



## 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 16<sup>th</sup> October 2014 at 7.00 pm.

Yours faithfully

T W Mortimer  
Head of Legal and Democratic Services

Please note that a demonstration of the new audio/visual system in the Council Chamber will be given at 6.30 pm

### 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 17 <sup>th</sup> July 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	

	<b>Page Nos.</b>
8. To receive, consider and adopt the recommendations set out in the Minutes of the Meetings of the Cabinet held on the 4 <sup>th</sup> September and 9 <sup>th</sup> October 2014 (to follow).	2-14
9. To receive, consider and adopt the Minutes of the Selection and Constitutional Review Committee held on the 4 <sup>th</sup> September and the 9 <sup>th</sup> October 2014 (to follow)	15-16
10. To receive the Minutes of the Audit Committee held on the 25 <sup>th</sup> September 2014	17-21
11. To receive the Minutes of the Standards Committee held on the 30 <sup>th</sup> September 2014	22-25
12. Annual Report of the Council's Monitoring Officer 2013/14	26-42
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.	

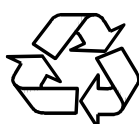
NOTE:- If debate on any item included within this Agenda gives rise to the need to exclude the press and public due to the likelihood of Exempt or Confidential information being disclosed the following resolution may be proposed and seconded and if carried, the press and public will be requested to leave 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/AEH  
8<sup>th</sup> October 2014

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Queries concerning this agenda? Please contact Keith Fearon:  
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Agendas, Reports and Minutes are available on: [www.ashford.gov.uk/committees](http://www.ashford.gov.uk/committees)



**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 **17<sup>th</sup> July 2014**.

### Present:

His Worshipful the Mayor, Cllr. J Link (Chairman);

Cllrs. Adley, Apps, Bartlett, Bell, Bennett, Mrs Blanford, Buchanan, Burgess, Chilton, Clarkson, Claughton, Clokie, Davidson, Davison, Feacey, French, Galpin, Heyes, Mrs Heyes, Hicks, Hodgkinson, Howard, Miss Martin, Mrs Martin, Michael, Mortimer, Ovenden, Robey, Shorter, Sims, Smith, Wedgbury.

### Also Present:

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, Member Services and Scrutiny Manager.

Prior to the commencement of the meeting;

1. His Worshipful the Mayor asked Members to remain standing in silence in respect of the late Charles Pye Oliver who was the representative for the Hothfield (including Westwell) ward between 1979 and 1991 and the late Paul Edgson-Wright who was the representative for the Little Chart ward between 1973 and 1976.
2. The Reverend John Emmott said prayers in the absence of the Mayor's Chaplain Reverend Eileen Harrop who was away visiting her family.

### Apologies:

Cllrs. Aaby, Mrs Bell, Britcher, Clark, Davey, Mrs Dyer, Mrs Hutchinson, Marriott, Taylor, Yeo.

## 90 Exempt or Confidential Information

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

## 91 Declarations of Interest

Councillor	Interest	Minute No.
Bartlett	Made a "Voluntary Announcement" as he lived in Sevington.	93, 94(b) and 96

<b>Councillor</b>	<b>Interest</b>	<b>Minute No.</b>
Davidson	Made a "Voluntary Announcement" as the Ward Member for Willesborough North.	93, 94(b) and 96
Howard	Made a "Voluntary Announcement" as some members of his family lived in Kingsford Street, Mersham.	93, 94(b) and 96
Mortimer	Made a "Voluntary Announcement" as the Ward Member for the Willesborough North Ward and he lived near to the proposed location for Junction 10a.	93, 94(b) and 96

## **92 Minutes**

### **Resolved:**

**That the Minutes of the meeting of the Council held on the 14<sup>th</sup> May 2014 be approved and confirmed as a correct record.**

## **93 Announcements**

### **(a) Leader of the Council**

The Leader advised that he would like to take the opportunity to update Members on recent positive news on developments in the Borough. He explained that the previous week the Government had made a number of transport infrastructure announcements, two of which would greatly assist with the economic and housing growth of the Borough. The first related to the delivery of the full Junction 10a which was a nationally significant project and which would provide much needed capacity and improve road safety. He said that the Council had campaigned long and hard for this investment to be made and the Council could look forward to the benefits this would bring in terms of attracting inward investment and creating jobs. He welcomed the decision by the Government which was a point he was able to make when he and the Chief Executive recently met Lord Heseltine.

The Leader said he would also like to acknowledge the help from Damian Green MP in lobbying for the full Junction. The position now should be to vigorously press on to get the full Junction delivered and the signs were already encouraging with many traffic counters already in place at 77 locations on the road network of Ashford and furthermore that the drivers of over 4,000 vehicles had been interviewed to understand travel patterns around the town. He explained that he had also received a letter from the County Secretary of Kent Association of Local Councils saying that "this is excellent news and congratulations must go to you and everyone else involved...". Furthermore "might I ask if your Council will now focus on the full Junction...". The Leader said this was something that the Council was pleased to do and indeed he said that he had now instructed Officers to cease all work on the SELEP (interim) Junction scheme and to concentrate all efforts on the full scheme.

With regard to the area most affected by the new Junction, he had recently met Mersham Parish Council, following their request, and explained that they had had a very positive exchange. The Leader said that he had agreed to continue to work very closely with Mersham Parish Council so that the concerns of local residents on the detailed design of the Junction and its relationship with local roads and potential issues during the construction period could be tackled. Following the meeting with the Parish Council, the members of that Council had agreed a simple policy statement which he said he heartily endorsed and he hoped that the Council would do too. He advised that their statement read as follows:-

**“This Council welcomes the Government’s decision to press ahead and deliver the full Junction 10a. We will now fully focus our efforts on the delivery of this scheme and work closely with partner Councils so that we can jointly help to shape the scheme’s detailed design to address local peoples’ concerns”.**

He advised that Kent County Council also supported that statement. This Council would now help to relay this to the Highways Agency who were the scheme’s promoters and would lobby vigorously for any changes needed.

In addition, the Leader advised that the Government had made available £10.2 m funding to improve the A28 Chart Road in Ashford. This would help tackle congestion on the A28 and create access to the proposed Chilmington Green development.

Another significant project which also received a funding boost last week was the Jasmin Vardimon Dance Company who had been successful in its bid for £3 m capital funding from the Arts Council which would go towards the Jasmin Vardimon International Academy of Dance Art in Ashford. The Leader said that he was delighted that the Arts Council England were supporting the Company to help create this Dance Academy in Ashford and he looked forward to working closely with them to help deliver high quality and inspirational facilities that would enrich the Borough. As well as the £3 m it was one of a few organisations which had had an increase in their revenue funding up to in the region of £300,000 to the period 2018.

More positive funding news could come in the form of £22 m towards a Skills Programme for improvements to further education across the South East Local Economic Partnership Area. Whilst this had not been allocated to specific projects, Ashford International College had been recognised as the number one priority in the region by the Kent and Medway Economic Partnership and therefore Hadlow College would be able to bid for some of this funding to take forward their plans for the new College.

The Leader said that funding support of another kind was now available for the Borough’s businesses after the Expansion East Kent Growth Loan Schemes had been extended to Ashford. This was very good news for businesses within the Borough who had plans to expand and employ more people and with continued funding coming from Central Government, Kent County Council and the Borough Council this would support growth in the town’s economy. He said he would wish to encourage local businesses to take up this wonderful opportunity when appropriate.

Another first for the town was the inaugural Ashford Farmers Market which had been held in the Lower High Street on 6<sup>th</sup> July which had been an even bigger event than expected. Despite the rain the market was very busy all day and wonderful feedback had been received from both the traders and shoppers and the Leader said he was delighted that the wonderful local producers had felt so welcome within the town centre. Indeed an additional six new stalls had been signed up for the August market.

In conclusion, the Leader said that whilst there was much to be positive about in the near future, he wished to finish his update by touching on the past. He explained that Monday 4<sup>th</sup> August would mark 100 years since the start of WW1 and towns and cities across Europe would be marking the occasion with special events in recognition of local contributions to the War effort. A series of events and ceremonies had been planned by Ashford Borough Council, the British Army (133 Field Company REME), the Royal British Legion, Ashford Museum and other military representatives to honour the bravery of those who left to fight on 4<sup>th</sup> August 1914 and to allow local people to mark the centenary. He explained that full details of all community events associated with the commemoration of the First World War including those organised by external community groups could be found on the Council's website. He referred to a very helpful leaflet which had been produced and said that he was sure that the Portfolio Holder for Environment, Culture, Leisure, Parks and Open Spaces would be happy to provide Members with copies if needed.

Councillor Mortimer said that the Leader had referred to consultation on Junction 10a with Mersham Parish Council and commented that he assumed that the Leader had also meant Willesborough Forum as the majority of Junction 10A would be in the Willesborough Ward.

The Leader said that he was delighted to confirm that the Council would be consulting very widely which would form part of a very large process of consultation. He said that he had made particular reference to Mersham Parish Council as they had written to him and asked to meet him to discuss the issue. He said that the Council would be happy to meet all parties and he was sure that the consultation by the Planning Unit would be vigorous and extensive to ensure that the Junction was delivered in the best possible way to ensure the minimum of disruption for the residents of the Borough.

## **94 Cabinet – 12<sup>th</sup> June 2014 and 10<sup>th</sup> July 2014**

### **(a) 12<sup>th</sup> June 2014**

#### **Resolved:**

- That (i) the Minutes of the meeting of the Cabinet held on the 12<sup>th</sup> June 2014 be received and noted with the exception of Minute Nos. 38 and 40.**
- (ii) Minute Nos. 38 and 40 be approved and adopted.**

**(b) 10<sup>th</sup> July 2014**

In accordance with Procedure Rule 9.3 Mrs Swandale asked a question on behalf of Mr Nutley. Mrs Swandale said that if you asked any Highway Engineering professional was it a good idea to site two motorway junctions 700 m apart you would get the answer a resounding “no”. She asked why then did Ashford Borough Council think it was a good idea to construct such a new motorway junction which necessitated the closure of two of the existing slip roads to Junction 10 when there were obvious alternative sites available to locate Junction 10a.

Councillor Robey, Portfolio Holder for Planning and Development explained that he was afraid that Mr Nutley’s presumption about the views of Highway Engineering professionals was wrong. The Government’s Highway Agency was promoting the new Junction 10a. He said that the Agency was responsible for the national motorway network and as you would expect, employed highway engineering professionals to guide its work and to advise Government on preferred solutions. Following examination of alternative locations, the Government added the new Junction 10a to its roads programme in the location currently proposed several years ago and had now confirmed that funding was available. The options for locating the Junction between Ashford and Mersham were in fact very limited if you wished to avoid an unacceptable impact on the residents of Mersham.

He said that if the questioner was implying that the solution was a Junction to the east of Mersham, there were two very good reasons why this had been ruled out. Firstly, it would be too remote from the existing Junction 10 to have a significant impact on traffic flows at that Junction and hence not serve its purpose and secondly the link road needed from a Junction in this position back to the southern orbital road would surround Mersham, seriously affecting the character and environment of the East Stour Valley and quite possibly creating pressure for further development in this sector.

In accordance with Procedure Rule 9.3, Mrs Arthur said that she lived in Kingsford Street, Mersham and asked what protection would the Council offer to nearby residents from the new Junction 10a during construction. Would the Council maintain the integrity of the “Mersham wall” agreed in the 2008 Core Strategy to prevent urban crawl and not allow any development east of Highfield Lane and Cheesemans Green Lane. Finally she asked would the Council give guarantees that moving to the full Junction would not result in any additional houses other than those 5,000 new homes supported by the interim scheme and that developers of U19 would not be allowed to develop more of this site than stipulated until the new Junction was fully completed?

Councillor Robey, Portfolio Holder for Planning and Development said that in dealing with the first point the Highways Agency was responsible for delivering the new Junction 10a and associated highway works and not the Borough Council. He said, however, the Borough Council would be working closely with local people to help make sure that their concerns were tackled both in the detailed design of the scheme and the arrangements during the actual construction. As the key consultee, the Borough Council would be working to influence the Highways Agency as it prepared a detailed design and would be able to help feed in local concerns. He explained



that the Leader of the Council and he had recently had a positive meeting with representatives of the Parish Council and it had been agreed that the Council would continue to work closely together to find the best possible solution for Mersham residents and the wider Borough.

On the second point regarding land east of Highfield Lane, he said that a site submission had been made by the owner of the land as part of the Local Plan review process. Such submissions should not be taken to imply any support from the Borough Council. He explained that the sites submitted from all around the Borough were now being assessed and at the same time work continued to clarify the amount of development land that would be needed to plan to 2030. He said that he had only reiterated what the Leader of the Council had made very clear, that protecting the landscape setting of Mersham was a very important principle. The growth of Ashford and the new Junction 10a could not be ignored but it made it even more important that the identity of Mersham was protected.

Finally on the last part of the question, he explained that the construction of the full Junction 10a provided long-term capacity to tackle congestion, provided for “natural” traffic growth and catered for future development. The scale of housing development in the Borough that was planned to 2030 in the next Local Plan would be based primarily on an objectively assessed housing need that would be produced in line with the Government guidance on plan making. As far as developments on Site U19 were concerned the Adopted Plan provided guidance on when development could come forward. Any changes to that position would need to be fully justified and demonstrate that any traffic impacts would be acceptable to the Council and the Highways Agency.

Councillor Bartlett said that there had been some interesting developments announced on Junction 10a during the evening and he said he had been pleased to hear from the Leader that he had instructed Officers to stop work on the interim scheme. Councillor Bartlett said that he considered it a tremendous step forward and was delighted that the Council would now concentrate its fire power on the full scheme. Councillor Bartlett believed that two points were relevant to the discussion. He said that the full scheme, now that it was virtually entirely Government funded and not dependent on developer contributions, he was confident that a much better quality development would come through on the site and on any adjoining sites which would perhaps allow the Council to get out of the trap the interim scheme gave re the “Amazon development”. He said he had spoken previously about the unacceptability of the “Amazon development” for various reasons, partly about the social impact the zero hour contracts had on the community and also the lack of corporate diligence that Amazon had in not paying its taxation burden and he said it seemed perverse to him that a business that did not pay taxes was looking for a Government subsidy to build a warehouse. He believed that this was very strange and he was delighted the Council could now move away from this position.

Councillor Bartlett then said that additionally he was not certain that Mersham had had the clear assurance on the new homes issue which they had at the Overview and Scrutiny Committee meeting. He said that as he recalled it the Head of Planning and Development at that meeting was very clear that the full Junction would not allow the development of more than 5,000 houses as the interim scheme developed.

