



## 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 21<sup>st</sup> July 2016 at 7.00 pm

Yours faithfully

T W Mortimer  
Corporate Director (Law and Governance)

### Agenda

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Nos.

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. **Declarations of Interest:-** 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 19<sup>th</sup> May 2016
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 Minutes of the Meetings of the Cabinet held on the 9<sup>th</sup> June and 14<sup>th</sup> July 2016 (to follow) 2-10

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9. To receive, consider and adopt the Minutes of the meetings of the Audit Committee held on the 16 <sup>th</sup> and 30 <sup>th</sup> June 2016	11-22
10. Overview and Scrutiny Annual Report 2015-16	23-27
11. Audit Committee Annual Report 2015-16	28-37
12. To consider Motions of which Notice has been given pursuant to Procedure Rule 11	
13. Questions by Members of which Notice has been given pursuant to Procedure Rule 10	

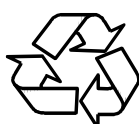
NOTE:- If debate on any item included within this Agenda gives rise to the need to exclude the press and public due to the likelihood of Exempt or Confidential information being disclosed the following resolution may be proposed and seconded and if carried, the press and public will be requested to leave 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/AEH  
13<sup>th</sup> July 2016

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Telephone: 01233 330564 Email: [keith.fearon@ashford.gov.uk](mailto:keith.fearon@ashford.gov.uk)  
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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 Corporate Director (Law and Governance) 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 **19<sup>th</sup> May 2016**.

## Present:

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

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

Prior to the commencement of the meeting: -

- (i) Her Worshipful the Mayor welcomed distinguished guests and the friends and family of the Mayor Elect. She also advised that the meeting was being recorded by Radio Ashford for broadcast on 107.1FM on the morning of Sunday 22<sup>nd</sup> May.
- (ii) the Reverend Catherine Wilson said prayers.

## Apologies:

Cllrs. Aaby, Bell, Chilton, Dehnel, Mrs Heyes, Link, Miss Martin, Mrs Martin, Smith.

## Also Present:

Chief Executive, Deputy Chief Executive, Director of Law & Governance, Head of Finance, Head of Culture, Member Services and Scrutiny Manager, Principal Solicitor (Strategic Development), Senior Member Services and Scrutiny Support Officer, Member Services and Scrutiny Support Officer.

## 1 Election of Mayor

Councillor Clokie nominated Councillor George Koowaree for election as Mayor of Ashford Borough Council for the forthcoming municipal year.

This was seconded by Councillor Apps.

Councillor Clokie said that it was with great joy that he asked the Council to support his nomination of George Koowaree to be the Mayor of Ashford for 2016/17.

He said that George was extremely well known to all in the Chamber, but it would only be those who were around in 1996/97 who would remember his previous very successful year as Mayor. There may though be many things about George that colleagues did not know and he would attempt to expand their knowledge whilst George stood in the wings waiting for his Mayoral robes.

Councillor Clokie said that George had come to England from Mauritius to study and met his wife Joy whilst shopping at Dickens & Jones on Regents Street and they were married in 1963. George did his National Service and after two years came out

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and worked as a linguist telephonist in the City on an international telephone exchange. Of course his French was perfect as Mauritius was a French outpost. He eventually moved to Ashford, by which time George had become the father to three lovely girls. He had a new job working as a psychiatric nurse at St Augustine's Hospital in Chartham, but was unfortunately forced to take early retirement since he had damaged his spine lifting patients.

Former Councillor Deryck Weatherall, who had become the father-in-law of one of George's daughters, suggested that he put his name forward to be a Liberal Councillor. "But I am not a Political animal" replied George and Councillor Clokie thought they could all vouch for that! Nevertheless he was elected to the Ashford Borough Council in 1987. Sadly George's wife died in 1994 after a knee replacement operation from which she suffered serious rheumatic arthritis. He now had a lovely partner in Gloria who he met several years later.

Councillor Clokie said that one of George's fondest memories was one of his first train journeys in the UK, catching the Golden Arrow from Victoria to Paris. Councillor Clokie had also made that journey with his father when he was 11 and the only things he particularly remembered were changing trains and walking across railway lines in Calais and the wonderful crest on the front of the engine. George remembered it as a wonderful experience of travelling on the train in the UK and Paris. Another first for George on his arrival in this country was strangely queuing. Surely they did queue in France and Mauritius! There was also a story that George did not know he knew! When Richard Vella was the Mayor's Chauffeur, he went to collect George for an engagement at 10am. Driving along he spotted a man in his dressing gown and slippers walking down to the local shops. "That looks like George" he said. It was George! He did not get his newspaper that morning. He was bundled up, re-dressed and made the engagement just in time! George had promised him that he would look at his diary for the next day every night before going to bed. We couldn't have Sandra having to gather him up and get him re-dressed!

Councillor Clokie said he commended Councillor George Koowaree to be the Mayor of the Ashford Borough for the year 2016/17.

Councillor Apps said he was pleased to see Councillor George Koowaree seeking nomination to the Mayoralty and he was happy to second his nomination as Mayor of the Borough of Ashford for the forthcoming year.

He said they had known each other for a number of years and had a great business working relationship. He also had a great personal following that had supported him in his years in Local Government. This had begun in 1987 when he was elected to the Ashford Borough Council and then following on with the Mayoralty in 1996/97, which was a role he had held so well and carried out with dignity and respect.

Councillor Apps said that on a personal note, during that previous Mayoral year they had both been involved in a team, with Sir Keith Speed MP, in transferring the nameplate 'Ashford' from the Class 33 locomotive to the Class 92 and that had been a very pleasant experience. Regrettably the nameplate had now been sold.

During George's upcoming Office as Mayor, Councillor Apps was sure that he would more than emphasise the importance of the role, coupled with most importantly the ambassadorial position of the Office, which he knew he would do well. In light of the winds of change blowing through the Borough, he said that as a senior past Mayor

himself he did not hesitate to second the nomination of Councillor George Koowaree as Mayor of the Borough and he wished him well for the year ahead.

There were no other nominations.

**Resolved:**

**That Councillor George Koowaree be elected Mayor of the Borough of Ashford for the Municipal Year 2016/17**

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

Councillor Koowaree made his Declaration of Acceptance of Office. The retiring Mayor, the Chief Executive, the newly elected Mayor and his Chaplain then left the meeting. Upon their return, having been invested with his chains of office His Worshipful the Mayor, Councillor George Koowaree assumed the Chair.

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

His Worshipful the Mayor said that his Chaplain for the coming year would be the Reverend Alan Dinnie. The Reverend Dinnie then said prayers.

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

His Worshipful the Mayor began by thanking Councillors for electing him as Mayor. He said it felt like he had been there before! He remembered 20 years ago, when he was first elected as Mayor, the Council had a brand new Chief Executive and now he was the Mayor again the Council again had a brand new Chief Executive. So he asked himself "is it me?", but he knew that there had been other Chief Executives in between. He did want to say though that Tracey was a lot prettier than David Lambert! Seriously though, they went back a long way and he was pleased to be working with her again.

He said he wanted to thank Councillor Clokie for proposing him and Councillor Apps for seconding him. He had known both Councillors for a very long time. He also wanted to thank all Councillors for supporting him as their Mayor. He and Gloria wanted to say a big thank you to Geraldine and Brian for letting them deputise at some of their functions this year. It had been a good experience, especially for Gloria in gently leading her in to the responsibilities expected of her.

His Worshipful the Mayor said that he had to admit something to everyone present. Gloria had not wanted him to be a Councillor again. She had said "you've done it for so long, you are getting old now, just please rest and enjoy yourself". "OK Gloria", he had responded, "I'll listen to you and I am not going to do it". The Group had got somebody else to stand on his patch and he was very pleased, but at the last moment that person had decided to stand where he lived. North Willesborough had always had a Liberal Democrat Councillor and now there was a vacuum. He considered that should not be allowed to go without giving people a choice so, to the dismay of Gloria, he had put his name forward! Luckily, the people had voted him in so he had to go back to Gloria and tell her that he had been elected. She had accepted this and understood the reasons why. Then, at his first meeting back on the Council, the Selection & Constitutional Review Committee, Councillor Clokie said that he had been Mayor before and he could do it again. His first thought was how

was he going to tell Gloria, but if the Members wanted him he would be happy to do it. Once it was confirmed the Councillor sitting next to him had said "you're going to have to sell that to Gloria now!" He went home that evening and said "Hello darling" to Gloria. Her immediate response had been "what have you done?!" He said "look, you are going to be Deputy Mayoress" and shut the door! She eventually calmed down and got used to the idea and she was there tonight and ready to be the Mayoress.

