



## 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> July 2015 at 7.00 pm

Yours faithfully

T W Mortimer  
Head of Legal and Democratic Services

### Agenda

	<b>Page Nos.</b>
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 28 <sup>th</sup> May 2015	
5. To receive any announcements from the Mayor, Leader or other Members of the Cabinet	
6. To receive any petitions	
7. To receive any questions from, and provide answers to, the public (being resident of the Borough), which in the opinion of the Mayor are relevant to the business of the Meeting	
8. To receive, consider and adopt the recommendations set out in the Minutes of the meetings of the Cabinet held on the 11 <sup>th</sup> June and 9 <sup>th</sup> July 2015 (to follow)	2-6

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9. To receive the Minutes of the Appeals Committee held on the 4 <sup>th</sup> June 2015	7-8
10. To receive the Minutes of the Audit Committee held on the 30 <sup>th</sup> June 2015 (enclosed separately)	
11. To receive, consider and adopt the recommendations set out in the Minutes of the Selection and Constitutional Review Committee held on the 9 <sup>th</sup> July 2015 (to follow)	
12. Overview and Scrutiny Annual Report 2014-15	9-16
13. Audit Committee Annual Report 2014-15	17-31
14. To consider Motions of which Notice has been given pursuant to Procedure Rule 11	
15. Questions by Members of which Notice has been given pursuant to Procedure Rule 10	

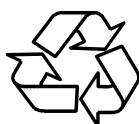
NOTE:- If debate on any item included within this Agenda gives rise to the need to exclude the press and public due to the likelihood of Exempt or Confidential information being disclosed the following resolution may be proposed and seconded and if carried, the press and public will be requested to leave 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 to the Act, where in the circumstances the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

KRF/VS  
8th July 2015

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Queries concerning this agenda? Please contact Keith Fearon:  
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**Declarations of Interest (see also “Advice to Members” below)**

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

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

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

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

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

- a. Membership of outside bodies that have made representations on agenda items, or
- b. Where a Member knows a person involved, but does not have a close association with that person, or
- c. Where an item would affect the well-being of a Member, relative, close associate, employer, etc. but not his/her financial position.

[Note: an effect on the financial position of a Member, relative, close associate, employer, etc; OR an application made by a Member, relative, close associate, employer, etc, would both probably constitute either an OSI or in some cases a DPI].

**Advice to Members on Declarations of Interest:**

- (a) Government Guidance on DPI is available in DCLG’s Guide for Councillors, at [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/240134/Openness\\_and\\_transparency\\_on\\_personal\\_interests.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/240134/Openness_and_transparency_on_personal_interests.pdf)
- (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 **28<sup>th</sup> May 2015**.

## **Present:**

His Worshipful the Mayor, Councillor J S Link (Chairman);

Cllrs. Aaby, Apps, Barrett, Mrs Bell, Bell, Bennett, Mrs Blanford, Bradford, Britcher, Buchanan, Burgess, Chilton, Clarkson, Clokie, Mrs Dyer, Farrell, Feacey, Galpin, Heyes, Mrs Heyes, Hicks, Hooker, Howard, Knowles, Koowaree, Krause, Miss Martin, Mrs Martin, Michael, Ovenden, Pickering, Shorter, Sims, Smith, Waters, Webb, White.

Prior to the commencement of the meeting: -

- (i) the Reverend Eileen Harrop said prayers.
- (ii) His Worshipful the Mayor advised that the meeting was being recorded by AHBS Community Radio 107.1FM for broadcast at the weekend.

## **Apologies:**

Cllrs. Bartlett, Powell, Wedgbury.

## **Also Present:**

Chief Executive, Deputy Chief Executive, Head of Legal and Democratic Services, Head of Culture and the Environment, Head of Finance, Head of Community and Housing, Head of Planning and Development, Head of Environmental and Customer Services, Member Services and Scrutiny Manager, Principal Solicitor for Property and Projects, Senior Member Services and Scrutiny Support Officer.

## **1 Election of Mayor**

Councillor Mrs Blanford nominated Councillor Mrs Geraldine Dyer for election as Mayor of Ashford Borough Council for the forthcoming municipal year.

This was seconded by Councillor Clokie.

Councillor Mrs Blanford said that it was a privilege for her to be able to propose Councillor Mrs Geraldine Dyer to be the next Mayor of Ashford, the latest one in a long line since 1974. She said that Geraldine was a fairly quiet Member of the Council who did not go around telling everybody about herself, so she wanted to give a little bit of background information.

She said Geraldine was born in Redhill which made them both Surrey girls. She was brought up in Croydon and attended St Anne's School where she studied languages in the sixth form and went on to Exeter University to read German and Italian. On leaving University she decided to make a career in teaching and did a year's teacher training diploma at Goldsmith's College in London. Her first teaching post was at a school in Dagenham where she taught languages to 11-18 year olds for four years.

She certainly threw herself in at the deep end which showed real stamina and she would have learnt a few tricks that would help keep the Members in order at future Council meetings should they become unruly!

Councillor Mrs Blanford said that in 1973 Geraldine married Brian and they were still happily together after 42 years of marriage. They had met at University, with Brian reading languages, and although they were both from Croydon, strangely they had not known each other prior to that. From 1973 to 1978 Brian and Geraldine lived in Maidstone with Brian teaching PE in Chatham and also playing football in London and Dover, while Geraldine taught at the Towers School in Kennington where she was also connected with Ashford's Twinning arrangements. Later she taught for 15 years at Highworth Grammar School for Girls teaching French and Grammar. In 1978 they had the good sense to move from Maidstone to the Ashford Borough and the even better sense to move to Smarden – one of the prettiest, most filmed, photographed and friendliest villages in the Weald – and she should know as she lived there for 27 years! While in Smarden, Geraldine and Brian brought up their two children, Christopher who lived in Pluckley and ran his own water softening business, and Jennifer, who was a Lecturer at Leeds University.

When she retired from Highworth, Geraldine showed an exemplary community spirit volunteering for a while for the Samaritans and the Kent Mediation Service. She was still a volunteer for the Pilgrims Hospice. In Smarden she was involved in the community by being an Administrator for the Charter Hall (a rather grand Village Hall!), running the computer club, as a trustee for the very active local history society and as Smarden's correspondent for the Kentish Express. She was also a member of the WI, the short mat bowls club and played tennis. Councillor Mrs Blanford said that she was sure that this combination of academic and community skills would help Geraldine in her new role and she wished her a very enjoyable year.

Councillor Clokie said it was his great pleasure to second the nomination of Councillor Mrs Geraldine Dyer as Mayor of the Borough of Ashford for the forthcoming year.

He said he had been told that Geraldine had a very interesting sense of humour and he thought the Council would certainly look forward to seeing that in the coming year. He considered everyone would be in for a very enjoyable Mayoral year and he was happy to second the nomination.

There were no other nominations.

**Resolved:**

**That Councillor Mrs Geraldine Dyer be elected Mayor of the Borough of Ashford for the Municipal Year 2015/2016.**

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

Councillor Mrs Dyer made her Declaration of Acceptance of Office. The retiring Mayor, the Chief Executive, the newly elected Mayor and her Chaplain then left the meeting. Upon their return, having been invested with her chains of office Her Worshipful the Mayor, Councillor Mrs Geraldine Dyer assumed the Chair.

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

Her Worshipful the Mayor said that her Chaplain for the coming year would be the Reverend Catherine Wilson. The Reverend Wilson then said prayers.

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

Her Worshipful the Mayor began by thanking Councillors and Officers for the support, help and advice they had given her over her last four years as a Councillor. They had been immensely supportive and she said she certainly could not have done the job without that. She also wanted to thank those people for the trust they had put in her in allowing her to represent the Borough and the Council as the Mayor and those people who had come along to support both her and the outgoing Mayor this evening. Finally she wanted to thank her husband who had been a fantastic help to her, particularly over the last four years. He had shown huge patience and they were hopeful that together they would be able to work to promote and support the wonderful Borough of Ashford. She intended to carry on the tradition of past Mayors in this regard.

She said it was an honour and a privilege to serve Ashford. It was a great place to live and work and recent residents' surveys had shown very high levels of satisfaction with both the Borough and the Council itself. They were therefore obviously doing something right at the moment. It was a very exciting place to be with some wonderful new things emerging such as Conningbrook Country Park, the extension to the Outlet Centre, amazing rail links to London and the rest of Europe and of course the new College in the town. This all made for a very exciting time and she was looking forward to supporting and being a part of that in the coming year as it happened.

Her Worshipful the Mayor said that as everybody knew each Mayor was able to support some charities during their year. She had chosen Find a Voice and the Pilgrims Hospice (Ashford). She had not heard of Find a Voice until recently but she had been so impressed with what they did. They provided life enhancing advice, equipment and training to people with communication difficulties. This could be for a variety of reasons such as autism, strokes, multiple sclerosis, cerebral palsy etc. They had a resource centre in South Ashford which had the most amazing devices from the simplest of toys for children up to some very sophisticated communication equipment. It had been run by some very dedicated volunteers since 1996 and she was pleased to say that this was her first charity for the year. Secondly, it had been mentioned by Councillor Mrs Blanford that she was a volunteer at Pilgrims Hospice and they would be her second charity. She had been a volunteer at the Ashford Hospice since it opened in 2001 and as everybody knew they did amazing work which she had witnessed first-hand and they were totally reliant on donations. The volunteers worked very hard to fund raise and keep the Hospice as good as it was, which was the most amazing standard of care and support for those people who needed it.

She said she wanted to thank John and Jill Link for everything they had done during their Mayoral year. She said she used to look at their engagement sheet each week to see what they were doing and she thought the sheer number of events that they attended had been unbelievable and she wondered how she would ever be able to do as much as they did! The huge amount of engagements they had attended had all been pursued with smiling faces and kind words for everybody. They were

universally liked and respected and would be a hard act to follow. She also wanted to thank Catherine, her Chaplain, for taking on the role and the commitment involved.

Her Worshipful the Mayor concluded by once again thanking everybody for her election and for being such a nice bunch of people!

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

Councillor Galpin began his speech by congratulating Councillor Mrs Dyer on her appointment as Mayor of Ashford and offered his best wishes to her and her Consort for a successful Mayoral year.

Councillor Galpin said he would like to propose a vote of thanks to the retiring Mayor and Mayoress John Link and his wife Jill.

The year had been an interesting one. It had started with a bang, well at least a smoulder, when the High Sheriff's reception had been abandoned due to a fire in the marquee. If only there had been trained fire fighters in the Council who could have given them some advice! Over the last 12 months John and Jill had been very busy and had seen all human and animal life (well at least a statue of a tiger) across the Ashford Borough. It had been a year when they had remembered the beginning of World War I, a hundred years ago, as well as somewhat ironically the 50<sup>th</sup> anniversary of Ashford's twinning with Bad Munstereifel in Germany and John had played a full and important part in both events. The year all but finished last weekend with his "soft opening" of the Conningbrook Lakes Country Park, which would be a vital leisure project for Ashford's residents.

