The SELEP scheme was conceived by Ashford's Future as a fully developer funded scheme to enable the delivery of the Sevington West development. AXA owned the majority of the land required for the scheme. Analysis showed that the scheme would deliver more capacity than was needed for Sevington West; in fact it would probably enable all the development in the Council's Core Strategy to be released. However the scheme was too expensive to be fully developer funded. The SELEP scheme was subject to a bid for funding from the Department for Transport, which was successful. Due to public money being involved a more accurate analysis of traffic and economic benefits was required. There was a need to justify the use of public funds which meant that a better traffic model was required, including the use and types of journeys taken.

He then drew attention to a number of slides that detailed the Highways Agency's assessment of the impact that the SELEP scheme would have on the existing and proposed slip roads. These were compiled using an assessment of likely development in 2030 (using the early stages of the emerging Local Plan), existing traffic models (which were quite good but dated from the 2001 census), a simplified assumption regarding 'background' traffic growth and a focus on capacity relative to 2000 levels rather than absolute capacity. The slides also assumed a scaled down development at Cheeseman's Green compared to the presentation given to Members on 20<sup>th</sup> January 2014. The slides showed that all 'arms' of the Junction would operate within capacity. The slip road with the greatest stress would be the Westbound off-slip at Junction 10a in the pm peak.

Analysis of the Hythe Road junction with the M20 Westbound on-slip had been undertaken. This had shown that with development taking place in Ashford there would be an increase in delay at this junction.

In conclusion the HA had found that with the SELEP scheme and likely development to 2030 Junction 10 would continue to operate within capacity. In fact it would operate much better than it did in 2000. Therefore the HA was unlikely to be an objector to Ashford's emerging Local Plan to 2030.

Paul Harwood then drew attention to the HA scheme. The SELEP scheme could be considered as a first stage of the HA scheme. The SELEP scheme would consist of two east facing slip roads to the M20 from a new bridge adjoining Highfield Lane, linked by a single-carriageway link road to A2070. The HA scheme would consist of a dual carriageway link road with four slip roads and a roundabout over the M20, with the two eastbound slip roads of the existing Junction 10 being closed. In Autumn 2013 the Government recommitted to funding the HA scheme, subject to value for money and a contribution from development. The Department for Transport (DfT) had advised that a development contribution similar to that for the SELEP scheme would be sufficient. DfT officials had now recommended that the HA scheme was fully restarted, however Ministerial confirmation of this was awaited. Subject to that confirmation the HA would progress the full scheme, enabling work on this had already commenced. Discussions would need to take place with the SELEP and KCC regarding the relationship between the HA scheme and the SELEP scheme. The HA and DfT would also need to discuss the development contribution with Ashford Borough Council and KCC.

Councillor Robey, Portfolio Holder for Planning and Development and the Chairman of the meeting, thanked Paul Harwood for the presentation and opened the session up to questions/comments from Members.

Councillor Galpin enquired as to the timeframe for the works to be undertaken and the Junction to be fully opened.

Paul Harwood advised that it was hoped that it would be delivered to broadly the same timeframe as the SELEP scheme and would open in Spring 2018.

Councillor Hodgkinson queried why the list of developments included to assess capacity of the SELEP scheme had not included the proposed Chilmington Green development? This would be significant development, with over 5,700 dwellings planned.

Paul Harwood advised that this was not included as it was the other side of Ashford. He did not wish to 'over-egg' the sophistication of the model. Some refinement would be needed.

Councillor Wedgbury questioned when a planning application relating to the scheme would be lodged with KCC.

Paul Harwood advised that there would not be a planning application. The scheme would be dealt with by a Development Consent Order, which was likely to be submitted to the Planning Inspectorate in Autumn 2015.

Councillor Michael queried the mix of Passenger Car Units (PCUs). Using the data from the presentation the total development traffic to 2030 equated to an additional 1,500 PCUs. Lorries would use the junction also. This appeared to be a small increase in traffic for the level of development expected to 2030. He requested a detailed breakdown of the expected levels. Councillor Michael questioned how accurate the original modelling work undertaken for Junction 10 had been? Had a 20-30% shortfall been factored in? Was the model right?

Paul Harwood advised that the Junction 10 'interim scheme' in its current form had not been constructed in 2007 as had originally been intended. The original plan had been for a bypass to the north of the junction, linking Tesco and the William Harvey Hospital. As the scheme developed environmental concerns had been raised relating to the proximity to housing. This had resulted in the widening of the road bridges to three lanes and a new pedestrian bridge being installed. The final scheme resulted in more capacity being released than had originally been intended.

Councillor Michael questioned whether the model used for Junction 10a was accurate? He also requested a breakdown of PCUs and raw data.

Paul Harwood advised that the model was being updated. The slides in the presentation and hand-out detailed the breakdown of PCUs. The development traffic would be mainly private cars.

Councillor Davison felt that the presentation had been interesting. The full Junction 10a proposal would enable 7,000 new houses to be built, was this in addition to the 7,000 already allocated in the current Core Strategy? He questioned whether Compulsory Purchase Orders would need to be made to enable the construction of the Junction? He further questioned whether the mix of traffic from the proposed Sevington Warehouse development had been factored in?

Paul Harwood advised that the Policy Manager would be able to give greater detail on the quantum of development. In respect of traffic movements these could be split as follows; office buildings would result in trips being made at peak hours, with HGVs from a distribution warehouse being spread widely throughout the day and night. There would be less impact on the road network for a warehouse than a residential development. To come up with a potential number of traffic movements from a warehouse, statistics were used from existing similar sites elsewhere in the Country.

Councillor Mortimer questioned whether the PCUs took into account the proposed development at Sevington and whether details regarding traffic movements had been submitted as part of the planning application?

The Head of Planning and Development advised that there had been no application submitted for the Sevington site to date. The Policy Manager added that he had requested the HA to use the early assumptions made by AXA, and when the business model was provided for the site this information would be fed into the model. Junction 10a would release capacity for the development allocated within the current Core Strategy.

Councillor Smith questioned what would happen to the east facing slip roads at Junction 10.

Paul Harwood advised that the east facing slip roads at Junction 10 would be closed as they would 'clash' with the west facing slip roads of Junction 10a.