He believed that it was a very important point because a lot of colleagues and residents believed that when you moved from an interim scheme to a full Junction scheme you would have a proportionally higher number of houses in the Kingsnorth, Mersham and Wye areas. He said he was pleased to hear at the Overview and Scrutiny Committee that there would not be any further houses than the 5,000 and he felt that this point was worth making as one of the questioners had raised that during her question.

The Leader said that to his knowledge the Authority had not yet received a planning application from any developer, certainly not the one mentioned by Councillor Bartlett. He said that he understood that as a Planning Authority the Council had a judicial process in that the Council had to judge each case on its merits and to seek to do otherwise could prejudice the Council's position. The Council had to consider any such application with impartiality and to rely on the facts. He referred to the Wednesbury judgment which he said meant that elected Members had to be provided with all of the relevant information by Officers to allow them to reach important decisions.

**Resolved:**

**That subject to the expiry of the period by which decisions arising from the meeting of the Cabinet held on the 10<sup>th</sup> July 2014 may be called in i.e. 23<sup>rd</sup> July 2014:-**

- (i) The Minutes of the meeting of the Cabinet held on the 10<sup>th</sup> July 2014 be received and noted with the exception of Minute Nos. 67, 71, 72 and 76.**
- (ii) Minute Nos. 67, 71, 72 and 76 be approved and adopted.**

**95 Audit Committee – 26<sup>th</sup> June 2014**

**Resolved:**

**That the Minutes of the meeting of the Audit Committee held on the 26<sup>th</sup> June 2014 be received and noted.**

**96 Report of the Overview and Scrutiny Committee –  
Call-in of Cabinet Minute No. 397/4/14: M20 Junction  
10a**

The report explained that the Overview and Scrutiny Committee call-in of Minute No. 397 (Cabinet 10<sup>th</sup> April 2014) had been considered on 11<sup>th</sup> June 2014 and arising from that discussion there were a number of recommendations the Committee had drawn up and which the Council were asked to consider.

In view of the recent decision regarding the full Junction 10a scheme, the Mayor asked whether Members wished to consider this item as a Committee of the Council or whether they were happy to debate in Full Council. Members considered that as

the situation had changed considerably since the call-in meeting, the matter should be debated within Full Council.

Councillor Chilton, Chairman of the Overview and Scrutiny Committee said he wished to thank all those who had participated in the Overview and Scrutiny meeting but said that now the Council had a very good decision on the full Junction 10a, this scheme should now be progressed. He said that Overview and Scrutiny had an important role to call-in issues and considered that it was important for all call-ins to be appropriate where there was significant interest. In conclusion he said that he believed the Overview and Scrutiny Committee had had a good debate and he thanked Officers for the work they had undertaken in organising the meeting and to those members of the public who had been present during the discussion.

In response to a question, the Head of Legal and Democratic Services clarified that the Council had two options on this matter which were to either object to the Cabinet decision or to not object to the Cabinet decision.

**Resolved:**

**That no objection be raised to the decision of the Cabinet as set out in Minute No. 397/4/14.**

## **97 Overview and Scrutiny – Annual Report**

**Resolved:**

**That the Overview and Scrutiny Committee Annual Report be received and noted.**

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

The Chairman of the Audit Committee drew attention to the fact that the Audit Committee, which was responsible for examining the Risk Register had now completed this work.

**Resolved:**

**That the Audit Committee – Annual Report 2013/14 be received and noted.**

## **99 Questions by Members of which Notice had been given**

**(a) Question from Councillor Michael to Councillor Robey, Portfolio Holder for Planning and Development**

“Will the Portfolio Holder for Planning tell the Council why the proposed overall housing number was not brought before Council when it became known given its importance and significance to the wellbeing of Ashford and its residents?”

**Reply by Councillor Robey**

“Thank you Mr Mayor. I believe that Councillor Michael is referring to what is called the Strategic Housing Market Assessment which all Councils have to prepare to inform their local plan making. This work was carried out for the Council by specialist independent consultants experienced in carrying out these studies. This is essentially a technical assessment that must be produced in line with detailed Government guidance. The Planning Task Group which is a cross-party group of Councillors that is focussing on these issues has been closely involved over the last year or so on the work that is still evolving to produce a housing target for the Borough. When the Task Group has a proposition on the housing target that we should plan for, it will be reported to Cabinet in the normal way. Cabinet and Council will consider a draft new Local Plan before triggering full public involvement on that Plan in the normal way. To be clear on the point, I can confirm that the technical study to which Councillor Michael refers is one part of the early evidence base for the new Local Plan. The Minutes show that the Planning Task Group discussed the Strategic Housing Market Assessment at its meetings in October, November and December 2013 before agreeing to publish the document in January 2014. In January 2014 the Planning Task Group resolved “that the Task Group agreed to the publication of the Strategic Housing Market Assessment as part of the Council’s evidence base”. All Councillors were notified that this was taking place and the document was placed on the Council’s website and, of course, Councillor Michael is a Member of the Planning Task Group”.

**Supplementary Question from Councillor Michael**

“Thank you Mr Mayor. I’m not sure whether that answered my question but I’ll give my supplementary. Does the Portfolio Holder accept that matters will be too far advanced for Cabinet and Council to be given an opportunity to challenge given Officers’ view it would now not be possible to allocate sites for a lesser number?”

**Reply by Councillor Robey**

“I think that’s an interesting question. I’d like you to let us have it in writing and we will of course prepare an answer”.

**Supplementary Question from Councillor Wedgbury**

“Can you give us an explanation of the duty to co-operate with other Authorities in our local area to explain to Members so that Members understand this duty of co-operation, I am happy to have a written answer?”

**Reply by Councillor Robey**

“Yes of course Councillor Wedgbury”.

**(b) Question from Councillor Michael to Councillor Robey, Portfolio Holder for Planning and Development**

“Will the Portfolio Holder for Planning inform the Council the reason for putting the G L Hearn Ashford Strategic Housing Market Assessment Report into the public domain more or less in parallel with its release to Members?”

**Reply by Councillor Robey**

“As I said in response to the last question, this piece of work is a technical study carried out in line with detailed guidance issued by the Government. It is not a policy document, nor has any view been taken on the housing target for the Borough. Members of the Planning Task Group had discussed the report on several occasions and agreed in January 2014 that it should be published. This duly happened and Members were notified. I believe that the Task Group decision was a good one in line with normal practice on transparency of important technical information”.

**Supplementary Question from Councillor Michael**

“Thank you Mr Mayor. Again I’m not quite sure that answered the question but I’ll give the supplementary question if I may. With hindsight does the Portfolio Holder accept that on matters of widespread consequences for Ashford and its residents, it is not only important but imperative for time to be given for an internal review by all Members before details are put into the public domain because to do so presents Members with a fait accomplis and surely cannot be considered good governance?”

**Reply by Councillor Robey**

“Once again I think that’s an interesting point of view and if you would let me have it in writing we will of course let you have a reply”.

**Supplementary Question by Councillor Clarkson, Leader of the Council**

“Mr Mayor I think there are occasions when we publish a document to our Members and in the spirit of openness it is appropriate to let the public have sight of that because there are many other interested parties involved in this work of forming the Plan for the future of Ashford, so I do think that it is appropriate on these occasions to release the document to the public at the same time as to release to Members. That won’t be the case in every case where there are commercial confidentialities involved, but I did say on appointment that I wanted to have a more inclusive Cabinet and a more inclusive Authority and that actually includes the people of Ashford so I would ask the Portfolio Holder for Planning and Development if he would agree with that statement?”

**Reply by Councillor Robey**

“Yes Leader, I would agree with that statement”.

**(c) Question from Councillor Michael to Councillor Robey, Portfolio Holder for Planning and Development**

“Again my question is to the Portfolio Holder for Planning and the question is will the Portfolio Holder for Planning tell the Council the implications for an area when it is earmarked for strategic development?”

**Reply by Councillor Robey**

“Thank you Mr Mayor. The existing suite of Local Development Framework documents set out the planning strategy in detailed site allocations for development to 2021. The diagram which forms part of the Core Strategy shows the broad strategy for development and strategically important developments by virtue of their scale and wider importance to Ashford as a whole. Area based plans since adopted by the Council make detailed proposals for these areas.

**Supplementary Question from Councillor Michael**

“Yes please Mr Mayor I would like to have a supplementary again to the Portfolio Holder. With land submissions being tenfold to what is thought to be needed, will the Portfolio holder give an unequivocal assurance there is no danger of strategic development designation opening up land within it for unchallengeable development in the revised Local Plan and its latest successors. In other words there is no possibility of a Chilmington Green time bomb for the future?”

**Reply by Councillor Robey**

“Once again an interesting question and I think I would rather have it in writing so that we can give you a proper response to it”.

**Supplementary Question from Councillor Bell**

“Thank you Mr Mayor. As a supplementary, could I ask the Portfolio Holder for Planning to what extent does the development around the town of Ashford alleviate pressure for housing that might not be quite so wanted in the villages and perhaps Tenterden?”

**Reply by Councillor Robey**

“The Strategic Housing Market Assessment produces the housing number and it’s a mechanism that’s dictated by the actual mechanism we have to go through as dictated by the Government through the MMPF so that creates a number and that’s one side of the equation. On the other side of the equation are the site submissions and anybody can submit a site, I mean anybody at all can submit a site the fact of submitting a site in no way implies an acceptance and that has to go through a process called the Strategic Housing and Employment Land Availability Assessment, so on one side you’ve got the demand and on the other side you’ve got where you’re going to put them.

Now obviously you've got to try and put these houses in the most appropriate place and take account of infrastructure, the ability to provide necessary facilities such as schools, hospitals, shops and all the rest of it and historically, as Councillor Bell will know, because he's been doing this longer than I have, we have tried to maintain the villages in a reasonably rural state, areas designated landscapes like the AONB, the Weald and all of this. Now, when you put all that together it means that it's probably easier to extend Ashford than it is to build houses in the villages but one thing that is for certain, I mean everyone will have read in the papers about the national housing shortage. This can't be denied and it's my belief that no Government of any complexion is going to fundamentally change the current process so the choice we have in Ashford isn't about the choice between having no development and having development it is the choice of having development that we control and development that is put on us and inflicted on us by a mixture of developers and the Planning Inspectorate and I think I know which one we ought to be supporting and which one the people of Ashford will actually want".

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(KRF/AEH)

MINS:CXXX1429

## Cabinet

Minutes of a Meeting of the Cabinet held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **4<sup>th</sup> September 2014.**

### Present:

Cllr. Clarkson (Chairman);

Cllr. Cloughton (Vice-Chairman);

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

### Apologies:

Cllrs. Davison, Hicks.

### Also Present:

Cllrs. Bell, Bennett, Britcher, Chilton, Clokie, Davey, Hodgkinson, Miss Martin, Mortimer, Ovenden, Wedgbury, Yeo.

Chief Executive, Deputy Chief Executive, Head of Communities and Housing, Head of Cultural and Project Services, Health Parking and Community Safety Manager, Development Control Manager, Principal Solicitor – Strategic Development, Investigation Manager, Assistant Health Parking and Community Safety Manager, Assistant Health Parking and Community Safety Manager, Principal Accountant, Parking Maintenance Support and Abandoned Vehicles Officer, Revenues and Benefits Manager, Policy and Performance Officer, Finance Manager, Communications Officer, Member Services and Scrutiny Manager.

## 114 Declarations of Interest

<b>Councillor</b>	<b>Interest</b>	<b>Minute No.</b>
Clokie	Made a 'Voluntary Announcement' in respect of Agenda Item No. 8 as he was a member of Tenterden Town Council.	119
Wedgbury	Made a 'Voluntary Announcement' in respect of Agenda Item No. 6 as he was a member of Kent County Council.	117



## **115 Minutes**

### **Resolved:**

**That the Minutes of the Meeting of the Cabinet held on the 10<sup>th</sup> July 2014 be approved and confirmed as a correct record.**

## **116 Leader's Announcements**

The Leader advised that on the 29<sup>th</sup> August 2014 the Mayor had opened Christchurch House which would allow up to eight families to be housed for periods of between four to six weeks. He explained that the property was a former commercial property and had been purchased at auction with a view to reducing the overall costs of bed and breakfast accommodation which was currently in the region of £60 per person per night. The property had been transformed into a good quality short stay accommodation with wheelchair access, communal kitchen, storage facilities, laundry room and an outside courtyard where children could play in safety. The property would pay for itself in a short space of time and would be a valuable asset. Its location in terms of being near Victoria Park and the Town Centre was excellent. He advised that the development had been filmed by the television programme "Homes under the Hammer".

He also advised that an additional £2.1 million of Government funding had been secured to build 106 new affordable homes in the borough over the next three years. This funding made the total received from the HCA over the three year period to be in the region of £11 million.

Finally, the Leader said that the Council's original request for a £1.4 million increase on the Housing Revenue Debt cap to allow the scheme at Charing to proceed was refused, however, following representations made to the Government and a presentation given about the Ashford Model, a letter had been received agreeing to the Borough Council raising its debt cap.

## **117 Implementation of the Anti-Social Behaviour, Crime and Policing 2014**

The report advised Members of the possible implications of the Anti-Social Behaviour, Crime and Policing Act 2014 and presented several recommendations for approval by the Cabinet.

The Portfolio Holder advised that the report was comprehensive and explained the significant amount of ground covered by the provisions of the new Act. He said that the figures showed that Ashford was not a haven for those who committed anti-social behaviour and indeed the Borough had the lowest number of such cases reported to the Police in the County. He drew particular attention to paragraphs 26 to 39 of the report which explained how the Community Trigger process operated.

In response to a question from a Member as to whether there were any financial costs associated with the Act, the Assistant Health Parking and Community Safety Manager advised that there were costs associated with the previous legislation

which the new Act largely amended but considered that there were no expected further financial implications.

**Resolved:**

**That the Cabinet note that the most important parts of the Anti-Social Behaviour, Crime and Policing Act 2014 are due to come into effect by 20<sup>th</sup> October 2014.**

**Recommended:**

**That (i) Delegated Authority be granted to:-**

- (a) the Health, Parking and Community Safety Manager and Assistant Managers to exercise all functions of the Council under and in connection with the Anti-Social Behaviour, Crime and Policing Act 2014 including any orders or regulations made thereunder but excluding making Public Spaces Protection Orders.**
  - (b) the Head of Community and Housing to authorise injunction proceedings in respect of anti-social behaviour under Section 2(1)(b) or (c) of the Anti-Social Behaviour, Crime and Policing Act 2014.**
  - (c) the Head of Community and Housing and the Head of Planning and Development to make Public Spaces Protection Orders.**
- (ii) the criteria for the Anti-Social Case Reviews as presented in Appendix K to the report be adopted and that arrangements be developed with neighbouring districts in order to meet the Local Review requirement.**

## **118 Ashford Supporting Families**

The report set out the progress the Council and its partners were making in turning around the lives of almost 200 families in the Borough through the Ashford Supporting Families Programme and sought agreement over future funding.