He said this had been John's second time as Mayor of Ashford. He had also been Mayor of Tenterden four times which he thought meant he had won it outright and would get to keep the chains! He was personally glad to have this opportunity to recognise John's contribution. His previous period as Mayor had coincided with Councillor Galpin's term as Chairman of the Kent Invicta Chamber of Commerce and they had attended many functions together, with John carrying the Mayoral chain with great honour. Their last joint function, with him as a Councillor this time had been only two weeks ago when John had kick started the "Heart of Ashford" – an animated sculpture in Park Mall.

Councillor Galpin said that John had had to park many of his own outside interests this year, however he had used his golfing connections at London Beach so that they were able to host events as fund raisers for his charities which he understood had been very successful. Perhaps he would now again have time to utilise those golf clubs in the garage rather than letting them gather dust and get his handicap back under control. He was told he also liked to bowl and with the weather looking good he hoped he could get that going again as well.

Councillor Galpin concluded by thanking John and Jill for their inestimable contribution to the life of the Borough. He looked forward to continuing to work with him for the next four years in whatever role he took on (or was thrust upon him!) In the meantime he advised him to sit back and have a bit of a rest – well until Monday anyway!

Councillor Clarkson said he would like to congratulate Councillor Mrs Dyer on her appointment as First Citizen of the Borough and he was sure her and her Consort would equip themselves well and represent the Borough in a dignified way this year.

He said he had witnessed a number of Mayors over the last decade and he had to say that John and Jill had been exemplary. He had attended quite a number of their many functions and they had been a great credit to the Borough. There was no doubt there was a large number of volunteer and other small groups, people both young and old and those with difficulties and not in the best of health, who had all benefitted from John's commitment to attend all those functions. He knew in his own Ward of Charing alone John had attended several times in the year and the Mayoralty being able to commit to all those groups was marvellous. He said he wasn't so sure about the golf as now that he was free from the Mayoral role, John had been put on quite a number of Committees and was chairing one or two! Councillor Clarkson concluded by congratulating John and Jill and thanking them for their year.

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

Councillor Link said in the first instance he wanted to congratulate Councillor Mrs Dyer on becoming Mayor of Ashford Borough and he hoped her and her husband would have a very successful year, although it would be hard work! He said he would also like to thank Members for allowing him to be the Mayor for a second time. Having done it before he thought it would be easy second time around, but this time had actually been a lot busier. They had been to fetes, dog shows, flower festivals, tug of war competitions, tea parties, a Christmas lunch with the homeless, AGMs, opened several shops and small businesses and been to several schools – opening a new library in one and a new music room in another. At the new Repton Park Infants School they had been there early in the morning to meet the children arriving at the gate and the Head Teacher had surprised them all by already knowing every child's Christian name as they came through the gate – which was well over 100. They had presented prizes at most of the schools in Ashford and he had cut ribbons at new housing developments for the elderly in Appledore, Charing Heath and the new extension at Luckley House in Wye. He said one piece of advice he would give to the new Mayor was to ask for real scissors this year rather than the silly imitation cardboard ones that he had been given!

Councillor Link said they had experienced great entertainment at the Gang Show by Ruckinge Scouts, but perhaps more entertainment at the High Sheriff's Garden Party when the Calor gas had caught fire and they had to abandon the marquee and evacuate to his garden and wait in the rain until allowed back in by the fire brigade! He had attended three services at Canterbury Cathedral, including a buffet lunch with the Archbishop of Canterbury at one of those. Along with ex-Councillor Hodgkinson and the Bishop of Dover he had also opened the extension to Singleton Village Hall. This only just scratched the surface on what they had done this year and he could have mentioned a lot more although he said he would stop there for fear of becoming a bore, like showing somebody their holiday snaps! However he wanted to say that you only had to look around Ashford at things such as the Panorama building which was nearing completion, the Conningbrook Country Park which had opened that past weekend and the Farmers Market in the High Street with a lot more to come, to see what was happening in Ashford. Ashford was changing for the better. They had been to Ellingham Industrial Estate and Victoria Way which were bursting with both large and small businesses and he would encourage everybody to go and have a look at them. He said there was a gentleman who wrote



a column in the Kentish Express nearly every week and he had nothing particularly good to say about Ashford. To him he would say go and have a look at Ellingham and Victoria and see what was going on down there Mr B!

He said as the Mayor you obviously had to do quite a bit of entertaining during the year and they had always received good feedback about Ashford and where they had taken people and what they had shown them. He quoted from a letter from the Chairman of Sevenoaks District Council who had said – “We started off with coffee, then a tour and tasting at Chapel Down Winery, then we had lunch at London Beach Golf Club, followed by a visit to the rocking horse makers at Bethersden. It was a lovely day out and you have introduced us to so many interesting aspects of the Ashford Borough during your year.” He was pleased to say that other Mayors had also paid those sorts of compliments about Ashford when they had been entertained, so they must be doing something right as a Borough and he knew they had surprised some people.

Finally, Councillor Link said he would like to say his thank yous. First and foremost he would like to thank his wife Jill. She had been beside him and for him the whole year and deserved his thanks. He wanted to thank his Chaplain, the Reverend Eileen Harrop, Andrea Collard, the Mayor’s PA for all the hard work she did and their driver Sandra Sutters for getting them to all of the events on time. Lastly he wanted to thank the people of Ashford all very much.

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

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

This was seconded by Councillor Chilton.

There were no other nominations.

### **Resolved:**

**That Councillor George Koowaree be elected Deputy Mayor of the Borough of Ashford for the Municipal Year 2015/2016.**

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

Councillor Koowaree made his Declaration of Acceptance of Office. The Deputy Mayor was then invested with his chains of office.

## **9 Minutes**

### **Resolved:**

**That subject to noting the apologies of Councillor Sims, the Minutes of the Meeting of the Council held on the 16<sup>th</sup> April 2015 be approved and confirmed as a correct record.**

## **10 Announcements**

Her Worshipful the Mayor announced that her Civic Service would be held on the 12<sup>th</sup> July 2015 at 10.30am in Smarden Church. She said that as previously mentioned the village of Smarden was worth a visit and it would be wonderful if as many as possible would come along. There would be refreshments in the Charter Hall afterwards. Speaking of refreshments, there would be some served in the Committee Rooms downstairs after the meeting and all were welcome.

## **11 Election of the Leader of the Council for a Four Year Term**

Councillor Bell proposed that “Councillor Clarkson be elected as Leader of the Council”.

This was seconded by Councillor Galpin.

**Resolved:**

**That Councillor Clarkson be elected Leader of the Council for a four year term.**

## **12 To Note the Names and Number of Members to be Appointed by the Leader to the Cabinet**

The Leader of the Council, Councillor Clarkson, said he wished to thank colleagues for the vote of confidence in his continued leadership. He said the people of Ashford had once again put their faith in this Conservative Administration for the next four years and they would all work hard to deliver on that trust. Firstly he wanted to congratulate all Elected Members and indicate from the outset that they must all work together by being bold and innovative to grow and shape the changing economy in Ashford. He said they must all strive to attract new businesses and increase the skills level in support of the changing economy and they would insist on quality housing that was built to Ashford’s own space standards. In making his appointments to the Cabinet he was conscious that they had made promises to the people of Ashford in their election manifesto and they would honour those commitments.

They had said that Ashford would remain the lowest Council Tax in Kent and give full discretionary rate relief to all existing recipients for the full four years of this administration. Accordingly, he was appointing Councillor Neil Shorter to the Cabinet with direct Portfolio responsibilities for Finance, Budget and Resource Management to deliver on that promise.

They had said they would work to promote thriving business in their two towns of Ashford and Tenterden. They had already completed the purchase of Wilkinsons and were in an advanced stage of the purchase of Park Mall – indeed exchange of contracts was imminent. They were blessed with not only one but two towns and it was important to remember that whilst they had the urban town of Ashford at the heart of the Borough they also had the delightful rural town of Tenterden that was equally important. He had therefore appointed Councillor Graham Galpin to the Cabinet with direct Portfolio responsibility for Town Centres and Business Dynamics.

They had undertaken to continue with the improvements to recycling and in doing so to retain the weekly collections as an important part of the service. They also needed to ensure that the Borough was clean, tidy and well maintained and there would be a concerted and sustained drive to ensure that this happened. Customer services would be at the heart of the Council serving their community, there would be links to tourism at the point of delivery and they needed to build on their dialogue with the public at a local level. He had therefore appointed Councillor Clair Bell to the Cabinet with direct Portfolio responsibilities for Public Interaction and Borough Presentation. He said that Councillor Mrs Bell would deliver those promises and in doing so would also Chair the Parish & Urban Forum.

They had said that they would continue to deliver quality new homes and give planning permission, but only for quality development built to the Council's space and other standards. They would not allow inappropriate development, especially in the villages and countryside, so he had therefore appointed Councillor Mike Bennett to the Cabinet with direct Portfolio responsibility for Planning, Development and Enforcement. It was worth noting that enforcement had been brought to the fore and added to the Portfolio title. In his view there was no point having planning policies and adding planning conditions if they were not rigorously adhered to and indeed enforced.

The Leader said that the Council was not only committed to delivering its statutory duties for the homeless but also ensuring that there were affordable, local needs and extra care housing. In addition they intended to work to create more home ownership in the Borough and examine how they might help those at the lower end of the property market to own their own homes. They would also seek to encourage a number of high value homes in order to cater for the widest range of home ownership. He had therefore appointed Councillor Paul Clokie to the Cabinet with direct Portfolio responsibility for Housing and Home Ownership to ensure that they again delivered on that commitment.

He said that it was implicit in all that they did and continued to do that the correct infrastructure and services were required. This included traffic management, public safety matters and health and wellbeing. Healthcare was not only relevant within an aging population, but also in the largest land mass District in Kent with a population that was significantly growing. To be even considering any location out of Ashford for Accident and Emergency made no sense whatsoever – indeed this should be the very area where healthcare services were expanded. He was therefore appointing Councillor Bernard Heyes to the Cabinet with direct Portfolio responsibilities for Highways, Wellbeing and Safety. He would be charged with ensuring that this Borough and its inhabitants were served well in these important areas. The question of Accident and Emergency provision would now command the Council's careful attention at the highest level.