Councillor Michael felt that the news that the scheme would progress was excellent, however had some concerns that this could change, particularly in light of the elections in 2015.

Paul Harwood advised that the status of the HA would be changing. This had been highlighted in the Queen's Speech as part of the Infrastructure Bill. The HA would cease to be an agency of the Department for Transport, and would operate as a Government owned company with the Secretary of State as the shareholder similar to the set-up of Network Rail. The HA would operate the network under licence and would be forward funded from 2015 to 2020. If a new Government decided to cut funding then they would need to undertake a public consultation on the proposed changes which would make it difficult to change any funding commitment.

Councillor Mrs Martin questioned how proposed development(s) would be impacted by the scheme? She was concerned that once a decision was made there would be no going back.

Paul Harwood advised that should neither scheme be delivered then there would be no capacity for development. The intention of the original scheme had been to enable the AXA/DMI proposal to be developed. As that scheme had been developed it was clear that it was a solution to a wider problem. There were a number of developers that had been granted planning permission that could not be progressed unless Junction 10a was in place.

The Head of Planning and Development advised that there was no scenario where development could not take place. The alternative would be for development to be spread around the Borough instead.

Councillor Miss Martin queried if the traffic flow patterns took into account traffic restrictions on certain roads? She further questioned whether HGVs would be required to use specific routes?

Paul Harwood advised that the traffic flow patterns took into account one-way street restrictions. It would be a decision for KCC as to whether there would be restricted routes for HGVs. Figures showed that there would be capacity in both Junction 10 and the SELEP scheme at 2030, with the link closest to capacity being at Junction 10a.

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**M20 JUNCTION 10A**  
**CABINET DECISION ON 10 APRIL 2014**  
**ADVICE OF HEAD OF LEGAL SERVICES & MONITORING OFFICER**

**BACKGROUND**

1. Normally, the Cabinet can properly take decisions on all executive functions unless they have been reserved by statute for decision by full Council or regulatory committees eg: on planning applications.
2. The Council's Constitution provides that only full Council can make a decision on an executive function covered by the Policy Framework if the Cabinet is minded to make it  
  
 "in a manner which would be contrary to the Policy Framework....."
3. The view of the Overview & Scrutiny Committee appears to have been that the Policy Framework adopted by the Council requires or supports only a "full" (or all-movements) J10A and therefore the Cabinet decision to support in principle the SELEP scheme for J10A was contrary to the Policy Framework and was therefore a decision the Cabinet had no power to make.

**POLICY POSITION**

4. The Monitoring Officer's role in the Constitution includes advising on whether Cabinet decisions are in accordance with or are contrary to the Policy Framework (para 12.03 p.37)
5. The Policy Framework includes the "plans and strategies and alterations thereto which together comprise the Local Development Framework." I have examined these documents – in particular the policies in the adopted Core Strategy (July 2008) and adopted Urban Sites and Infrastructure DPD (Oct.2012)<sup>1</sup>. I have concluded that the decision of Cabinet on 10 April was not contrary to the Council's Policy Framework and that in constitutional terms it was therefore proper for the Cabinet to make that decision.<sup>2</sup>
6. Policies CS2 and CS15 of the adopted Core Strategy both refer to the creation of  
  
 "a new motorway junction (J10A) to increase the capacity of the existing motorway junctions....."

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<sup>1</sup> The Local Transport Plan for Kent 2011-16 is also part of the Policy Framework. This simply refers to "new junction on M20 to provide the necessary capacity to serve and support new development sites"

<sup>2</sup> The correct focus is on the detailed policies in these documents. Supporting text is descriptive or explanatory of the policies and/or a reasoned justification of them. However, for completeness reference is made to various extracts from supporting text of policies.

Policy CS2 refers to the need for this to be “brought forward at the same time as the new development (it) will serve.”

7. In terms of detailed design features for the new junction, the policies themselves are entirely silent. The supporting text to Policy CS15 (para 11.11) refers to the new junction as being “grade-separated” but this does not feature in the policy itself. Both the SELEP and “full” J10A schemes meet the “grade-separated” description in any event.

The only detailed locational reference for J10A is in para 9.27 of the Urban Sites & Infrastructure DPD (supporting text to Policy U24) which refers to a location a few hundred metres to the east of the existing interchange. Both the SELEP and “full” J10A schemes meet this general locational reference.

8. Although the scheme in contemplation by the Highways Agency in 2008 was their full, all-movements scheme, there is no ABC policy requirement – or even preference – that the new junction should be of any specific design. The Core Strategy deliberately avoided prescribing detail save for repeated references to the creation of the necessary capacity to facilitate strategic development. This is not surprising as it would not normally be a function of a land use planning Core Strategy to prescribe matters of detailed infrastructure design.
9. The adopted Urban Sites & Infrastructure DPD is much more recent and took account of the postponement of the full J10A scheme by Government at that time. This contains several references in supporting text to solutions other than the 2008 “full” J10A scheme. For example:
  - Para 5.24 refers to the Highways Agency working on possible delivery of an interim J10A improvement that could be delivered in the next 5 years. Para 9.29 refers to this as “part implementation” of the “full” 2008 scheme.
  - Para 6.158 refers to possible delivery of “an interim Junction 10A improvement that could be delivered within the plan period”.

## **CONCLUSION**

10. On the basis that the Core Strategy does not prescribe (either in policy or supporting text) a particular design of J10A and that supporting text in the Urban Sites & Infrastructure DPD acknowledges and supports the possibility of delivery of an “interim J10A” solution, I have concluded that the decision of Cabinet on 10 April to support in principle the SELEP scheme was not contrary to the Council’s Policy Framework, and was thus a decision the Cabinet was entitled to take.

T W MORTIMER  
 Head of Legal Services &  
 Monitoring Officer  
 July 2014

**Commentary by Head of Planning & Development on Matters referred to in O&S Committee Recommendations on 11 June 2014**

- **Highfield Lane**

Both the SELEP scheme and the full scheme would remove the direct link between Highfield Lane and the A20 Hythe Road. The full scheme does not provide a direct link from either Highfield Lane or Kingsford Street onto the proposed J10a roundabout. Vehicular access from Highfield Lane to the A20 Hythe Road could be achieved via the Sevington development site and the proposed J10a / A2070 link road, if that site came forward as currently envisaged.