He said it was really great to see ex-Councillors, friends, family and special guests in attendance this evening. He was really honoured to welcome the Deputy Lord Lieutenant of Kent Mr Jessel and his friend and colleague the Chairman Elect of Kent County Council Tom Gate to the Chamber and thanked them both for coming.

His Worshipful the Mayor said that the vote of thanks the last time he had been Mayor had been done by ex-Councillor Deryck Weatherall who was Leader of the Liberal Democrats at that time. In his speech he told that Chamber that he had been talking to the Mayor's Secretary who had said that she had loved him as Mayor, but she could not control him. He wanted to reassure Andrea that he was a changed man this time around and he would be easy to control!

He said it was an honour to be the First Citizen of the Borough and to be its ambassador. He hoped that he and Gloria would attend many functions both in town and in the villages and he would endeavour to reach all of the Borough's communities. He wanted to be the Mayor of the people, for the people. Ashford had grown slowly, but the right fertiliser had been added and now this Ash Tree was now full of buds and in a couple of years would be blooming intensively. He referred to the Elwick Road development, the brewery and Aldi developments, the Commercial Quarter and the model railway amongst others. When people asked him how Ashford was, his reply to them would be – "Ashford is great, but come to see for yourself".

As was customary, His Worshipful the Mayor said had two charities for the year. Firstly Riding for the Disabled - an organisation based in Woodchurch which they had attended when deputising for the Mayor. The charity was looking to raise funds for a new pony and to buy a new modern carriage where the rear wheels turned independently to make it easier for users. They had been overwhelmed by the happiness on the faces of the users and the aims and commitment of those involved with the charity, and he made his mind up that day that this would be a charity he was going to support. The second deserving cause was going to be Carers Support based in South Ashford. As a Member of Kent County Council involved with Social Services, he had come across a number of carers. There were thousands of carers helping in the community, some were known to Local Authorities, but many were not and they quietly got on with their role of caring for family or friends and often did not get any support. One example he wanted to give arose when he was sitting on a Kent County Council Select Committee for Carers and two young people aged 11 and 12 had come along to talk to the Committee Members. They explained that they were carers for their Mother who was an alcoholic and before going to school they had to make sure that she was up, dressed and safe. Consequently, they often arrived late for school but they did not feel they could tell their teachers or fellow pupils why they were late. There were a lot of similar cases to this, so any money raised would hopefully go to supporting these people. The Chief Executive of Carers Support, Sue Ross also wanted to initiate a project to support carers for a six month period after they had finished undertaking their caring role to fill any vacuum and

help their adjustment back to normal life. He hoped all present would consider supporting any functions that were put on for his charities.

His Worshipful the Mayor concluded by once again thanking everybody for his election.

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

Councillor Galpin began his speech by congratulating Councillor Koowaree on his elevation to the Mayoralty. He understood this was his second time and if he made it to a third time he would get to keep the robes!

Councillor Galpin said he would be delighted to propose a vote of thanks to the retiring Mayor Councillor Geraldine Dyer and her Escort, the indefatigable Brian, for their service to the Borough during the past year.

What could one say about this 'pocket rocket?' In another life Geraldine had been a school teacher who had taught his daughter, and he had felt the full effect of her 'school ma'amishness' when she had attended the Town Twinning Business Day last year at the Kent Invicta Chamber of Commerce. Councillor Galpin said he was feeling quite pleased with himself as he had arranged for the businesses who were driving the growth of the town to come along and talk to their multinational partners and after a particularly technical presentation from Stanhope, she had taken him aside and told in no uncertain terms that he should arrange for some sort of translation service! Fortunately the next presentation had been by a polyglot person which lightened the mood somewhat.

He said Geraldine and Brian's year had started with a bit of a hiccup, with Geraldine forgetting her handbag and glasses after being sworn in at last year's Mayor Making. Ever dutiful, Brian was dispatched to locate them and that seemed to set the seal on how well the partnership had worked as a finely tuned double act. He also wanted to mention the general support of 'The Dyer Tribe' in Mayoral events. Geraldine and Brian had been able to rely on their children and family to support them. Geraldine herself had been concerned that her smaller stature may hamper her performance in her role as Mayor, but she needn't have worried as she had been a featherweight champion! She had proved the magic of the Mayoralty by fitting straight in to the robes without alteration after inheriting them from some previous incumbents who were a little different in stature!

Councillor Galpin said that Geraldine and Brian had worked remarkably hard over the past year and had been a credit to the Borough as a Mayor and Escort who had exemplified the best of Ashford as ambassadors and advocates. He had been fortunate enough to attend many of the same functions as 'The Dynamic Duo' and had found them the perfect double act - Geraldine in the more official role and Brian doing the 'schmoozing' – keeping everybody happy. They had been a very regal couple even when protocol was overlooked such as at a recent Chernobyl memorial service in Canterbury Cathedral where she had been forced to sit with him and the other common people, and not the VIPs, but she had taken it very well and only kicked him three times! They had welcomed schools to the Parlour, turned sods in the rain, represented the Borough within it as the Queen's Representative, outside as ambassadors and Geraldine had delivered many prepared speeches at functions. Most remarkably had been her ability to respond when somebody unexpectedly said "perhaps the Mayor would like to say something here" - never a word out of place and always far more apposite than "you've all done very well". Geraldine and Brian



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had worked so hard and raised a large sum of money for their charities and he was honoured to say on behalf of the Council and the people of Ashford that “you have done very well”.

Councillor Galpin concluded by thanking Geraldine and Brian for an exemplary Mayoralty and welcomed Geraldine back in to the ranks, but he urged her not to forget her glasses!

Councillor Mrs Blanford said she would like to congratulate Councillor Koowaree on his appointment as Mayor.

She said she would like to second Councillor Galpin’s kind comments about Geraldine and Brian. Their reputation had spread throughout the Borough this year and she had heard comments back from all sources about how active they had been. She wanted to thank their outgoing Mayor Geraldine and her Escort Brian for the time and trouble they had taken on behalf of the Borough. It had been very much appreciated.

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

Councillor Mrs Dyer said she first wanted to thank Councillor Galpin for his kind words. The person who had actually said to her “would you mind saying a few words here” off the cuff was of course Councillor Galpin himself! He had also been at a lot of the same events that they had this year and she wanted to commend him for his hard work and incredible dedication to his role as Town Centre ‘Tsar’.

Councillor Mrs Dyer said she had spoken to a couple of Councillors earlier and told them what she was going to say and one of them had very kindly said “oh no, that’s going to be the 14<sup>th</sup> time I’ve heard that”. So apparently all Mayors said the same thing and everyone would find that out shortly!

She said it had been an honour and a privilege to represent Ashford as Mayor. A very enjoyable year had afforded many insights into what was happening throughout the Borough, and the hard work which went in to projects and activities to the benefit of so many. It had been particularly humbling to see how much work was done by volunteers, who gave up their time and worked tirelessly for a cause they believed in.

Looking back at events during the year, perhaps, for her, the most moving was the Freedom Parade. As everyone knew, Ashford had strong links with the military, and in particular the Intelligence Corps. In June last year, the links were reinforced with a spectacular parade through the town, a marching band and the presentation of a silver horse to the Borough which was now proudly on display in the Mayor’s Parlour. She was invited to inspect the troops and spoke to the veteran soldiers who proudly wore their medals, bravely earned in Afghanistan, Iraq, Bosnia, Northern Ireland and the Falklands.