The Portfolio Holder said he considered the key word was “support” and he described the devastating effect domestic abuse could have on a family and said it was not an acceptable way of life. He considered the issue of children was paramount and said 61% of the children were in the 5 to 18 year age band. He said that he had met with the Leader with a view to taking steps to establish a more proactive approach to the issue.

The Leader said that he welcomed the report that explained the whole complex question of troubled families and just how any agencies were involved in endeavouring to assist them. He said it also highlighted the importance of tackling domestic violence and abuse and said he would like to formally thank the author for

the clarity and comprehensive nature of the report. He said he was pleased to read at paragraphs 30 to 35 of the report, detailing what was working well in Ashford but was concerned to read at paragraphs 36 to 43 of the report what was not working so well. He considered that this must change. The “Domestic Abuse One Stop Shop” in Ashford appeared to be extremely important as evidenced by the comments set out in paragraphs 98 to 103 of the report, together with the statistics set out in the table on page 55 of the report. He explained that he had discussed this issue with the Deputy Leader who had responsibility for the whole Health and Wellbeing Portfolio and they had agreed that a sharper focus was needed and there was a need to strengthen the Ashford Supporting Families Programme.

The Leader said that whilst the Council had a very serious interest and part to play in helping all troubled families, it was clear that the Police were the main focus for those deeply involved in criminality, whereas the persistent child absence from school fell mainly to the Schools and Education Authority. However, he considered that domestic violence and abuse in homes and workplaces in Ashford was a matter where the Council could and should be able to offer more concentrated help and intervention, working of course with other agencies. He said he was very conscious of the tragic case in Ashford on 30<sup>th</sup> April 2012 where domestic abuse resulted in a domestic homicide and said that the report on the case concluded that there should have been a multi-agency risk assessment and a robust safety plan put in place to protect this at risk and vulnerable woman. He further explained that the whole Cabinet agreed that this was an important issue that needed a much sharper focus and said that indeed Central Government recognised that need in a report in 2012 and this was explained in paragraphs 69 to 71 of the report. It was clear that domestic violence and abuse was a key aspect of troubled families and that whilst unacceptable it could not be tackled as the Government report had indicated by a multitude of differing well-meaning agencies working in a disparate and rather isolated way. In conclusion the Leader said that his party was unanimous in the support of the proposed approach as were other group leaders. The Leader then ran through changes to some of the existing recommendations and added a new recommendation (h). He also explained the changes to the financial implications of the report by the appointment of a dedicated Independent Domestic Violence Adviser which he said should not exceed £50,000 per annum for a three year period ending on the 31<sup>st</sup> December 2017. The funding sources for this should be agreed with the Leader, Chief Executive, the relevant Portfolio Holders and the Head of Finance and would be reflected in future budget documentation.

In response to a comment from a Member about the importance the role of education could play in this programme, the Chairman said that the Council wished to work with all secondary schools on this issue and he was sure it would be picked up by the co-ordinator when in post.

**Resolved:**

- That (i) the work of partners to refer cases to the Ashford Supporting Families Programme be endorsed.**
- (ii) the successes so far of the programme as it impacts on the Borough be noted and the areas needing a sharper focus as**

detailed in paragraphs 36 to 43 of the report be actively addressed.

- (iii) a review of the referral criteria with a view to increasing the number of referrals further still be supported.
- (iv) the work of the Independent Domestic Violence Advisors be noted and funding be agreed.
- (v) officers shall secure the appointment of a competent and qualified person as the co-ordinator of the Ashford One Stop Shop and Freedom Programme; This Ashford Domestic Violence and Abuse Co-ordinator will co-ordinate the work on domestic violence and abuse in Ashford as part of the Ashford Supporting Families and will liaise with all other appropriate agencies and organisations and their respective programmes. The funding sources to be agreed with the Leader, Chief Executive, the relevant Portfolio Holders and the Head of Finance and would be reflected in future budget documentation.
- (vi) work aimed at better co-ordinating the activities of the Supporting Families, Community Safety Partnership and Health and Wellbeing Board be supported.
- (vii) delegated authority be given to the Head of Legal and Democratic Services to execute and complete all necessary documentation relevant to grant agreements allocating the funding available to the operational organisations.
- (viii) a comprehensive Annual Report on Domestic Violence and Abuse be provided; This report shall document and analyse the value of the work being undertaken by the Independent Domestic Violence Adviser for Ashford and the full-time Ashford Domestic Violence Co-ordinator. It shall also report on the effectiveness and value of the joint working with the various agencies and organisations on both Domestic Violence and Ashford Supporting Families Programme.

## **119 Parking Review**

The report sought approval to agree a scheme of free Sunday and Bank Holiday parking and reduced parking fees after 3pm in designated car parks subject to review after 12 month's operation.

The Portfolio Holder said he believed that the report presented a good news story and had culminated from work he and Officers of the Council had taken in reviewing policies and researching other schemes offered in different areas of the country. The aim was to increase footfall in the town and utilise spare capacity and therefore maintain the sustainability of the town centre. He described each of the proposals in detail and said that he hoped that the provisions would be in place by late October 2014.

A Member requested a slight amendment to recommendation (iv) by the deletion of the word “discount”. He also asked whether the scheme could operate in that area an hour earlier to take account of the fact that the traders closed their premises at 4.00 pm on a Sunday.

The Chairman said he was happy to accept the amendment to recommendation (iv) but said that in terms of the requested change to the operation times, that the whole scheme would be reviewed in due course.

**Resolved:**

- That**
- (i) a scheme of free Sunday and Bank Holiday parking within the Edinburgh Road, Ashford, Flour Mills, Ashford and Bridewell Lane, Tenterden car parks be agreed.**
  - (ii) a scheme of “free after 3pm” charges within Edinburgh Road, Ashford car park Monday to Saturday be agreed.**
  - (iii) a scheme of “free after 3pm” charges within Station Road, Ashford car park on Sundays and Bank Holidays be agreed.**
  - (iv) a scheme within Bridewell Lane car park, Tenterden be supported subject to on-going discussions with the Tenterden Parking Forum.**
  - (v) the provisions in (i), (ii), (iii) and (iv) above be undertaken on a trial basis with a review after 12 months operation.**

## **120 Proposal to Declare Part of the Memorial Gardens a Centenary Field**

The report advised that Fields in Trust which was the new operating name for the National Playing Fields Association were delivering a nationwide initiative in partnership with the Royal British Legion to secure recreational spaces in perpetuity to honour the memory of people who lost their lives in World War I. The report proposed that part of the Memorial Gardens which housed the Memorial to the two World Wars be dedicated for this purpose.

The Portfolio Holder said that there were no costs associated with the dedication of the particular part of the gardens.

**Resolved:**

- That**
- (i) part of the Memorial Gardens shown on the plan attached to the report (Appendix 1) be dedicated in perpetuity as a Centenary Field.**
  - (ii) the Head of Legal and Democratic Services be authorised to enter into the documentation necessary to give effect to the decision in (i) above.**

## **121 Corporate Enforcement Support and Investigation Team Proposal**

The report built upon the principle previously reported to and agreed by Cabinet and the Audit Committee to develop a Corporate Enforcement Support and Investigation Team as an enhancement to the strong role provided by the Counter-Fraud Team within the Revenues and Benefits Service.

The Portfolio Holder explained the background to the report and said that the overall size of the team would be dependent on the level of bid made for funding. He said that there would be some real savings in cost but there would be hidden savings in terms of discouraging criminal activity and fraud etc.

The Chairman asked that a progress report be submitted in December 2015.

### **Resolved:**

**That (i) the proposals for an enlarged Corporate Enforcement Support and Investigations Team as proposed in the Business Plan attached to the report be approved subject to further consultation on detailed implementation with the Portfolio Holder once the outcome of the Council's bid to CLG is known.**

**(ii) a progress report be submitted to Cabinet in December 2015.**

## **122 Response to Government "Technical Consultation on Planning"**

The report set out a proposed response to a current consultation from the Government on technical changes to the planning system regarding a range of issues including neighbourhood planning; permitted development rights and the use of conditions.

The Portfolio Holder explained that the report stemmed from a 95 page consultation document issued by the Government and said that pages 109 to 114 of the report covered the wider issues presented in the consultation. He then read in full his Portfolio Holder's comments as set out within the report. He also said that consideration needed to be given as to whether the issues raised within the consultation should be elevated to a higher Government level.

The Chairman advised that he had written to the relevant Government Minister expressing concern over the potential removal of the exemption the Borough Council had obtained over the conversion of office accommodation to residential within the Commercial Quarter and he also explained that the potential outcome of the Government's proposals could lead to smaller houses being built and the possible building of social unrest for the future. A Member referred to the Portfolio Holder's comments and questioned the appropriateness of some of the phrases set out within them. Another Member said she believed there was a need to understand the reasons why the Government was putting forward the proposals outlined in the

consultation and by having this information it would enable the Council to be in a stronger position to respond and explain the Ashford Model.

The Chairman suggested that perhaps the wording could be prefaced by a remark stating that whilst it was understood what the Government was trying to achieve in terms of housing, it was believed that the proposed execution of the initiatives within the consultation had serious flaws. He suggested that the final wording be reconsidered prior to sending the response to Government. He also clarified that the whole report together with the Appendices would be submitted as the Council's response.

**Resolved:**

**That the report and its attached appendix containing detailed comments be relayed to Central Government in response to its “Technical Consultation on Planning”, subject to the Portfolio Holder’s comments being reviewed in light of the views expressed at the meeting.**

## **123 Mobile Homes Act 2013 – Charging Policy**

The Mobile Homes Act 2013 provided a new regime for tighter controls over the licensing and monitoring of relevant park home sites and the report set out the Council's recommended policy in relation to setting charges under the new Act.

The Chairman referred to the revised recommendations which were tabled at the meeting.

**Resolved:**

- That**
- (i) the fee methodology for charging annual monitoring fees be based on a flat rate model with all relevant protected sites being charged the same annual fee.**
  - (ii) the annual monitoring fee be discussed at the Park Homes Policy Working Group and the final fee be reported back to Cabinet.**
  - (iii) the fee policy for issuing, transferring and amending site licences as set out in paragraphs 20 to 24 of the report and Appendix 3 of the report be confirmed with the Park Homes Policy Group and reported back to Cabinet.**
  - (iv) the suggested fee of £60 for checking and depositing site rules be discussed by the Park Homes Policy Working Group and the final fee be reported back to Cabinet.**
  - (v) a review of the licence conditions attached to a site licence be undertaken to ensure that conditions are clear and robust and that the Head of Community and Housing implements the new conditions subject to the approval of the Park Homes Policy Working Group, and also following representations from site owners and residents.**

**Recommended:**

- That (i) where appropriate the total expenses for taking enforcement action and any related work, including appeals, tribunals etc. be recovered from the site owners.**
- (ii) The Scheme of Delegation be amended to take account of the new legislation by deleting paragraph 14.2(f) of the Delegation to the Head of Community and Housing and by adding a new paragraph 14.29 giving delegated authority to the Head of Community and Housing to exercise all functions of the Council under and in connection with the Caravan Sites and Control of Development Act 1960, Caravan Sites Act 1968 and the Mobile Homes Act 2013 and any orders or regulations made thereunder.**

## **124 Tenants' Contents Insurance**

The report explained the proposal to introduce the Tenants' Contents Insurance Scheme which would be offered to all Council tenants and sought endorsement to approach the market to identify a preferred supplier.

The Portfolio Holder said he supported the proposals set out in the report as it would benefit both Ashford Borough Council and the individual tenants.

The Lead Member for Housing said he also believed it was good news for the Council and for the tenants but expressed a caution that there was a need to ensure that the favoured broker was not charging a higher fee than available elsewhere.

A Member also explained that it was not only the cost of the policy that was important, but its conditions and exclusions which would need to be looked at but at the end of the day there was a need to ensure that the product offered provided best value for money.

**Resolved:**

- That (i) support be given in principle to the concept of the Council working with a provider of Tenants' Contents Insurance.**
- (ii) authority be delegated to the Head of Community and Housing and Head of Finance to seek proposals from providers of Tenants' Contents Insurance and select the most appropriate scheme.**
- (iii) authority be delegated to the Head of Community and Housing and Head of Legal and Democratic Services to enter into an agreement with the preferred provider to offer a Tenants' Contents Insurance Scheme to the tenants of Ashford Borough Council.**



## **125 Review and Update of Existing Revenues and Benefits Debt Policies**

The report advised that the Revenues and Benefits Service was subject to a number of Audit Reviews each year and recent reports, although giving high and substantial levels of assurance, recommended the updating of the Service Debt Policies which were now put forward for agreement.

The Portfolio Holder explained as part of his consideration of the report he had been asked to consider increasing the level of debts which could be written off under delegations which was presently limited to £1,000, however, he said he was not minded to support the request as he believed that Members needed to make these decisions.

### **Resolved:**

**That the updated Corporate Debt Recovery Policy and Write-Off Policy and Revenues and Benefits Irrecoverable Debts be agreed.**

## **126 Risk Based Verification Policy**

The report sought retrospective approval to the Risk Based Verification Policy from 1<sup>st</sup> April 2012 which was attached as Appendix 1 to the report and to agree the reviewed policy which was attached as Appendix 2 to the report.

### **Resolved:**

**That retrospective approval (from 1<sup>st</sup> April 2012) be given to the Housing and Council Tax Benefit (now Council Tax Support Scheme) Risk Based Verification Policy.**

## **127 Dissolution of the Ashford Future Company**

The report advised of the successful winding down of the Ashford Future Company and to agree the cessation of the Member and Officer arrangements which were implemented for this to be completed. The report also sought approval to write off the remaining debt of the Company.

### **Resolved:**

- That**
- (i) it be noted that the Company has been formally dissolved.**
  - (ii) it be noted that the special management arrangements no longer apply.**
  - (iii) the balance owed by the Company of £4,814.42 be written-off.**

## **128 Ashford Borough Council's Performance – Quarter 1 2014/15**

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

The report had also been updated to include some additional performance metrics and comparative data, alongside a "technical annex" of all numerical information included within the report which provided comparison and trend data against performance over the previous four quarters.

The Portfolio Holder believed that the report presented good news in terms of performance and he drew attention to the performance in respect of recycling, the use of bed and breakfast accommodation and drew attention to the additional annex provided which set out the comparison data in tabular form.

The Chairman drew attention to some highlights within the report and in particular said that at the end of June just under 1,250 residents were claiming Job Seekers Allowance (JSA) which was approximately 30% less than at the same time in the previous year and the number of young people claiming JSA had almost halved over the last year to 45.