- **Hythe Road**

Neither the SELEP nor the full J10a scheme proposes any alterations to the A292 Hythe Road on the western side of J10. Both J10a schemes provide a connection to the A20 Hythe Road on the eastern side of J10 where J10A links into the A20. The A20 would form two of the arms of the J10a roundabout in the full scheme and would form part of a T junction in the SELEP scheme.

- **Single carriageway rather than dual carriageway.**

The SELEP scheme proposes a single two-way carriageway for the J10a / A2070 link road whereas the full scheme proposes a dual-carriageway for this link road.

- **Independent traffic data**

Traffic data collected for scheme promoters – whether KCC for the SELEP scheme or the Highways Agency for the full scheme - is provided by consultants selected by the promoter against clear standards for data collection and reliability. Full traffic counts and roadside surveys are currently being carried out by the Highway Agency as part of the business case assessment of the full junction 10a scheme. A similar level of surveying would be needed to complete the full assessment of the interim scheme proposal. The carrying out of a parallel exercise by ABC would be extremely costly and should only be considered if there were evidence of significant flaws in the exercise being undertaken on behalf of promoters. However in the event that there is evidence of grounds for concern, the Council should raise them with the Agency direct so that they can be rectified.

- **A report on alternative options for Junction 10A**

At the time of the Government's previous consultation on the full scheme in 2008, two alternative options to the preferred scheme were put forward for public consideration. The first of these involved further improvements to the existing Junction 10 including an additional bridge crossing of the motorway between the two existing overbridges whilst the second alternative showed a single bridge version of J10a linking with the A20 but with 'all-movements' slip roads.

Officers have requested a copy of the full report on options previously considered from the HA.

- **A traffic census on the impact of the interim scheme**

This presumably refers to an independent attempt at modelling the impact of the interim junction. As referred to earlier in relation to traffic data, to do this would cost a very significant sum simply to collect the data, assuming we could have access to the computer model the HA use to apply the data and model outcomes. In short this would be an extremely expensive exercise to duplicate the work of the Highways Agency. In the event that there is evidence of grounds for concern, the Council should raise them with the Agency direct so that they can be rectified.

**Details of compulsory purchase**

The Borough Council does not hold this information. The scheme promoter – KCC in the case of the SELEP scheme – will be reviewing what land is required for the scheme. The developer of the Sevington site has assembled a large proportion of the land needed and this could be a part of the developer contribution arising to fund the scheme. Any remaining land would need to be purchased by agreement by the promoter or failing that through compulsory purchase using the normal legal procedures in parallel with the necessary road traffic orders.

- **Details of the funding scheme**

The South East LEP has agreed in principle to fund approximately £20m of the cost of the interim scheme. The remainder (c £16m) would be provided through s106/ CIL as development comes forward that benefits from the junction capacity created by the scheme.

- **Full and detailed consultation with affected residents Borough wide (only if a planning application for the interim scheme is submitted).**

A planning application for the SELEP scheme would be submitted by the County Council – the Borough Council being a consultee. For such a major project the Borough Council would expect to work closely with the County Council to agree details of a full programme of consultation that would be carried out locally. In putting together its own response the Borough Council would continue to work closely with local people to reflect concerns expressed and to seek to identify solutions – for example, adequate mitigation of impacts. This approach would be followed throughout the process to give the best prospects of influencing the detailed scheme design at its formative stages.



**Agenda Item No:** 11  
**Report To:** Council  
**Date:** 17 July 2014  
**Report Title:** Overview &Scrutiny Annual report  
**Report Author:** Senior Scrutiny Officer



<b>Summary:</b>	The Council's constitution requires the O&S Committee to make an annual report to full Council. This is the report for the municipal year May 2013 – April 2014
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**Key Decision:** NO

**Affected Wards:** None

**Recommendations:** Council are asked to note the report

**Policy Overview:** None

**Financial Implications:** None

**Risk Assessment** N/a

**Exemption Clauses:** N/a

**Background Papers:** O&S committee agendas and minutes May 2013 – April 2014

**Contacts:** julia.vink@ashford.gov.uk – Tel: (01233)330491

## **Report Title: Overview &Scrutiny Annual report**

1. The Overview and Scrutiny Committee considered the annual report of their activity during 2013/14 and were happy for this to be forwarded to full Council.
2. During the discussion the Committee reiterated their concern and dismay that the decision to freeze council tax had been made after the Budget Scrutiny Task Group had finished its work and there had been no opportunity for the Task Group to discuss the implications of this change. The Committee felt strongly that this was discourteous to the Task Group and, if possible, this situation should not be allowed to happen again and the Task Group be given the opportunity to consider any changes to the draft budget.
3. Another point of discussion was in relation to consultation with the public – particularly how parish councils inform and consult residents. It was agreed that Members would raise these concerns in Parish forum.

### **Conclusion**

4. Council are asked to note the Overview and Scrutiny Annual Report 2013/14.

**Agenda Item No:** 4  
**Report To:** Overview and Scrutiny Committee  
**Date:** 22 April 2014  
**Report Title:** Overview and Scrutiny Annual Report  
**Report Author:** Senior Scrutiny Officer



<b>Summary:</b>	The Council's constitution requires the O&S Committee to make an annual report to full council. This is the report for the Municipal Year May 2013 – April 2014.
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**Key Decision:** No

**Affected Wards:** None

**Recommendations:** **The Committee is asked to note this report and to agree for it to be presented to Full Council later this year.**

**Policy Overview:** None

**Financial Implications:** None

**Risk Assessment** No

**Background Papers:** O&S Committee Agendas and Minutes from May 2013 – February 2014

**Contacts:** [julia.vink@ashford.gov.uk](mailto:julia.vink@ashford.gov.uk) 01233 330491

## **Report Title: Overview and Scrutiny Annual Report**

### **Purpose of the Report**

1. The Council's constitution requires the O&S Committee to make an annual report to full Council on the work they have undertaken during the year.
2. This report will give an overview of the work the O&S Committee and its Task Groups have been involved in during 2013/14.