The Annual twinning visit in September had also been an important occasion for her, with the Mayors and delegations from Fougères and Bad Münstereifel joining them in Ashford, to strengthen the links they shared. Young people from the three towns pointed the way forward and she was very proud of the Highworth students, both in the maturity of their ideas and in the linguistic competence they demonstrated. Business leaders from the twin towns also met and exchanged ideas, ably led by Councillor Galpin. She hoped that the contacts made would be maintained. The visit in September this year would be to Bad Münstereifel and of course all Councillors

were warmly invited to join the group. Bad Münstereifel was a delightful town and all would receive a very heartfelt welcome.

She said that perhaps her happiest times during the year had been spent with the young people. The most demanding occasions had been here in the Council Chamber where Shadoxhurst Scouts, under Councillor Bradford's leadership, had asked her some searching questions and on another occasion Brook Primary School pupils had debated the subject of homework. Having voted to abolish it, they had been very disappointed to discover that they would nevertheless continue to be given it! It was for them all, a glimpse of how the Council worked and the role of the Mayor and Borough Councillors. At the Julie Rose Stadium she had presented awards to talented young athletes. They had been particularly impressed and moved by the courage and determination of those who achieved so well, often overcoming major problems. She said that the stadium was a fantastic facility and it was a delight to see how much value was added to the lives of youngsters in the Borough and beyond.

Councillor Mrs Dyer said that the year had allowed them to really appreciate some of the projects that had greatly benefitted everyone, young and old. At Conningbrook, it was still early days, but the opportunity to join clubs and take part in water sports of every kind would transform the lives of many. They had opened shops in Park Mall and visited the Creative Collective there and also Ashford Art Centre in Park Street. There was some very imaginative and creative work going on there. They were also invited to the site of the new Ashford College and she saw that it was growing higher daily. It was great to be a part of it all. The wonderful progress made in the provision of older people's accommodation had been so good to see at Farrow Court and Chamberlain Manor, which was now open and already full. So much thought had gone in to ensuring that the older residents kept their independence, while feeling secure and happy in the knowledge that help was at hand if needed. It was a far cry from the traditional care model. The residents were part of a community, with opportunities for entertainment and many facilities to make life pleasant and easier. At Luckley House, another great sheltered housing scheme, the residents had teamed up with the pupils of Lady Joanna Thornhill School. The children did the gardens and grew vegetables and it was great for the older residents to get together with young people. It really was interactive learning and everyone was enjoying it the day they had visited. She and Brian had got to know many Mayors from Towns and Boroughs in Kent and all had commented very positively when they had visited Ashford. They had a lot to be proud of.

She said that chairing Full Council meetings had been a challenge - not least because there were so many new Councillors when she became Mayor last May. She had not really had the chance to get to know them and, as it was difficult to read the name plates from the dais, she had had to study the photos before the first Full Council meeting to make sure she got the names right. Imagine her dismay then when, having worked hard to learn the names of the new Councillors, she stumbled over one very well known to her when she called Councillor Chilton, Councillor Clinton! She had apologised afterwards and he was kind enough to say he hadn't noticed, but she thought he probably had! She had encouraged colleagues at every Council meeting to support fundraising events for her chosen charities. She was however totally unprepared for the large article in the Kentish Express, stating that she was asking her "errant" Councillors to "please, please me" by supporting the Beatles evening. The headline read - "She needs a little help from her friends". She wanted to very much thank colleagues who had supported the fundraising, either by coming to events, or donating raffle prizes or money. They weren't entirely sure of

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the final total just yet, but they estimated that together they had raised somewhere in the region of £13,000, to be divided equally between the Pilgrims Hospice and Find a Voice.

She also wanted to thank the Reverend Catherine Wilson for all her support and very thoughtful prayers at Full Council meetings.

Finally, Councillor Mrs Dyer said she would like to wish Councillor George Koowaree and his Mayoress Gloria Champion an enjoyable and successful year. She was sure George would sail through it, having already done it once and because everyone in the Borough already seemed to know him! She also wanted to give her best wishes to Councillor Winston Michael and Doreen in their role as Deputy Mayor and Mayoress.

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

Councillor Clarkson proposed that "Councillor Winston Michael" be elected Deputy Mayor for the Borough of Ashford for the ensuing year".

This was seconded by Councillor Ovenden.

There were no other nominations.

**Resolved:**

**That Councillor Winston Michael be elected Deputy Mayor of the Borough of Ashford for the Municipal Year 2016/2017.**

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

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

## **9 Minutes**

**Resolved:**

**That the Minutes of the Meeting of the Council held on the 21<sup>st</sup> April 2016 be approved and confirmed as a correct record.**

## **10 Announcements**

His Worshipful the Mayor said that in addition to the distinguished guests he had mentioned earlier, he also wanted to welcome Inspector Nigel Douglas, Councillor Nelson the Deputy Mayor of Tenterden, Councillor Lyons the Mayor of Hythe, Councillor Abram the Deputy Mayor of Faversham and Councillor Larkins the Deputy Mayor of Ramsgate and Councillor Falcon, her Escort. He advised that there would be refreshments served in the Committee Rooms downstairs after the meeting and all were welcome.

## **11 Confirmation of Cabinet Arrangements for 2016/17 by the Leader of the Council**

The Leader of the Council, Councillor Clarkson, said he wished to advise of two new appointments to the existing Cabinet. They were Councillor Callum Knowles who was appointed to the Information, Technology and Communications Portfolio and Councillor Brad Bradford who was appointed to the Highways, Wellbeing and Safety Portfolio. He also wanted to advise that following the Queen's Speech yesterday, there would certainly be a need to refocus some of their forward planning within the next year or so, to take account of any enactments that may arise therefrom.

## **12 Selection and Constitutional Review Committee – 3<sup>rd</sup> May 2016**

**Resolved:**

**That the Minutes of the Meeting of the Selection and Constitutional Review Committee held on the 3<sup>rd</sup> May 2016 be approved and adopted.**

## **13 Cabinet – 12<sup>th</sup> May 2016**

**Resolved:**

**That subject to the expiry of the period by which decisions arising from the Meeting of the Cabinet held on the 12<sup>th</sup> May 2016 may be called in, i.e. 25th May 2016: -**

- (i) the Minutes of the Meeting of the Cabinet held on the 12<sup>th</sup> May 2016 be received and noted with the exception of Minute Nos. 430, 431 and 432.**
- (ii) Minute Nos. 430, 431 and 432 be approved and adopted.**

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(DS)  
MINS: CXXX1620

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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 **9<sup>th</sup> June 2016**.

### Present:

Cllr. Clarkson (Chairman);

Cllr. Bell (Vice-Chairman);

Cllrs. Mrs Bell, Mrs Blanford, Bradford, Galpin, Knowles, Shorter.

### Apologies:

Cllrs. Bennett, Britcher, Clokie, Michael.

### Also Present:

Cllrs. Bartlett, Krause, Link, Pickering, Smith, Wedgbury.

Chief Executive, Deputy Chief Executive, Corporate Director (Law & Governance), Director of Development, Health, Parking and Community Safety Manager, Policy and Performance Manager, Head of Environmental and Customer Services, Head of Finance, Accountancy Manager, Head of Planning Policy and Economic Development, Principal Solicitor – Strategic Development, Policy and Performance Officer, Head of Housing, Grounds Maintenance Operations Manager, Environmental Contracts and Operations Manager, Team Leader Parking, Senior Communications Officer, Member Services Manager.

## 17 Declarations of Interest

Councillor	Interest	Minute No.
Bartlett	Made a "Voluntary Announcement" as a resident of Imber, Cheesemans Green Lane which was relatively near a site mentioned in the Local Plan; made a "Voluntary Announcement" as a shareholder in the Farriers Arms, Mersham which was also relatively near such a site; and made a "Voluntary Announcement" as a Governor of the East Kent NHS Trust whose William Harvey Hospital was adjacent to a site referred to in the Plan.	23
Shorter	Made a "Voluntary Announcement" as a shareholder in the Farriers Arms, Mersham which was relatively near a site in the Local Plan and made a "Voluntary Announcement" as he was a tenant farmer of land adjacent to a parcel of land referred to in the Plan and advised that he would take no part in any discussion or voting on that land.	23

## **18 Minutes**

### **Resolved:**

**That the Minutes of the meeting of the Cabinet held on the 12<sup>th</sup> May 2016 be approved and confirmed as a correct record.**

## **19 Financial Outturn 2015/16**

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 £27,000 and the Housing Revenue Account had resulted in a surplus of £2,143,000 against a budgeted deficit of £370,000. The reason for this variance was detailed in the report.

