

Ashford Borough Council

Minutes of a Meeting of the Ashford Borough Council held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **10th December 2015**.

Present:

Her Worshipful the Mayor, Cllr. Mrs G A Dyer (Chairman);

Cllrs. Apps, Barrett, Bartlett, Mrs Bell, Bell, Bennett, Mrs Blanford, Bradford, Britcher, Buchanan, Burgess, Chilton, Clarkson, Clokie, Farrell, Feacey, Galpin, Heyes, Mrs Heyes, Hicks, A Howard, W Howard, Koowaree, Krause, Link, Miss Martin, Mrs Martin, Ovenden, Pickering, Powell, Shorter, Sims, Smith, Waters, Mrs Webb, Wedgbury, White.

Also Present:

Chief Executive, Deputy Chief Executive, Head of Legal and Democratic Services, Corporate Director - Operations, Head of Finance, Head of Planning & Development, Head of Cultural & Project Services, Principal Solicitor for Property & Projects, Senior Member Services and Scrutiny Support Officer.

Prior to the commencement of the meeting The Reverend Catherine Wilson said prayers.

Apologies:

Cllrs. Aaby, Dehnel, Knowles, Michael, Murphy.

258 Exempt or Confidential Information

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

259 Declarations of Interest

Councillor	Interest	Minute No.
Britcher	Made a 'Voluntary Announcement' as a member of the core group of Kennington Community Forum.	264, 266, 268
Clarkson	Announced an Other Significant Interest as a Director of the 'A Better Choice for Property' Company and he would leave the Council Chamber during consideration of the TEB Minutes.	262 – (Cabinet Minute Number 242)
Shorter	Made a 'Voluntary Announcement' as a Director of Kent Play Clubs and the 'A Better Choice for Building Consultancy' Company.	262
Smith	Made a 'Voluntary Announcement' as Treasurer of the South Willesborough & Newtown Community Group	264, 266, 268

260 Minutes

Resolved:

That the Minutes of the Meeting of the Council held on the 15th October 2015 be approved and confirmed as a correct record.

261 Announcements

(a) Christmas Refreshments

The Mayor advised that as this was the last Full Council meeting before Christmas there would be refreshments in Committee Rooms 1 and 2 after the meeting. Both Members of the Council and members of the public would be very welcome to join her afterwards.

(b) Rotary Ramble

The Mayor also said that the Rotary Ramble which had been held to support the Mayor's Charities had raised nearly £700. She wanted to thank those Members who had taken part or supported the event by donating.

(c) Burns Night

The Mayor advised that she was hosting a Burns Night event and said it would be really nice to get perhaps a table of Councillors attending. It would be on the 23rd January 2016 at London Beach Hotel in aid of the Mayor's Charities - Pilgrims Hospice and Find a Voice. They would have all of the traditional accoutrements of a Burns Night including a piper, a poet and a ceilidh band and it would be a fun evening so she hoped Members would consider attending.

(d) Leader of the Council

The Leader said that as 2015 drew to a close he wanted to reflect on some of the significant achievements and developments that had been seen in the Borough over the last 12 months and to take a few minutes to touch on some of the projects they would see coming to fruition in 2016.

He said that at the turn of the year Ashford was once again named within the top 50 places to live in the UK. An independent national survey placed Ashford 38th best place to live in the UK and this was the fourth time in the last five years that Ashford had been so included. Following this, the results of another independent survey showed that Ashford was the best location for business in Kent. There had also been a residents' survey which indicated that nine out of ten residents were satisfied with the local area as a place to live whilst eight out of ten indicated that they were satisfied with how the Borough Council ran things. Whilst not being complacent he also thought this was reflected in the 2015 Elections.