All societies needed more than just tangible goods and services. There was also a need for arts, culture and leisure. People needed to relax in today's busy world and accordingly the Council needed to look after its public parks and leisure facilities. They needed to be aware of their environment and enrich their lives with arts and culture. He had therefore accordingly appointed Councillor Jessamy Blanford to the Cabinet with direct Portfolio responsibilities for Culture, Leisure and Environment in order to develop this key area.

He said that one of the key elements of modern society was the physical development of new technology, especially in the communications sphere. He was

advised that Ashford had relatively good 4G capabilities, but there were still some rural areas with poor broadband facilities. The availability of public information was more vital than ever in the world of the internet and social media and the Council was becoming more connected with interactive websites and automatic sizing to whatever device was being used. The Council needed its Annual Report and other information to be delivered directly into homes or, at this stage, hard copy and this was a major responsibility for the Council. He therefore appointed Councillor Jane Martin to the Cabinet with direct Portfolio responsibilities for Information and Communications. In this important role liaison with Cabinet colleagues and Service Heads would be essential in delivering a greatly improved conduit of communication.

In conclusion the Leader said that his own responsibilities were largely prescribed but included economic development, strategic projects and corporate marketing, media and communications. As many would know, the public realm work in Dover Place was well underway and they were about to start creating the Commercial Quarter – or as he liked to call it “CQ38” (with the 38 minute connection to London). To support the development of the Commercial Quarter they would also soon be seeing the new College, set to give Ashford’s workforce a range of skills needed for the future. During the following week, all Members would be issued with full details of the roles and responsibilities of himself and the entire Cabinet and they would shortly be included within the Council’s Constitution.

### **13 Deputy Leader of the Council**

The Leader said that this Council, along with all levels of Local Government were directed by and had to respond to the Central Government of the day and it was important that they gave proper consideration to what was being proposed. There was of course a Community Governance Review in progress in this Borough at the present time and they already knew that the Boundary Commission was due to review the democratic governance in 2016. It was therefore important that there was a focus on these very crucial governance matters and he had therefore appointed Councillor Neil Bell as the Deputy Leader of the Council with direct Portfolio responsibilities for Government Policy Interface and Democracy.

### **14 Selection and Constitutional Review Committee – 21<sup>st</sup> May 2015**

Her Worshipful the Mayor directed Members attention to the addendum paper which had been tabled.

Councillor Clarkson proposed that “the Minutes of the Selection and Constitutional Review Committee meeting held on the 21<sup>st</sup> May 2015 be approved and adopted subject to noting the name of the remaining Member of the Licensing and Health & Safety Committee”.

This was seconded.

The Council was then asked to consider appointments to the Alzheimer’s Society – Ashford & Shepway Branch and the River Stour (Kent) Internal Drainage Board.

Councillor Clarkson proposed that Councillor Burgess be appointed to the River Stour (Kent) Internal Drainage Board.

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This was seconded by Councillor Bell

There were no other nominations.

There were no nominations for the appointment to the Alzheimer's Society – Ashford & Shepway Branch and it was advised that this appointment would stand referred to the next Selection & Constitutional Review Committee meeting.

**Resolved:**

**That the Minutes of the Meeting of the Selection and Constitutional Review Committee held on the 21<sup>st</sup> May 2015 be approved and adopted subject to the following:-**

- (i) Licensing and Health & Safety Committee – Councillor Apps taking the remaining seat.**
- (ii) Councillor Burgess being appointed to represent the Council on the River Stour (Kent) Internal Drainage Board.**

## **15 Presentation of Service Certificates by the Mayor to Former Members of the Council**

The following former Councillors attended the Meeting and were presented with framed certificates for their dedicated service to the Council: - Mr Michael Cloughton, Mr Bob Davidson, Mr Matthew French and Miss Amanda Hodgkinson. The Mayor explained that for those other former Members who wished to receive certificates and who were unable to attend this Meeting, separate arrangements would be made for them to receive them in due course.

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(DS)  
MINS:

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Queries concerning these Minutes? Please contact Danny Sheppard  
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## **Cabinet**

Minutes of a Meeting of the Cabinet held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **11<sup>th</sup> June 2015**.

### **Present:**

Cllr. Clarkson (Chairman);

Cllr. Bell (Vice-Chairman);

Cllrs. Mrs Bell, Bennett, Mrs Blanford, Clokie, Galpin, Heyes, Miss Martin, Shorter.

### **Apologies:**

Cllrs. Burgess, Chilton, Hicks, Michael.

### **Also Present:**

Cllrs. Britcher, Hooker, Wedgbury.

Chief Executive, Deputy Chief Executive, Head of Legal and Democratic Services, Head of Planning and Development, Head of Communities and Housing, Head of Culture and Environment, Head of Finance, Head of Environmental and Customer Care, Senior Communications Officer, Member Services and Scrutiny Manager.

## **32 Minutes**

### **Resolved:**

**That the Minutes of the meeting of the Cabinet held on the 12<sup>th</sup> March 2015 be approved and confirmed as a correct record.**

## **33 Leader's Announcements**

The Leader advised that the Council had completed the acquisition of the Wilko Store and had exchanged contracts on the purchase of the Park Mall Shopping Centre. He advised that in terms of Park Mall, 10 shops were currently empty and that challenging work was ahead in terms of filling the vacant units and also improving the area.

## **34 Housing Revenue Account 30 Year Business Plan**

The report advised that the Budget Scrutiny Task Group had reviewed the HRA Business Plan and considered that it should be commended to the Cabinet.

**Resolved:**

**That it be noted that the Overview and Scrutiny Committee had reviewed and was happy with the HRA 30 Year Business Plan**

### **35 Financial Outturn 2014/15**

The report presented the outturn revenue position for the General Fund and Housing Revenue Account. The actual outturn position for the General Fund was a small overspend of £17,000 and the Housing Revenue Account had resulted in a surplus of £1,130,000 against a budgeted deficit of £1,639,000. The reason for this variance was due to timing differences on the capital redevelopment of Farrow Court Sheltered Housing Scheme.

The Portfolio Holder referred to the tabled papers and drew attention to the revised recommendation 5. He believed that the slight overspend of £17,000 was a good outcome and he considered that the management of the budget process had been undertaken very well.

In terms of paragraph 4(f), Combined Heat and Power savings, he explained there had been a delay in commissioning the unit and its effective delivery. The installation team had recently met with Officers and remedial action would be taken.

Paragraph 4(g) explained that International House had a net surplus of £792,000 before financing and the Portfolio Holder also said that the Stanhope shops income was in line with expectations. Underspends on the New Homes Bonus would be rolled forward for other projects. In terms of Council Tax collection, the Portfolio Holder said this was a great success with 98% collected and he said that the team responsible for the collection should take great credit. In conclusion he explained that there would be a press release shortly about fraudulent claims and the action the Council would take to pursue any perpetrators.

A Member referred to recent articles in the Press by the Tax Payers Alliance who had criticised Local Authorities for owning assets and commented that the assets the Borough Council held clearly were of benefit to the local community.

**Resolved:**

- That**
- (i) the Financial Outturn for 2014/15 be noted.**
  - (ii) the transfers to and from earmarked and general reserves be approved.**
  - (iii) the carry forward of New Homes Bonus in year underspends and the Housing Revenue Account Consultancy Budget be approved.**
  - (iv) it be noted that the Chief Executive had exercised his “Urgent Matters” powers in accordance with the Council’s Constitution to approve the purchase of the former St John’s Hall and associated land (paragraphs 20 to 22 of the report refer).**

- (iv) **the proposed annual monitoring fee for Park Home sites not be introduced during the current financial year but the impact on resources be monitored and the position be reviewed prior to the 2016/17 financial year.**

### **36 Section 106 Annual Monitoring Report 2014/15**

The report set out the Section 106 activity for the period 1<sup>st</sup> April 2014 to 31<sup>st</sup> March 2015 to show transparently how contributions were being collected and applied in a proper way and to demonstrate that the monitoring of Section 106 contributions remained a very important resource stream.

The Portfolio Holder referred to his comments set out within the report and said that he believed that the previous administration had undertaken a lot of work to improve the standard of the dwellings being built which were in accordance with Borough Council space and quality guidance. He also emphasised the impact Section 106 contributions had on the provision of infrastructure.

**Resolved:**

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

### **37 Local Connection Criteria for Rural Extra Care Schemes**

The report set out the proposed local connection criteria that would be used to allocate accommodation in rural extra care schemes built under Policy TRS5: Exception Sites for Specialist Housing in the Tenterden and Rural Sites DPD.

The Portfolio Holder said the Council would continue with its policy of ensuring the provision of affordable housing in rural areas.

The Chairman also explained Officers were reviewing the criteria for different categories of applicant for housing provision.

**Resolved:**

**That the local connection criteria in respect of extra care developments built on rural exception sites be approved.**

### **38 Membership of Cabinet Boards, Steering Groups and Task Groups**

The report set out the proposed membership and constitution of the various Cabinet Member groups to be constituted for 2015/16. Tabled at the meeting were details of the names of the Opposition Members to be appointed to the Groups set out within the report.



The Chairman explained that he had reviewed the previous number of Task Groups and meetings and these had been reduced in number. The Groups would now be comprised of four elected Members, being the Chairman plus two from the Administration and one Opposition Member. He considered that the reduced number of Members on such Groups would enable them to be more productive.

The Portfolio Holder for Highways, Wellbeing and Safety explained that Councillor Bradford had agreed to be nominated as the Member on the Ashford Health and Wellbeing Board.

**Resolved:**

- That**
- (i) the Constitution and the proposed membership of the various Cabinet Member Task Groups as set out in the report, together with the names of the Opposition Members tabled at the meeting be approved.**
  - (ii) the membership of the Joint Transportation Board be endorsed.**
  - (iii) Councillor Bradford be appointed as the Member to sit on the Ashford Health and Wellbeing Board.**

### **39 Joint Transportation Board – 10<sup>th</sup> March 2015**

**Resolved:**

**That the Minutes of the meeting of the Joint Transportation Board held on the 10<sup>th</sup> March 2015 be received and noted.**

### **40 Planning Policy Task Group – 25<sup>th</sup> February and 8<sup>th</sup> April 2015**

**Resolved:**

**That the notes of the meetings of the Planning Policy Task Group held on the 25<sup>th</sup> February and 8<sup>th</sup> April 2015 be received and approved.**

### **41 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.**

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(KRF/AEH)

MINS:CAXX1524

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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> July 2015**.

### **Present:**

Cllr. Clarkson (Chairman);

Cllr. Bell (Vice-Chairman);

Cllrs. Mrs Bell, Bennett, Mrs Blanford, Clokie, Galpin, Heyes, Miss Martin, Shorter.

### **Apologies:**

Cllrs. Hicks, Michael, Sims.

### **Also Present:**

Cllrs. Bartlett, Burgess, Ovenden, Smith, Wedgbury.