### **Background**

3. Under Section 21 of the Local Government Act 2000, the Overview and Scrutiny Committee has power to make reports and/or recommendations either to the Cabinet or to the Authority on any aspect of Council business. The Overview and Scrutiny Committee also has the power to make reports and/or recommendations about other matters which affect the authority's area or its population.
4. The O&S Committee has 16 members, representing all political groups on the council, who work together to ensure that the Council and its Services are acting effectively and efficiently. Reviews may be undertaken by the whole Committee or a Task Group.

### **Issues Scrutinised by the Committee since May 2013**

5. Since May 2013 items considered by the main O&S Committee have included: -
  - ABC Business Plan quarterly performance report
  - Communication and Consultation strategy for the Core Strategy review
  - Sickness absence figures and information for 2012/13
  - An update of the Best Services Resources Allow
  - Procurement of Energy Saving Proposal for Civic Centre: LED Lighting and sub metering
  - An update on the Conningbrook Lakes Country Park
  - Fly posting and graffiti
  - Community safety partnership update
  - The council's draft 2014/15 budget
6. An additional item considered by the O&S Committee, not in the above list, was a Call-in. If the Chairman and two other members, or any five members of the O&S Committee object to a decision made by the Cabinet, or an individual Member of the Cabinet, or to a Key Decision made by an Officer with delegated authority from the Cabinet, and this objection is lodged before the expiry of 5 working days after the publication of the decision, then an O&S

meeting will be called and the Committee have the opportunity to examine the issue.

7. If, having considered the issue, if the O&S Committee still has concerns it may set out these concerns and refer the decision back to the decision making body (or to full Council) for reconsideration. The decision making body will then reconsider the report and may amend its original decision, or not. The final decision thus taken is not subject to Call-in.
8. In June the O&S Committee had concerns about Cabinet Minute No.33 – Trading Companies, which gave approval for the creation of two Local Authority companies – a Property company ‘A Better Choice for Property Ltd., and a Building Consultancy Company ‘A Better Choice for Building Consultancy Ltd.’, both these companies would be fully owned by the Council. This decision was called in for scrutiny.
9. In July the Call-in meeting was held and the agenda consisted of the original report to Cabinet with its confidential appendices, plus minute No. 33 and the Call-in request.
10. Having reviewed and debated the report, the O&S Committee drew up seven recommendations which were agreed by Cabinet at its next meeting and then approved and adopted by full Council. The seven recommendations were as follows:
  - (i) No payment be made to any Director/Officer other than expenses and no Officer be paid other than contractual overtime.
  - (ii) Each Company will hold an AGM and all Councillors will be invited to attend (but not to have voting rights).
  - (iii) The Companies will have no right to appeal against Council planning decisions.
  - (iv) The Council to have an independent review of the financial model to include an opinion on being a going concern.
  - (v) The Section 151 Officer should not be a Director of either Company.
  - (vi) In respect of the Property Company, it should consider options to support home ownership models including stair-casing.
  - (vii) The release of each tranche of the £10m be subject to the approval of Council.

**Further information about some issues reviewed by the main Committee/Task Groups** (to read the full reports please see [www.ashford.gov.uk/committees](http://www.ashford.gov.uk/committees) for agendas, reports and minutes of O&S meetings).

### **Budget Scrutiny**

11. The Overview and Scrutiny Committee has a duty to scrutinise the Council’s draft Capital and Revenue budget. The Budget Scrutiny Task Group’s remit was to ensure that the draft 2014/15 budget was achievable and in line with the Council’s 5 year business plan and the priorities for delivering the final two years of that plan (Focus 2013-15: the Corporate Plan and supporting Financial Plans) as adopted by Cabinet in October 2014.

12. By the end of the scrutiny process the Task Group were confident that the Budget was achievable. There was some concern over the use of New Homes Bonus to help meet the funding gap as it was considered that this was not the purpose for which it was intended. Members were advised that a grant from central government would also be part of the solution. Members also expressed dismay that the decision to freeze council tax had been made after the Task Group had finished its work on the draft budget. The Task Group suggested two Recommendations for O&S to put to the Cabinet, the full Committee agreed these and added one more Recommendation and a Note (about the timing of the decision on the level of council tax). At the subsequent Cabinet meeting it was explained that on the day in question the whole of the Administration had yet to meet to discuss Council Tax and therefore it would not have been appropriate to inform the Budget Scrutiny Task Group of any potential change until such time after that meeting had taken place. In view of this explanation it was agreed that the note would be withdrawn. All three Recommendations were then Resolved. These recommendations included:-
- It be noted that the Overview and Scrutiny Committee regards the Council's draft 2014/15 Budget as achievable.
  - The Risk Matrix and the risks identified within, especially those that fall within the shaded part of the Risk Matrix be endorsed.
  - New Homes Bonus be not habitually used to fund revenue gaps but instead be used to create legacy projects for the benefit of the Borough.
13. The Budget Scrutiny Task Group was also asked to consider the Council's HRA business plan – and the result of this is reported elsewhere on this agenda.

### **Fly Posting and Graffiti**

14. Fly posting and graffiti have a detrimental impact on the appearance of the borough and Members were interested to know what powers the Council had to deal with them.
15. Fly posting is the display of advertising material on buildings and street furniture without the consent of the owner. It can include adverts for local events (e.g. car boot sales) which may be attached to lampposts, railings and street furniture; posters advertising products of large organisations and put up by professional poster companies, often pasted on vacant buildings and signal control/telecoms boxes; and posters displayed by pressure groups or political bodies.
16. Some types of adverts are not illegal because they are allowed by advert regulations e.g. posters and signs for a local event of religious, cultural, political, social or recreational character as long as it was not carried on for commercial purposes.

17. If flyposting is causing any harm to public amenity of highway safety, then various powers are available to the Council to deal with it. These include: prevention (encouraging the use of other forms of advertising), negotiation - with the owner of the sign/owner of the site, removal by the Council (the highway authority also has powers to remove signs). Other powers include prosecution in the Magistrates court and the issuing of fixed penalty notices under the antisocial behaviour Act.
18. Graffiti – the painting, writing or carving of patterns, scribbles or messages on wall and other surfaces – is vandalism, a criminal act and illegal. There can be a difference of opinion as to what is graffiti as some ‘decoration’ on some buildings could be considered to be artwork by some and graffiti by others.
19. The Council removes graffiti from council owned property, but graffiti on private property is the owner’s responsibility. The Council uses a variety of methods to limit graffiti: prevention; removal by the Town Centre Action team (also available as a paid service for private landowners) and use of defacement notices to require removal.
20. Members were advised that more enforcement powers were expected later in the year, including more immediate action for dealing with fly posting, graffiti and other actions which impact on the appearance of the borough.

