

## **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 be 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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