He advised that the summer had seen a number of significant events with the opening of Conningbrook Lakes Country Park, the National Tourism Symposium and the annual Create Music Festival which celebrated its 20th anniversary. The beautiful Conningbrook Lakes Country Park opened in May and had already proved a hit with

families, walkers, cyclists and water sports clubs and it was really a wonderful facility to explore and enjoy. Whilst there was more to do there, it was already a jewel in Ashford's crown. They had also been delighted to host the National Tourism Symposium at Eastwell Manor in early June which had been organised by Visit Kent and the National Tourism Society. It enabled Ashford to showcase its diverse leisure and business tourism offer. Tourism was worth £270m to the local economy and with nearly 4.2m visitors coming through the Borough each year this was quite significant and supported 5296 tourism related jobs locally. At the Symposium they had been able to announce the new Wine Trail, developed with Chapel Down Winery, which took in the Borough's award winning vineyards at Chapel Down, Biddenden, Gusbourne Estate and the Old Dairy Brewery, in addition to a few smaller but equally important high end wine producers. This was another example of the Council working with local businesses to develop and deliver meaningful projects to connect residents and visitors to the Borough. When it was considered that Cardiff hosted the National Symposium in 2013, Liverpool in 2014 and next year's event would be held in Birmingham, Ashford was clearly punching well above its weight. At the end of July the annual Create Festival had celebrated its 20th Anniversary. Over the years the festival had grown significantly, becoming one the largest free music festivals in the South East of England. This year they had hosted four live music stages of both local and headline acts with a range of other entertainment filling one big day in Victoria Park and despite the weather the event had again been a big success.

A great deal of attention had been focussed on the re-invigoration of the Town Centre and there had certainly been some significant progress, albeit there was still more to do. Two articles in the Kentish Express today had re-enforced what could be done if the Council stepped in and made things happen. Empty shops were filling quite quickly now and this was reflected in the increased footfall and the positive response from traders and the public alike. The Council approved plans to expand the Ashford Designer Outlet Centre, with nearly 40 new stores and six restaurants planned as well as the creation of up to an additional 700 new jobs. This would transform it into one of the UK's premier outlet centres including the best names in designer fashion, enhancing the whole shopping experience and providing stronger links with the town centre and the International Station. In addition, plans for a new town centre boutique cinema, hotel and restaurants at Elwick Place were due to be considered by the Planning Committee the following week. The construction of Ashford College was now underway, the purchase of Park Mall shopping centre was breathing new life in to the area and plans to develop the Commercial Quarter were all now moving forward. The building of the first office block there would start next year.

The Council had purchased International House last year and this had proved a very good decision, both in terms of driving Ashford's economy forward and the financial income being generated. Work on the first stage of the new public realm around International House and Dover Place was now complete along with the Ashlon sculpture. This was the start of creating a new sense of place, forming an attractive first impression of the town and a delightful approach up from Ashford International Station.

Turning to the year ahead the Leader said that recent proposals such as the Chapel Down Brewery, the International Dark Skies Designation, the Ashford International Model Railway Education Centre as well as the progress being made on many of the Big 8 Projects, he was sure that colleagues would agree that they would be in for another interesting year ahead.

Finally, given that this was the final Full Council meeting for this calendar year he wanted to thank the Council's staff for the very significant contribution they had made to the wellbeing of this Borough. He also wanted to wish all colleagues and the people of Ashford a Merry Christmas and a Happy New Year.

262 Cabinet – 12th November 2015

The report of the Head of Legal and Democratic Services, which had been tabled, clarified the procedure for consideration of the Cabinet minutes.

(a) Cabinet – 12th November 2015

Resolved:

- That (i) **the Minutes of the Meeting of the Cabinet held on the 12th November 2015 be received and noted with the exception of Minute No. 201.**
- (ii) **Minute No. 201 be approved and adopted.**

(b) Cabinet 3rd December 2015

Resolved:

That subject to the expiry of the period by which decisions arising from the Meeting of the Cabinet held on the 3rd December 2015 may be called in, i.e. 16th December 2015: -

- (i) **the Minutes of the Meeting of the Cabinet held on the 3rd December 2015 be received and noted with the exception of Minute Nos. 237, 238, 239, 240, 242, and 247.**
- (ii) **Minute Nos. 237, 238, 239, 240, 242, and 247 be approved and adopted.**

263 Audit Committee – 1st December 2015

Resolved:

That the Minutes of the Meeting of the Audit Committee held on the 1st December 2015 be received and noted.