Chief Executive, Deputy Chief Executive, Head of Legal and Democratic Services, Head of Culture and Environment, Head of Communities and Housing, Sports Project Manager, Head of Communications & Technology, Head of Environmental & Customer Care, Revenues & Benefits Manager, Policy & Performance Manager, Communications & Marketing Manager, Member Services & Scrutiny Manager.

## **65 Declarations of Interest**

<b>Councillor</b>	<b>Interest</b>	<b>Minute No.</b>
Bartlett	Made a "Voluntary Announcement" as a resident of Cheesemans Green Lane but he advised that his property was at the opposite end of the road from the site mentioned within the report.	68
Shorter	Made a "Voluntary Announcement" as a Director of Kent Play Clubs (Kingsnorth) and made a "Voluntary Announcement" as a Director of the "A Better Choice" Building Control Company.	68
Wedgbury	Made a "Voluntary Announcement" as a Member of Kingsnorth Parish Council	68

## **66 Minutes**

### **Resolved:**

**That the Minutes of the meeting of the Cabinet held on the 11<sup>th</sup> June 2015 be approved and confirmed as a correct record.**

## **67 Leader's Announcements**

The Leader advised that the Council had now completed the acquisition of the Park Mall Shopping Centre and that the Task Group established to improve the facility had commenced its work. The Leader said that he had been pleased to learn that one of the vacant shops would be filled shortly.

The Leader also advised that he had been invited by the Local Government Minister to attend the launch of the consultation on the future of Fire and Rescue Services and their relationship with Local Government, which was to be held on the day of the Council Meeting on the 16<sup>th</sup> July 2015. He explained that given this commitment he would not be attending the Council Meeting.

## **68 Kingsnorth Parish Community Facilities: Provision and Management**

The report sought approval to proceed (in phases) to (a) implement a new MUGA on land owned by Kingsnorth Parish Council and (b) design and implement community facilities in the Bridgefield Area comprising a play space, storage facilities and car park. There was also a proposal to transfer the car park owned by the Council at the rear of the Kingsnorth Village Hall to the Parish Council. The Tabled Papers included amendments to elements of the text of the report and an Exempt Appendix had been circulated separately from the report contained within the Agenda.

The Portfolio Holder explained that the report was quite complex and that it dealt with two distinct issues funded by the same 106 Contributions in Kingsnorth and Bridgefield. In terms of the MUGA, this facility would be used by the school during the school day and in the evening this would be available for use by residents.

In terms of Bridgefield, she explained that this was a new area and was the start of establishing community facilities for that area. The Portfolio Holder thanked the Sports Project Manager, the Ward Members and School for their work on the project.

The Ward Member for Weald East said that he supported the proposal in terms of the MUGA on land adjacent to the school, but in terms of the Bridgefield elements of the scheme he considered that further consultation was needed to encompass those residents who had moved into the properties since the original consultation. He also had concerns in terms of the potential for the mis-use of the proposed car park facility. He asked the Cabinet to consider undertaking further consultation with residents of Bridgefield and the establishment of a Forum to take the proposals forward.

The Chairman said that it was not appropriate to establish a new Cabinet Forum on this issue but said that he was sure the Portfolio Holder and the Head of Service would involve the relevant Ward Members in matters associated with this issue. He however, agreed to amend the wording of Recommendation (iii)(c) to take account of the Ward Member's views.

In response to a point raised by the Ward Member for Weald East, the Sports Project Manager clarified that the car park would be small and would be gated.

The Ward Member for Park Farm South clarified that there were elements of the Bridgefield development in both Park Farm South and the Weald East Ward, as they straddled both sides of the A2070. In terms of the MUGA he explained that the Parish Council had also been greatly involved in progressing the scheme as had other sections of the community.

**Resolved:**

- That**
- (i) the progress for the delivery of the community facilities in Kingsnorth including the Bridgefield site be noted;**
  - (ii) the Head of Culture and Environment be authorised to spend relevant financial contributions secured pursuant to the Park Farm South and East Section 106 Agreement (the Agreement) on the construction of a Multi-Use Games Area (MUGA) on land owned by Kingsnorth Parish Council adjacent to Kingsnorth Church of England Primary School subject to:-**
    - (a) receipt by the Council of 100% of the monies required to carry out such works through relevant financial contributions due under the Agreement or, in the event the relevant financial contributions necessary to provide 100% of the funds required to pay for such works are not received by the time the contract/s for those works are let, to forward fund the residual amount necessary pending receipt by the Council of the relevant financial contributions and**
    - (b) the grant of planning permission for the MUGA and**
    - (c) the subsequent completion of an appropriate agreement between the Council and Kingsnorth Parish Council securing the ongoing use of the MUGA for the benefit of the community on acceptable terms to the Council including management and maintenance.**
  - (iii) the Head of Culture and Environment be authorised to spend relevant financial contributions due to the Council under the Agreement on the provision of an informal play space, a small car park, and a storage container at the Bridgefield site, Kingsnorth subject to:-**
    - (a) receipt of the relevant financial contributions under the Agreement;**
    - (b) a design for the facilities being produced;**

- (c) **the satisfactory outcome of the community consultation exercise, including residents of Bridgefield, being carried out in relation to the design, positioning and existence of the facilities;**
  - (d) **planning permission being granted for the relevant facilities;**
  - (e) **finalisation of arrangements for the ongoing management of those facilities with Kingsnorth Parish Council on acceptable terms to the Council.**
- (iv) **the Council's Repairs and Renewals reserve be used to fund the repair and alterations to the Council car park at the rear of Kingsnorth Village Hall to aid with improvements and delivery of the above facilities.**
  - (v) **the transfer of the land forming the car park at Kingsnorth Village Hall from the Council to Kingsnorth Parish Council for £1 (as shown approximately on the attached plan) (Appendix 3 to the report) be approved subject to planning permission being granted for the combination of the School and Village Hall car parks.**
  - (vi) **the relevant Heads of Service, in conjunction with the Head of Legal and Democratic Services, be authorised to agree terms and execute and complete all necessary legal documentation to give effect to the above recommendations.**

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

The report proposed the formal write-off of 380 debts totalling £219,634.53. The proposals were in line with the Council's Revenues and Benefits Service Write-Off Policy and the existing bad debt provisions already more than covered the sums involved.

The Portfolio Holder explained that the report contained those debts which could not be recovered and said that he had met with the Revenues and Benefits Manager and he was satisfied that all possible actions had been taken in terms of their recovery.

### **Resolved:**

- That
- (i) **amounts totalling £42,200.50 that had been written-off under delegated powers (Financial Regulations 11.1) be noted.**
  - (ii) **the write-offs listed in the Exempt Appendices to the report totalling £177,434.03 be approved.**

## **70 Members' IT Scheme 2015**

The report detailed a revised package of IT provision for Members from 2015 which was aimed at improving the consistency of the scheme as well as increasing the accessibility of IT. Tabled at the meeting were changes to the report suggested by the Portfolio Holder which amended the Allowance Scheme by recommending that the overall allowance be returned to the figure of £1,000 which was the amount when the scheme was first introduced.

The Portfolio Holder explained that the IT for Members would enable them to be more in line with the Council's own IT provision and by increasing the overall amount to £1,000 (from £670), this would provide for more opportunity for Members to enhance the way they interacted with members of their community. In response to a question from a Member as to whether Windows 10.1 would be available, the Portfolio Holder said that for those Members who took up the Council's offer to provide equipment they would automatically receive updates to include Windows 10.1. For those Members who took the cash alternative it would their decision as to whether they upgraded. The Portfolio Holder also explained it was estimated that over the life of the Council in the region of £15,000 could be saved on paper, printing and postage costs.

### **Recommended:**

**That the format of a proposed replacement Members' IT Scheme, as detailed within the report, be approved subject to the amendments set out within the Tabled Paper.**

## **71 *People Serving People:* Ashford Borough Council Annual Report 2014-15**

The annual report provided a transparent and accessible summary of the achievements and milestones of the Borough Council over the course of the 2014/15 Financial Year.

The Chairman explained that this was the second Annual Report and the final version was still being prepared. He explained that issues associated with the distribution of the document were still being considered and he drew attention to a new section within the report which provided a series of helpful public information.

The Portfolio Holder said she wished to thank the Officers for their work in compiling the document in a relatively short space of time.

### **Resolved:**

**That the contents of the Annual Report for 2014-15 be noted.**

## **72 Member Training Panel Annual Report 2014/15**

The report gave an overview of Member training from 2014/15 and expenditure from the Council's Member Training Budget, as well as commenting on plans for the

future. Appended to the report was the Chairman's report of the Panel Meeting held on the 23<sup>rd</sup> March 2015.

**Resolved:**

**That the Member Training Panel Annual Report 2014/15 and the Chairman's report of the Panel Meeting held on the 23<sup>rd</sup> March 2015 be received and noted.**

### **73 Joint Transportation Board – 9<sup>th</sup> June 2015**

**Resolved:**

**That the Minutes of the Meeting of the Joint Transportation Board held on the 9<sup>th</sup> June 2015 be received and noted.**

### **74 The Local Plan and Planning Policy Task Group – 10<sup>th</sup> June 2015**

**Resolved:**

**That the Notes of the Meeting of the Local Plan and Planning Policy Task Group held on the 10<sup>th</sup> June 2015 be approved and adopted.**

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

The Chairman advised that taking account of the forthcoming holiday period the meeting of the Cabinet scheduled for the 13<sup>th</sup> August 2015 would be cancelled unless any urgent or compelling issues arose.

**Resolved:**

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

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(KRF/VS)

MINS:CAXX1528

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## Appeals Committee

Minutes of a Meeting of the Appeals Committee held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the 4<sup>th</sup> June 2015.

### **Present:**

Cllr. Wedgbury (Chairman);

Cllrs. Hicks, Hooker.

Cllr. Bradford (Reserve).

### **Also Present:**

Appellant.

Licensing Officer, Licensing Manager, Health, Parking and Community Safety Manager, Legal Advisor, Member Services & Scrutiny Support Officer.

## 22 Election of Chairman

### **Resolved:**

**That Councillor Wedgbury be elected as Chairman for this meeting of the Appeals Committee.**

## 23 Minutes

### **Resolved:**

**That the Minutes of the Meeting of this Committee held on the 30<sup>th</sup> April 2015 be approved and confirmed as a correct record.**

## 24 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 'Appeal Against Refusal to Grant a Private Hire Drivers Licence' as it is likely 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 paragraphs 2 and 3 of Schedule 12A of the Act.**

## **25 Appeal Against Refusal to Grant a Private Hire Drivers Licence**

The Chairman explained the procedure to be followed and introduced himself, the other Councillors and the Officers present. The Committee confirmed that they had received and read the agenda papers.

