

Cabinet

Minutes of a Meeting of the Cabinet held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **12th March 2015**.

Present:

Cllr. Clarkson (Chairman);

Cllr. Claughton (Vice-Chairman);

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

Apologies:

Cllrs. Bartlett, Clokie, Michael.

Also Present:

Cllrs. Bennett, Britcher, Burgess, Chilton, Davison, Miss Martin, Mrs Martin, Mortimer, Ovenden, Sims, Smith, Wedgbury.

Chief Executive, Deputy Chief Executive, Head of Legal and Democratic Services, Head of Planning and Development, Head of Health Parking and Community Safety, Head of Culture and the Environment, Head of Personnel and Development, Head of Finance, Head of Communities and Housing, Principal Solicitor for Properties and Projects, Strategic Housing and Property Manager, Facilities Development Manager, Communications and Marketing Manager, Member Services and Scrutiny Manager.

393 Declarations of Interest

Councillor	Interest	Minute No.
Mrs Martin	Made a "Voluntary Announcement" in respect of agenda item 8 as she had used part of her Ward Member's grant to support the project.	398

394 Minutes

Resolved:

That the Minutes of the meeting of the Cabinet held on the 11th February 2015 be approved and confirmed as a correct record.

395 Leader's Announcements

The Leader advised that as this was the last meeting before the Elections he would wish to place on record his thanks to Councillors Cloughton and Robey (who were not seeking re-election) for their contribution to the work of the Cabinet and to the wider Council generally. He believed both Councillors had the best interests of Ashford at heart when undertaking their duties and said that they would both be greatly missed.

396 O & S recommendation to Cabinet in respect of the Ashford Community Safety Partnership

The report advised that at its meeting on 24th February 2015 the Overview and Scrutiny Committee had discussed the Ashford Community Safety Partnership update and arising from this, wished to make a recommendation to the Cabinet in respect of it.

The Portfolio Holder said that he had very little to add to the report but believed that at the Committee there had been a good debate. Whilst there had been a significant drop in reported anti-social behaviour, he said that there was still plenty of work to be done. He also praised the work of the Ashford Street Pastors and other members of the Partnership.

The Chairman of the Cabinet explained that at the briefing Ann Barnes, the Police Commissioner had given to Members, she had made the point that Ashford was leading in terms of its partnership work. He also congratulated the work of the Street Pastors and commented that one of them had recently received an honour from the Queen. The Head of Health Parking and Community Safety said that she was pleased with the debate at the Overview and Scrutiny Committee and also said that she wished to thank the Portfolio Holder for all the work he had undertaken in terms of community safety. The Portfolio Holder also drew attention to the important work undertaken by the PCSOs which was highly valued.

Resolved:

That the update on the "Community Safety Partnership Activity in the Borough" report be promoted as an excellent example of successful partnership working.

397 Pay Policy Statement – Annual Review

The report provided an up to date pay policy statement for approval in line with the requirements of the Localism Act 2011 and also recommended changes to the Ashford Living Wage Allowance and the implementation of the Ashford Apprentice Wage Allowance.

The Portfolio Holder said he was pleased to announce that the Ashford Living Wage Allowance (ALWA) would rise from £7.80 to £8.00 an hour and that Ashford Borough Council apprentices would be paid 15 pence per hour above the National Minimum

Wage rate applicable to their age effective from the 1st April 2015 thus creating the Ashford Apprentice Wage Allowance (AAWA).

Recommended:

- That
- (i) **the ALWA be increased from £7.80 to £8.00 per hour with effect from 1st April 2015, for all employees in receipt of an hourly rate less than this.**
 - (ii) **the Pay Policy Statement as attached to the report be approved.**
 - (iii) **the statement on the payment of workers engaged by the Council through an intermediary such as the person's own company be agreed.**
 - (iv) **Ashford Borough Council apprentices be paid 15 pence per hour above the National Minimum Wage (NMW) rate applicable to their age effective from 1st April 2015 thus creating the Ashford Apprentice Wage Allowance (AAWA).**

398 Re-Provision of Spearpoint Pavilion

The report sought Cabinet approval for a project to redevelop the pavilion located at Spearpoint Recreation Ground. The scheme included demolishing the existing pavilion and replacing it with a brand new building at an estimated cost of £788,888.

The Portfolio Holder said that although it had taken time, the proposals were a great step forward and the scheme would offer an opportunity for wider community use. She explained the different funding sources which were supporting the project and said it was hoped that shortly Ashford Leisure Trust would take over the management of the facility.

The Chairman drew particular attention to the fact that the project had been supported by the Football Foundation of £469,678 and Sport England with a contribution of £150,000. One of the adjoining Ward Members thanked the Portfolio Holder for her work on the project and said that she was now pleased that the area had a venue for the community to use. She hoped that the Alcohol Licence for the pavilion would not permit all day drinking. On this latter point, the Chairman explained that this was a matter for the Licensing Committee to consider.

Recommended:

That Section 106 Contributions totalling £160,625 be used as the Council's contribution to the capital programme for the renewal of the Spearpoint Pavilion.

Resolved:

- That (i) the entering into of a contract for the demolition and construction of a new building within the project budget of £788,888 be approved.**
- (ii) the Head of Legal and Democratic Services, in consultation with the Head of Culture and the Environment, be authorised to execute and complete all necessary documentation to give effect to the recommendations.**

399 Affordable Housing Programme 2015-2020 (Phase 5)

The report sought approval to continue the Council's New Build Affordable Homes Programme and deliver the fifth phase of the programme which was the provision of 106 units of which 50 units were proposed for the redevelopment of an existing sheltered housing scheme at Danemore in Tenterden.