The Portfolio Holder said that he considered that the outturn of £27,000 over budget was a good position given that the overall budget was in the region of £15 million. He believed that the Officers had done an excellent job in managing the overall budget which was in line with the proposals set out within the Council's Corporate Plan. In terms of revenue, he explained that the collection rate for Council Tax had been 98.34% and for Business Rates this had been 99.49%. He explained that the reserves of £15.5 million were identified against expenditure in the future and he also outlined the Council's initiatives to increase revenue income to take account of the loss of Revenue Support Grant from the Government. This included net income received in respect of International House and the Wilko Store.

### **Resolved:**

- That**
- (i) the financial outturn for 2015/16 be noted.**
  - (ii) the transfers to and from earmarked and general reserves as outlined within paragraphs 22 – 25 of the report be approved.**
  - (iii) the carry forward of New Homes Bonus in year underspends be approved.**

## **20 Fixed Penalty Notice Enforcement for Littering and Dog Fouling**

The report provided information on the recommended utilisation of a private company, Kingdom, for a trial litter enforcement initiative for a period of one year. If the trial proved successful the Council would look to procuring a contracted service going forward.

In accordance with Procedure Rule 9 Mr Relf, a member of the public said that he had family members who were landowners and as such had to, at their own expense, clear up fly tipped rubbish. He said that with the Council having not issued a littering ticket for over three years he asked how many prosecutions had the Council brought against fly tippers in the last five years and was the Council aware that the Forestry Commission were fighting a losing battle trying to keep up with the prolific amount of fly tipping in the Borough which was costing money that could be

better spent in the forests. He also asked whether there was a reason why little effort was made to catch the perpetrators.

The Portfolio Holder explained that the Council had not issued littering tickets in the past three years as the Council did not have an enforcement policy to support that action until now. She said that Members would have seen that a litter enforcement policy was included within the report on the Agenda and explained that this was intrinsically linked to the provision of the service.

With reference to prosecutions for fly tipping, the Portfolio Holder said that with a new manager in post in the Environmental Service, revision of how fly tipping was being dealt with throughout the Council had begun in January this year. Currently there was one case with the Legal section for prosecution and two more cases being considered for prosecution. The reporting of fly tipping was required by DEFRA through data sent to them quarterly. At a presentation on the 6<sup>th</sup> June 2016, Ian Hill from DEFRA had accepted that fly tipping was potentially under-reported.

The Portfolio Holder explained that the Environmental Team was now working with the Fraud Investigation Team, the Housing Team, Kent County Council, the Forestry Commission and Kent Police on a joint project to ensure fly tipping was accurately reported, hotspots identified and a strategy and policy to deal effectively with those areas was identified. This would be reported to the Enforcement and Compliance Board and to the Cabinet later this year.

The Chairman emphasised that the Council was taking steps to improve its overall performance in terms of enforcement and he said that Mr Relf could rest assured that these steps would improve the position and help to generate pride in Ashford.

**Recommended:**

- That (i) the development of the enforcement initiative for the trial period of one year be approved.**
- (ii) the littering and dog fouling enforcement policy at Appendix 2 to the report be approved.**
- (iii) the Head of Environmental and Customer Services and the Portfolio Holder for Public Interaction and Borough Presentation be tasked to procure a Contract for the service long term.**

## **21 Anti-Social Behaviour and Enforcement**

The report proposed a change to the delegations relevant to the Anti-Social Behaviour, Crime and Policing Act 2014.

The Portfolio Holder said that he believed setting the Fixed Penalty Notice fine at the highest level would clearly signal the Council's position on enforcement and further delegating these powers to the Council's Heads of Service would make this process and future enforcement more effective across the Council's overall enforcement spectrum.

In accordance with Procedure Rule 9 Mr Relf, a member of the public said that the report stated that the Borough of Ashford had had the lowest reported anti-social

behaviour in the County for the last two years. He said that seeing as fly tipping was a crime and not showing on crime figures and with the Weald South Ward showing from May 2015 to April 2016 crime figures for the whole year of 164, 38 of them violence and sexual offences, it appeared that the Borough of Ashford had one of the highest unreported crime figures in the County.

The Chairman said that it was difficult to comment on unreported crime figures but said that it needed to be borne in mind that the legislation covering fines for Fixed Penalty Notices had only been introduced in 2014.

**Recommended:**

- That (i) the revised delegations as relevant to the enforcement provisions contained within the Anti-Social Behaviour, Crime and Policing Act 2014 and as set out within paragraph 10 of the report be approved.**
- (ii) a penalty of £100 for Fixed Penalty Notices that can be issued by authorised Officers of the Council as relevant to the Anti-Social Behaviour, Crime and Policing Act 2014, be agreed.**

## **22 Housing Enforcement Policies**

The report presented Housing Policies that contained enforcement actions and explained how they were consistent with the corporate approach agreed by the Policy and Compliance Task Group and the previous Cabinet meeting in May. The Policies were; Private Sector Housing Enforcement and Prosecution Policy; Anti-Social Behaviour Policy for Ashford Borough Housing Tenants, and Housing Income and Arrears Management Policy.

**Recommended:**

- That (i) the Private Sector Housing Enforcement and Prosecution Policy; Anti-Social Behaviour Policy for Ashford Borough Housing Tenants and Housing Income and Arrears Management Policy be approved.**
- (ii) it be noted that the Policies referred to in (i) above align with the Corporate Enforcement Policy.**

## **23 The Local Plan to 2030 – Regulation 19 Draft Plan for Publication**

The report presented the Publication version of the Local Plan to 2030, which set out the Council's proposed set of Planning Policies for new development over the next 14 years including new allocations of land for housing and other uses and policies to inform the Council in its development management functions. It was proposed to publish the Draft Plan for an eight week public consultation period following which the Council would need to consider the representations received and decide whether to make any amendments to the Plan prior to its formal submission to the Planning Inspectorate for public examination.



The Chairman said that he was sure that there would be huge public interest in the document but he emphasised that it was only a Draft Plan at this stage and was being approved for consultation which at eight weeks was longer than the statutory six week period. He explained that the Council would consider carefully all comments received during the consultation period and therefore emphasised that it was important for the community to consider the Draft and make their comments on the content at this stage. The Chairman also referred to the tabled paper which included a series of comments from Mr Davison, a member of the public regarding the section within the Plan which dealt with Hamstreet. He assured Mr Davison that the comments would be considered by the Planning Officers as part of the consultation process.

In accordance with Procedure Rule 9, Mr Herlihy a member of the public advised that he was speaking as a representative of the Village Alliance, a non politically aligned organisation of local residents which was seeking to preserve the rural setting of the village of Mersham. Mr Herlihy asked that the Borough Council use the new Local Plan to preserve the rural character and setting of Mersham village by providing a strategic gap in perpetuity by declaring that site WE15 (land east of Highfield Lane) was not suitable for any development in any circumstances. Mr Herlihy explained that WE15 was the large field between Mersham and the proposed large-scale development of site U19 around Sevington Church. He said that it had always been accepted that U19 was zoned for some form of development. However, WE15 was very different, it had never been zoned for development and the Village Alliance believed that it was extremely important that it was never designated for development in the future. They were pleased to note that the Draft Local Plan did not identify WE15 as a potential site for development, however, he considered that this was not nearly enough and the site had to be positively protected from development as part of a green corridor and the 'Mersham Wall', including land at Cheesemans Green. The site came right up to the heart of Mersham village and was next door to existing residential properties. He said that if any form of development was to be permitted on WE15, Mersham would cease to exist as a separate entity and would merely be a residential area tucked away at the back of the industrial estates of east Ashford. This would be a sad end for a vibrant and distinct community and attractive, rural village. Protecting this site for agricultural uses would reinforce a number of strategic statements already made by the Council including "Ashford 2030 – A Framework" which stated that "we are adamant that growth should support strong, viable local communities – we aspire to communities in Ashford Borough that we are all proud to be part of". Mr Herlihy said that all could be proud of Mersham and it deserved to be protected. Protecting this site also directly enforced Policy CS1 – Protection for the Countryside, Landscape and Villages from adverse impacts of growth and the promotion of strong rural communities. The Village Alliance was greatly heartened to hear a number of speakers at the recent Planning Committee meeting supporting the concept of a strategic gap in perpetuity for Mersham and he thanked those Members for their support. He said that they were particularly pleased to hear the Leader of the Council say words to the effect that "we will have to do something to protect Mersham from future development".