### **Resolved:**

**That the performance for Quarter 1 of 2014/15 be noted.**

## **129 Budget Monitoring Report – to the end of July 2014**

The report presented the first Budget Monitoring Report of the current year based on the first four months, April to July. The report showed an overall outturn of £12,000 below budget for the General Fund and the Housing Revenue Account was also under budget making a saving of £86,000.

There were also a number of items that needed to be reported to Members in accordance with Financial Regulations which included the use of the Chief Executive's Urgency Power; revision to the Treasury Management "Minimum Revenue Provision Policy", Budget Virements; an update to the New Homes Bonus Allocation and amendments to the Fees and Charges Schedule.

The Portfolio Holder believed the fact that the Budget was suddenly shown as surplus was good news but he acknowledged that the report detailed expenditure incurred on a variety of issues and he stressed that there was still a need to remain prudent.

### **Resolved:**

**That (i) the Budget Monitoring position as at 31<sup>st</sup> July 2014 be noted.**

- (ii) the New Homes Bonus Schedule (NHB) including approved projects for 2014/15 and Carried Forward Projects from 2013/14 set out in Appendix A to the report be noted.
- (iii) it be noted that the Chief Executive had exercised his “Urgent Matters” powers in accordance with the Council’s Constitution to approve the replacement of the PA System for the Council Chamber at a cost of £68,000 (paragraphs 27-29 of the report refer).
- (iv) it be noted that the Chief Executive had exercised his “Urgent Matters” powers in accordance with the Council’s Constitution to approve funding of the Charing Affordable Housing Scheme to be funded through the Housing Revenue Account as outlined in the report (paragraphs 30-34 refer).
- (v) it be noted that the Chief Executive had exercised his “Urgent Matters” powers in accordance with the Council’s Constitution and in consultation with the Leader to approve the Council providing partnership feasibility match funding and up to £106,000 for the Stage 2 Art Council England Application (paragraphs 35-36 of the report refer).
- (vi) the Budget Virements explained in paragraphs 38-40 of the report and detailed in Appendix C to the report be approved.
- (vii) the investments and borrowing in Appendix D to the report be noted.

**Recommended:**

- That
- (i) an increase in the budget to £300,000 for the Hothfield Regeneration Project (paragraph 26 of the report refers) be approved.
  - (ii) the new Charging Structure for Dog Warden fees and Pest Control fees explained in paragraph 37 of the report, and as detailed in Appendix D to the report be approved.
  - (iii) the update to the MRP Policy as set out in paragraph 49 of the report be approved.

## **130 Transportation, Highways, and Engineering Advisory Committee – 11<sup>th</sup> July 2014**

The Chairman of the Committee advised that the meeting had discussed Eurostar, road junctions in and around Ashford, a lorry parking update and industry updates and discussion. In terms of Eurostar he advised that at the meeting they had announced additional services from Ashford to three major Cities in France. In response to a question about whether additional services could be provided to Paris,

the Chairman said he had raised this with them and they had indicated that this was under review.

**Resolved:**

**That the Minutes of the Meeting of the Transportation, Highways, and Engineering Advisory Committee held on the 11<sup>th</sup> July 2014 be received and noted.**

## **131 Ashford Strategic Delivery Board**

**Resolved:**

**That the Notes of the Meeting of the Ashford Strategic Delivery Board held on the 4<sup>th</sup> July 2014 be received and noted.**

## **132 Planning Task Group**

**Resolved:**

**That the Notes of the Meetings of the Planning Task Group held on the 25<sup>th</sup> June and 23<sup>rd</sup> July 2014 be received and noted.**

## **133 Chilmington Green Task Group – Notes of the Meeting held on 30<sup>th</sup> June 2014**

**Resolved:**

**That the Notes of the Meeting of the Chilmington Green Task Group held on the 30<sup>th</sup> June 2014 be received and noted.**

## **134 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/AEH)  
MINS:CAXX1436

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## **Cabinet**

Minutes of a Meeting of the Cabinet held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **9<sup>th</sup> October 2014**

### **Present:**

Cllr. Clarkson (Chairman);

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

### **Apologies:**

Cllrs. Cloughton, Davison, Michael, Smith

### **Also Present:**

Cllrs. Britcher, Burgess, Chilton, Clokie, Miss Martin, Mortimer, Ovenden, Wedgbury.

Chief Executive, Deputy Chief Executive, Head of Legal and Democratic Services, Head of Communities and Housing, Head of Planning and Development, Head of Cultural and Project Services, Head of Personnel and Development, Head of Finance, Senior Environmental Health Officer, Communications Officer, Member Services and Scrutiny Manager.

## **177 Minutes**

In accordance with Procedure Rule 9.3 Mr Relf, a member of the public referred to the Minutes of the Meeting of the 4<sup>th</sup> September 2014 and in particular to Minute No. 121 "Corporate Enforcement Investigation" and said it included a comment regarding an enhancement of the strong role provided by the Counter Fraud Team. Mr Relf said that the facts were since April 2011, three and a half years ago, fraudulent monies recovered were £518,000 with benefits paid out of £133 million and the running costs of the department with overheads was £510,000. The question he wished to ask was what was the total amount on investigations that had not been recovered for the last three and a half years.

The Portfolio Holder for Finance, Budget and Resource Management thanked Mr Relf for his question. He explained that the figures quoted did not reflect the breadth of the Council's activity. From a recovery point of view regarding benefit customers he said that they were not normally the most affluent people by virtue of the fact that they were the Council's customers and therefore there tended to be time lags as overpayments were repaid. A fraud recovery rate was only applied if an investigation resulted in a prosecution or caution. The Council recovered overpayments over a significantly longer period than one year and the Council systems did not differentiate between overpayments caused through fraud or error. Consequently the question of what had not been recovered following a benefit fraud investigation was difficult to extract. Not all outcomes provided contemporary results.

The Portfolio Holder said that the figure of £518,000 quoted by Mr Relf was the published figure for identified Housing Benefit and Council Tax Benefit fraud. This did not include any other figures such as overpayments or savings from Council Tax and tenancy fraud. He said that the Council had experienced considerable success in addressing these additional types of fraud. Other benchmarks were used to identify the effectiveness of the service and he referred Mr Relf to the Annual Fraud Report to the Audit Committee which was published in June 2014. This described in detail why the investigations were initiated and the outcomes of several indicators. He said that it should be noted that part of the effectiveness of the Council's excellent investigation service was in demonstrating to those considering fraud that there was a high likelihood that they would be discovered and punished therefore discouraging transgression. Benefit fraud was only a part of the work the team had undertaken over the past three and a half years. This span of activity would increase in the near future as the transfer of benefits work to SFIS (the Government's Single Fraud Investigation Service) kicked in. The Fraud Team would widen its net to support other services' enforcement work increasing the scale of activity on tenancy fraud, Business Rates and Council Tax and with the potential to support external partners.

In conclusion, the Portfolio Holder said that an important aspect of the Council's approach to benefit payment and support was the Welfare Intervention Officers who would proactively support those struggling to manage their financial affairs. Officers worked with residents and the voluntary sector to assist the Council's customers to ensure that they received the correct benefits and could manage them appropriately.

**Resolved:**

**That the Minutes of the meeting of the Cabinet held on the 4<sup>th</sup> September 2014 be approved and confirmed as a correct record.**

## **178 Leader's Announcements**

The Leader advised that he had sad news he wished to impart and referred to the death of John Mills who was a Personnel Officer at the Borough Council who had passed away following a period of illness. He explained that Mr Mills had served in the Army in Northern Ireland and then spent 30 years with the Kent Police in a both uniform and civilian capacity before spending 10 years in Local Government and with six of those at Ashford Borough Council. He said the thoughts of Members were with his widow and two grown up children.

The Cabinet then stood in a period of silence in respect.

## **179 Overview and Scrutiny Recommendations from the Budget Scrutiny Task Group's Scrutiny of the "Informing the Next Five Years" Report**

The report advised that the Overview and Scrutiny Committee at its meeting on the 23<sup>rd</sup> September 2014 had considered the report of the Budget Scrutiny Task Group on their scrutiny of the "Informing the Next Five Years" Report and had made one recommendation to the Cabinet.

The Portfolio Holder advised that he noted with interest the Overview and Scrutiny Committee's recommendations but said that he did not support them.

**Resolved:**

- That (i) **the Cabinet noted that the Overview and Scrutiny Committee broadly supported Appendices A, B, C and E of the "Informing the Next Five Years" report.**
- (ii) **in terms of Appendix F (projected New Homes Bonus receipts) any surplus should be applied to balances, not new expenditure.**

### **180 Adoption of SPD "Stables, Arenas and Other Horse Related Development" to update and supersede SPG8 "Stables and Manèges"**

The report outlined the responses made during the formal public consultation on the draft "Stables, Arenas and Other Horse Related Development" SPD. It set out the Council's response to those representations and detailed the changes that had been made to the draft SPD.

**Recommended:**

- That (i) **the responses to the representations received and changes to be made to the SPD contained within Appendix 1 to the report be noted.**
- (ii) **subject to the changes at (i) above the SPD be adopted as one of the Council's Local Development Documents.**

### **181 Re-Shaping the Planning and Development Unit – Proposed Savings**

The report set out a number of proposed changes in the staffing complement and structure of the Planning and Development Unit which were required to meet the Council's savings targets.

The Portfolio Holder explained that the change in structure would see the Unit move from four teams down to three teams and said that in addition to saving money it offered an opportunity for staff in terms of their future development. He emphasised that if in the future further resources were needed, that issue would be addressed.

A Member advised that he supported the Portfolio Holder's comments and in particular the issue that there might be a need to increase resources in due course, particularly in terms of the receipt of New Homes Bonus and the drive for development within the Borough.

**Recommended:**

- That (i) the decision to delete post numbers 5007, 5055 and 5008 and the consequential adjustments that would be required to accommodate these changes as set out in the report and as listed in Appendix 2 to the report be noted.
- (ii) the pension costs of £4,200 resulting from the early release of Local Government Pension for post holder 5007 due to redundancy/efficiency of the service be approved in the event that this post holder is displaced following all redeployment opportunities being explored; this to be funded from General Fund reserves.

## **182 Re-structure and Efficiency Proposals: Culture and the Environment and Communities and Housing**

The report updated Members on steps taken by the Chief Executive in conjunction with Service Heads to organise and review the work of staff to maintain and develop service delivery and contribute towards the 15% savings target required by the Five Year Business Plan.

The Portfolio Holder believed that the amalgamation between Environmental Health and Cultural Services with Housing had led to a better motivated and customer focussed team. She, however, indicated that in terms of grounds maintenance there might be a need to look in the future at additional resources if they were so required.

The Portfolio Holder for Town Centre Focus and Commercial Property advised at the Joint Consultative Committee the report had been discussed at great length and he believed if offered the opportunity for junior staff to progress.

**Recommended:**

- That (i) the proposals to re-align services and delete post numbers 5145, 6026 and the consequential adjustments required to accommodate for these changes be noted.
- (ii) the early release of post holder 5145 Local Government Pension due to redundancy/efficiency of the service be approved in the event that this post holder be displaced following all redeployment opportunities being explored and therefore the resulting estimated costs explained in Appendix D to the report.
- (iii) The Deputy Chief Executive be given delegated authority to:-
- (a) Determine how this cost be met, ie, as a lump sum or instalments.
- (b) Authorise any other additional costs that may be incurred once the Pension Authority have an effective termination date and full historical salary calculations are made.



## **183 Hothfield Heathlands Visitor Centre and Café**

The report advised of the proposal to establish a new Visitor Centre and Café at Hothfield Heathlands which would help provide much improved facilities for residents and visitors to the area and help to address anti-social behaviour and provide a new small business opportunity.

The Portfolio Holder for Planning and Development who was also the Ward Member said that the finance for the project had already been agreed and he explained that the planning application would be considered by the Planning Committee on the 20<sup>th</sup> October 2014. The report set out the next steps which would lead to the construction of the Café and also to secure an operator for the facility. He hoped that the facility would be available and open for business by Spring 2015.

The Portfolio Holder said that she welcomed the proposal and considered it would bring great benefit to Hothfield and to other people within the Borough and explained that the Heathlands were the only SSSI in the Borough.

The Chairman also explained that work was under way with the Kent County Council with a view to removing the HGV parking on one side of the A20. The Portfolio Holder for Town Centre Focus and Commercial Property referred to the financial implications section of the report and a comment that there might be a potential loss in the first year of the operation of the facility but said that he believed that this was not an issue of concern as the benefit of the facility would far exceed any potential loss. The Portfolio Holder for Planning and Development and Ward Member explained that the Council would not lose the £10,000 as the café would be run on a commercial basis.

### **Resolved:**

- That
- (i) the total project cost of £327,000 of which £27,000 was allocated in 2013/14 for the design stage and the subsequent allocation of £300,000 of New Homes Bonus that was approved in the September Budget Monitoring Report, be noted.**
  - (ii) the Head of Culture and the Environment and the Head of Legal and Democratic Services be given delegated responsibility in conjunction with the Portfolio Holder for Culture and the Environment to take all necessary steps to deliver the project including but not limited to the appointment of a building contractor and subsequently to secure a facility operator.**
  - (iii) it be noted that a planning application had been submitted.**

## **184 Hothfield Fast Broadband – Forward Funding Proposal**

The report advised that Hothfield Parish Council wished to support the implementation of fast broadband infrastructure to serve a large part of their community. However, due to a technical limitation on the Parish Council's spending powers, it was not able to spend the amount needed in a single year. Accordingly it was proposed that the Borough Council agree to help forward fund this project.

**Resolved:**

- That (i) the Council enter into a forward funding arrangement with Hothfield Parish Council on terms and conditions to be agreed including market interest rates to enable the Parish Council to procure the supply of a fibre to the cabinet upgrade.**
- (ii) the Head of Legal and Democratic Services, in consultation with the Deputy Chief Executive and Portfolio Holder for Finance Budget and Resource Management, negotiate and complete an appropriate Funding Agreement with Hothfield Parish Council.**

## **185 Pooling of Business Rates**

The report advised that the Government's policy of Localising Business Rates had created an opportunity for authorities to create Business Rates Pools to work together to promote economic growth. These pools were incentivised by the prospect of reducing the levy on business rate income growth which was currently at 50% for Ashford Borough Council.