264 Selection & Constitutional Review Committee – 3rd December 2015

The Mayor drew the Council's attention to the Addendum Paper which included the final full recommendations of the Selection & Constitutional Review Committee on the Community Governance Review, views submitted by Councillor Michael on the Minute dealing with Community Governance, comments from Mr John Rivers – President of the Ashford Branch of the Kent Association of Local Councils and comments from two members of the public, Mr Newson and Mr Goodwin. Also

included were documents which Councillor Sims wished to refer to when he spoke on the issue.

Resolved:

That the Minutes of the Meeting of the Selection & Constitutional Review Committee held on the 3rd December 2015 be approved and adopted with the exception of Minute No. 231.

265 Committee of the Whole Council

Councillor Sims proposed that “General Procedure Rule 12 (r) be applied and the meeting become a Committee of the Council.” This was seconded, put to the vote and carried.

Resolved:

That the meeting become a Committee of the Council in accordance with General Procedure Rule 12 (r).

266 Minute No. 231 – Community Governance Review Recommendations

In accordance with Procedure Rule 9.3 Mr Morley, Chairman of Kennington Community Forum (KCF), spoke on this item. He said he would like to raise some points related to the Community Governance Review (CGR). Kennington’s campaign for a Community Council dated back to 2006 when ABC formalised the current Forum boundaries and stated in its Constitution that a move towards Parish Council status in the future would be seen as a natural and positive progression. He was encouraged to think that ABC continued to support this view. National governments of all parties from 2007 had recognised the need for local communities to have a stronger voice in the management of their affairs. This was evidenced by recent legislation and Government statements supporting this policy. Comments had been made in social media and the local press about the permanence of Community Councils and that a decision in favour would last forever. He said that Parish and Community Councils would be no more or less permanent than any other form of Local Government. Similarly statements had been made that the precepting powers would result in a ‘stealth tax’ that would raise the Council Tax demand, but the precepting powers would be no different to any other existing rural parish or edge of town areas that were also part of a Parish Council. He considered it would be very wrong to deny the benefits of a Community Council to those residents of currently unparished areas who had voted in favour, whilst at the same time permitting those rights in other parts of the Borough. In February 2015 residents of the KCF area had petitioned for an independent Community Council for Kennington with 1090 valid signatures representing over 13% of electors (significantly exceeding the 10% then required to trigger a CGR). The subsequent ballot had secured 1522 votes in favour, which was a majority of those voting in the ballot and showed a marked increase in the number of residents in favour since the start of the CGR process. Having accepted the petition and received the results of the ballot, he urged Councillors to accept the views of residents and the recommendations of the Selection & Constitutional Review Committee to approve the formation of a Community Council for Kennington.

In accordance with Procedure Rule 9.3 Mr Rivers, President of the Ashford Branch of the Kent Association of Local Councils (KALC) spoke on this item. He advised that KALC was a membership organisation for Local Councils (Parish, Town, Community Councils and Parish Meetings) in Kent and Medway. Local Councils, i.e. Parish, Town and Community Councils were statutory bodies and were the first tier of Local Government in England and the closest to their local communities. They served electorates ranging from small rural communities to towns and small cities; all were independently elected and raised a precept – a form of Council Tax – from the local community. He said they had an important role to play in the development of their local communities. They worked towards improving community wellbeing and providing better services at a local level. Their activities fell into three main categories: - representing the local community; delivering services to meet local needs; and striving to improve quality of life and community wellbeing. Through an extensive range of discretionary powers Local Councils provided and maintained a variety of important and visible local services including: - allotments; bridleways; burial grounds; bus shelters; car parks; commons and open spaces; community transport schemes; community safety and crime reduction measures; events and festivals; footpaths; leisure and sports facilities; litter bins; public toilets; planning; street cleaning and lighting; tourism activities; traffic calming measures; village greens and youth projects. These existing powers were recently strengthened by powers contained in the Localism Act. Nationally, there were over 10,000 Local Councils in existence. 250 new Councils had been established in the last 13 years and there was a national drive to create new Local Councils. The Department for Communities and Local Government (DCLG) introduced legislation earlier this year to make it easier to create new Local Councils by reducing the threshold to trigger a Community Governance Review from 10% to 7.5% and by speeding up the review process to 12 months. Under section 94(2) of the Local Government and Public Involvement Act 2007 it stated that “If the Parish has 1,000 or more Local Government electors, the review must recommend that the Parish should have a council.” Whilst this only applied if the Borough Council decided to parish the area, he considered it did give a strong guide as to what was intended under the 2007 Act. Mr Rivers said that another clear example of the Government’s position on this important issue was that they introduced a £1m New Councils Programme, over the last three financial years, to support the creation of new Parish Councils in previously unparished areas. There were currently 149 areas that were considering starting campaigns, or were actively campaigning, for Parish Councils in England. DCLG and the National Association of Local Councils had funded 46 areas to campaign for new Parish Councils in previously unparished areas since the start of the New Councils’ Programme in September 2013. This included the five Ashford areas of Kennington, South Willesborough and Newtown, North Willesborough, Central Ashford and South Ashford. Within Kent and Medway there were currently 302 Local Councils – 316 if you included Parish Meetings and two new Councils were created in the county during 2015 - Westgate-on-Sea Town Council and Badgers Mount Parish Council. Some residents had raised concerns over the cost of having a Community Council to represent their community and the introduction of another tier of local Government but having a Local Council would give communities more control over the decisions affecting their local area.