### **Procurement of Energy Saving Proposal for Civic Centre – LED lighting and sub metering**

21. In May 2013, approval was given by the Council for a £100k budget for energy saving measures for the Civic Centre. Prior to placing the orders for supplies and services, the procurement of retrofitting LED lighting tubes and the installation of a sub-metering solution to monitor and manage the electricity consumption in the Civic Centre was referred to O&S.
22. The Council had undertaken trials of LED tubes and emergency lighting and sought quotations from three local suppliers. For the installation, a specification was prepared and quotations sought from four installers (all from Kent) with whom the Council had worked previously.
23. The retrofit of the LED lights into the existing Civic Centre fittings also included the removal of the existing integrated emergency lights and their replacement with standalone emergency lighting units (these require fewer units to cover the same space, are easier to maintain and can be installed at a lower cost than traditional emergency lighting systems).
24. Six companies were approached for quotations for the sub-metering of the electricity supply. The sub-metering market is very active with new solutions arising all the time and the quotations detailed different technologies and approaches to delivery. The decision on which company to use was based on the Council’s requirement for easy access to easy-to-use performance reporting tools and affordable one-off and on-going costs.
25. The sub-metering system was expected to deliver at least 5% savings and possibly more if staff responded to the drive towards lower energy use.

Because the metering system would enable the charging for energy to be based on consumption rather than by head count, it was expected that services would be more likely to try and reduce their demand.

26. Having considered and discussed the report the O&S Committee were happy to advise Cabinet that they endorsed the procurement proposal.

### **Communication and Consultation Strategy for the Core Strategy review.**

27. Ashford Borough Council aims to encourage the public to be involved in its plan making through its consultation process. In all cases documents for consultation are published on the Council's website and an email sent to all parties logged on the consultee database. A notice would be placed in the local newspaper and copies of the document would be available to view at the libraries in the borough and both Ashford and Tenterden Gateways.
28. Additionally, there may be a series of exhibitions at accessible locations and these would be publicised in advance.
29. Ashford also has a Duty to Co-operate with other neighbouring Authorities during plan making processes to ensure that Authorities did not operate in isolation from one another.
30. For the Core Strategy review, it was decided to utilise the award winning consultation model used for Winchester's Local Plan. Plan-it Ashford aimed to get local communities to identify the things they particularly liked/disliked about their areas and to identify any challenges they thought would need to be addressed over the coming years. Discussions have been facilitated with a wide range of groups and organisations sometimes involving just parish councillors, sometimes members of the wider general public. All issues raised may not be able to be dealt with in the Local Plan but it is hoped that there would be ongoing dialogue with local communities to discuss what can/cannot be achieved.
31. Strong local feeling on specific site allocations can help officers to decide if particular sites should/should not be included in the development plan documents.
32. It was hoped that Parish councils and Urban forums could be encouraged to play a more proactive role in seeking the views of residents in their areas and ensuring those views are representative.
33. The Council was committed to consulting with the community during each stage of the Plan making process.

### **Reviews on the Forward Plan**

34. The Overview and Scrutiny Committee sets its own work programme. Future reviews/other items on the Forward Plan include:-
  - Quarterly Updates on the ABC Business Plan performance



- Housing Framework 2013-18 and Homelessness Strategy 2013-18
- Refurbishment of the Stour Centre
- Council play parks
- Update on Conningbrook project
- Update on new waste and recycling scheme
- Fly tipping
- Update on progress of Focus 2013 -15

## **The Future**

35. The Overview and Scrutiny Committee's work is aimed at ensuring the effective and efficient provision of Council services for the residents of the Borough. However the O&S Committee can also act as a 'critical friend' in reviewing the services of other 'partner' organisations e.g. KCC.
36. With the agreement of the Chairman, items can be put on the O&S agenda following a request from Cabinet or another Committee (e.g. Audit). Members of the O&S Committee are also able to submit suggested items in writing to the Chairman – such items must represent a Borough wide perspective and provide the opportunity to influence, to improve services or contribute to policy development. The Chairman will then decide if the item is appropriate for O&S to consider and, if so, is there room on the work programme.

## **Conclusion**

37. The Overview and Scrutiny Committee has received reports, commented on and made recommendations to Cabinet on a variety of issues which directly affect the Council or residents of the borough. Should the Committee consider that a decision made by the Cabinet is unwise then Members are always able to Call-in that decision.

**Contact:** Julia Vink

**Email:** [scrutiny@ashford.gov.uk](mailto:scrutiny@ashford.gov.uk)

**Agenda Item No:** 12  
**Report To:** Council  
**Date:** 17 JULY 2014  
**Report Title:** AUDIT COMMITTEE ANNUAL REPORT 2013/14  
**Report Author:** Ian Cumberworth



<b>Summary:</b>	This report introduces the Annual report of the Audit Committee for 2013/2014
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**Key Decision:** No

**Affected Wards:** All

**Recommendations:** **1. The Council note the Annual Audit Committee Report 2013/14, setting out how the Committee has discharged its responsibilities.**

**Policy Overview:** Not Applicable

**Financial Implications:** Not Applicable

**Risk Assessment** No

**Equalities Impact Assessment** No

**Other Material Implications:** Not Applicable

**Exemption Clauses:**

**Background Papers:** Audit Committee Annual Report 2013/14

**Contacts:** [ian.cumberworth@ashford.gov.uk](mailto:ian.cumberworth@ashford.gov.uk) – Tel: (01233) 330442

## **Report Title: Audit Committee Annual Report 2013/14**

### **Purpose of the Report**

1. To provide members of the Council with evidence of the effectiveness of the Audit Committee.

### **Background**

2. The Annual Report is provided to Council in order to provide assurance that the role and function of the Committee has been met.
3. The Audit Committee is required to obtain assurance on the control environment of the organisation, the attached report sets out how the committee has sought to achieve this.
4. The internal control environment comprises the whole network of systems and controls established to manage the Council, to ensure that its objectives are met. It includes financial and other controls, and arrangements for ensuring the Council is achieving value for money from its activities
5. In accordance with best practice the Committee has produced an Annual Report to be considered at Full Council

### **Risk Assessment**

6. Not Applicable

### **Equalities Impact Assessment**

7. Not Applicable

### **Other Options Considered**

8. An Annual Report is considered to be good practice therefore no other option could be recommended.

### **Consultation**

9. The Audit Committee have been consulted and it agreed the Annual Report at its meeting on 26<sup>th</sup> June 2014.

### **Implications Assessment**

10. Not Applicable

## **Handling**

11. Not Applicable

## **Conclusion**

12. Based on the coverage of the work undertaken by the Committee it is working effectively and discharging its responsibilities.