The Portfolio Holder for Finance, Budget and Resource Management explained that he had looked at this issue in great depth and emphasised that at this stage the report was seeking agreement to an expression of interest being made in terms of Business Rates Pooling. He explained in detail various issues associated with pursuing this initiative and said that research was being conducted in terms of other authorities who could potentially be involved and furthermore all risks would be assessed and rated and exit arrangements would also be examined. He said that the likely benefit to the Borough Council was estimated to be between £150,000 and £200,000. The Portfolio Holder for Finance, Budget and Resource Management said that the next stage in the process in terms of Members' consideration of this issue would take the form of a briefing.

**Resolved:**

- That (i) authority be delegated to the Deputy Chief Executive in conjunction with the Leader and the Portfolio Holder for Finance, Budget and Resource Management to submit an expression of interest in Business Rates Pooling.**
- (ii) authority be delegated to the Deputy Chief Executive in conjunction with the Leader and the Portfolio Holder for Finance, Budget and Resource Management to negotiate with other potential members of the pool and agree whether or not to join the Kent Pool for 2015/16.**

## **186 Health and Safety Enforcement and Prosecution Policy**

The report presented an updated Health and Safety Enforcement and Prosecution Policy which governed the Council's approach to health and safety enforcement across the Borough.

**Recommended:**

**That the Health and Safety Enforcement and Prosecution Policy be approved.**

## **187 Mobile Homes Act 2003 – Charging Policy**

Further to the previous meeting of the Cabinet held on the 4<sup>th</sup> September 2014 the report advised that the Park Homes Policy Working Group had met to discuss the Annual Monitoring Fee and the report recommended the final fee for the Cabinet's consideration.

**Recommended:**

- That**
- (i) the Annual Monitoring Fee be set at £40 per pitch, with an exception for individual owner/occupied sites.**
  - (ii) the Annual Monitoring Fee be charged starting on 1<sup>st</sup> September 2015.**
  - (iii) the Annual Monitoring Fee be reviewed every three years.**

## **188 Joint Transportation Board – 9<sup>th</sup> September 2014**

**Resolved:**

**That the Minutes of the Meeting of the Joint Transportation Board held on the 9<sup>th</sup> September 2014 be received and noted.**

## **189 Planning Task Group**

The Chairman said that he believed that the Planning Task Group was working very well and in terms of the process on the "call for sites" he urged colleagues to attend the meeting when sites within their Wards were being scrutinised by the Task Group.

**Resolved:**

**That the Notes of the Meeting of the Planning Task Group held on the 3<sup>rd</sup> September 2014 be received and noted.**

## **190 Report of the Chairman of the Member Training Panel - 18<sup>th</sup> August 2014**

The Chairman of the Member Training Panel advised that the Panel had given their universal support for the initiatives proposed within the report and said that the next stage would be to expand upon the work undertaken to date.

The Portfolio Holder for Tourism and Rural Focus and Customer Services referred to recommendation (vi) in the report which proposed the publication of Members' attendance figures and said that she had concerns as meeting attendance could give a distorted picture of the overall work undertaken by an individual Member. The Head of Legal and Democratic Services explained that it was proposed that the

Members' Attendance be expressed as a percentage of their attendance at meetings they were appointed to and therefore it would not be a meaningless figure. Another Member said they had similar concerns of how these figures could be perceived. The Chairman advised that this matter should be considered by the Selection and Constitutional Review Committee.

The Portfolio Holder for Tourism and Rural Focus and Customer Services then referred to recommendation (ii) which suggested the production of a "Being a Good Councillor" pack to be given out with nomination packs prior to the Election and said that she had concerns that this document could be too prescriptive in terms of what constituted a good Councillor. She said that at the end of the day it was the electorate who decided whether a Councillor was good. Furthermore each Political Group had their own sanctions in terms of concerns over performance. The Head of Legal and Democratic Services said that he understood that the reason for this recommendation was that prospective candidates did not always realise the level of work required to be undertaken by an elected Member. The Portfolio Holder for Information Technology, Communications and Social Media said that he believed the title of the proposed document stemmed from a booklet issued by the Local Government Association

**Resolved:**

**That the recommendations within the report of the Member Training Panel be referred to the Selection and Constitutional Review Committee.**

## **191 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:CAXX1441

## Selection & Constitutional Review Committee

Minutes of a Meeting of the Selection & Constitutional Review Committee held in Committee Room No.2 (Bad Münstereifel Room), Civic Centre, Tannery Lane, Ashford on the 4<sup>th</sup> September 2014.

### Present:

Cllr. Clarkson (Chairman);  
Cllr. Cloughton (Vice-Chairman);  
Cllrs. Bennett, Chilton, Davidson, Galpin, Hodgkinson, Howard, Mrs Martin, Ovenden, Robey.

In accordance with Procedural Rule 1.2(iii) Cllr. Ovenden attended as a Substitute Member for Cllr. Davison.

### Apology:

Cllr. Davison.

### Also Present:

Member Services & Scrutiny Manager.

## 110 Declarations of Interest

Councillor	Interest	Minute No.
Cloughton	Made a "Voluntary Announcement" in respect of Agenda item No. 4 as he had been appointed by the Council to the Trustee Board of the Ashford Citizens Advice Bureau.	112

## 111 Minutes

### Resolved:

**That the Minutes of the Meeting of this Committee held on the 6<sup>th</sup> May 2014 be approved and confirmed as a correct record.**

## 112 Representatives on Outside Bodies/Organisations

The report advised of the need to make a nomination to the appointment of a Member to sit on the Trustee Board of the Ashford Citizens Advice Bureau.

The Chairman explained that the Council appointed two Members, one of which was still on the Board and he therefore did not see the need for an appointment to be made at this time. He considered that the matter should be deferred until after the

elections next year. A Member explained that the Council's membership had increased from one member to two members due to the level of financial support the Council provided to the Citizens Advice Bureau.

**Resolved:**

**That consideration of the vacancy on the Trustee Board of the Ashford Citizens Advice Bureau be deferred until May 2015.**

## **113 Portfolios – Changes to Distribution of Responsibilities**

The Leader of the Council had signified his wish to amend the Portfolios of the Cabinet Member for "Tourism and Rural Focus, Customer Services and Waste and Recycling" and the Cabinet Member for "Environment, Culture, Leisure, Parks and Open Spaces" by moving waste and recycling back from the former to the latter. The reason for this was that there was still more to be done in rolling the new system out to certain properties and to avoid any confusion this had been reverted back to the former Portfolio Holder.

**Resolved:**

**That the amended Portfolios for "Tourism and Rural Focus and Customer Services" and "Environment, Culture, Leisure, Parks and Open Spaces" as appended to the report be noted.**

KRF/VS  
MINS: SCRX1436

## Selection & Constitutional Review Committee

Minutes of a Meeting of the Selection & Constitutional Review Committee held in Committee Room No. 1 (Fougères Room), Civic Centre, Tannery Lane, Ashford on the 9<sup>th</sup> October 2014.

### Present:

Cllr. Clarkson (Chairman);  
Cllrs. Mrs Blanford, Davidson, Galpin, Hodgkinson, Howard, Mortimer, Robey, Smith.

In accordance with Procedure Rule 1.2(iii) Councillors Mrs Blanford and Mortimer attended as Substitute Members for Councillors Claughton and Davison respectively.

### Apologies:

Cllrs. Bennett, Claughton, Davison.

### Also Present:

Head of Legal & Democratic Services, Senior Member Services & Scrutiny Support Officer.

## 168 Declarations of Interest

Councillor	Interest	Minute No.
Galpin	Made a 'Voluntary Announcement' as he knew the proposed Independent Remuneration Panel member via the Kent Invicta Chamber of Commerce.	175

## 169 Minutes

### Resolved:

That the Minutes of the Meeting of this Committee held on the 4<sup>th</sup> September 2014 be approved and confirmed as a correct record.

## 170 Background and Principles of Political Balance and Administrative Structure

The report of the Head of Legal & Democratic Services presented the Political Balance for the remainder of the 2014/15 Municipal Year. The Political Balance took account of the fact that Councillor Marriott had ceased to be a member of the Conservative Group. Councillor Marriott had indicated that he wished to be referred to as 'Conservative Independent' although the Chairman explained that he would not be able to stand at the May 2015 election under that banner.

The balance calculation as contained in the Appendix to the report had been agreed with Group Leaders, although the Chairman advised that the precise make up of some of the Committees etc. in the report may be subject to further discussion before Full Council on the 16<sup>th</sup> October.

Councillor Hodgkinson confirmed that although she had announced her intention to step down from the Council earlier that week, this would be at the next Elections in May 2015 and not before that date.

In response to a question from a Member the Head of Legal & Democratic Services explained the way that the Political Balance calculation had been applied and some of the perceived anomalies that could arise.

The agreed Political Balance is contained at Appendix A to these Minutes and the proposed membership of Committees, Groups and Forums for remainder of 2014/15 is contained at Appendix B to these Minutes.

#### **Recommended:**

- That (i) the Political Balance of the Authority as contained at Appendix A to these Minutes be adopted, subject to the Council agreeing that the requirements of the Political Balance Regulations be not applied to the Membership of the Joint Transportation Board, Appeals, Selection & Constitutional Review and Standards Committees and the Sub-Committee of the Licensing and Health and Safety Committee established under the Licensing Act 2003 and Gambling Act 2005.**
- (ii) to enable the Conservative Group to receive their entitlement across all Committees they be allocated a further seat on the Selection & Constitutional Review Committee.**
- (iii) seats on the following Committees be allocated to the Members indicated as follows: -**
- Audit Committee – Councillor Smith**  
**Transportation, Highways & Engineering Advisory Committee – Councillor Marriott.**  
**Education & Vocational Skills Advisory Committee – Councillor Marriott.**

## **171 Filming and Audio Recordings of Council Meetings**

The report of the Head of Legal & Democratic Services advised that the Openness of Local Government Bodies Regulations came in to effect on the 6<sup>th</sup> August 2014, and broadly gave the public the right to film, audio record, take photographs and use social media and the internet at meetings to report on any meetings that were open to the public. The report set out proposed amendments to the Constitution to take account of the new Regulations and also put forward for approval a draft



procedure/guidance note to assist both Officers and members of the public in managing the right under Regulations.

The Chairman said it was important that whilst recognising this new right, the Council did have a sharp focus on a procedure/guidance, in order to maintain orderly meetings of the Council and its Committees. He said the report was thorough and Officers had done a good job in focusing in on those points.

In response to questions the Head of Legal & Democratic Services advised that whilst it was not an obligation, members of the public who intended to record at meetings were advised to notify the Council in advance. Where known it would be good practice for the Chairman to announce that fact at the commencement of a meeting. The right only applied to public meetings and existing rules around disrupting the conduct of a meeting still stood and would be applied in such cases.

**Recommended:**

**That (i) The existing General Procedure Rule 3 (b) as set out in Part 4 Rules of Procedure be deleted and substituted with the following:-**

***3(b) Audio and Visual Recordings***

***While the meeting is open to the public, any person attending the meeting may film, audio record, take photographs and use social media and the internet to report on meetings as they are taking place in accordance with the guidance set out in Appendix 5 to the Access to Information Procedure Rules.***

**(ii) The guidance on audio and visual recordings as set out in the Appendix to the report be approved and incorporated as Appendix 5 to the Access to Information Procedure Rules.**

## **172 Constitutional Provisions**

The Chairman advised that he had requested the addition of two small, but important provisions to the Articles of the Constitution. These dealt with how and by whom official opinions and views “on behalf of the Council” should be given publicly, and the obligation on all Councillors to undertake duties and attend meetings etc. to which they had been appointed. On the second of these points, the Chairman said that this had stemmed from the Group Chaired by Councillor Davison which had looked at Councillor Conduct.

Members also referred to recent work of the Member Training Panel and their intention to devise a short document to hand out to prospective candidates in early 2015, making it clear what the expectations were for Ashford’s Councillors and the responsibility they would have for their own development. The Group Leaders’ responsibility to make these points clear was also highlighted.

**Resolved:**

**That the addition of the two additional provisions to Article 2 of the Constitution, as outlined in the report, be agreed.**

## **173 Scheme of Delegations – Changes to the Constitution**

The report recommended additional delegations to Officers in order to address new legislation and increase efficiency. It also recommended an appointment in connection with neighbourhood planning referendums.

A Member asked if Ward Members could be informed when Officer delegations that affected their Wards, other than planning matters, had been exercised.

**Recommended:**

- That**
- (i) the changes to the Constitution as set out in the Appendix to the report be made.**
  - (ii) the Chief Executive be appointed as the Proper Officer for the purposes of the Neighbourhood Planning (Referendums) Regulations 2012.**

## **174 Polling Districts and Polling Places Review 2014**

The report contained a recommendation from the Parish Council Review and Polling District Review Task Group regarding the Polling District and Polling Places Review 2014. The Chairman advised that this was not about ward boundaries and there was likely to be a boundary review during 2016/17 which could result in a reduction to the overall number of Wards and Councillors.

A Member who was also a Member of the Task Group said that the main issues of discussion had surrounded parking and signage.

**Recommended:**

**That the discussion be noted and the Council agrees the Polling District and Polling Places report.**

## **175 Extension of Term of Appointment of a Member of the Independent Remuneration Panel**

The report sought agreement to extend the term of appointment of a Member of the Independent Remuneration Panel to 31<sup>st</sup> October 2017.

In response to a question from a Member the Senior Member Services & Scrutiny Support Officer advised that the existing Panel was made up of three members who were local people drawn from: - the Business Sector (Chamber of Commerce); the Trade Union Sector; and the Community/Voluntary Sector. The member in question

had now retired as a Solicitor, but he was a life member of the Chamber of Commerce. He had also acted as the Chairman of the Panel since its inception.