At this point, having exceeded the maximum time allowed for public speakers, the Mayor advised that Members had received a full copy of Mr Rivers’ speech so were aware of the rest of what he wanted to say in support of the concept of Community Councils.

The debate was opened up to Members and a summary of the points raised is shown below: -

- Councillor Heyes said he was totally opposed to the setting up of Community Councils in Kennington and South Willesborough and Newtown as he said they had no obligatory service provision powers and no more rights than any individual. Statistics showed that an average of only 17% of seats on such Councils were contested and often the candidate numbers were less than the total available. ABC's politically balanced Local Government & Polling District Task Group, following a well-informed and vigorous debate on this subject, recommended that no Community Councils be set up in Ashford. He asked why set up a Task Group and then ignore its conclusions? In the run up to the ballot he considered that the literature produced and distributed to the Kennington Community Forum had been both biased and fallacious. He therefore believed the result of the ballot were flawed as only the pro lobby campaign obtained funds from the tax payer to propagate their side of the issue, whilst no funding was allocated to those against, which in his view was totally against democratic principles. This may have invalidated the ballot and opened the result up to legal challenge. He asked if the many thousands of residents in Kennington and South Willesborough & Newtown really wanted to pay a precept for another level of Local Government that was virtually powerless. The idea of Community Councils was an idea originally put forward by the last Labour Government and he wondered why a Conservative led Authority was seemingly not trying to prevent local tax payers being burdened in such a manner and he urged colleagues to vote against the setting up of Community Councils in Kennington and South Willesborough & Newtown.
- Councillor Feacey said that as the owner of a small business he had always rallied against red tape, bureaucracy, quangos, extra tiers of Local Government and higher taxes and he considered this measure managed to tick all of the above. As a result of the inaccuracies put out in the literature and with only one side of the argument presented, residents were not given the information to make an informed judgment. This is why the Task Group had voted not to allow urban parishing in Ashford. He had been proud that ABC had always worked hard to offer residents good value for money and to keep the Council Tax to a minimum, but this would just be another tax to burden residents with. The fact remained that nobody really knew how much this was all going to cost and once this was done there would be no going back and he found he could not support this measure and would urge all colleagues to reject the recommendations.
- Councillor Smith said when he moved to South Willesborough in 1983 the local Community Group had been collecting funds to apply for Parish status, but those funds had been used to support residents when the High Speed Rail Line had been proposed for the area and they had never had the resources to do it since. The DCLG CGR process had now afforded that ability. The petition calling for a review had been signed by 15.2% of residents and had been the highest of the five areas. The democratic ballot had produced a 26.3% turnout, not unusual for a Local Government Election, and a 54.6% vote in favour and democracy and a first past the post system was based on "a majority of those voting". Comments about it being a Labour

Government policy failed to take into account that it had been supported by both the Conservative dominated coalition and the current Conservative Government, even at a time of economic cutbacks. He asked Members to accept the decision of local residents and allow Community Councils for both Kennington and South Willesborough & Newtown.