The Licensing Officer had submitted a report which outlined the case. She went through the case and explained the decision to refuse to grant the Appellant a Private Hire Drivers licence.

The Appellant then put his case to the Committee.

The Licensing Officer and Licensing Manager answered questions from Councillors.

The Licensing Officer then summed up the case on behalf of the Licensing Team.

The Appellant then summed up his case.

The Committee then retired to make its decision.

On the Committee's return, the Legal Advisor read out the 'Decision and Reasoning's Statement' that had been prepared by the Appeals Committee, a copy of this would be sent to the Appellant after the meeting, along with the minutes and a decision letter.

### **Resolved:**

- That (i) That the application for a private hire drivers licence be refused.**
- (ii) In considering the application before them the Committee noted that further to the Taxi Licensing Policy currently in force and in particular appendix E the application was not beyond the realms of possibility of being granted, however the Committee were very mindful of what they considered to be the dishonest nature of the application made, an application that had been made far more recently than the offences detailed, that they were left with no option but to question the integrity of the applicant and therefore whether he was a 'fit and proper person' to hold a private hire drivers licence.**

## Audit Committee

Minutes of a Meeting of the Audit Committee held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **30<sup>th</sup> June 2015**.

### Present:

Cllr. Link (Chairman);  
Cllr. Waters (Vice-Chairman);  
Cllrs. Powell, Shorter, Smith.

### Apologies:

Cllrs. Chilton, White.

### Also Present:

Cllr. Ovenden

Deputy Chief Executive, Head of Audit Partnership, Corporate Enforcement Support & Investigations Manager, Policy & Performance Officer, Senior Member Services & Scrutiny Support Officer.

Emily Hill, Lisa Robertson - Grant Thornton UK.

## 46 Declarations of Interest

Councillor	Interest	Minute No.
Shorter	Made Voluntary Announcements as a Director of Kent Play Clubs and as a Director of the ABC Building Consultancy Company.	52

## 47 Minutes

### Resolved:

**That the Minutes of the Meeting of this Committee held on the 3<sup>rd</sup> March 2015 be approved and confirmed as a correct record.**

## 48 Corporate Enforcement Support and Investigations Team Annual Report 2014/15

The Corporate Enforcement Support & Investigations Manager introduced the report which provided the annual update on the work of her Team. Through the changes involved with Welfare Reform, some of the team's work would transfer to the Government Single Fraud Investigation Service, but the Council had committed to maintaining its counter fraud resources and to developing the team in to a wider

corporate enforcement and investigation resource, expanding its remit in to all areas of Council activity. Therefore there had been quite a few changes to the team and its work over the last year, so whilst reviewing the past year, the report also had a strong focus on the future.

The report was then opened up to the Committee for discussion and the following points were raised: -

- Whilst the figures recovered themselves were impressive when compared to the cost of the team to the Council, it was important not to underestimate the deterrent value of the team in stopping people claiming fraudulently in the first place. It was difficult to place a net worth on these immeasurable benefits but all recognised that prevention was the most important consideration and the team was making even more of a difference than the figures implied. It was therefore also important to continue to publicise the team's existence and its actions.
- The total cost of the team to the Council was £106k. There were limited other costs involved which included the legal costs of taking prosecutions forward and the normal overheads. The Council did now have its own in house Litigator in the Legal Service and this had been of huge benefit to the Enforcement and Investigations team.
- The remit of the team was expanding and KCC and the other preceptors were making funding available to resource the review of Council Tax Support fraud.
- A Member said he would be interested in seeing year on year figures for cost/collection and also how those compared to other Councils. He considered Ashford's approximate 5:1 ratio was particularly impressive but he would be interested in comparators and whether the team set itself any targets. The Deputy Chief Executive advised that the nature of the work was bound to change but the business plan submitted to KCC for the extra resource did make reference to a target of a 2.5/3:1 ratio. There were no like for like comparators with other Kent Districts, although Ashford had always been seen as placing greater emphasis on its fraud work than some others, albeit within limited resources.
- As mentioned, the Council had made a policy decision to retain its own in house counter-fraud team and expand its areas of focus. It was considered a moral obligation for the Council to pursue fraud when it was carried out and that desire and the deterrent factor remained extremely strong.

**Resolved:**

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

## **49 Internal Audit Annual Report 2014/15**

The Head of Audit Partnership introduced the report which presented his 2014/15 Audit Opinion and the supporting work behind that opinion. The report also provided a more wide-ranging update on the Audit Service and progress against its work plan for the year. He further advised that the Partnership had been the subject of an External Quality Assessment and subsequent follow up by the Institute of Internal Auditors, and they had become the only Audit Service in the country to be assessed by the Institute as fully compliant with the Public Sector Internal Audit Standards. This was something to be rightly proud of.

A Member asked if it was still the case that if an area received a 'weak' assurance rating then the Head of Service should attend an Audit Committee meeting to discuss the situation and answer questions. The Head of Audit Partnership advised that the Committee still had the ability to call Service Heads. Members said they would like this to be the default position and part of the process for any weak rating, rather than it being reported at one meeting and then waiting another three months for them to come to the next meeting. It was a matter of the Committee making a more effective contribution to the governance of the Council and it may not be able to do this if it was not seeing things until they were academic. It was agreed that this matter could be discussed further at the upcoming informal session with the Head of Audit Partnership.

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

### **Resolved:**

**That the Committee notes the Head of Audit Partnership's Opinion and supporting work and note that the opinion will inform the Council's Annual Governance Statement.**

## **50 Audit Committee Annual Report 2014/15**

The Head of Audit Partnership introduced the 2014/15 Annual Report of activity of the Audit Committee in discharging the responsibilities set out for it in the Council's Constitution.

### **Resolved:**

- That**
- (i) the content and format of the Audit Committee's Annual Report be agreed.**
  - (ii) the Committee agree to provide the Annual Report to Full Council, asking that it be noted.**

## **51 Annual Governance Statement 2014/15**

The report explained that each year the Council must produce and approve an Annual Governance Statement that summarised its approach to governance and showed how the Council fulfilled the principles for good corporate governance in the public sector. The Statement also drew conclusions about the effectiveness of the Council's arrangements, based on evidence throughout the past year. The Statement would be published alongside the Council's formal audited financial statements which would be considered by the Committee in September. This year's Statement built on previous statements, providing updated information where needed. Work to review the significant governance issues highlighted last year had progressed well and following input from the Leader of the Council and others there were further developments needed, and these were highlighted at the end of the draft Statement. It concluded that governance arrangements remained appropriate, effective and adaptive to change as circumstances dictated. The Policy & Performance Officer introduced the report and also drew Members' attention to the two areas for review for 2015/16.

A Member referred to the Competency Framework which had been introduced by the Council during the past year and said he would welcome an audit review of this sometime in 2016 after at least one year of operation. He considered a review of the process following a full cycle of the appraisal process for staff would be useful to give some background to new Members about how the framework was put together and to see if the new system was working and if it was getting the desired results in terms of being a development tool for the Council. Following discussion the Committee agreed to add this to their work programme for June 2016. The Vice-Chairman asked if he could be provided with a copy of the Council's Competency Framework.

### **Resolved:**

**That the 2014/15 Annual Governance Statement be approved and signed by the Leader and Chief Executive as required by regulations.**

## **52 2014/15 Financial Statements – Letters of Assurance to External Auditors**

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

A Member mentioned references to the purchase of International House and wondered if the purchases of the other land and property around it should be listed

distinctly as although it was all one purchase, at present the letter read as though the Council had just purchased the single building. It was confirmed that the letter was sufficiently detailed for its purpose, however it was agreed to clarify this point in the final letter.

**Resolved:**

**That the Chairman's and Management's 2014/15 Assurance Letters be endorsed.**

### **53 Outcome of Independent Audit Review of the Council's Affordable Housing Programme**

The report advised of the outcome of an independent compliance audit review by the Homes & Communities Agency (HCA) of the Council's Affordable Housing Programme.

In response to a question it was advised that the properties listed in the appendices to the report were properties purchased by the Council with HCA funding.

**Resolved:**

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

### **54 The Future of Local Public Audit**

The information report advised that as of 31<sup>st</sup> March 2015 the Audit Commission had fully closed and its remaining functions had been transferred to a number of other bodies. The closure had been originally signalled by the then Coalition Government in 2010 along with the eventual transfer of responsibility for local public audit procurement to Councils and other audit bodies. The report provided further background to the Council's responsibilities when the current audit contract with Grant Thornton UK expired and the Deputy Chief Executive advised that a fuller and more comprehensive report would be presented to the September meeting of the Committee.

**Resolved:**

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

### **55 External Audit 2015 Plan and Audit Update**

Two reports had been received from the Council's External Auditors (Grant Thornton UK). These were introduced by Lisa Robertson, Senior Manager and Emily Hill, Engagement Lead from Grant Thornton UK. The first set out the External Audit plan of work associated with the 2014/15 financial statements and this year's value for money assessment. The second report contained some details on the progress of audit work at Ashford and provided details of Grant Thornton's national reports covering a number of themes.

With regard to the financial statements audit, a Member asked about journal entry controls and what the auditors were looking for when they assessed this. Lisa Robertson explained how this was undertaken at Ashford on a risk based approach (i.e. assessing the high value journals) and she was satisfied that this was a sensible and modern process. A Member asked if there was an alert if individual users tried to input transactions outside of their authorisation levels. The Deputy Chief Executive believed it was simply not possible to do this, but he was not sure if anyone was alerted and he endeavoured to find out and report back.

In terms of the national reports and challenge questions from Grant Thornton, the Deputy Chief Executive advised that all of the documents mentioned had been received by the Council and the contents would feed into Officers and Members' work over the coming months. Not all issues mentioned in these reports were directly for the Audit Committee to consider, however, due to the importance of the topics it had been suggested that key points be the subject of Pre-Committee briefings, as well as more formal reports to Members in due course. A Member asked for hard copies of the two reports – *"Spreading Their Wings: Building a Successful Local Authority Trading Company"* and *"Welfare Reform Review: Easing the Burden"* - and Lisa Robertson agreed to supply these.

**Resolved:**

**That the two External Audit reports be received and noted.**

## **56 External Audit Programmed Work and Fees 2015/16**

Further to the previous item on the Agenda, Grant Thornton UK's agreed fee scale had been submitted to the Council and attached to the report. The fees reflected a reduction following procurement exercises run by the Audit Commission before its closure.

**Resolved:**

**That the fee scale for 2015/16 and the External Auditor's outline of planned audit work for the year be noted.**

## **57 Report Tracker and Future Meetings**

The Deputy Chief Executive advised that in line with previous practice Officers intended to continue with the pre-Committee briefings at 6pm before each meeting. They had some ideas about topics but if Members had any particular topics they would like to cover they were encouraged to let him know. He also advised that a separate briefing session on the Council's Financial Statements would be arranged for late July/early August.