Mr Herlihy said that he believed that it was an opportunity for the Council to deliver its crucial strategic aim on behalf of the people of Mersham and that it could make it absolutely clear that the Council understood the valuable role that rural villages played in the life of the Borough. It could show that the Council were willing to protect villages like Mersham from being absorbed and destroyed as separate

entities by the continuing expansion of Ashford. In conclusion he said that the Village Alliance urged the Council to use the Local Plan to make a positive statement that development on any part of WE15 would not be acceptable and thus to provide Mersham with a strategic gap in perpetuity which it needed to protect its future existence.

The Chairman, in response, urged Mr Herlihy, his colleagues and the Parish Council to marshal and submit their comments and wishes during the eight week consultation period.

A Member advised that he had submitted detailed comments on three issues to the Director of Development which related to affordable housing provision; HGV operations and parking; and the establishment of a buffer zone between Highfield Lane and Blind Lane, Mersham which he believed would help to improve the quality of the air within this and the Sevington area and also in the vicinity of the William Harvey Hospital. The Member also said he had concerns that the highest proportion of new housing provision would be in the Kingsnorth and Sevington area but there was still a lack of accessibility via public transport to the Town Centre. He believed that there was a need to demonstrate how this particular issue would be dealt with.

Another Member said he wished to thank the Officers for all their work on the production of the Draft Plan and he said it was important that a robust Local Plan was put in place to protect the Borough from piecemeal development.

**Resolved:**

- That (i) the content of the Regulation 19 Publication Draft Local Plan to 2030 be agreed.**
- (ii) the Publication Draft Local Plan to 2030 be subject to eight weeks' public consultation.**
- (iii) the Head of Planning Policy and Economic Development, in consultation with the Director of Development be authorised to make any necessary clarifications or minor textual changes to the Publication Draft Local Plan to 2030 prior to its publication.**
- (iv) any delay to the above decisions becoming implementable would seriously prejudice the Council's and the public's interests for the reasons set out in the report, and therefore with the consent of the Chairman of the Overview and Scrutiny Committee these decisions are being made at this meeting as urgent decisions within Overview and Scrutiny Procedure Rule 15 (j).**

## **24 Community Infrastructure Levy Preliminary Draft Charging Schedule Consultation**

The report set out the Community Infrastructure Levy (CIL) Preliminary Draft Charging Schedule proposed for consultation.

**Resolved:**

- That (i) the proposed Community Infrastructure Levy Preliminary Draft Charging Schedule attached to the report (subject to (ii) below) be approved for public consultation for an eight week period.**
- (ii) authority be delegated to the Head of Planning Policy and Economic Development to make any minor changes to the text and format of the document attached to the report as may be necessary prior to public consultation.**
- (iii) any delay to the above decisions becoming implementable would seriously prejudice the Council's and the public's interests for the reasons set out in paragraph 59 of the report, therefore with the consent of the Chairman of the Overview and Scrutiny Committee, these decisions are being made at the meeting as Urgent Decisions within Overview and Scrutiny Procedure Rule 15 (j).**

## **25 Parking Charges Review**

The report set out proposals to remove evening parking charges within Ashford Town Centre, an increase in on-street and off-street parking charges and the introduction of a new overnight flat rate of £1. The recommendations took into account current and anticipated economic developments for the Borough.

The Portfolio Holder advised that parking charges had not been increased for five years and hence the current review. In terms of the proposed removal of the evening parking charges in the High Street, Bank Street and North Street, he believed that this would be of great benefit to the Town Centre and the night time economy. He also explained that this would operate for an initial trial period of six months together with the introduction of a new flat rate £1 overnight charge. This would be monitored over the next six months prior to a decision being taken on whether to establish these on a permanent basis or not.

The Portfolio Holder for Town Centres Focus and Business Dynamics said that he believed that this was a responsive piece of work and an initiative both residents and visitors would welcome.

**Resolved:**

- That (i) the removal of parking charges in the High Street, Bank Street and North Street in Ashford Town Centre from 6pm to 10pm (only charging period) be agreed to support economic development and the night time economy. An initial trial period of six months will operate with delegated powers granted to the Head of Service in consultation with the Leader and Portfolio Holder for Highways, Wellbeing and Safety to agree permanent removal or not after the trial period.**
- (ii) an increase in on-street and Council run off-street parking charges, from 1st April 2017 be agreed, across the borough by approximately 10% on current tariffs (e.g. £1.00 to £1.10, £2.00 to**

**£2.20 etc.) and in accordance with the specific rates detailed within the report.**

- (iii) the introduction of a new flat rate £1.00 charge overnight in all available overnight Council car parks Monday to Saturday be approved. Data to be collected on type and number of users over the next 6 months. Delegated power be granted to the Head of Service in consultation with the Leader and Portfolio Holder for Highways, Wellbeing and Safety to implement on a permanent basis or not as appropriate.**
- (iv) a policy to review the parking charges every three years as part of the Council's regular fee and charging processes be agreed.**

## **26 Ashford Borough Council's Performance – Quarter 4 2015/16**

The report updated Members and the public on the performance of the Council during Quarter 4. This included information on what the Cabinet had achieved through its decision-making, key performance data and consideration of the wider Borough picture which impacted upon the Council's work.

The Portfolio Holder advised that Management Team had been working on the development of a new "dashboard" system to monitor performance. He explained that this system would be available to show trends and information presented in a graphical form. The new format would be rolled out for the next report in three months' time. In terms of the current report, the Portfolio Holder said that he was pleased to see the reduction in unemployment in the 18 to 24 year old age bracket and the fact that 150 homes had commenced construction. The number of persons in bed and breakfast accommodation was 14 and although this level was not considered satisfactory, the Portfolio Holder believed that the systems the Council had put in place and initiatives such as Christchurch House had ensured that the situation was managed in an efficient and cost effective way.

In terms of disabled adaptations the level undertaken had nearly doubled over the last quarter and in terms of food premises 97% were compliant.

**Resolved:**

**That the Council's performance against the Corporate Plan in Quarter 4 of 2015/16 be noted.**

## **27 Local Plan and Planning Policy Task Group – 25<sup>th</sup> April 2016**

**Resolved:**

**That the Notes of the meeting of the Local Plan and Planning Policy Task Group held on the 25<sup>th</sup> April 2016 be received and noted.**

## **28 Trading and Enterprise Board – 9<sup>th</sup> May 2016**

**Resolved:**

**That the Minutes of the meeting of the Trading and Enterprise Board held on the 9<sup>th</sup> May 2016 be approved and adopted with the exception of the recommendation in Minute No. 421.**

**Recommended:**

**That the recommendation in Minute No. 421 be approved.**

## **29 Joint Transportation Board – Nomination of Membership**

**Resolved:**

**That the following Members be appointed to the Joint Transportation Board:-**

**Councillors Bartlett (VCh), Bradford, Burgess, Chilton, Feacey, Mrs Martin, Mrs Webb**

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

The report set out the latest Schedule of Key Decisions to be taken by the Cabinet.

**Resolved:**

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

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(KRF/AEH)  
MINS:CAXX1623

## **Cabinet**

Minutes of a Meeting of the Cabinet held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **14<sup>th</sup> July 2016**

### **Present:**

Cllr. Clarkson (Chairman);

Cllr. Bell (Vice-Chairman);

Cllrs. Mrs Bell, Bennett, Mrs Blanford, Bradford, Clokie, Galpin, Knowles, Shorter.

### **Apologies:**

Cllr. Michael

### **Also Present:**

Cllrs. Bartlett, Burgess, Hicks, A Howard, W Howard, Krause, Link, Miss Martin, Pickering, Sims, Smith, Wedgbury, White.