## **Portfolio Holder's Views**

13. The Portfolio Holder supports the content of the Annual Report.

**Contact:** Ian Cumberworth Tel: (01233) 330442

**Email:** [ian.cumberworth@ashford.gov.uk](mailto:ian.cumberworth@ashford.gov.uk)

# **Audit Committee Annual Report 2013/14**



**ASHFORD**  
BOROUGH COUNCIL

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## Ashford Borough Council

### Audit Committee Annual Report – 2013/14

#### **Foreword by Cllr Paul Clokie Chairman of the Audit Committee**



I am pleased to introduce the annual report of the Audit Committee, covering the year to 31 March 2014.

The Audit Committee is responsible for reviewing the Council's governance arrangements, both financial and non financial, (including the risk register) and seeks to obtain appropriate assurances in these areas.

This is the second Annual Report of the Audit Committee and I am pleased to confirm that the Committee, under my Chairmanship has continued to build on its strength and effectiveness over the past year.

As outlined in the body of this report, the Committee has been actively engaged with the Council's financial managers, internal auditors and external auditors (Grant Thornton).

The Committee has provided oversight and challenge to the Council's operations and internal control environment and provided robust scrutiny and challenge of the Authority's financial and project performance.

In carrying out its responsibilities, the Committee has continued to follow best practice and to become increasingly challenging of officers whilst always supporting them in their governance priorities.

I would like to thank all members who served on the Committee during 2013/14 and look forward to the continued support of members during the year ahead. My thanks also go to the Council officers who have supported the work of the Committee.

In looking forward to 2014/15 and beyond, and given the continued financial pressures facing the Council, the importance of an effective Audit Committee remains critical. Along with my fellow members I look forward to meeting those challenges.

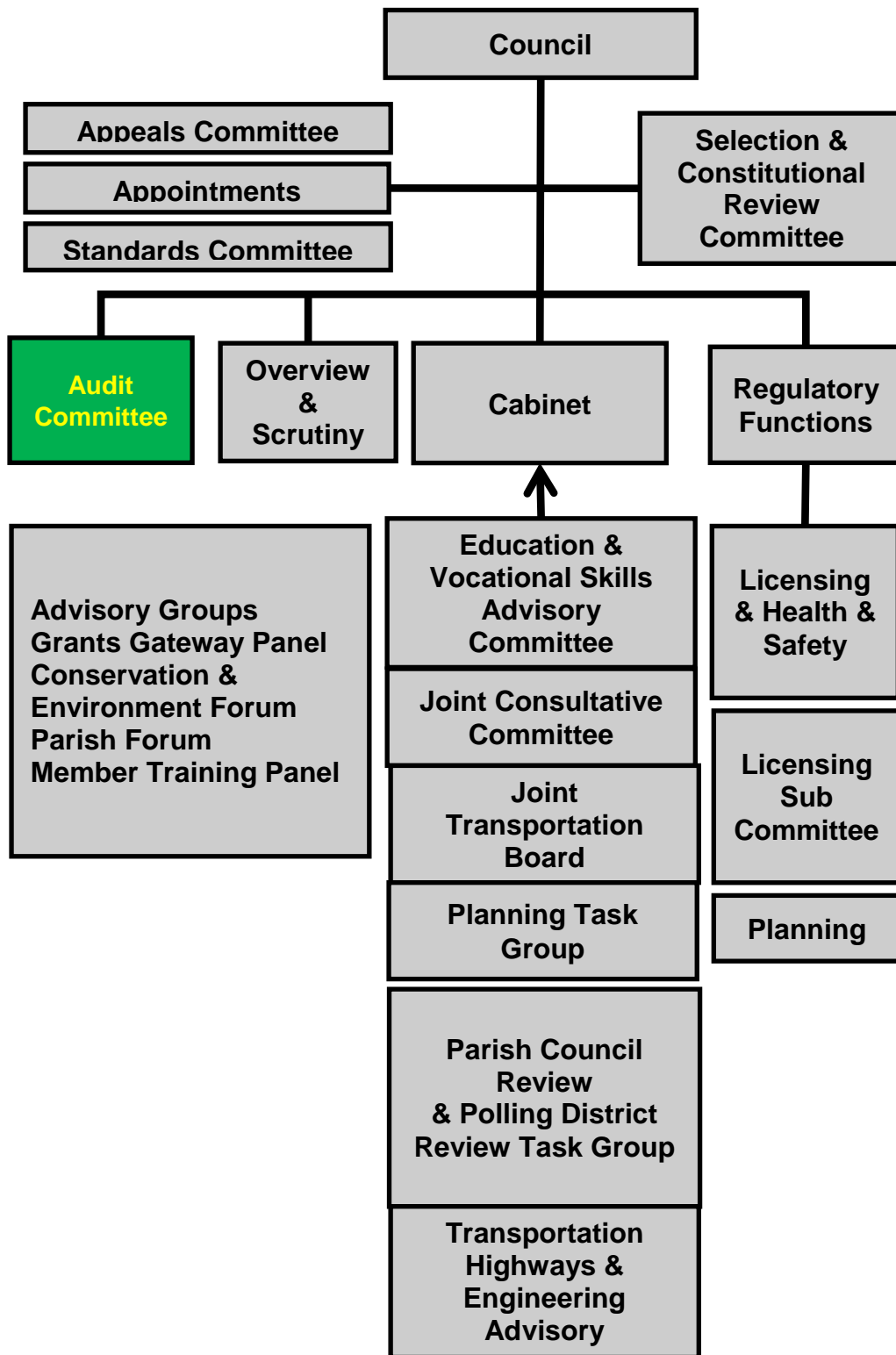
## 1. Introduction

The Council established the Audit Committee as a full committee from December 2006. While there is currently no statutory obligation to have an Audit Committee, such bodies are widely recognised as a core component of effective governance. In recent years there has been a significant amount of regulation and guidance issued on governance arrangements for private and public sector bodies, the common feature of governance arrangements being the existence of an effective Audit Committee:

Audit Committees differ from Scrutiny Committees in that the role of scrutiny is to review policy and challenge whether the executive has made the right decisions to deliver policy goals. The Audit Committee, however, exists to provide **independent assurance** of the adequacy of the risk management framework and the associated control environment, independent scrutiny of the Authority's financial and non-financial performance to the extent that it affects the Authority's exposure to risk and affects the control environment, and oversight of the financial reporting process.