**Post Meeting Note: The briefing on the Council's Financial Statements is confirmed for Thursday 6<sup>th</sup> August at 7pm in the Council Chamber.**



**Resolved:**

**That subject to the additional items discussed earlier at the meeting, the report be received and noted.**

DS

## 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 9<sup>th</sup> July 2015.

### Present:

Cllr. Clarkson (Chairman);

Cllrs. Mrs Bell, Bennett, Mrs Blanford, Burgess, Galpin, Koowaree, Mrs Martin, Ovenden, Shorter.

### Apology:

Cllr. Bell

### Also Present:

Cllrs. Miss Martin, Smith

Head of Personnel and Development, Member Services and Scrutiny Manager.

## 61 Declarations of Interest

Councillor	Interest	Minute No.
Shorter	Made a "Voluntary Announcement" as he was a Director of Kent Play Clubs and also a Director of A Better Choice for Building Consultancy Ltd, neither related to any items on the Agenda.	

## 62 Minutes

### Resolved:

**That the Minutes of the meeting of this Committee held on the 21<sup>st</sup> May 2015 be approved and confirmed as a correct record.**

## 63 Statutory Officer Disciplinary/Dismissal Procedures

The Committee considered recommendations in response to DCLG regulations removing the "Designated Independent Person" (DIP) from the Disciplinary process for the Head of Paid Service, Chief Finance Officer and Monitoring Officer.

The Chairman clarified that Recommendation (ii) (a) was proposing that the Investigation and Disciplinary Committee be comprised of 15 Members from which a Committee of three would be appointed as required. He also explained that the selection of the three Members to sit on the Committee would take account of any involvement the individual Members had had with the matter to be considered.

The Member Services and Scrutiny Manager clarified that nominations from Group Leaders to membership of the Committee would be tabled at the Council meeting to be held on the 16<sup>th</sup> July 2015.

**Recommended:**

- That (i) **revised General Procedure Rules as attached to the report be adopted in accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015.**
- (ii) (a) **a new Investigation and Disciplinary Committee be constituted on a broadly politically balanced basis comprising 15 Members (12 Conservatives, one Labour, one Ashford Independent and one other (from which a Committee of three (not politically balanced) would be appointed as required (as in the case of the current Appeals Committee).**
- (b) **Group Leaders be invited to nominate Members to the new Committee taking account of the membership criteria in the Terms of Reference at Appendix 1 to the report.**
- (c) **Councillor Koowaree be nominated to fill the one “other” seat on the Committee.**
- (iii) **the Council’s Monitoring Officer be authorised to make all necessary consequential changes to the Council’s Constitution, eg sections relating to the functions exercised by the Council, the Appeals Committee Terms of Reference, Procedure Rules Relating to Staff and Officer Employment Procedure Rules.**
- (iv) **the Head of Personnel and Development be authorised to take any necessary action to seek to align Contracts and Conditions of Service with the new statutory process.**

## **64 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 Alzheimers Society – Ashford and Shepway Branch.

The Chairman advised that all appointments were currently the subject of a review in terms of their effectiveness and benefit to the Council and a further report on this issue would be submitted to the Committee later in the year.

**Resolved:**

**That Councillor Smith be nominated to sit on the Alzheimers Society – Ashford and Shepway Branch.**

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Queries concerning these Minutes? Please contact Keith Fearon:  
Telephone: 01233 330564 Email: [keith.fearon@ashford.gov.uk](mailto:keith.fearon@ashford.gov.uk)  
Agendas, Reports and Minutes are available on: [www.ashford.gov.uk/committees](http://www.ashford.gov.uk/committees)

**Agenda Item No:** 12  
**Report To:** Council  
**Date:** 16 July 2015  
**Report Title:** Overview and Scrutiny Annual Report - 2014/15  
**Report Author:** Head of Legal and Democratic Services



<b>Summary:</b>	The Council's Constitution requires the O&S Committee to make an annual report to full Council. This is the report for the Municipal Year May 2014 – March 2015.
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**Key Decision:** No

**Affected Wards:** None

**Recommendations:** **The Council is asked to note the report.**

**Policy Overview:** None

**Financial Implications:** None

**Risk Assessment** No

**Background Papers:** O&S Committee Agendas and Minutes from May 2014 – March 2015

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

### **Purpose of the Report**

1. The Council's constitution requires the O&S Committee to make an annual report to full Council on the work they have undertaken during the year.
2. This report will give an overview of the work the O&S Committee and its Task Groups have been involved in during 2014/15.

### **Background**

3. Under Section 21 of the Local Government Act 2000, the Overview and Scrutiny Committee has power to make reports and/or recommendations either to the Cabinet or to the Authority on any aspect of Council business. The Overview and Scrutiny Committee also has the power to make reports and/or recommendations about other matters which affect the authority's area or its population.
4. In the Municipal Year 2014/15 the O&S Committee had 16 members, representing all political groups on the Council. Members of the Committee work together to ensure that the Council and its Services are acting effectively and efficiently. Reviews may be undertaken by the whole Committee or a Task Group.

### **Issues Scrutinised by the Committee since May 2014**

5. Since May 2014 items considered by the main O&S Committee have included: -
  - ABC Business Plan quarterly performance report
  - Sickness absence figures and information for 2013/14
  - Update on the new Waste and Recycling Contract
  - An update on the Conningbrook Lakes Country Park
  - Fly tipping
  - Community Safety Partnership update
  - The Council's draft 2015/16 budget
  - The HRA business plan
  - S106 agreements
  - Portas Pilot Project
  - Housing Strategy Action Plan Monitoring Report & Annual Review of Homelessness Strategy
  - Update and progress report on ABC Commercial companies and the O&S Call-in recommendations
  - Purchase of International House - update
6. An additional item considered by the O&S Committee, not covered by the above list, was the Call-in of Cabinet Minute 397 regarding the M20 J10A. If the Chairman and two other members, or any five members of the O&S Committee object to a decision made by the Cabinet, or an individual Member

of the Cabinet, or to a Key Decision made by an Officer with delegated authority from the Cabinet, and this objection is lodged before the expiry of 5 working days after the publication of the decision, then an O&S meeting will be called and the Committee have the opportunity to examine the issue.

7. If, having considered the issue, if the O&S Committee still has concerns it may set out these concerns and refer the decision back to the decision making body (or to full Council) for reconsideration. The decision making body will then reconsider the report and may amend its original decision, or not. The final decision thus taken is not subject to Call-in.
8. In April the O&S Committee had concerns about Cabinet Minute No.397 – M20 Junction 10a. The decision of the Cabinet had been to resolve that:-
  - (i) support be given in principle to the delivery of the SELEP funded scheme for Junction 10A by 2019
  - (ii) support in principle be given to the subsequent delivery of an enhanced SELEP scheme to create a new, all movements Junction 10A in the same location when funding permits.

This decision was called in for Scrutiny.

9. In June the Call-in meeting was held. The agenda consisted of the original report to Cabinet, plus a copy of Minute No. 397, the Call-in request, an extract from Minutes 412 and 413 (Council 24.4.14), the report to O&S which included answers to questions raised by Members in advance of the meeting, Highways Agency traffic flow data for Junction 10A and a Portfolio Holder note of a briefing on Junction 10A held in January 2014.

Since the report to Cabinet and the instigation of the Call-in there had been developments in relation to the full J10A scheme – an announcement had been made that the Highways Agency investment board were to recommend that the full J10A scheme be brought back into the government programme (this has since had ministerial approval).

Having reviewed and debated the report, the O&S noted the following:

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

and decided to refer the Cabinet's decision to full Council for further consideration which should include the following items:-

- independent traffic data
- a report on alternative options for Junction 10A

- a traffic census on the impact of the interim scheme
- details of compulsory purchase
- details of the funding scheme
- full and detailed consultation with affected residents borough-wide (only if a planning application for the interim scheme is submitted)

Council considered the report from the O&S Committee at its meeting in July 2014. The Council had two options when considering the report and its recommendation:–

1. If Council raised no objection to the original Cabinet decision then that decision would be effective from the date of the Council meeting.
2. If Council did object to the original decision, then it should refer it back to Cabinet together with its reasons for objecting. Cabinet would then have to decide whether to amend its decision.

The decision of the Council was to raise no objection to the decision of Cabinet, so therefore original decision stood.

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

### **Budget Scrutiny**

10. The Overview and Scrutiny Committee has a duty to scrutinise the Council's draft Capital and Revenue budget. The Budget Scrutiny Task Group's remit was to ensure that the draft 2015/16 budget was achievable and in line with the Council's 5 year business plan and the priorities for delivering the final two years of that plan (Focus 2013-15: the Corporate Plan and supporting Financial Plans) as adopted by Cabinet in October 2014.
11. By the end of the scrutiny process the Task Group were confident that the Budget was achievable; though there was concern that continued budget reductions posed a risk to service delivery, Council performance and the public's perception of the authority. As the Council became increasingly dependent on New Homes Bonus as a source of revenue, this needed to be used prudently.
12. The Task Group made two recommendations which the main committee supported and relayed to the Cabinet.
13. The Cabinet supported both recommendations which are set out below-
  - It be noted that the Overview and Scrutiny Committee regards the Council's draft 2015/16 Budget as achievable.
  - The Risk Matrix and the risks identified within it, especially those that fall within the shaded part of the Risk Matrix be endorsed.



14. The Budget Scrutiny Task Group was also asked to review the report of Council's Housing Revenue Account (HRA) business plan 2014 – 2044 which was presented to Cabinet in November 2014.
15. The council is required to have a 30 year business plan for the HRA. To support this a 30 year financial model is maintained which forecasts the cash flows for the HRA and allows the long term viability of the service to be modelled and tested. This plan has to be redrawn afresh each year and is updated according to the current outturn for the year.
16. With the help from Officers from Housing and Finance and the support of the Portfolio Holders for Social, Local Needs & Special Care Housing, and Finance, Budget & Resource Management; the Task Group gave careful consideration to the Business Plan report and were satisfied that they could commend the HRA Business Plan 2014 - 2044 to the full Committee and to Cabinet. This recommendation was reported to the Cabinet on 11 June 2015.

### **Fly tipping**

17. Fly tipping: the depositing of controlled waste or knowingly causing/permitting controlled waste to be deposited on or in land unless a waste management licence authorising the deposit is in force or the deposit is in accordance with the licence.
18. The Committee received an overview of the legislation relating to fly tipping. Current issues and considerations for Ashford were discussed including the impact of the new waste management service. The incidence of fly tipping had not increased significantly and the new contract included the automatic removal of small scale fly tipping (up to 2m<sup>3</sup>) from public land.
19. Residents needed to be responsible for managing their own waste and if a disposal contractor was employed it was their responsibility to check the status of that contractor.
20. The Committee considered that the use of covert camera traps could be a useful tool, especially at fly tipping 'hot spots' and recommended the same to Cabinet.