Chief Executive, Corporate Director (Law and Governance), Director of Development Services, Head of Finance, Economic Development Manager, Communications and Marketing Manager, Policy and Performance Manager, Senior Commercial Development Manager, Housing Strategy Manager, Head of Housing, Head of Health, Parking and Community Safety, Head of Culture, Senior Policy, Performance and Scrutiny Officer, Member Services Manager.

## **69 Declarations of Interest**

<b>Councillor</b>	<b>Interest</b>	<b>Minute No.</b>
Wedgbury	Made a "Voluntary Announcement" as a member of Kingsnorth Parish Council and Ward Member for Park Farm South.	72

## **70 Minutes**

### **Resolved:**

**That the Minutes of the meeting of the Cabinet held on the 9<sup>th</sup> June 2016 be approved and confirmed as a correct record.**

## **71 Adoption of Chilmington Green Design Code as a Supplementary Planning Document**

The report sought Cabinet's approval to recommend to Full Council the adoption of the Design Code to guide the implementation of the Chilmington Green Development as a Supplementary Planning Document to the 2013 Chilmington Green Area Action Plan.

The Portfolio Holder said he commended Officers for the work on the Design Code and considered that the document would guide the development of the individual planning applications which would come forward over time.

The Portfolio Holder for Culture, Leisure, Environment and Heritage said she was pleased in terms of the numbers of comments received on the draft document.

### **Recommended:**

- That (i) the representations received on the content of the draft Design Code document resulting from the public consultation process be noted.**
- (ii) the recommended changes to the Design Code as set out in Annex 2 to the report be approved.**
- (iii) the draft Design Code be adopted as a Supplementary Planning Document to the 2013 Chilmington Green Area Action Plan, subject to the identified amendments resulting from the representations received.**

## **72 Extending Bus Services into Park Farm South and East, Kingsnorth**

The report sought authority to commit developer contributions to extending the existing B-Line bus service into Park Farm South and East, Kingsnorth and recommended the use of funding already held by the Council for this purpose.

The Ward Member for Park Farm South said he had concerns about the scheme and expressed a wish that if the scheme went ahead, the bus operators use single decker buses. He advised of a recent issue whereby an HGV had tried to use the link which had caused an accident and traffic problems in that area of Park Farm.

The Ward Member for Weald East said that he supported the scheme and said that it was part of the overall strategy to reduce traffic and provide a bus service to residents.

### **Resolved:**

- That (i) the bid made by Kent County Council for the expenditure of c.£255,000 of SPG6 monies on the provision of the new service be agreed.**

- (ii) **the Corporate Director (Law and Governance) be authorised, in consultation with the Director of Development to conclude a Funding Agreement for a single up-front payment to KCC in the sum of £240,000 for the agreed bus service for the agreed period, upon appropriate terms and conditions including those set out in paragraph 9 of the report.**

### **73 Section 106 Annual Monitoring Report 2015/16**

The report updated Members on the financial contributions negotiated and secured in the financial year 2015/16 and the use and management of financial resources. The report also provided details of new S106 Agreements signed in the financial year and identified the progress that had been made since the last report.

The Portfolio Holder said that it was likely that the following year would see a significant rise in the contributions received as the Agreements in respect of Chilmington Green were concluded.

#### **Resolved:**

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

### **74 Data Protection Policy**

The report advised that the policy had been brought up to date to ensure that it aligned with national legislation and policy, best practice around the country and across the Council and following a recent internal audit of the Council's data protection arrangements.

The Portfolio Holder said that he supported the revised policy and commended the two recommendations to the Cabinet.

#### **Recommended:**

- That
- (i) **the revised Data Protection Policy be approved and the information security policy be withdrawn.**
  - (ii) **the Corporate Director (Law and Governance) be authorised to approve minor amendments to the policy in line with working arrangements.**

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

The report proposed the formal write-off of 122 debts totalling £149,109.45. 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 said that he wished to draw Members' attention to a recent report considered by the Audit Committee which detailed the work undertaken by the Fraud Investigation Team in terms of tracking down and pursuing money owed to the Council.

**Resolved:**

- That (i) **accounts totalling £8,929.91 that had been written-off under delegated powers (Financial Regulation 11.1) be noted.**
- (ii) **the write-offs listed in the Exempt Appendices to the report totalling £140,179.54 be approved.**

## **76 Affordable Housing Provider Protocol**

The report presented an updated version of the existing eligibility criteria to develop affordable housing in the Borough. This would allow for a wider range of models to be considered in the future whilst maintaining quality development and management. Specific approval was sought on the revised eligibility criteria that both Registered Providers and Non-Registered Providers of affordable housing would need to fulfil in order to maintain a programme of quality affordable housing delivery in the Borough.

The Portfolio Holder explained that Housing Associations were finding it more difficult to obtain access to funds for housing provision and the revised protocol would ensure the continuing inflow of affordable housing investment.

**Resolved:**

**That the revised eligibility criteria to widen the scope of affordable housing delivery in the Borough to meet local housing needs be approved.**

## **77 Procurement and Appointment of External Audit**

The report highlighted the work of the Audit Committee in identifying a preferred route to procure the Council's next External Auditor.

The Portfolio Holder said that the Audit Committee had recommended that the preferred procurement route for the appointment of an external auditor be via a sector-led body.

**Resolved:**

- That (i) **the report be received and noted.**
- (ii) **the Audit Committee's recommendation as set out in Minute No. 45/6/16 be endorsed.**

## **78 Ashford Borough Council Annual Report 2015-16**

The report advised that the Annual Report provided a transparent and accessible summary of the achievements and milestones of the Borough Council over the

course of the 2015/16 financial year. The report also sought approval in respect of the intended methods of distribution of the document.

The Portfolio Holder advised that in the future it was hoped that residents would sign up to receive an electronic copy of the Annual Report and also for other messages and information the Borough Council may wish to make available.

**Resolved:**

- That**
- (i) the contents of the Annual Report for 2015-16 be noted.**
  - (ii) the method of distribution as set out in paragraph 7 of the report be agreed.**

## **79 Management of the Julie Rose and Conningbrook Lakes and Country Park**

The report provided an update on the change in arrangements recommended to and agreed by the Cabinet in March 2016 concerning the lease of the Julie Rose Stadium and Management of the Conningbrook Lakes Country Park. Due to the need to protect pension rights of a number of staff, it had not been possible to transfer the service from ALT to Southern Neighbourhood Community Trust, however, ALT had agreed to enter into negotiations looking at the same legal arrangements previously offered to Southern Neighbourhood Community Trust.

The Portfolio Holder explained that the Stour Centre Redevelopment and Leisure Management Steering Group had met the previous day and intended to push ahead with their work imminently.

The Chairman of the Steering Group explained that the meeting was essentially an update and a discussion regarding the Task Group's remit and indicated that further updates would be provided to the Cabinet in due course.

**Resolved:**

- That**
- (i) the Council negotiate a concession contract with ALT for the operation of Conningbrook Lakes Country Park and Julie Rose Stadium.**
  - (ii) Officers engage the leisure market with a view to conducting a procurement exercise for these facilities, working with ALT and/or other leisure operators as appropriate, assisted by a dedicated budget of up to £20,000 in consultation with the Stour Centre Redevelopment and Leisure Management Steering Group.**
  - (iii) the Head of Culture and the Corporate Director (Law and Governance), in consultation with the Portfolio Holder for Culture, Leisure, Environment and Heritage be authorised to take all appropriate steps required to give effect to the recommendations and agree the necessary contracts.**

## **80 Looking After the Town Centre: A Review of T-CAT's Role and Its Needs**

The report advised that the Town Centre Action Team (T-CAT) had been formed three years' ago with the intention of having a flexible and reactive resource to keep the Town Centre attractive and well looked after. The review had been undertaken to check that T-CAT was achieving these goals and providing extra worth to the Town Centre.

The Portfolio Holder said that he believed that T-CAT had been a great success and said that he wished to place on record his gratitude to the Civil Enforcement Officer Team Leader and T-CAT Team Leader and the rest of the T-CAT members for their support and work.

In response to a question in terms of the availability of T-CAT in the villages and smaller towns within the Borough, the Chairman explained that they had been formed primarily for the Town Centres and as a general resource to the Borough and he said that extending their services to other areas was a question of balance.