**Recommended:**

**That the term of appointment for one of the members of the Independent Remuneration Panel, namely Mr Christopher Page, be extended to the 31<sup>st</sup> October 2017.**

## **176 Date of Next Meeting**

**Resolved:**

**That the next Meeting of the Committee would be Thursday 13<sup>th</sup> November 2014 at 6.30pm in Committee Room 1.**

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DS

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Queries concerning these Minutes? Please contact Danny Sheppard:  
Telephone: 01233 330349 Email: [danny.sheppard@ashford.gov.uk](mailto:danny.sheppard@ashford.gov.uk)  
Agendas, Reports and Minutes are available on: [www.ashford.gov.uk/committees](http://www.ashford.gov.uk/committees)

**THE POLITICAL BALANCE CALCULATION**  
**FINAL ARRANGEMENTS**  
**OCTOBER 2014**

**A All Committees to which balance applies**

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

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

43 members =		%
29 Conservative	=	67.4418
5 Labour	=	11.6279
5 Ashford Independent	=	11.6279
2 Liberal Democrat	=	4.65116
<u>Note:</u> 1 Independent		2.32558
1 Conservative Independent		2.32558
		<u>99.99998</u>

**C.1 Allocation of Seats on Committees in proportion to Group strength**  
(Independent and Conservative Independent Members shown for information)

<b>Committee</b>	<b>Con</b>	<b>Lab</b>	<b>AI</b>	<b>LD</b>	<b>Total</b>	<b>Ind</b>	<b>CI</b>
1 x 16 O&S	11	2	2	1	16	0	0
1 x 16 Planning	11	2	2	1	16	0	0
1 x 12 Selection	9	1	1	1	12	0	0
1 x 13 Licensing, Health & Safety	9	1	1	1	13**	1**	0
1 x 8 Audit	5	1	1	0	8*	1*	0
1 x 8 Transport & Highways	5	1	1	0	8*	0	1*
1 x 8 Education & Vocational	5	1	1	0	8*	0	1*
1 x 5 Appointments	3	1	1	0	5	0	0
<b>Totals</b>	<b>58(58)</b> (58.0000)	<b>10(10)</b> (10.0000)	<b>10(10)</b> (10.0000)	<b>4(4)</b> (4.0000)	<b>86</b>	2	2

\*1 Under the draft calculation all Groups had received their allocation on the Selection and Constitutional Review Committee, the Audit Committee, the Transportation Highways & Engineering Advisory Committee and the Education & Vocational Skills Advisory Committee. However, one seat remained on each of them to be allocated. The Conservative Group allocation of seats across all Committees is 58, however under the allocation they have only received 57 seats. The Leader of the Conservative Group has expressed a wish that they be allocated the seat on the Selection & Constitutional Review Committee. Of the remainder, Group Leaders have recommended that Councillor Smith be allocated a seat on the Audit Committee as he is currently a Member of that Committee. Group Leaders have also recommended that Councillor Marriott be allocated the seats on the Education & Vocational Skills, and Transportation, Highways & Engineering Advisory Committees.

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

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

**Political Group entitlement in relation to all seats: 86**

<b>Conservative</b>	<b>60.0000 =</b>	<b>60</b>
<b>Labour</b>	<b>10.0000 =</b>	<b>10</b>
<b>Ashford Independent</b>	<b>10.0000 =</b>	<b>10</b>
<b>Liberal Democrat</b>	<b>4.0000 =</b>	<b>4</b>

Note:

Independent	2.0000 =	2
Conservative Independent	2.0000 =	2

**Total**      **86**

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

1 x 3 Appeals      3 Members per meeting drawn on rota from a panel of 15 Members = 3  
(which does not meet as a Committee)

<sup>x</sup>1 x 7 Joint Transportation Board      Due to the Joint Arrangements and the manner in which seats are allocated by the Kent County Council, it is impossible to have an overall balanced allocation of seats = 7

1 x 3 Licensing Sub-Committee (3 Member Panels)      3 Members per meeting drawn on rota from a panel of 13 Members (which does meet as a Committee so is itself balanced) = 3

1 x 8 Standards – broadly politically balanced as part of membership based on posts.

<b>Committee</b>	<b>Con</b>	<b>Lab</b>	<b>AI</b>	<b>LD</b>	<b>Ind</b>	<b>Total</b>
<b>*1 x 15 Appeals</b>	<b>10</b>	<b>2</b>	<b>2</b>	<b>1</b>	<b>0</b>	<b>15</b>
<b>*1 x 7 Joint Transportation</b>	<b>5</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>7</b>
<b>*Standards</b>	<b>5</b>	<b>Plus Chair, Vice-Chair of O&amp;S plus one other minority group member</b>				<b>8</b>
<b>Licensing Sub-Committee</b>	<b>3 Members per Meeting drawn from a Panel of 13</b>					

**APPENDIX B**  
**(Minute No. 170/10/14 refers)**

**SELECTION AND CONSTITUTIONAL REVIEW COMMITTEE**

**9<sup>TH</sup> OCTOBER 2014**

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

**Overview and Scrutiny Committee (16 Members)**

Members of the Cabinet may not be appointed to this Committee

<b>Conservative (11)</b>	<b>Labour (2)</b>	<b>Ashford Independent (2)</b>	<b>Liberal Democrat (1)</b>	<b>Independent (0)</b>	<b>Con Independent (0)</b>
Apps	Chilton (Ch)	Davison (VCh)	Aaby		
Bartlett	Yeo	Mortimer			
Buchanan					
Burgess					
Feacey					
Hodgkinson					
Mrs Hutchinson					
J Martin					
M Martin					
Sims					
Vacancy					

**Audit Committee (8 Members)**

<b>Conservative (5)</b>	<b>Labour (1)</b>	<b>Ashford Independent (1)</b>	<b>Liberal Democrat (0)</b>	<b>Independent (1*)</b>	<b>Con Independent (0)</b>
Buchanan	Yeo	Michael		Smith	
Clokie (Ch)					
Link (VCh)					
Shorter					
Sims					

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

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



**Selection & Constitutional Review Committee (12 Members)**

<b>Conservative (9)</b>	<b>Labour (1)</b>	<b>Ashford Independent (1)</b>	<b>Liberal Democrat (1)</b>	<b>Independent (0)</b>	<b>Con Independent (0)</b>
Bennett	Chilton	Davison	Davidson		
Burgess					
Clarkson (Ch)					
Claughton (VCh)					
Galpin					
Hodgkinson					
Howard					
M Martin					
Robey					

**Licensing and Health and Safety Committee (13 Members)**

<b>Conservative (9)</b>	<b>Labour (1)</b>	<b>Ashford Independent (1)</b>	<b>Liberal Democrat (1)</b>	<b>Independent (1)</b>	<b>Con Independent (0)</b>
Bennett	Chilton	Davey	Adby	Smith	
Feacey (Ch)					
Galpin (VCh)					
Hodgkinson					
Mrs Hutchinson					
J Martin					
M Martin					
Shorter					
Sims					

**Appointments Committee (5 Members)**

<b>Conservative (3)</b>	<b>Labour (1)</b>	<b>Ashford Independent (1)</b>	<b>Liberal Democrat (0)</b>	<b>Independent (0)</b>	<b>Con Independent (0)</b>
Mrs Blanford	Britcher	Davison	Davidson (invited non-voting Member)		
Clarkson (Ch)					
Claughton (VCh)					

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

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

**Standards Committee (8 Members)**

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

**Joint Transportation Board (7 Members)**

<b>Conservative (5)</b>	<b>Labour (1)</b>	<b>Ashford Independent (1)</b>	<b>Liberal Democrat (0)</b>	<b>Independent (0)</b>	<b>Con Independent (0)</b>
Burgess	Yeo	Davey			
Feacey					
Heyes (VCh)					
M Martin					
Robey					

**Transportation, Highways & Engineering Advisory Committee (8 Members)**

<b>Conservative (5)</b>	<b>Labour (1)</b>	<b>Ashford Independent (1)</b>	<b>Liberal Democrat (0)</b>	<b>Independent (0)</b>	<b>Con Independent (1)</b>
Burgess	Yeo	Michael			Marriott
Feacey (VCh)					
Heyes (Ch)					
Robey					
Wedgbury					

**Education & Vocational Skills Advisory Committee (8 Members)**

<b>Conservative (5)</b>	<b>Labour (1)</b>	<b>Ashford Independent (1)</b>	<b>Liberal Democrat (0)</b>	<b>Independent (0)</b>	<b>Con Independent (1)</b>
Bell	Britcher	Davey			Marriott
Clokie (Ch)					
J Martin (VCh)					
Robey					
Wedgbury					

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

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

**Joint Consultative Committee (6 Members) – Two Members from the Administration, the remainder from other Groups etc.**

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

<b>Conservative (2)</b>	<b>Labour (1)</b>	<b>Ashford Independent (1)</b>	<b>Liberal Democrat (1)</b>	<b>Independent (1)</b>	<b>Con Independent (0)</b>
Galpin (Ch)	Britcher	Davey	Davidson	Smith	
Shorter					

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

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

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

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

<b>Conservative (2)</b>	<b>Labour (1)</b>	<b>Ashford Independent (1)</b>	<b>Liberal Democrat (1)</b>	<b>Independent (1)</b>	<b>Con Independent (0)</b>
Mrs Bell (Ch)	Yeo	Davison	Davidson	Smith	
Mrs Dyer					
Clarkson (EO)					

**Member Training Panel (8 Members)**

<b>Conservative (4)</b>	<b>Labour (1)</b>	<b>Ashford Independent (1)</b>	<b>Liberal Democrat (1)</b>	<b>Independent (1)</b>	<b>Con Independent (0)</b>
Cloughton	Chilton	Mortimer (VCh)	Adby	Smith	
Mrs Dyer					
Hicks					
J Martin (Ch)					

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

<b>Conservative (7)</b>	<b>Labour (1)</b>	<b>Ashford Independent (1)</b>	<b>Liberal Democrat (1)</b>	<b>Independent (0)</b>	<b>Con Independent (0)</b>
Apps	Britcher	Mortimer	Davidson		
Mrs Bell (Ch)					
Clarkson					
Cloughton (VCh)					
Clokie					
Hicks					
M Martin					

## **Audit Committee**

Minutes of a Meeting of the Audit Committee held in Committee Room No. 2 (Bad Münstereifel Room), Civic Centre, Tannery Lane, Ashford on the **25<sup>th</sup> September 2014**.

### **Present:**

Cllr. Clokie (Chairman);  
Cllrs. Buchanan, Mrs Dyer, Michael, Yeo.

In accordance with Procedure Rule 1.2(iii) Councillor Mrs Dyer attended as a Substitute Member for the Conservative Vacancy.

### **Apologies:**

Cllrs. Link, Smith.

Lisa Robertson – Grant Thornton

### **Also Present:**

Cllr. Galpin.

Deputy Chief Executive, Head of Audit Partnership, Audit Partnership Manager, Head of Finance, Principal Accountant, Funding and Partnerships Officer, Member Services & Scrutiny Support Officer.

Andy Mack - Grant Thornton.

## **155 Minutes**

### **Resolved:**

**That the Minutes of the Meeting of this Committee held on the 26<sup>th</sup> June 2014 be approved and confirmed as a correct record.**

## **156 Annual Governance Statement – Progress on Remediating Exceptions**

The report updated the Committee on the progress made towards the areas of review highlighted by the 2013-2014 Annual Governance Statement, namely the 'review of some aspects of the constitution to provide a clearer definition of Members' responsibilities and 'managing the risks of borrowing and income generation'.

The Chairman advised that the late receipt of the report was not welcomed and he hoped that this would not occur in the future. It was clear that the work on 'managing

the risks of borrowing and income generation' had been completed with work on the 'review of some aspects of the constitution to provide a clearer definition of Members' responsibilities still ongoing.

**Resolved:**

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

## **157 Statement of Accounts 2013/14 and the External Auditor's Audit Findings Report**

The report presented the 2013/14 Statement of Accounts for approval. The External Auditor's report was also appended and Mr Mack was present to introduce this and take questions. The Appointed Auditor had indicated his intention to issue an unqualified opinion on the accounts. Once approved the accounts would be published.

The Principal Accountant advised that the closure of the accounts had gone well and to timetable. De-cluttering of the accounts had also been carried out. The audit of the accounts had gone well with effective communication between Officers and Grant Thornton. The most significant change was an important technical point with the reshaping of the Stanhope PFI; however this did not change the bottom line in any way.

The Chairman wished to echo the Portfolio Holders comments contained within the report and extended his congratulations and thanks to the Finance Team for their hard work on the accounts.

Mr Mack introduced the audit findings report from Grant Thornton which outlined the key issues arising from their audit. In terms of the key messages from the audit, Mr Mack said that a good set of financial statements had been submitted with the change in presentation making a significant improvement and he wanted to extend his congratulations to Officers on this. In respect of value for money and financial stability the Council had done well to meet the overall budget especially in the difficult external environment. Finally this was the seventh and final set of accounts that Mr Mack would be auditing, in accordance with the Audit Standards. He was pleased to see the progress that had been made over this period. Financial planning and account processes were now stronger as were the governance arrangements. The Council as a whole seemed more energised and focused than in the past and he hoped that this progress would continue. It had been a pleasure to be the Auditor for the Council and he wished Officers and the Council well for the future.

The Chairman thanked Mr Mack and on behalf of the Committee, wished Mr Mack well for the future. He then opened the item up to the Committee and the following responses were given to questions/comments:-

- In respect of paragraph 13 of the report, there was a conflict between the Accounting Code of Practice and the de-cluttering of the accounts. Officers had looked at ways to simplify the accounts and to avoid duplication in a

number of areas. A decision had been taken to change the way in which the accounts were presented which had resulted in an easier to follow format for readers. There was a grey area as to whether the change meant that the statement of accounts met the exact letter of the code. Some data in the statutory MIRS statement had been merged and then explained more fully elsewhere. Grant Thornton had been content that the accounts were not impaired by these changes.

- Grant Thornton had revised the accounting treatment of the Stanhope PFI, which was the biggest agreement and transaction on the accounts. A change had been made to the profile and expenditure on the statement however this did not change the bottom line. The profile had been changed to allow for rapid repayment in the early years with slower repayment in the later years as opposed to the reverse. This allowed for a reduced liability to the Council and did not affect the level of payments to the Contractor.
- Members felt that whilst the Audit Committee was the appropriate body to assess the Statement of Accounts it would be useful for the Budget Scrutiny Task Group to be provided with a list of variances when scrutinising the budget to assist with a greater understanding of the previous year's budget.
- Reserves were reviewed on a regular basis. Reserves had grown over the past few years. The Council was on a stable position in respect of its reserves. The Medium Term Financial Plan included a detailed analysis of the reserves.
- Developer contributions were recognised in the year they were received and then transferred to the reserve. The Council did spend developer contributions and there was a working group that monitored this. Mr Mack confirmed that this approach was consistent and the process underpinned by legal documents.

**Resolved:**

**That the Audit Committee:**

- (i) considered the Appointed Auditor's Audit Findings (Appendix A of the report)**
- (ii) agreed the basis upon which the accounts have been prepared (Going Concern)**
- (iii) approved the audited 2013/14 Statement of Accounts (Appendix B of the report)**
- (iv) approved that the Chairman of this Committee signs and dates the accounts as required by Section 10(3) of the Accounts and Audit Regulations 2003 as approval by the Council.**



- (v) approved the Chief Financial Officer's Letter of Representation to the Appointed Auditor (Appendix C of the report)

## 158 Strategic Risk Management – Six Monthly Update

The Head of Audit Partnership introduced the report which set out the arrangements in place for Strategic Risks and reflected the position after the recent risk refresh exercise undertaken in August 2014. Management Action Plans had been updated and amended to reflect the action being taken to manage these. The on-going review of the risks provided an opportunity for improvement of the matrices. It was proposed that definitions be prepared for each impact, to give Officers and Members greater understanding of what could occur and would also help to inform discussions around risk management. The Head of Audit Partnership had consulted with Zurich, the Council's insurers, who had been supportive of the proposal. He would prepare a report to Officers on the matter and hoped to hold some workshops around this during late October/early November, with an aim to reporting back to the Committee in March 2015.