### **Update on the new Waste and Recycling service**

21. In 2012/13 Ashford Borough Council's recycling rate was 12%, resulting in it being at the bottom of Defra's table for that year. In April 2013 the Council entered into a new waste and recycling contract with Biffa (in a partnership arrangement with Swale, Maidstone and KCC). Ashford was the first of the partners to roll out the new service and this commenced in July 2013.
22. In 2013/14 the Council increased its overall recycling rate to 42% (figure for April 2013 – March 2014, included 3 months of Ashford's old service), making it the most improved council for the year and moving it to 33<sup>rd</sup> place in the league table (an improvement of more than 300 places). Figures for the first 12 months since the service began showed a recycling rate of 55% with a high point of 60% in June 2014.

23. The new service moved rubbish collection from a weekly 'black bag' collection, plus a fortnightly recycling 'blue box' collection (of a limited range of recyclables) to a fortnightly, alternate week, recycling/residual waste collection, plus a weekly food waste collection. A paid for green waste collection was also available.
24. The introduction of the new service, which involved a comprehensive communication, advice and education campaign; the delivery of over 200,000 wheeled containers, food bins food caddies and communal bins; a new fleet of service vehicles, and the realignment of collection rounds and associated arrangements; did not go without a hitch and there were challenges, particularly associated with the number of customer enquiries. However, even during the first month the 'right first time' collection rate was 99.4% (representing about 600 missed collections out of 100,000), and it was difficult to determine whether the collection failure was due to contractor error, customer error or both. This rate then settled to between 30 & 40 missed collections per 100,000, a rate of 99.96%.
25. Customer satisfaction with the service has been high and all aspects of the new collection services offered have been successful and supported by Ashford residents. The Council's performance has been the best of the three partner councils. Compared with the arrangements in 2012/13, the new contract package is saving the Council around £500,000 a year. Biffa have been using Ashford as an example of success when pursuing new business.

#### **Annual update from the Community Safety Partnership**

26. At least once a year the O&S Committee operates as the designated Committee responsible for Crime and Disorder issues (under the Police and Justice Act 2006). The annual update report from the Community Safety Partnership about CSP activity in the Borough comes under this designation.
27. In February 2015, the Borough Council's Head of Health, Parking and Community Safety along with Chief Inspector Fox, and the Council's Health Parking and Community Safety Manager, presented the annual report.
28. There was a lot of good news in the report including:
  - a significant drop in reported Anti Social Behaviour incidents which saw a 42% reduction from 2012/13 to 2013/14 – this gave Ashford the lowest number of reported ASB incidents in the county;
  - the Ashford One-Stop-Shop for victims of Domestic Abuse continued to be well used and the Council contributed significant funds to support the work of the Kent Domestic Abuse consortium to provide a Domestic Abuse Coordinator to support the One Stop Shop and delivery of the Freedom programme;
  - the many multi-agency operations that had taken place, for example Cleansweep, which raise awareness of community safety and thus help reduce acquisitive crime.
29. There were also some issues that were still challenging including fly tipping, and road safety. It was noted that the number of Killed & Seriously Injured who are under 16 years old had increased to the extent that Ashford has the

highest number in the county. These were part of the six recommended CSP priorities for 2015/16: Domestic Abuse; Substance Abuse, Anti-social Behaviour and Environmental Crime; Acquisitive Crime; Road safety; Violent Crime.

30. During the discussions about the report there was a lot of support expressed for the CSP acknowledging its hard work and Members were pleased to note:
  - the contribution of the Street Pastors
  - the Fire service's success in terms of fire prevention enabling them to support a wider community safety agenda
  - the important contribution to community safety made by PCSOs – with a request that they be protected from any resource cuts
  - the reduction in anti-social behaviour around St Mary's church since the gate was installed
  - the low levels of crime in the Borough
  - the intention of the CSP to broaden its membership
31. Members also expressed support for Pubwatch; Police and partner activity in relation to legal highs; the focus on fly tipping and use of covert CCTV, and Neighbourhood Watch -combined with the desire for it to be more widely promoted.
32. Some concerns were raised which Members wished the partnership to be made aware of:
  - that the switching off of street lights resulted in people feeling less safe even if the crime figures indicated no increase in crime
  - inconsiderate parking outside schools caused real tension
  - rural crime, particularly burglary and oil theft
  - the importance of giving feedback to victims of crime in terms of action taken
  - any further reduction in Police resources - though partnership working and modernisation of policing practice would help
  - to encourage the removal of graffiti in order to discourage others and enforce the message that graffiti is not tolerated
  - that the partnership be careful not to have too many priorities
33. Members were pleased that there was well established and effective collaboration between the community safety partners which resulted in a very positive 'can do' approach.
34. Members considered that this was an excellent report and wanted it to be drawn to the attention of the wider public to publicise the work of the CSP and the outcomes presented in the report. To this end a recommendation was made to the Cabinet :-

**That the Cabinet promote the 'Community Safety Partnership: an update on the Community Safety Partnership activity in the Borough' report as an excellent example of successful partnership working.**

35. At their subsequent Cabinet meeting, members of the Cabinet were happy to agree and resolve this recommendation. The Chairman of the Cabinet also commented that at a presentation Ann Barnes, the Police Commissioner had

given to Members, she had made the point that Ashford was leading in terms of its partnership work.

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

36. The Overview and Scrutiny Committee sets its own work programme. Future reviews/other items on the Forward Plan include:-
- Quarterly Updates on the ABC Business Plan performance
  - Annual report on Housing Framework
  - Three year review of Mayoralty
  - Council play parks
  - Community Safety Partnership annual update
  - Disabled Adaptations

### **The Future**

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

### **Conclusion**

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

**Contact:** Keith Fearon

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**Agenda Item No:**

**Report To:** Council

**Date:** 16<sup>th</sup> July 2015

**Report Title:** AUDIT COMMITTEE ANNUAL REPORT 2014/15

**Report Author:** Rich Clarke



<b>Summary:</b>	The 2014/15 annual report of activity of the Audit Committee in discharging the responsibilities set out for it in the Council's constitution
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**Key Decision:** No

**Affected Wards:** All

**Recommendations:** That the Council receive and note the Annual Report.

**Policy Overview:** Not Applicable

**Financial Implications:** Not Applicable

**Risk Assessment** No

**Equalities Impact Assessment** No

**Other Implications:** Not Applicable

**Exemptions :**

**Background Papers:** Audit Committee Annual Report 2014/15

**Contacts:** rich.clarke@midkent.gov.uk – Tel: (01233) 330442

**Report Title: Audit Committee Annual Report 2014/15**

**Purpose of the Report**

1. To provide Members with assurance on the work and effectiveness of the Audit Committee.

**Background**

2. The Audit Committee must monitor and obtain assurance on the Council's control environment. The attached report sets out how the Committee has undertaken that task.
3. The internal control environment is the network of systems and controls established to manage the Council and ensure it meets its objectives. It includes financial and other controls, and arrangements for ensuring the Council achieves value for money.
4. In line with best practice the Committee has produced an Annual Report.

**Risk Assessment**

5. Not applicable.

**Equalities Impact Assessment**

6. There are no proposals made in the report that require an equalities impact assessment.

**Other Options Considered**

7. Production of an annual report is considered by CIPFA and others to represent good practice. No other options have been considered.

**Consultation**

8. The Committee has previously been consulted on the format and content of its annual report, and this version follows the conventions established in previous years.

**Implications Assessment**

9. Not Applicable

**Handling**

10. Not Applicable

**Conclusion**

11. Based on the report presented, the Committee is satisfied it operates effectively.

**Portfolio Holder's Views**

12. Not Applicable

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**Audit Committee  
Annual Report 2014/15**



**ASHFORD**  
BOROUGH COUNCIL



## Introduction

The Council established the Audit Committee as a full committee from December 2006. Although there is no statutory obligation for a local authority to have an Audit Committee, they are widely recognised across public and private sectors as a core component of effective governance.

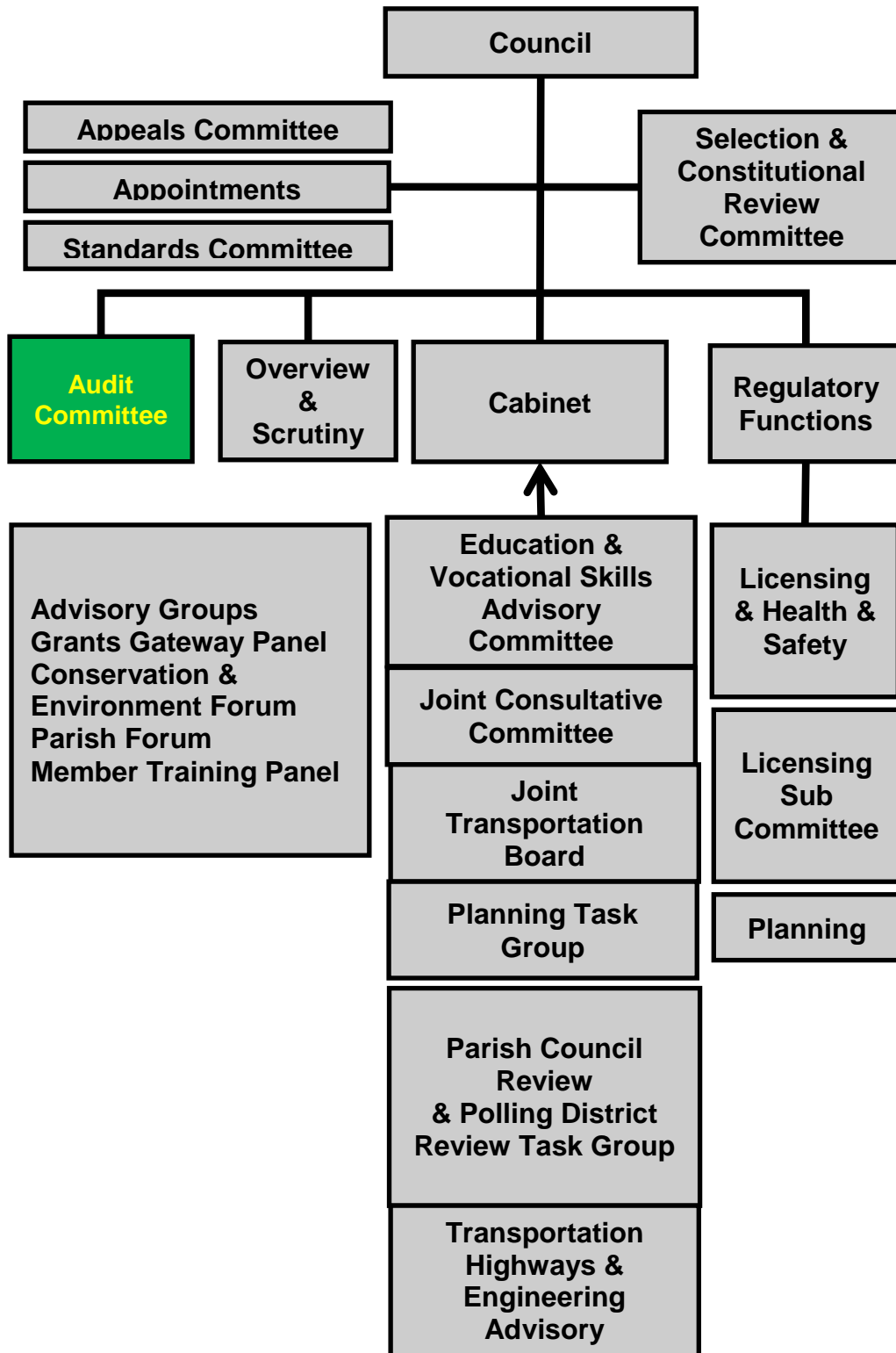
Audit Committees differ from Scrutiny Committees in that the role of scrutiny is to review policy and challenge whether the executive has made the right decisions to deliver policy goals. The Audit Committee, however, exists to provide **independent assurance** of the adequacy of the risk management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