The Committee **is not a substitute for the executive function** in the management of internal or external audit, risk management, corporate governance, stewardship reporting, internal control or any other review or assurance function. It is the Committee's role to examine these functions, and to offer opinions or recommendations on their management.





There are many benefits to be gained from an effective Audit Committee. In fulfilling its role the committee will:

- raise greater awareness of the need for internal control and the implementation of audit recommendations;

- increase public confidence in the objectivity and fairness of financial and other reporting;
- reinforce the importance and independence of internal and external audit and any other similar review process (for example, providing a view on the Annual Governance Statement);
- Provide additional assurance to the Authority and its stakeholders through the results of its reviews.

## 2. Terms of reference and responsibilities

The Committee's detailed terms of reference are set out in the Council's Constitution and are based on the Chartered Institute of Public Finance and Accounting (CIPFA) model.;

### Audit Activity

1. The Head of Internal Audit's Annual Report and Opinion, and a summary of internal audit activity (actual and proposed) and the level of assurance it can give over the Council's Corporate Governance arrangements.
2. The summary of internal audit reports issued in the previous period.
3. Reports on the management and performance of the Audit Partnership Agreement.
4. Reports from the Head of Internal Audit on agreed recommendations not implemented within a reasonable timescale.
5. The External Auditor's Annual Management Letter and relevant reports.
6. Any detailed responses to the External Auditor's Annual Letter.
7. Specific reports as agreed with the External Auditor.
8. The scope and depth of external audit work and to ensure it gives value for money.
9. Liaison with the Audit Commission on the appointment of the Council's External Auditor.
10. The commissioning of work from internal and external audit.

### Regulatory Framework/Risk Management

11. An overview of the Council's Constitution in respect of Contract Procedure Rules and Financial Regulations.
12. The effective development and operation of financial management, risk management and those elements of corporate governance within the remit of the Audit Committee.
13. Council policies on "raising concerns at work" i.e. whistle-blowing in the context of the Anti-Fraud and Anti-Corruption Strategy and the Council's complaints process.
14. To recommend the Authority's Annual Governance Statement for approval to the Executive. (Minute No. 531/5/10).
15. The Council's compliance with its own and other published financial standards and controls.
16. The External Auditor's report on issues arising from the Audit of the Accounts.
17. The ability to refer matters to the Overview and Scrutiny Committee for their consideration (Minute No. 62/6/09).

**Note:** The Overview and Scrutiny Committee has a similar provision to refer matters to the Audit Committee

### Delegations

18. The approval of the Annual Statement of Accounts in line with the statutory requirements including those relating to the publishing deadlines. Specifically, to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the Audit that need to be brought to the attention of the Council.

### 3. Membership

The Audit Committee comprises of eight members. The current Committee met on four occasions in 2013/14. Committee agenda papers and minutes are available on the Council's website [www.ashford.gov.uk](http://www.ashford.gov.uk)

#### **Current 2013/14 Audit Committee Members**

**Cllr Clokie  
Chairman**



**Cllr Link  
Vice-Chairman**



**Cllr Shorter**



**Cllr Smith**



**Cllr Taylor**



**Cllr Michael**



**Cllr Marriott**



**Cllr Yeo**



#### 4. Committee Attendance 2013/14

The Committee has been well supported throughout the year by both members and officers, and attendance records are set out in the table below.

Member/Officer	27/6/13	26/09/13	3/12/13	18/3/14
<b><u>Audit Committee Members</u></b>				
Cllr Clokie (Chairman)	Y	Y	Y	Y
Cllr Link (Vice Chairman)	Y	Y	Y	Y
Cllr Taylor	Y	A	Y	Y
Cllr Smith	Y	A	Y	Y
Cllr Marriott	Y	Y	Y	A
Cllr Shorter	Y	Y	A	Y
Cllr Michael	Y	Y	Y	Y
Cllr Yeo	Y	-	A	-
<b><u>Visiting members</u></b>				
Cllrs Britcher , Chilton & Wright	Y			
<b><u>Officers</u></b>				
Deputy Chief Executive	Y	Y	Y	Y
Finance Manager	-	-	Y	-
Head of Internal Audit Partnership	Y	Y	Y	Y
Audit Manager	Y	Y	Y	Y
Principal Accountant (Technical)		Y	-	Y
Senior Member Services Officer	Y	Y	Y	Y
Investigations & Visiting Manager		Y	-	
Incoming Head of Internal Audit Partnership	-	-	-	Y
Senior Auditor	-	Y	-	-
Policy & Performance Officer	-	-	-	Y
Head of Communications & Technology				Y
<b><u>Grant Thornton</u></b>				
Director			Y	Y
Manager	Y	Y	Y	Y

Key: Y = Attendance, N = Non Attendance, A = Apologies Received, N/A = Not a Member