The Portfolio Holder said that this work was the continuation of a programme of supplying affordable housing for areas across the Borough. In terms of the proposals for Danemore, Tenterden she explained that extensive consultation had been undertaken. The Ward Member for Randolph Gardens said she wished to congratulate the work of the Housing Department in terms of the provision of new parking for residents in that area.

Resolved:

- That (i) the successful bid to the HCA for the fifth phase of the delivery of the Affordable Housing Programme be noted.**
- (ii) the use of available qualifying capital receipts currently standing at nearly £2 million be approved to complement the HCA funding for this project and the use of Housing Revenue Account reserves.**
- (iii) it be noted that the programme of conversions in the Council's housing stock from social rent to affordable rent to support the delivery of new affordable homes would commence in April 2015.**
- (iv) the Head of Legal and Democratic Services, in consultation with the Head of Community and Housing, be authorised to execute and complete all necessary documentation to give effect to the above recommendations including the execution of any Agreement necessary for the receipt of the grant from the HCA.**
- (v) re-modelling work be authorised in terms of the Danemore Sheltered Housing Scheme in Tenterden subject to the completion of a detailed business case.**

400 Response to the Draft Wye Neighbourhood Plan

The report advised that Wye with Hinxhill Parish Council had launched their Neighbourhood Plan at a public meeting in July 2012 and had subsequently applied for designation of the Neighbourhood Area which was agreed by Cabinet on 10th January 2013. The Parish Council, working with their local community, had formulated a draft Wye Neighbourhood Plan which they now wished to formally consult on. The report provided an update and set out recommendations in terms of the Council's comments on the draft plan.

The Portfolio Holder explained the process involved in establishing a Neighbourhood Plan and said that following receipt of the final plan, the Council would be responsible for consulting widely on the content and then make the plan subject to independent examination. He explained that Planning Officers had been heavily involved in the process to date as it was considered important that the plan could stand up in planning terms in its own right.

In response to a question, the Principal Solicitor for Properties and Projects advised that when the plan was in place it would be included in the local Land Charges Register and therefore it would be revealed when local searches were made.

Resolved:

- That**
- (i) the Borough Council's representation to the Pre-submission Consultation draft of the Wye Neighbourhood Plan as set out in Appendices 2, 3 and 4 of the report be approved.**
 - (ii) the Policy Manager, in consultation with the Portfolio Holder for Planning and Development be granted delegated authority to make any further minor amendments to the Council's representation.**

401 Proposed Purchase of a long leasehold interest of Store 1 (Occupied by Wilko Retail Ltd), Park Mall

The report advised that an opportunity had arisen to acquire a major town centre retail facility which would improve the Council's revenue income. The proposed acquisition would be subject to detailed due diligence and final negotiations of contract. The exempt Appendix to the report gave further information on the proposal.

The Portfolio Holder for Town Centre Focus and Commercial Property said that the proposal was in line with steps already taken by the Council with a view to becoming self financing by 2018 and furthermore it was in line with the Council's objectives in terms of investments.

The Portfolio Holder for Finance, Budget and Resource Management advised that the tenant had a high credit rating and a long lease and the purchase would either be funded via the use of reserves or borrowing.

The Chairman referred to recommendations (i) and (ii) and clarified that the term Section 151 Officer should be used rather than Chief Financial Officer.

Recommended:

- That
- (i) the long leasehold interest for the commercial property as outlined within the exempt Appendix A to the report be purchased subject to detailed due diligence being carried out to the satisfaction of the Leader of the Council, Portfolio Holder for Finance, Budget and Resource Management, the Portfolio Holder for Town Centre Focus and Commercial Property and the Chief Executive and the Section 151 Officer.
 - (ii) the cost of the purchase be financed from either General Fund reserves or Prudential Borrowing at the discretion of the Section 151 Officer (in consultation with the Portfolio Holder for Finance, Budget and Resource Management.
 - (iii) £50,000 be allocated from Council reserves to enable the Council to meet its liabilities in relation to communal parts and other incidental costs.
 - (iv) the Head of Legal and Democratic Services, in consultation with the Strategic Housing and Property Manager, be authorised to execute and complete all necessary documentation to give effect to the above recommendations.

402 Report of the Chairman of the Member Training Panel – 21st January 2015

Resolved:

That the notes of the meeting of the Member Training Panel held on the 21st January 2015 be received and noted.

403 Planning Task Group – 11th February 2015

Resolved:

That the notes of the meeting of the Planning Task Group held on the 11th February 2015 be received and noted.

404 Schedule of Key Decisions to be Taken

Resolved:

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

405 Exclusion of the Public

Resolved:

That pursuant to Section 100A(4) of the Local Government Act 1972 as amended the public be excluded from the meeting during consideration of the following item namely “Regeneration of Park Mall” as it is likely that there would be disclosure of exempt information as defined in Paragraph 3 of Schedule 12A of the Act where in the circumstances the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

406 Regeneration of Park Mall

The report sought Cabinet’s approval to make recommendations to the Council regarding the purchase of Park Mall subject to the terms and conditions set out within the report.

Tabled at the meeting were a series of questions submitted by the Ward Member for the Weald East Ward which were answered by the Leader of the Council and the Portfolio Holders for Finance, Budget and Resource Management and Town Centre Focus and Commercial Property.

The Chairman explained that a copy of the questions and the answers given that evening would be included as part of the papers for the Council meeting to be held on the 16th April 2015 which would consider the recommendations of the Cabinet.

The Head of Legal and Democratic Services advised that call-in of Cabinet decisions did not apply in relation to matters recommended to full Council for decision.

Recommended:

That recommendations (i) to (v) as set out within the exempt report be approved.

(KRF/AEH)

MINS:CAXX1511

Queries concerning these Minutes? Please contact Keith Fearon:
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