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

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

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

Ashford Borough Council – Committee structure 31 March 2015



## **Terms of reference and responsibilities**

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

### **Audit Activity**

- The Head of Internal Audit's Annual Report and Opinion, and a summary of internal audit activity and the level of assurance it gives.
- The summary of internal audit reports issued in the previous period.
- Reports on the management and performance of the Audit Partnership Agreement.
- Reports from the Head of Internal Audit on agreed recommendations not implemented within a reasonable timescale.
- The External Auditor's Annual Management Letter and relevant reports.
- Any detailed responses to the External Auditor's Annual Letter.
- Specific reports as agreed with the External Auditor.
- The scope and depth of external audit work and to ensure it gives value for money.
- Liaison with the Audit Commission<sup>1</sup> on appointment of the Council's External Auditor.
- The commissioning of work from internal and external audit.

### **Regulatory Framework/Risk Management**

- An overview of the Constitution on Contract Procedures and Financial Regulations.
- The effective development and operation of financial management, risk management and those elements of corporate governance within the remit of the Audit Committee.
- Council policies on "raising concerns at work" i.e. whistle-blowing in the context of the Anti-Fraud and Anti-Corruption Strategy and the Council's complaints process.
- To recommend the Authority's Annual Governance Statement for approval to the Executive. (Minute No. 531/5/10).
- The Council's compliance with its own and other financial standards and controls.
- The External Auditor's report on issues arising from the Audit of the Accounts.

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<sup>1</sup> The Audit Commission was abolished on 31 March 2015, and this responsibility passed to PSAA Ltd

- The ability to refer matters to the Overview and Scrutiny Committee for their consideration (Minute No. 62/6/09)<sup>2</sup>.

### **Delegations**

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

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<sup>2</sup> Similarly, the Overview and Scrutiny Committee may refer matters to the Audit Committee

## Membership

The Audit Committee comprises of eight members and met four times during the municipal year 2014/15. Committee agenda papers and minutes are available on the Council's website [www.ashford.gov.uk](http://www.ashford.gov.uk)

### 2014/15 Audit Committee Members

**Cllr Clokie  
Chairman**



**Cllr Link  
Vice Chairman**



**Cllr Marriot  
(member until 9/14)**



**Cllr Michael**



**Cllr Smith**



**Cllr Buchanan**



**Cllr Shorter**



**Cllr Yeo  
(member until 3/15)**



**Cllr Sims  
(member from  
12/14)**



**Cllr Britcher  
(member from  
3/15)**



## Committee Attendance 2014/15

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

Member/Officer	26 Jun 14	25 Sep 14	2 Dec 14	3 Mar 15
<b><u>Audit Committee Members</u></b>				
Cllr Clokie (Chairman)	Present	Present	Present	Present
Cllr Link (Vice Chairman)	Present	Apologies	Apologies	Present
Cllr Marriott (until 9/14)	Present	-	-	-
Cllr Michael	Present	Present	Substituted	Substituted
Cllr Smith	Present	Apologies	Present	Present
Cllr Buchanan	Apologies	Present	Apologies	Present
Cllr Shorter	Apologies	Absent	Substituted	Present
Cllr Yeo (until 3/15)	Substituted	Present	Present	-
Cllr Sims (from 12/14)	-	-	Present	Present
Cllr Britcher (from 3/15)	-	-	-	Apologies
<b><u>Substitute Members</u></b>				
Cllr Chilton (for Cllr Yeo)	Present	-	-	-
Cllr Mrs Dyer (for Cons. vacancy)	-	Present	-	-
Cllr Davey (for Cllr Michael)	-	-	Present	Present
Cllr Galpin (for Cllr Shorter)			Present	-
<b><u>Other Members</u></b>				
Cllr Galpin	Present	Present	(sub, above)	Present
<b><u>Officers</u></b>				
Deputy Chief Executive	Present	Present	Apologies	Present
Head of Audit Partnership	Present	Present	Present	Present
Head of Personnel & Development	Present	-	-	-
Audit Partnership Manager	Present	Present	Present	Present
Head of Finance	-	Present	Present	Present
Finance Manager	Present	-	-	-
Principal Accountant	-	Present	-	Present
Policy & Performance Manager	Present	-	-	Present
Investigations Manager	Present	-	-	-
Senior Auditor	Present	-	-	-
Funding & Partnerships Officer	Present	Present	Present	-
Senior Member Services Officer	Present	Present	Present	Present
<b><u>External Audit (Grant Thornton)</u></b>				
Andy Mack	Present	Present	-	-
Lisa Robertson	Present	-	Present	Present

Emily Hill	-	-	Present	Present
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**The Committee completed the following programme during 2014/15**

<b>Issue</b>	<b>26 Jun 14</b>	<b>25 Sep 14</b>	<b>2 Dec 14</b>	<b>3 Mar 15</b>
<b><u>Internal Audit Activity</u></b>				
Internal Audit Annual Report 2013/14	X	-	-	-
Reporting Refresh 2014/15	X	-	-	-
Internal Audit Interim Report	-	-	X	-
Internal Audit Plan 2015-2019	-	-	-	X
Internal Audit Charter 2015/16	-	-	-	X
<b><u>External Audit Activity</u></b>				
Letter of Assurance 2013/14	X	-	-	-
Work Programme & Fees 2014/15	X	-	-	-
Auditor's Findings Report 2013/14	-	X	-	-
Annual Audit Letter 2013/14	-	-	X	-
Progress Report	-	-	X	X
Certification of Grant Claims 2013/14	-	-	-	X
<b><u>Regularity Framework/Internal Control Arrangements</u></b>				
Audit Committee Report 2013/14	X	-	-	-
Annual Governance Statement 2013/14	X	-	-	-
Anti-Fraud & Corruption Policies	X	-	-	-
Annual Fraud Report 2013/14	X	-	-	-
AGS: Progress on Remedial Action	-	X	X	X
Strategic Risk Management Update	-	X	-	X
Consultation on Public Audit	-	X	-	-
<b><u>Accounts</u></b>				
Statement of Accounts 2013/14	-	X	-	-
Accounting Policies 2014/15	-	-	-	X

The Committee has also sought to maintain and update its knowledge by commissioning a series of briefings on areas of current interest, taking place immediately before each meeting and open to all Members. During 2014/15 these briefings covered:

- Risk Management (June 2014)
- Business Rates Localisation and Appeals (September 2014)
- Procurement (December 2014)
- Counter Fraud (March 2015)



## Assurance

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

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

This has been achieved by:

- Receiving progress reports on Strategic risk areas, considering progress on individual risks;
- Receiving progress reports on internal and external audit issues.

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

This has been achieved by:

- Considering the review of internal control for 2013/14 and agreeing the significant issues to be included in the Council's Annual Assurance Statement for 2013/14
- Approving the Authority's Annual Governance Statement for 2013/14 and the action plan to address significant improvements. These were incorporated into the Improvement Plan and actions have been monitored by the Committee throughout the year;
- Received and considered the Annual Fraud report

### **Audit Activity**

- **Approve (but not direct) Internal Audit's strategy and plan and monitor performance**
- **Review summary Internal Audit reports where they've received a 'limited' or 'minimal' assurance and seek assurances that action has been taken where necessary**
- **Receive the annual report of the Head of Internal Audit Partnership.**
- **Consider the reports of external audit and inspection agencies**
- **Ensure there are effective relationships between internal and external audit, and inspection agencies**

### **Internal Audit**

The Committee has:

- Received and considered the Head of Internal Audit Partnership's Annual Report for 2013/2014, including the opinion on the Authority's control environment which was incorporated into the Annual Governance Statement;
- Received reports on the Internal Audit team's progress against the Plan;
- Received reports setting out the position regarding the agreement of audit reports and the assurance opinions provided for each review area;
- Received a report from an external assessor to provide assurance that Internal Audit comply with Public Sector Internal Audit Standards (PSIAS)
- Considered and agreed the Internal Audit Annual Plan for 2015-2018
- Reviewed the refreshed internal audit reporting framework.

### **External Audit**

The Committee has:

- Received and commented upon the Annual Audit Letter for 2013/14,
- Considered and commented upon the Audit Plan for 2014/15;
- Considered and commented upon the certification of grant claim report for 2013/14;

- Received progress reports on the action taken in response to external audit recommendations via the corporate improvement reports.

<b>Accounts</b>
<ul style="list-style-type: none"><li>• <b>Review the financial statements, external auditor's opinion and reports to members, and monitor management action in response to the issues raised by external audit</b></li></ul>

The Committee has sought assurance by:

- Considering changes both to the format of the Accounts and the accounting policies used to prepare the accounts;
- Approving the Statement of Accounts for 2013/14;
- Receiving and considering the Annual Governance Report 2013/14, and agreeing the signing of the letter of representation by the Chairman of the Audit Committee, Deputy Chief Executive and the Leader of the Council;

### **Review of the Audit Committee's Effectiveness**

In partnership with its External Auditors, and with the support of Officers, the Audit Committee has provided robust and effective independent assurance to the Council on a wide range of risk, governance and internal control issues. It is concluded therefore, that the Audit Committee can demonstrate that it has appropriately and effectively fulfilled its duties for 2014/15.