The Deputy Chief Executive welcomed the further development of the definitions and approach towards Strategic Risks. It was envisaged that the improvements would encourage Officers to be more aware of risks during discussions regarding projects. The further development would also assist in the understanding of the report and ensure that there was a clear focus on the direction of travel and the risks. He drew attention to the risk relating to infrastructure and the key advances made over the past few months, including announcements regarding J10A and the A28. It was hoped that next time this was reviewed the risk would have been downgraded.

Members welcomed the proposal and felt that this would enable all to understand the implications and impacts of certain risks.

A Member questioned whether IT disaster recovery should be added to the Strategic Risk Register, and further questioned what steps were in place to recover data and transactions should there be a systems failure.

The Deputy Chief Executive advised the risk register reflected the most strategic risks that this Committee had felt should be included. If Members felt that the issue of IT disaster recovery should be added to the risk register then this could be done at the next review. The Head of Audit Partnership advised that an audit had recently been carried out in respect of IT disaster recovery, with the final report expected to be issued within the next few weeks.

The Head of Finance advised that there would be changes to income management systems which would result in these being hosted off site, therefore reducing the risk to the Council.

### **Resolved:**

**That the Committee notes the strategic risk management review report and approves the arrangements for managing strategic risks as set out in the report.**

## **159 Consultation on the Future of Local Public Audit**

The Head of Audit Partnership introduced the report that dealt with both the Government's proposals for secondary legislation following passage of the Local Audit & Accountability Act 2014 and the Council's response to those proposals. The main changes proposed were; bringing the publication date of accounts forward from 30 September to 31 July, increasing the timeframe in which electors could inspect the accounts from 20 to 30 days and allowing collective procurement including the rules around using a 'specified person' to arrange and monitor audit provision. The change in the accounts sign off date could result in an additional cost to the Council and the potential of errors within the accounts. A response to the consultation had also been provided by other bodies, including Grant Thornton. It was expected that a Government response would be received in October 2014 with any amendments to the regulations following in January/February 2015.

Mr Mack advised that the proposed change to the publication date of the accounts would be hard work for Councils and there would be greater reliance on estimates. Any estimate would need to be explained fully. He encouraged Officers to bring the date for the publication of accounts forward incrementally until the change was formally implemented as this would result in a more limited shock to all involved.

The Head of Finance advised that this year they had aimed to have the accounts ready by the end of May for auditing, however had missed this self-imposed deadline with the accounts being ready by 6<sup>th</sup> June instead. This change would be a real challenge and he questioned the merits of it. If a template or pro-forma were produced for Councils to complete that would assist the matter.

The Principal Accountant advised that the closure of accounts was resource intensive. The Finance Team was small and if these changes were implemented then there would be a need for extra resources at year end.

**Resolved:**

**That the Committee notes the Government's proposals and the Council's response.**

## **160 Report Tracker and Future Meetings**

The Deputy Chief Executive advised that there would be pre-briefing prior to the December 2014 meeting of the Committee, this would be on procurement.

**Resolved:**

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

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## Standards Committee

Minutes of a Meeting of the Standards Committee held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **30<sup>th</sup> September 2014**

### Present:

Cllr. Mrs Dyer (Chairman);  
Cllr. Davison (Vice-Chairman);  
Cllrs. Burgess, Chilton, Feacey.

### Apologies:

Cllrs. Adby, Mrs Hutchinson, Mr D Lyward.

**Post Meeting Note: Apologies were received after the Meeting from Mrs C Vant.**

### Also Present:

Monitoring Officer, Senior Member Services & Scrutiny Support Officer.

## 161 Declarations of Interest

Councillor	Interest	Minute No.
Davison	Made a 'Voluntary Announcement' as he had attended meetings with Chilham Parish Councillors and the consultants referred to in the report, as an independent observer.	164
	Made a 'Voluntary Announcement' as part of his Ward formed part of the Chilmington Green site in connection with complaints regarding Great Chart with Singleton Parish Council.	163

## 162 Standards Committee – 8<sup>th</sup> August 2013

In response to a question from a Member about the difference in procedure for appointing the Chairman and Vice-Chairman of the Committee as compared to last year, the Monitoring Officer advised that under the old regime, with Independent members of the Committee alongside Elected Members, it was necessary to elect the Chairman and Vice-Chairman at the first meeting of the Committee in that Municipal Year. Now, the Chairman and Vice-Chairman could be appointed at the Annual Council Meeting in May, as with all other Member Committees.

**Resolved:**

**That the Minutes of the Meeting of this Committee held on the 8<sup>th</sup> August 2013 be approved and confirmed as a correct record.**

## **163 Annual Report of the Council's Monitoring Officer 2013/14**

The Monitoring Officer introduced the annual report to be presented to the Council on the 16<sup>th</sup> October 2014. The report gave an analysis of both Code of Conduct activity (complaints against both Borough and Parish Councillors) (Paragraphs 7-14 of the report) and Ombudsman Complaint activity (Paragraphs 16-18 of the report). This was for the period 1<sup>st</sup> August 2013 to 31<sup>st</sup> July 2014 for Code of Conduct issues 1<sup>st</sup> April 2013 to 31<sup>st</sup> March 2014 for Ombudsman issues. He said it was also worth drawing attention to the two important training sessions that had been held during 2013/14 on: - the role of Independent Persons in the new Localism Act conduct regime; and the joint Borough and Parish training day on the new Code of Conduct. The second of these in particular had been reasonably well attended with 14 Borough Councillors and 30 Parish Representatives present.

With regard to Code of Conduct Complaints, there had been three new complaints this year (one related to a Borough Councillor and two to Parish Councillors). The figures showed a reduction compared to the preceding year. Of the three cases none had been referred for investigation.

In relation to Ombudsman Complaints the Monitoring Officer said there had been 16 to the Council resolved by the Local Government Ombudsman (LGO). Six of these had been investigated and none were found to be maladministration with injustice. 2013/14 was the first full year the LGO had recorded complaints under its new business model and, since April 2013, complaints about social housing had been dealt with by the Housing Ombudsman and not the LGO. So figures for complaints were not directly comparable with previous years.

Overall, therefore, the Monitoring Officer concluded that the level of complaints was low and this was a good reflection on the Council, both in terms of the conduct of its Councillors, the services it provided and its own internal complaints procedures.

The Chairman opened the report up to the Committee and the following responses were given to questions/comments: -

- There would be further Code of Conduct training delivered after the May 2015 Elections. This would be primarily aimed at new Members but they would try and make it relevant for all Members.
- If a Parish Council had its own functioning website they were required to publish their own Disclosable Pecuniary Interests (DPI) on there. Sample checking of Parish Councils' own websites would be undertaken and advice given to Clerks as appropriate. The Borough Council also had to display its own and all Parish Council DPI information and the considerable task of

assembling, checking and uploading all of that information, was now nearing a conclusion. The Monitoring Officer did not consider all Parish Councils would be made to have a website as some had limited funding and staff resources.

- Applicants for Discretionary Housing Payments could now appeal to the Housing Ombudsman if they were unhappy with the way their application was dealt with by the Council, but they would not investigate the merits of the decision itself.
- The Monitoring Officer agreed to provide hard copies of the Council adopted Code of Conduct and the Good Practice Protocol for Councillors Dealing with Planning Matters, for Members of this Committee. However, it should be noted that the Protocol was currently slightly out of date and would be amended in the near future. It was difficult to keep up with the ever changing rules and guidance coming out of the Local Government Association and Committee on Standards in Public Life, but it was true to say that the Protocol document as it stood was still valid, valuable and relevant.
- The Monitoring Officer would investigate an appropriate way of giving Councillors more information on the complaints relating to planning in the report, without compromising the integrity of any confidentiality of the public report.

**Resolved:**

**That the Annual Report of the Monitoring Officer 2013/14 be received, noted and forwarded to Full Council for approval.**

## **164 Chilham Parish Council – Report of the Monitoring Officer**

The Monitoring Officer advised that he had included this short information item on the Agenda to make the Committee aware of some operational problems at Chilham Parish Council. Working relationships had broken down on a number of occasions and he had been informed that a number of Code of Conduct complaints would be referred to him. He advised that in these circumstances it was often more effective to seek to resolve such underlying difficulties by a process of review, mediation and discussion. He had accordingly arranged for a firm of independent experts to work with and support the Parish Council. He considered it was important for the Committee to be kept up to date with such developments in Parishes as they did involve Ashford Borough Council expenditure.

In response to a question about the potential costs, the Monitoring Officer said the likely figure was somewhere in the region of £7,500.

STD  
300914

**Resolved:**

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

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**Standards Committee  
30 September 2014**

**Council  
16 October 2014**

**Annual Report Of The Council's  
Monitoring Officer - 2013-14**

**Introduction**

1. The principal purpose of this annual report is to assess activity in probity matters, in particular in relation to formal complaints about alleged breaches of protocols and codes of conduct by borough and parish councillors. The report provides an opportunity to review the effectiveness of current procedures based on real data. The year on which the current report is based is 1m August 2013 to 31 July 2014.
2. The Council adopted a new code of conduct for councillors on 20 July 2012. This code was based on Localism Act principles and was developed as a collaborative project by Kent Monitoring Officers in consultation with task groups of councillors within individual councils. The vast majority of district and parish councils in Kent adopted what was called 'The Kent Model Code of Conduct'. It has now been operating for two years.
3. The Borough Council also adopted new procedural "Arrangements" for handling code of conduct complaints. Again this was developed on a Kent-wide basis with the objective of simplifying procedures and removing unnecessary bureaucracy which had beset the previous standards regime.
4. The Council has also adopted a "Good Practice Protocol for Councillors when Dealing with Planning Matters". This sets out detailed best practice rules for this specialist and sensitive area of the Council's work which go beyond the general rules set out in the code of conduct. This protocol now requires amendment not only in the light of the operation of the new code of conduct interest provision but also the LGA's recent publication "Probity in Planning".
5. During the year 2013/14, two important training events were held. First in November 2013, Ashford hosted an externally facilitated training day aimed principally at the role of "Independent Persons" in the new Localism Act conduct regime. This was attended by representatives of several local authorities including Ashford. In February 2014 a training day was held at Ashford on the new Code of Conduct. This was a joint ABC/KALC event and was attended by 14 borough councillors and 30 parish representatives.

6. This annual report also includes data on Ombudsman complaints as these are also handled by the Monitoring Officer and his staff. The Standards Committee monitors any issues of probity raised in Ombudsman investigations. In terms of Ombudsman complaints the relevant period is 1<sup>st</sup> April 2013 to 31 March 2014.

### **Code of Conduct 2013/14**

7. Complaint activity in Ashford has been low since adoption of the new code. It is fair to say, however, that no significant procedural or conduct problems have arisen to date in using the new code or 'Arrangements'. The Committee for Standards in Public Life, an independent public body which advises government on ethical standards issues, has announced its intention to review the local government standards regime and the outcome of this will provide a good base for any review locally.
8. All Borough Councillor Disclosable Pecuniary Interests (DPI) have been registered with the Monitoring Officer and all are up-loaded and available on the Council's website. The considerable task of assembling, checking and uploading all parish council details onto the Borough Council website is nearing a conclusion. Sample checking of parish councils' own websites will also be undertaken and advice given to clerks as appropriate.
9. In terms of numbers of formal complaints submitted, the attached TABLE 1 provides information on the three new complaints made in the year. Cases where complaint forms were provided to potential complainants, but were not completed and returned, are not included in these figures. Nor are cases where complaint forms have been submitted but are incomplete and further information is awaited to validate them.
10. The number of formal complaints for 2013/14 has reduced compared to the previous three years (when there were five cases in 2012/13 and seven and eight "filtering" decisions under the old regime in the two preceding years). Of the three cases in 2013/14 none had to be referred for investigation.
11. All meeting agendas include an early item seeking declarations of interest and this item has been amended to reflect the revised interests regime under the Council's new code of conduct. Ad hoc advice on interests is regularly sought from the Monitoring Officer and his staff by borough councillors and parish clerks/councillors particularly in relation to Planning Committee matters. This process continues to demonstrate a good general level of understanding by borough councillors and a desire to comply with the code of conduct.

During the course of the year the Monitoring Officer has provided detailed written advice to all borough councillors regarding the approach to declaration of interests on the Chilmington Green planning application and on the "call for sites" process being undertaken as part of the Local Plan preparation.



12. On the basis of all the above matters, I am satisfied that the Borough Council's code of conduct is generally understood and observed.
13. One aspect of the Planning Protocol worth reminding all members about is the recommendation that borough councillors should notify the Monitoring Officer when they make a formal planning application to the Borough Council. The reason for this is to ensure the Monitoring Officer is aware and can, if necessary, ensure proper internal procedures are followed in such cases.
14. During the course of the year, Kent Monitoring Officers have continued to work collaboratively on code issues and have jointly finalised a protocol for working with Kent Police on cases where complaints are made about non-declaration of DPis and related issues which may, under the Localism Act, amount to criminal conduct requiring police intervention. Essentially this is a procedural protocol to ensure that in the unlikely event of a criminal investigation being triggered there is proper communication between the police, the Council and any councillor.

#### **Ombudsman Complaints 2013/14**

16. 2013/14 was the first full year the Local Government Ombudsman recorded complaints under its new business model and, since April 2013, complaints about social housing have been dealt with by the Housing Ombudsman (HO) and not the Local Government Ombudsman (LGO). So figures for complaints will not be directly comparable with previous years. The LGO's annual letter and report are attached.
17. For Members' information the analysis of the complaints resolved by the LGO and the HO in 2013/14 are attached (appendix A). Comparative figures for the other Local Authorities in Kent are also included.
18. The LGO has changed the way its decisions are described and now uses the term 'maladministration' to indicate administrative fault. Decisions on three complaints were that the council was at fault but in no case did the LGO consider that the complainant had suffered any injustice as a result.

#### **Recommendations**

1. That the report of the Monitoring Officer be received and noted.

T W MORTIMER  
September 2014

**TABLE 1**

<b>VALID CODE OF CONDUCT COMPLAINTS MADE OR RESOLVED BETWEEN JULY 2013 – JULY 2014</b>			
<b>COUNCIL/CASE REFERENCE</b>	<b>ALLEGATION</b>	<b>DECISION</b>	<b>COMMENTS</b>
ABC/13/05 HIGH HALDEN	Various allegations not directly linked to code of conduct		Still under discussion with/awaiting further information from complainant.
ABC/13/06 ASHFORD	Brought Council/ office into disrepute by making unwarranted comments about motives for removal of trees	Informal resolution by agreed redaction of a short paragraph in an appeal letter	Matter not investigated
ABC/13/07 WYE PARISH	Rudeness during a parish by-election campaign	Not acting in official capacity as a councillor at time of alleged conduct	Matter not investigated.