The Portfolio Holder confirmed that they did visit Tenterden regularly and also visited villages.

### **Resolved:**

- That**
- (i) in the interests of better service integration and synergy and support to the Corporate Plan, T-CAT be relocated to the Environmental and Contracts Team and that management responsibilities be transferred to the Environmental and Contracts Manager.**
  - (ii) in support of recommendation (i) above the agreed budget for T-CAT transfer to the Environmental and Contracts Service to be managed and monitored by the Environmental and Contracts Manager.**
  - (iii) once the T-CAT team has settled into its new service location, and the synergy between T-CAT, Biffa and Aspire is better understood, the size of the T-CAT team should be re-assessed in line with Ashford's growth.**
  - (iv) in support of the Corporate Plan and its underpinning principles, the Environmental and Contracts Service consider the best way of raising T-CAT's profile once they are settled into the Environmental and Contracts Service.**

## **81 Phase 1 Commercial Quarter Office Development (Land Transaction)**

The purpose of the report was to highlight the regeneration and economic development benefits which would come from the proposed development and

request the Cabinet recommend to Council that it approves the Transaction, details of which were set out within the report and in the Exempt Appendices.

The Portfolio Holder said he believed that the scheme represented a massive undertaking for the Council and said he wished to acknowledge the work undertaken by the Senior Commercial Development Manager on the project and he believed that moving forward at this stage with the project was the right thing to do.

The Chairman explained that the Chief Executive had recently spoken to the Developer for the Commercial Quarter who were anxious to carry on and take forward the scheme. He said that the site had been vacant for over a decade and he therefore commended the scheme.

**Recommended:**

- That**
- (i) the advice contained within the report be noted.**
  - (ii) the valuation advice contained in Exempt Appendix A to the report be noted.**
  - (iii) the Transaction as set out in paragraphs 10 to 32 of the report be approved.**
  - (iv) the land disposal values in respect of the Dover Place Land and the South Park Land as contained in Exempt Appendix E to the report be approved.**
  - (v) the disposals referred to in recommendation (iv) above at the undervalue as set out in Exempt Appendix E to the report be authorised on the grounds that the land transactions would help to secure the promotion or improvement of the economic, social or environmental wellbeing of the local area and the undervalue is less than £2m under market value.**
  - (vi) the Chief Executive, in consultation with the Leader of the Council, the relevant Portfolio Holders, the Corporate Director (Law and Governance), the Head of Finance and the Head of Corporate Property and Projects be authorised to take the necessary steps to finalise and complete the legal documentation to enable the transaction to proceed.**

## **82 Funding to Support the Delivery of the new Ashford Town Centre College Campus**

The report advised on progress in delivering a new Further Education College Campus in Ashford Town Centre and asked the Cabinet to recommend to Council the approval of an additional bridging loan of up to £1m to fund phases 1 and 1A of the Ashford College Town Centre Campus. The report also asked the Council to approve the conversion of the bridging loan into a grant of up to £3m to gap fund Phase 1 and 1A of the Campus subject to the College complying with the Conditions of a Funding Agreement.

Tabled at the meeting was a revised set of Prudential Indicators for 2016/17 to 2018/19.

The Chairman advised that construction on the new College was now well under way and indeed work was now being undertaken on the second floor of the building. When completed, he said that it would cater for over 1,000 students. Currently he said over 700 students travelled outside of Ashford for further education and advised that the courses which would be available from the College would help raise Ashford's skills level required to meet the incoming businesses. He referred to the report and said that it was proposed that the Council would fund this grant by the use of capital receipts from Conningbrook land and also by the use of reserves and New Homes Bonus.

**Recommended:**

- That
- (i) an additional bridging loan be provided to West Kent and Ashford College in the sum of up to £1m to be used for the sole purpose of the development of Phase 1 and Phase 1A of the Ashford College Campus on Elwick Road.**
  - (ii) grant funding be provided to West Kent and Ashford College in the sum of up to £3m to be used for the sole purposes of the development of Phase 1 and 1A of Ashford International College Campus on Elwick Road and to be conditional as set out in the Heads of Terms.**
  - (iii) the allocation of the receipt from the sale of land at Conningbrook towards the proposed £3m grant to West Kent and Ashford College be approved.**
  - (iv) the loans and grant be secured against the West Kent and Ashford College Tonbridge Campus and Elwick Road Campus, subject to the successful completion of due diligence, which confirms there is sufficient security for the loan/grant and no state aid impediment to proceeding in the opinion of the Head of Finance.**
  - (v) delegated authority be granted to the Corporate Director (Law and Governance) in consultation with the Head of Finance to execute and complete all necessary documentation to give effect to the recommendations.**
  - (vi) the revised Prudential Indicators as tabled at the meeting be approved.**

## **83 Exploring the Merger of the Five East Kent District Councils**

The report sought approval in principle, based on the jointly agreed Statement of Intent attached as an Appendix to the report, to explore the merger of the five East Kent District Councils of Ashford, Canterbury, Dover, Shepway and Thanet. This was in response to financial challenges facing Local Government and the opportunity to drive improvements and growth in the East Kent area.

The Chairman gave the background to his involvement in the current position and explained that it stemmed from a discussion between the Kent Districts and the Leader of the Kent County Council in light of the Government's devolution agenda. He emphasised that the work was at a very early stage and any decisions flowing from the work would need to be considered by Cabinet and Full Council.

The Vice-Chairman said the exploration of shared services might achieve cost savings without the requirement for the relevant Councils to merge.

The Chairman said that irrespective of the work to be undertaken, he was strongly of the view that Ashford was some way ahead of the other Districts in terms of its support and care for the elderly and he also referred to a potential issue over the equalisation of the Council Tax throughout the area and said that he would not wish to see Ashford's level of Council Tax increased.

**Resolved:**

- That**
- (i) the report be received and noted.**
  - (ii) the Statement of Intent (as outlined in Appendix 1 to the report) be approved).**
  - (iii) the five Councils explore the merger of the East Kent District Councils based on the following arrangements:-**
    - (a) The Chief Executives of the Councils' - jointly commission work to prepare a Business Case to examine the advantages, disadvantages and potential mechanism of a merger of the five East Kent District Councils.**
    - (b) Provision of up to £20,000 funding, from each Council to support the preparation of the Business Case (background information as set out in Appendix 2 of the report for developing the draft Business Case).**
    - (c) Delegation to the Councils' Chief Executives in consultation with the Leaders to agree the specific management of the Business Case.**
  - (iv) each Council raise specific points and issues they would like to be considered as part of the specification of work to be covered by the Business Case.**

**Recommended:**

- That**
- (i) the final version of the Business Case be reported back to each Council once completed but before any formal commitment is made to any further decisions or process.**
  - (ii) the formulation and agreement of any plan or strategy to implement any proposed merger of the East Kent District Councils be a matter of Policy Framework and be reserved for consideration of Full Council pursuant to Article 4.01 (a) of the Constitution of the Council.**

## **84 Member Training Panel Annual Report 2015/16**

The report advised that the Council's Constitution required the Member Training Panel to make an annual report to the Cabinet to review training issues. The report gave an overview on Member training from 2015/16 and expenditure from the Council's Member Training Budget as well as commenting on plans for the future.

The current Chairman of the Member Training Panel said that he wished to thank his predecessor for all her hard work with the Panel and on Member Training in the previous year. He also advised that he was working with Officers with a view to enhancing training for Members and also investigating the provision of accredited training in association with the Kent Association of Local Councils (KALC).

**Resolved:**

**That the Annual Report of the Member Training Panel for 2015/16 be received and noted.**

## **85 Local Plan and Planning Policy Task Group – 11<sup>th</sup> and 31<sup>st</sup> May 2016**

**Resolved:**

**That the Notes of the meetings of the Local Plan and Planning Policy Task Group held on the 11<sup>th</sup> and 31<sup>st</sup> May 2016 be received and noted.**

## **86 Joint Transportation Board – 14<sup>th</sup> June 2016**

**Resolved:**

**That the Minutes of the meeting of the Joint Transportation Board held on the 14<sup>th</sup> June 2016 be received and noted.**

## **87 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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## Audit Committee

Minutes of a Meeting of the Audit Committee held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **16<sup>th</sup> June 2016**.

