

Cabinet

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

Present:

Cllr. Clarkson (Chairman);

Cllr. Claughton (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

Councillor	Interest	Minute No.
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

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Resolved:

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

116 Leader's Announcements

The Leader advised that on the 29th 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 20th 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 30th 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 31st 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 1st 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 1st 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 31st 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 – 11th 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 11th 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 4th 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 25th June and 23rd July 2014 be received and noted.

133 Chilmington Green Task Group – Notes of the Meeting held on 30th June 2014

Resolved:

That the Notes of the Meeting of the Chilmington Green Task Group held on the 30th 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.

(KRF/VS/AEH)
MINS:CAXX1436

Queries concerning these Minutes? Please contact Keith Fearon:
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Cabinet

Minutes of a Meeting of the Cabinet held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **9th 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.

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In accordance with Procedure Rule 9.3 Mr Relf, a member of the public referred to the Minutes of the Meeting of the 4th 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 4th 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 23rd 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 20th 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 4th 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 1st September 2015.**
 - (iii) the Annual Monitoring Fee be reviewed every three years.**

188 Joint Transportation Board – 9th September 2014

Resolved:

That the Minutes of the Meeting of the Joint Transportation Board held on the 9th 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 3rd September 2014 be received and noted.

190 Report of the Chairman of the Member Training Panel - 18th 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.

(KRF/AEH)

MINS:CAXX1441