## **Appendix A - Analysis of Ombudsman Complaints**

The Ombudsman investigates complaints about council services to remedy personal injustice caused by maladministration or service failure. In the past 'maladministration' was reserved for reports where the fault was likely to be significant. However the significance or otherwise of the fault does not determine whether or not it is maladministration, 'administrative fault by the body in jurisdiction' is maladministration. The Ombudsman will decide if there has been maladministration (or 'fault') and whether or not there was injustice.

The Local Government Ombudsman (LGO) forwarded 19 complaints to Ashford Borough Council for the period 1<sup>st</sup> April 2013 to 31<sup>st</sup> March 2014 and resolved 16 of those complaints within this period (nine of these complaints were concluded by the LGO without any input from the council) the other three complaints were resolved in May 2014. The council also received one complaint from the Housing Ombudsman (HO) which was resolved.

For comparison, in 2012/13 the LGO resolved seven complaints about the council, in 2011/12 the LGO resolved 25 complaints and in 2010/11 23 complaints were resolved.

The LGO changed the way it describes its decisions and in its annual letter has used these new decision reasons to describe complaint outcomes. As far as possible the decision reasons given on the annual letter have been reconciled with the complaint outcome descriptions given by the LGO earlier in the year. The LGO are unable to provide councils with any detailed data.

The figures for the number of complaints received by the LGO about this council differ from the figures for the number of complaints the council has received from the LGO – because, for example, the LGO may have received a premature complaint which was referred back to the complainant with the advice that the complaint needed to be taken up with the council, but the complainant may not have pursued the complaint.

The LGO annual letter and report are attached (appendix 3).

When the LGO has issued a report on a completed investigation, these are generally published in the Complaints outcomes section of the LGO website [www.lgo.org.uk](http://www.lgo.org.uk)

Since 1 April 2013, the LGO has published all its decision statements on its website. The published information does not name the complainant or any individual involved with the complaint. Decision statements are published no earlier than three months after the date of the final decision.

The decision outcomes received by the council are recorded below and how they relate to the changed LGO decision reasons are indicated where appropriate.

The LGO's decisions were grouped in accordance with following headings:-

<b>Decision Reasons from 1 April 2013</b>	<b>What changed in February 2014</b>	<b>Annual Letter categorisation</b>
<i>Not in jurisdiction (OJ) and no discretion</i>	<i>No Change</i>	<i>Closed after initial enquiries</i>
<i>Not in jurisdiction (OJ) and discretion not exercised</i>		
<i>Not investigated</i>		
<i>To discontinue investigation</i>		<i>Not upheld</i>
<i>To discontinue investigation (for those cases where a remedy is agreed with an authority without LGO making a finding of maladministration or fault)</i>		<i>Upheld</i>
<i>Investigation complete and satisfied with authority actions or proposed actions and not appropriate to issue report S30(1B)</i>	<i>Investigation complete: Maladministration and Injustice</i>	<i>Upheld</i>
	<i>Investigation complete: Maladministration, No Injustice</i>	
	<i>Investigation complete: No Maladministration</i>	<i>Not Upheld</i>
<i>Investigation complete and appropriate to issue a report S30(1)</i>	<i>Investigation complete and report issued: Maladministration and Injustice</i>	<i>Upheld</i>
	<i>Investigation complete and report issued: Maladministration, No Injustice</i>	
	<i>Investigation complete and report issued: No Maladministration</i>	<i>Not upheld</i>

The outcomes of the 16 complaints to this council resolved by the LGO are detailed below:-

<b>Not in Jurisdiction and no discretion</b>	<b>1</b>
<b>Not in Jurisdiction and discretion not exercised</b>	<b>3</b>
<b>Not investigated</b>	<b>5</b>
<b>To discontinue Investigation</b>	<b>1</b>
<b>Investigation complete and satisfied with authority's actions or proposed actions and not appropriate to issue report S30(1B)</b>	<b>6*</b>
<b>Investigation complete and appropriate to issue report S30(1)</b>	<b>0</b>
<b>total</b>	<b>16</b>

The outcome of the Housing Ombudsman complaint was '**no maladministration, council acted in line with its obligations**'.

\*Of these six decisions, three fall into the category 'Investigation complete - no maladministration' i.e. not upheld (no fault); and three fall into the category 'Investigation complete: maladministration but no injustice' i.e. upheld (fault), - further details in Appendix 1.

Two charts are attached at appendices 1 and 2 for the Committee's information:

- 1 A list of the Ombudsman complaints together with their details and the outcome.
- 2 Comparison table of other Kent Local Authority complaint figures.

I have attached the Ombudsman's Annual Review letter 2013/14 (appendix 3).  
Figures in the table referred to in the letter are included in appendix 2.  
Annual Reviews and data for previous years are available on the LGO website.

## Appendix 1 – Local Government Complaints 1<sup>st</sup> April 2013 – 31<sup>st</sup> March 2014

### Ombudsman complaints 2013/14

There are 17 complaints here, 16 from the Local Government Ombudsman (LGO) and 1 from the Housing Ombudsman (HO). The decision reasons used by the LGO from 1 April 2013 were changed in February 2014 and changed again on 1 April 2014. The decisions given on this table are those given in the LGO's decision letter.

Though the number of complaints has increased since last year, there were still fewer than in 2011/12 or 2010/11, and there have been no decisions of injustice by this council.

ABC Ref no	ABC Dept	Details	LGO decision	Investigated complaints
872	Housing	Complainant considered that council misled him about prospective tenants its housing department nominated to his properties.	To discontinue investigation	
915	Planning	Council accused of disregarding its policies with regard to a planning application near to complainant's home.	Investigation complete – No Maladministration	<b>No fault, not upheld.</b>
925	Planning	Complainant alleged council failed to consider his objections when determining a neighbour's application for an outbuilding.	Investigation complete and satisfied with authority actions or proposed actions and not appropriate to issue report	<b>Fault (but no injustice).</b> Complainant says council failed to consider his objections when it determined a planning application for an out building. LGO considered the outcome would have been the same even if there had been no fault by the council

941	Planning	Complaint about council's decision to protect woodland which he owns.	Not investigated	
942	Revenues & Benefits	Unhappy about council's decision that son (as his carer) was not exempt from paying council tax.	Not in jurisdiction & discretion not exercised	
949	Revenues & Benefits	Complaint that council did not use information provided for complainant's council tax benefit claim.	Investigation complete and satisfied with authority actions or proposed actions and not appropriate to issue report	<b>No fault, not upheld</b>
1036	Revenues & Benefits	Complaint about council decision to hold complainant responsible for council tax while living in a caravan.	Not in jurisdiction & discretion not exercised	
1066	Planning	Complainant considered that neighbour was running a business from home which was an unauthorised change of use and the council had not taken action to stop it.	Not investigated	
1139	Revenues & Benefits	Complaint that council failed to deal with council tax account properly when complainant briefly rented a property in the council's area.	Investigation complete and satisfied with authority actions or proposed actions and not appropriate to issue report	<b>No fault, not upheld</b>

1078	Revenues & Benefits	Complaint that council sent an overpayment demand without sending a proper notification of its decision and didn't send the explanation in a format that took account of the complainant's disability.	Investigation complete and satisfied with authority actions or proposed actions and not appropriate to issue report	<b>Fault (but no injustice).</b> Fault by the council in the way it dealt with the complainant's housing benefit claim. The council agreed to send a new statement of reasons to the complainant to enable him to appeal if he so wished
1090	Planning	Complainant considered that council's refusal of listed building consent gave him no option but to do some rebuilding work though he believed there was no obligation for him to do so.	Not in jurisdiction & discretion not exercised	
1131	Planning	Complaint that council was wrong to decide that a house which was converted from a single dwelling into two self contained flats more than four years ago was immune from enforcement action.	Investigation complete and satisfied with authority actions or proposed actions and not appropriate to issue report	<b>Fault (but no injustice)</b> Complainant has not suffered a significant injustice because the Council decided a property in his road had changed from a single dwelling to two self contained flats more than 4 years ago and so was immune from planning enforcement
1153	Planning & BC	Complainant considered that the council did not ensure that building work to his neighbour's property was carried out in accordance with the agreed plans.	Not investigated	



1167	Corporate and other Services	Complaint that council failed to make reasonable adjustments for complainant's disability when he applied for a job at the council.	Out of jurisdiction and no discretion	
1207	Planning	Complaint about the council's decision to grant planning permission for a balcony at a neighbouring property. Complainant considered the development would be an intrusion of her privacy and detrimental to her visual amenity.	Not investigated	
1216	Planning	Complaint about the council decision to grant planning permission for a new dwelling at a neighbouring property. Complainant said the council did not come to his house to assess the impact of the development, and his point of view was not considered.	Not investigated	
			<b>HO decision</b>	
1264	Housing	Complaint that council would not make compensation for damage to belongings when part of complainant's living room ceiling collapsed.	Council acted in line with its obligations, there was no maladministration	

## Appendix 2 - Comparative data from other Kent authorities: 2013/14

Complaints and enquires received by LGO

Authority	Total 2013-14	Adult care services	Benefits and tax	Corporate & other services	Education & children's services	Environmental services, public protection & regulation	Highways & transport	Housing	Planning & development
Ashford BC	27	0	7	3	1	3	1	3	9
Canterbury City C	32	0	4	1	0	2	3	11	11
Dartford BC	17	0	6	2	0	2	1	2	4
Dover DC	29	1	5	0	0	3	2	5	13
Gravesham BC	24	0	12	0	1	2	1	6	2
Maidstone BC	19	0	3	2	0	2	1	2	9
Sevenoaks DC	18	0	5	0	0	1	0	2	10
Shepway DC	24	0	8	0	0	3	0	3	10
Swale BC	22	0	3	2	0	2	4	1	10
Thanet DC	25	0	1	6	0	5	1	3	9
Tonbridge & Malling BC	8	0	2	1	0	1	0	3	1
Tunbridge Wells BC	16	0	4	0	0	2	1	2	7

## Decisions made

Authority	Total 2013 - 14	Advice given	Closed after initial enquiries	Incomplete/ Invalid	Referred back for local resolution	Detailed Investigations			% Upheld
						Upheld	Not Upheld	Total	
Ashford BC	27	1	12	1	7	3	3	6	50
Canterbury City C	35	2	6	0	22	1	4	5	20
Dartford BC	21	0	10	1	7	2	1	3	66.7
Dover DC	30	2	9	0	11	3	5	8	37.5
Gravesham BC	22	3	4	1	12	1	1	2	50
Maidstone BC	19	0	10	1	5	3	0	3	100
Sevenoaks DC	20	0	8	1	8	0	3	3	0
Shepway DC	24	1	5	1	10	3	4	7	42.9
Swale BC	25	0	11	0	10	2	2	4	50
Thanet DC	22	3	3	0	13	0	3	3	0
Tonbridge & Malling BC	8	0	1	0	6	0	1	1	0
Tunbridge Wells BC	20	1	5	1	5	4	4	8	50

Notes – The figures include all the complaints and enquiries received in 2013/14. A number of cases will have been received and decided in different business years, this means that the number of complaints and enquiries will not always match the number of decisions made.

## **Appendix 3**

### **LGO Annual Review Letter and Local Authority Report Ashford BC 1 April 2013 – 31 March 2014**

7 July 2014

*By email*

Mr John Bunnett  
Chief Executive  
Ashford Borough Council

Dear Mr John Bunnett

### **Annual Review Letter 2014**

I am writing with our annual summary of statistics on the complaints made to the Local Government Ombudsman (LGO) about your authority for the year ended 31 March 2014. This is the first full year of recording complaints under our new business model so the figures will not be directly comparable to previous years. This year's statistics can be found in the table attached.

A summary of complaint statistics for every local authority in England will also be included in a new yearly report on local government complaint handling. This will be published alongside our annual review letters on 15 July. This approach is in response to feedback from councils who told us that they want to be able to compare their performance on complaints against their peers.

For the first time this year we are also sending a copy of each annual review letter to the leader of the council as well as to the chief executive. We hope this will help to support greater democratic scrutiny of local complaint handling and ensure effective local accountability of public services. In the future we will also send a copy of any published Ombudsman report to the leader of the council as well as the chief executive.

### ***Developments at the Local Government Ombudsman***

At the end of March Anne Seex retired as my fellow Local Government Ombudsman. Following an independent review of the governance of the LGO last year the Government has committed to formalising a single ombudsman structure at LGO, and to strengthen our governance, when parliamentary time allows. I welcome these changes and have begun the process of strengthening our governance by inviting the independent Chairs of our Audit and Remuneration Committees to join our board, the Commission for Administration in England. We have also recruited a further independent advisory member.

### ***Future for local accountability***

There has been much discussion in Parliament and elsewhere about the effectiveness of complaints handling in the public sector and the role of ombudsmen. I have supported the creation of a single ombudsman for all public services in England. I consider this is the best way to deliver a system of redress that is accessible for users; provides an effective and comprehensive service; and ensures that services are accountable locally.

To contribute to that debate we held a roundtable discussion with senior leaders from across the local government landscape including the Local Government Association, Care Quality Commission and SOLACE. The purpose of this forum was to discuss the challenges and opportunities that exist to strengthen local accountability of public services, particularly in an environment where those services are delivered by many different providers.

Over the summer we will be developing our corporate strategy for the next three years and considering how we can best play our part in enhancing the local accountability of public services. We will be listening to the views of a wide range of stakeholders from across local government and social care and would be pleased to hear your comments.

Yours sincerely

Dr Jane Martin  
Local Government Ombudsman  
Chair, Commission for Local Administration in England

## Local authority report – Ashford Borough Council

For the period ending – 31/03/2014

For further information on interpretation of statistics click on this link to go to <http://www.lgo.org.uk/publications/annual-report/note-interpretation-statistics/>

### Complaints and enquiries received

Local authority	Adult care services	Benefits and tax	Corporate and other services	Education and children's services	Environmental services and public protection and regulation	Highways and transport	Housing	Planning and development	Total
Ashford BC	0	7	3	1	3	1	3	9	27

### Decisions made

Local authority	<u>Detailed investigations carried out</u>		Advice given	Closed after initial enquiries	Incomplete/Invalid	Referred back for local resolution	Total
	Upheld	Not upheld					
Ashford BC	3	3	1	12	1	7	27