- Councillor Sims said reference to a first past the post system was misleading as the ballot was never meant to be a simple first past the post ballot. The Council's media release put out by the Deputy Leader on behalf of the Task Group stated that other factors such as turnout and conduct of the campaigns would be taken into account when the ballot results were assessed and a recommendation would then be made on how to proceed. The politically balanced Task Group had a thorough and lengthy debate and came to the decision that urban parishing should be rejected for the Ashford Borough. The Task Group debate had lasted two hours. It was not a quick or rash decision and the debate had considered details of the campaigns in all of the urban areas. He said that the Task Group had heard about the literature produced, which he considered biased. He said that the literature had not been widely distributed in all of the five areas of Kennington and wondered how people could have been asked to come to a decision on something they did not know about. The Task Group had also been made aware of the "Kennington News" as far back as September, saying that ABC had decided they were in favour of parishing when that is what they were there to decide tonight. He wondered how the Editor could have so totally misunderstood ABC's position on parishing. Councillor Sims said that these were merely some of the issues which had led the Task Group to recommend no to urban parishing. He urged all colleagues to remember that a yes vote was actually condoning treating residents as children, not allowing them to have all the facts. If colleagues thought that such practice was not acceptable then he expected them to vote no tonight and show there was an open and honest democracy underpinning ABC's decisions. He said he had no objection to the principle of parishing but he was passionate about treating the electorate fairly and as adults and giving them balanced information when they were being asked to vote on an issue that would change everybody's lives.
- Councillor Buchanan said that he represented Bybrook which was one the areas affected by the proposals for Kennington and he had not had a single resident contact him about this issue either way. So, bearing in mind that a noticeable precept was going to be levied on these people and the bodies were likely to be in place for at least a generation, this was surprising. It had been made very clear that the results of the ballot were merely for information it was merely a survey not a 'first past the post' referendum and it was not binding. The resulting slight majority in Kennington (53% on a very low turnout) was now being seen as a democratic mandate but he argued that if that was going to be the case it should have been clearly defined from the start. He was not against parishing in principle but with the increase in Council Tax this would bring and its permanence, there seemed to be a lack of interest amongst his residents and he thought it should be considered further.
- Councillor Koowaree said he had seconded the motion at the Selection & Constitutional Review Committee because as a Councillor for 30 years he had always believed in listening to the results of any consultation and obeying what the majority of people wanted. He would therefore be supporting the

recommendation again. The issue had been debated at length with all viewpoints listened to and considered, but in the end those areas who had said yes to Parish Councils were being allowed to have them and those who had said no were also being respected. Community Forums had been supported in the past to give local people a voice and he said he could not understand where all the suggestions of expense to the Borough Council had come from.

- Councillor Shorter said he had lived in Parished areas all of his life and he saw a lot of benefits for the wellbeing of those local communities, by being more engaged and involved in their local area. He therefore leaned to what Mr Rivers was saying in his speech and submission about the promotion and extension of parishing. He had undertaken some research in response to some of the concern about potentially excessive precepting and Kingsnorth (an area with in excess of 4000 Band D equivalent properties) had a precept in the order of £16 per household in 2012/13 and for that they were getting a very good Parish Council service and general benefits for the community. That was increased to £23 in 2013/14 particularly to enable the Parish to extend its community hall pavilion and support local play facilities. Once that money had been achieved for the capital items it had been stated that the precept would return to in the order of £16 subject to inflation. A larger area such as Tenterden had a precept in the order of £90 but they were distinctly different with a Town Council and a lot more facilities to manage and sustain so that was not comparable with the sort of Council envisaged here. Precepts in the order of £20 would be far more likely than the £90 some were suggesting. He therefore thought parishing would give these communities the opportunities to utilise the ideals of Localism, ownership and community.
- Councillor Chilton said that his Group believed that decisions were best made by the people closest to them. The existing urban forum model appeared to be undemocratic with a number of people who had never been elected, so in principle they supported the idea of creating Community Councils in the urban area. If it was good enough for the rural areas it was good enough for the urban areas and there should not be one rule for one and one rule for another. They wanted to congratulate the Officers for the work they had done managing the whole process. He said an email had been circulated to all Councillors earlier in the week by Councillor Sims and he wanted to refer to some of the comments in that email and those made this evening. It was true that the Labour Government had put this process in motion, but it was still Conservative Party Policy as it had not been repealed by either the Coalition or current Conservative Government and was actually being actively encouraged, so he thought it was astonishing to see Conservative Members attacking their own party policy. With regard to the ballot itself, there had been complaints about a low turnout but people could not be forced to turn out and vote, a majority was a majority, and if the results were to be challenged because of a low turnout he could think of a few local election results he would like to challenge! We lived under a 'first past the post' system so this was a wholly ridiculous argument. Turning to the points made about precepting, Councillor Chilton said that historically the Forums had to be subsidised because they had no income of their own, so allowing those who had voted in favour to be created would make them financially independent, financially responsible and answerable to their electorate. They also currently had no statutory powers but he knew that Members had found the support of