5. The Committee completed the following programme during 2013/14

Function/Issue	27/06/13	26/09/13	03/12/13	18/03/14
<b><u>INTERNAL AUDIT ACTIVITY</u></b>				
Operational Plan 2014/2015	-	-	-	Y
Public sector Internal Audit standards- External assessment	-	-	-	Y
Annual Audit Committee report 2012/13	Y	-	-	-
Interim six monthly report 2013/2014	-	-	Y	-
Annual Report 2012/13	Y	-	-	-
Internal Audit Partnership	-	Y	Y	-
Internal Audit Charter	-	Y	-	-
<b><u>EXTERNAL AUDIT ACTIVITY</u></b>				
Certification of Grant Claims	-	-	-	Y
Progress Report/External Audit Update	Y	-	Y	Y
2012/13 Accounts & Audit findings		Y		
Audit Plan 2012/13 (Grant Thornton)	-	-	-	Y
Annual Audit Letter 2012/13	-	-	Y	-
Internal Audit / External Audit Protocol	-	-	-	Y
<b><u>REGULARITY FRAMEWORK / INTERNAL CONTROL ARRANGEMENTS</u></b>				
Benefit Fraud Report	-	Y	-	-
Governance Statement action plan update	-	Y	-	Y
Grant Thornton Governance Risk –national study	Y	-	-	Y
Financial Statements	-	-	-	Y
Annual Governance Statement 2012/13	Y	-	Y	-
Risk Management – Action plan	Y	-	-	-
Strategic Risk Management Plans	Y	Y	-	Y
IT Continuity arrangements	-	-	Y	-
Local Code of Corporate Governance	-	-	-	Y
Local Audit & Public Accountability Bill	Y	-	-	-
<b><u>ACCOUNTS</u></b>				
Statement of accounts 2012/13	Y	-	-	-
<b><u>FORWARD PLAN</u></b>				
Tracker	Y	Y	Y	Y

## 6. Assurance

The Audit Committee has considered the following areas to assist it in gaining assurance of the governance arrangements within the organisation as part of its annual work programme.

<b>Risk Management</b>
<ul style="list-style-type: none"><li>• <b>Consider the effectiveness of the Authority's risk management arrangements</b></li><li>• <b>Seek assurance that action is being taken on risk-related issues identified by auditors and inspectors</b></li></ul>

This has been achieved by:

- Receiving progress reports on Strategic risk areas, considering the movements in individual risks and their categorisation, and influencing the format and presentation of risk reports;
- Receiving progress reports on internal and external audit issues.

<b>Internal Control assurance</b>
<ul style="list-style-type: none"><li>• <b>Consider the effectiveness of the Authority's control environment</b></li><li>• <b>Be satisfied that the Authority's assurance statements including the Annual Governance Statement properly reflect the control environment and any actions required to improve it</b></li></ul>

This has been achieved by:

- Considering the review of internal control for 2012/13 and agreeing the significant issues to be included in the Council's Annual Assurance Statement for 2012/13
- Approving the Authority's Annual Governance Statement for 2012/13 and the action plan to address significant improvements. These were incorporated into the Improvement Plan and actions have been monitored by the Committee throughout the year;
- Received and considered the Annual Fraud report

<b>Audit Activity</b>
<ul style="list-style-type: none"><li>• <b>Approve (but not direct) Internal Audit's strategy and plan and monitor performance</b></li><li>• <b>Review summary Internal Audit reports where they've received a 'limited' or 'minimal' assurance and seek assurances that action has been taken where necessary</b></li><li>• <b>Receive the annual report of the Head of Internal Audit Partnership.</b></li><li>• <b>Consider the reports of external audit and inspection agencies</b></li><li>• <b>Ensure there are effective relationships between internal and external audit, and inspection agencies</b></li></ul>

## Internal Audit

The Committee has:

- Received and considered the Head of Internal Audit Partnership Manager's Annual Report for 2012/2013, including the opinion on the Authority's control environment which was incorporated into the Annual Governance Statement;
- Received reports on the Internal Audit team's progress against the Plan;
- Received reports setting out the position regarding the agreement of audit reports and the assurance opinions provided for each review area;
- Received a report from an external assessor to provide assurance that Internal Audit comply with Public Sector Internal Audit Standards (PSIAS)
- Considered and agreed the Internal Audit Annual Plan for 2014/15

## External Audit

The Committee has:

- Received and agreed the Annual Audit & Inspection Letter for 2012/13,
- Considered and agreed the Audit & Inspection Plan for 2013/14;
- Considered and agreed the certification of grant claim reports;
- Received progress reports on the action taken in response to external audit recommendations via the corporate improvement reports.

### **Accounts**

- **Review the financial statements, external auditor's opinion and reports to members, and monitor management action in response to the issues raised by external audit**

The Committee has sought assurance by:

- Considering changes both to the format of the Accounts and the accounting policies used to prepare the accounts;
- Approving the Statement of Accounts for 2012/13 and later amendments;
- Receiving and considering the Annual Governance Report 2012/13, and agreeing the signing of the letter of representation by the Chairman of the Audit Committee, Deputy Chief Executive and the Leader of the Council;

## 7. Review of the Audit Committee's Effectiveness

In partnership with its External Auditors, and with the support of Officers, the Audit Committee has provided robust and effective independent assurance to the Council on a wide range of risk, governance and internal control issues. It is concluded therefore, that the Audit Committee can demonstrate that it has appropriately and effectively fulfilled its duties for 2013/14.

## 8. 2014/15 Work Programme

- The Committee faces a challenging year ahead and the Committee's detailed work programme for the forthcoming year is set out below.

Function/Issue	26/06/14	25/09/14	02/12/14	tbc/03/15
<b><u>INTERNAL AUDIT ACTIVITY</u></b>				
Operational Plan 2015/16		-	-	X
Annual Report 2013/14	X	-	-	-
Audit Committee Annual Report 2013/14	X	-	-	-
Interim Report	-	-	X	-
Strategic Risk review	-	X	-	X
Strategic Risk - considered			X	X
<b><u>EXTERNAL AUDIT ACTIVITY</u></b>				
Audit Plan	-	-	-	X
Fee Proposal	X	-	-	X
Grant Claims	-	-	-	X
2013/14 Accounts & Audit findings		X	-	-
Audit Plan 2013/14	-	-	-	X
Audit Letter	-	-	X	-
<b><u>REGULARITY FRAMEWORK / INTERNAL CONTROL ARRANGEMENTS</u></b>				
Benefit Fraud – Annual Report	X	-	-	-
Governance statement	X	-	-	-
Governance Statement - Action Plan	-	X	X	X
Performance Compendium	-	X	-	-
<b><u>ACCOUNTS</u></b>				
Statement of Accounts 2013/14	X	-	-	-
<b><u>FORWARD PLAN</u></b>				
Tracker	X	X	X	X