Parish Councils, particularly on planning matters, extremely helpful. He personally came from an Urban Parish in Stanhope which had one of the lowest precepts in the Borough. Urban Parishes already existed in the form of Stanhope, parts of Kingsnorth and Great Chart with Singleton and they worked very well and could do a tremendous amount of good in the community. They were very different to rural parishes but they could support community assets, provide funding for community groups and manage facilities, so to reject the idea of urban parishing was to reject that tier of democracy entirely. He thanked the Leader for allowing a free vote on this issue which had been a necessity as the Administration was bitterly divided over this issue. The issue of Cabinet responsibility was also an interesting one as he had always understood that this meant you shared the view of the Administration and it would be interesting to see how Members of the Cabinet voted on this issue, which was a Policy of the Conservatives in the election campaign. He found it astonishing that Members from areas who had voted in favour of a Community Council were standing against the will of those people as this was totally against democratic principles.

- Councillor Mrs Martin said she was the only one at the Selection & Constitutional Review Committee to speak and object to this proposal. Historically this had been a Labour Party policy and the Conservative Government had decided to abolish forums but giving them the choice to either become Parish Councils or disband, so a vote against this was not a vote against Conservative Party policy. Councillor Mrs Martin did not want to re-iterate her previous legitimate comments but did want to say that this was a consultation not a binding ballot and this had been emphasised by the Council throughout. Those speaking in objection tonight were not against Parish Councils, they simply wanted the matter to be referred back to the Task Group for more consideration. Parish Councils did a lot of good and historically were the most democratically accountable bodies and an example that others subsequently followed, but the proposed Urban Community Councils were different as the Ashford Urban area was a relatively small and concentrated one and too much money and Council resource had already been put in to these unelected urban forums.
- Councillor Galpin said he would like to take the opportunity to thank the Officers and the Members of the Task Group for their hard work. His own view was that voters were adults and therefore they should be treated as such and their views be respected. The ballot, whether you wanted to call it a ballot or a survey, should be listened to and the two areas that wanted a Parish Council should be accepted and the three areas that didn't should also be respected, otherwise, what was the point? It seemed very hard to argue otherwise. He said that a town wide poll result had also been mentioned but this was fallacious as it was very much a topical poll with the five specific areas all being asked to come up with their own result. It had also been suggested that the result had been skewed because state funding had been allocated to the 'yes' campaign, but if there had been a significant grass roots opposition then he considered they should have mobilised themselves to create a 'no' group. Members on the whole, and certainly the Council had remained impartial throughout. Parish Councils were democratically elected bodies which were answerable to the electorate and he urged Members to support the recommendations.

- Councillor Clokie said that a body of elected people in a Parish area did provide a representative local voice for their community, and were often easier to contact than even a local Ward Councillor. They were able to provide and maintain local facilities and were happy to do so. The crux of the matter was that if you asked a group of people a question, those who responded were those who were interested in giving their opinion. Those who did not vote were quite happy to go with the flow. In this particular case he would not want a democratically elected body, many of whose Members were elected on small turnouts and with small majorities, becoming a laughing stock by ignoring the wishes of local people if they didn't like the results.
- Councillor Barrett referred to suggestions about the permanence of Parish Councils if they were created and he asked if Officers could recall an instance in the Borough of Ashford where a Parish Council had been disbanded. The Head of Legal & Democratic Services said that in the time he could remember, the last 35 years or so, the answer was no. There was some suggestion from the floor that the last one was Kennington in 1932.
- Councillor Bell said that as Chairman of the Local Government & Polling Districts Task Group he wanted to thank the Officers for all their time and effort. The Task Group had worked hard and views had been varied. It was true to say that it was never intended for the ballot to be binding and other factors were always going to be taken in to account, however just because it wasn't binding did not mean it should be ignored. Ballots, because of their democratic nature, sent an awfully strong message once they were held and you had to be very certain of your position if you were to go against them. He said that additional factors to consider were that the issue was pretty much in line with Government policy and if urban parishing didn't happen this time around it would come back in a couple of years and there was also a worry that proposals could come back as an Ashford Town Council, which did not appear to be complementary to the work Ashford Borough Council was currently doing. He therefore urged Members to support Community Councils in the two proposed areas.
- Councillor Clarkson said that it had been an interesting debate. Having listened to what had been said and having read all of the paperwork it was clear that there were conflicting opinions. He had also read through the relevant guidance and legislation and whilst the Act had been brought in by a Labour Government in 2010 it had been changed under the Conservative led Coalition to make it even easier for Groups to form Community Councils which was the clear intent of the Conservative Government under the Localism Act. He understood that the ballot was not binding, or even necessary, but there was little point in holding a ballot and then complaining about the result or turnout. The average turnout in ABC Ward Elections was little different to this ballot. Suggestions about an additional level of taxation were misleading because that tier was already there with Parish Councils. Whilst he supported the Government's efforts to create Parish Councils, he also recognised the strength of feeling for those who did not want such Councils and their views should be respected, as should those of the areas who had voted in favour. The Task Group in exercising their judgment chose not to accept the ballot result or the Officer's recommendations, but in doing so was going against the will of the 1596 residents in the two areas that voted yes. The Selection & Constitutional Review Committee had been virtually

unanimous in support of the recommendations before the Council this evening, with only one Member against. He believed that supporting the will of the majority of people in the affected areas was the just and democratic approach. He said this was a decision for Full Council, unfettered by any Party Whipping, and should be respected whatever the outcome.

Recommended:

- That (i) **the consultation responses received and the guidance issued by the Secretary of State contained at Appendix 2 to the report be received and noted.**
- (ii) **Part One of the draft Final Recommendations of the Community Governance Review, in relation to the “Existing Parishes” proposed by the Task Group as set out in the Addendum Paper be approved.**
- (iii) **Part Two of the draft Final Recommendations of the Community Governance Review, in relation to the “Currently Unparished Areas”, as set out in the Addendum Paper be approved.**

267 Meeting of the Council

The Leader of the Council proposed that “General Procedure Rule 12(s) be applied and the meeting of the Council be resumed”. This was seconded, put to the vote and carried.

Resolved:

That the meeting of the Council be resumed in accordance with General Procedure Rule 12 (s).

268 Minutes of the Committee of the Whole Council

The Leader of the Council proposed that “the recommendations of the Committee of the Whole Council as contained in Minute No. 266 be approved”. This was seconded.

In accordance with Procedure Rule 15.4 Councillor Clarkson asked that a recorded vote be taken on the recommendations of the Committee of the Council.

This was supported by at least six other Members (i.e. a total of at least seven) who showed their support by standing.

A recorded vote was then taken on Minute No. 266 and the Members voted as follows: -

For: Councillors Apps, Bartlett, Bell, Bennett, Mrs Blanford, Bradford, Britcher, Burgess, Chilton, Clarkson, Clokie, Mrs Dyer, Farrell, Galpin, Hicks, A Howard, W Howard, Koowaree, Krause, Link, Ovenden, Pickering, Powell, Shorter, Smith, Waters.

Votes For - 26

Against: Councillors Barrett, Mrs Bell, Buchanan, Feacey, Heyes, Mrs Heyes, Miss Martin, Mrs Martin, Sims, Mrs Webb, Wedgbury.

Votes Against - 11

Abstentions: Councillor White.

Abstentions - 1

Resolved:

That the recommendations of the Committee of the Whole Council as contained in Minute No. 266 be approved and adopted.

(DS)

MINS:

Queries concerning these Minutes? Please contact Danny Sheppard
Telephone: 01233 330349 Email: danny.sheppard@ashford.gov.uk
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