### Present:

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

### Apologies:

Cllrs. Farrell, Powell.

### Also Present:

Head of Culture, Head of Finance, Head of Audit Partnership, Audit Manager, Member Services Officer.

Lisa Robertson, Elizabeth Olive, Neil Robertson - Grant Thornton UK.

Prior to the commencement of the meeting a minutes silence was held in remembrance of the MP Jo Cox, who was killed on the 16th June.

## 42 Declarations of Interest

Councillor	Interest	Minute No.
Smith	Made a Voluntary Announcement as he drew and received added years for a Local Government Pension	43

## 43 Minutes

### Resolved:

**That the Minutes of the Meeting of this Committee held on the 15th March 2016 be approved and confirmed as a correct record.**

## 44 Safeguarding Audit Follow Up

This item was brought forward and the Head of Audit Partnership introduced the report, which was requested by Members at the meeting in December 2015. The report set out the progress made since the Committee received the 'weak' assurance rated report on Safeguarding. 19 of the 23 recommendations had been implemented before the deadline of 31<sup>st</sup> March 2016 and Mid Kent Audit's most recent follow up report raised the assurance from 'weak' to 'sound'. The Head of Audit Partnership



concluded that this signified a positive response to what had been a worrying set of circumstances. He asked the Committee if they required any further action to be taken or if they were content to return to the standard monitoring procedure.

**Resolved:**

- That (i) the report be received and noted**
- (ii) the Committee agree the standard monitoring procedure for Safeguarding resume**

## **45 Procurement and Appointment of External Auditors**

The Head of Finance introduced the report which updated the Committee on the procurement of an external auditor in time for the 2018/2019 financial statements. He clarified that the recommendations had unfortunately not been reproduced on the report document, but they were for the Committee to note the report and opt for the preferred procurement route through a Sector Led Body. The Head of Finance outlined the three approaches available for the procurement which were Solo Procurement, Joint Procurement and Outsourced Procurement (Sector Led Body). The Local Government Association had placed a bid in to the Secretary of State's Office and an announcement was expected in July. The Head of Finance concluded by acknowledging the work that the Head of Audit Partnership had contributed to the report.

**Resolved:**

- That (i) the report be received and noted**
- (ii) the Committee supported the proposal that procurement for the external auditor take place through a Sector Led Body**

## **46 Statement of Accounts 2015/2016 (including Member Training)**

This report presented the 2015/2016 Statement of Accounts for approval. The Head of Finance explained that there were three main parts of the report which were the Draft Statement of Account 2015/2016 sent for Audit and for which the Auditors were completing their own work on, a Presentation on Statement of Accounts and A Guide to Local Authority accounts by Grant Thornton. The Presentation was then shown and the Committee discussed the following points:-

- The Chairman asked what % turnover there would be where the Materiality level was £1 million. The Head of Finance responded that the Revenue Budget was approximately £80 million and the Council Tax and Business Rates collection budget stood at £80 million so those combined were a turnover of £160 million. The external auditors confirmed that the materiality threshold was calculated on a percentage of the Gross expenditure figure on the face of the income and expenditure account, this was £86 million and Mrs

Robertson confirmed the materiality threshold was approximately 1.8% of this figure (£1.4m).

- A Member asked for elaboration on the meaning of Impairments. Mr Robertson explained that Housing Stock would be valued annually and could decrease, then increase, dependent on the property market at the time of valuation. Impairment was not something that would depreciate over time, but could go up and down.
- The Chairman asked for confirmation on the frequency of revaluation and the Head of Finance confirmed that Pensions were revalued triennially and Property was revalued annually.
- Regarding the figures on P.41 of the report, a Member asked why it indicated two Chief Executives and it was explained that this reflected the overlap between the two post holders.
- A Member questioned whether the RICS valuation on Council dwellings could be carried out as a desktop valuation and the Head of Finance confirmed this was an option. He explained that it was preferential to undertake an annual valuation because of the volatile housing market. The Head of Finance gave clarification on the accounting term 'amortised' and explained that it referred to the lifespan and depreciation of an asset. Another Member commented that the figure in the report on Council dwelling assets was lower than expected and this was because they were discounted to allow for the Existing Use Value for Social Housing. The Committee discussed the effects of Right to Buy (RTB) on the valuation and it was confirmed that there would be a discrepancy on the balance sheet owing to the change in asset type after a property was purchased under the RTB scheme. The total RTB discount amount was approximately £2.2 million with an average discount amount of £71,000. The maximum percentage discount obtainable under RTB was 30%. A Member observed that the Housing Stock's expected value was most likely higher than reported, but he could see that it was difficult to pin down the exact statistics and the Council had to be prudent.

**Resolved:**

**That the Committee note the draft Statement of Accounts 2015/2016 which were sent to audit and the training given**

## **47 Report Tracker and Future Meetings**

The Chairman confirmed the dates for the future meetings.

**Resolved:**

**That the Report be received and noted**

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## Audit Committee

Minutes of a Meeting of the Audit Committee held in Committee Room No. 2 (Bad Münstereifel Room), Civic Centre, Tannery Lane, Ashford on the **30<sup>th</sup> June 2016**.

### Present:

Cllr. Waters (Chairman);  
Cllr. Buchanan (Vice-Chairman);  
Cllrs. Farrell, Link, Ovenden, Shorter.

In accordance with Procedure Rule 1.2 (iii) Councillor Ovenden attended as a Substitute Member for Councillor Smith.

### Apologies:

Cllrs. Smith, White.

### Also Present:

Head of Finance, Deputy Head of Audit Partnership, Head of HR Communications & Technology, Audit Manager, Fraud Manager, Senior Policy Performance and Scrutiny Officer, Senior Auditor, Senior Member Services Officer.

Lisa Robertson - Grant Thornton UK.

## 54 Minutes

The Senior Member Services Officer advised that with regard to Minute No. 45 – Procurement and Appointment of External Audit – Resolution (ii) was in fact a recommendation to Full Council and this should be reflected in the final Minutes.

### Resolved:

**That subject to the amendment outlined above, the Minutes of the Meeting of this Committee held on the 16<sup>th</sup> June 2016 be approved and confirmed as a correct record.**

## 55 Fraud Investigations and Debt Recovery Annual Report 2015/16

The Fraud Manager introduced the report which provided the annual update on the work of her Team. For the first time the scope of the report had been extended to cover an element of the work conducted by the Recovery team within the same department, which complemented the fraud work and also sought to ensure that monies were recovered as appropriate. The team's year started with minimal staffing entering a period of transition with the migration of benefit fraud to the Single Fraud

Investigation Service however it had ended with increased resources and with a view to moving forward and providing the Authority with a corporate resource.

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

- A figure of over £350,000 had been attributed to the team in relation to fraud and error and this took into account the recovery of three social housing properties, applications removed from the waiting list, fraud against Council Tax and business rates and housing benefit. An additional £60,000 of recoverable overpayments had also been found by Officers as part of National Fraud Initiative (NFI) data matching work on Single Persons Discounts. The Chairman said that in future reports it would be useful to include some year on year data to identify trends. Figures on tenancy fraud should also be included in the relevant paragraph as well as the general fraud section.
- The Council was about to start working with a company to see whether they were able to collect old outstanding debt that would have otherwise been written off. The Council's systems did not delete written off debt so that could all be taken in to account by the company and a second opinion could perhaps be taken.
- From April 2016 the team now had the ability to assist with internal fraud investigations. HR would be alerted and they may ask the team to assist with any investigations. There had been no cases this year and the Chairman asked that this also be included in future reports for completeness.
- When examining the figures recovered, 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 prevention was the most important consideration and the team was making even more of a difference than the figures implied. It was important to continue to publicise the team's existence and its actions.
- Staffing levels currently felt about right. There had been various changes over the last few years and they now had a team of four (a Manager, two Investigators and an Administrator). An increase in data matching work with the Kent Intelligence Network may increase workloads in the future and that might be the time to review the size of the team if necessary.

The Chairman said he considered both the work of the team and its deterrent value to be a good investment for the Council. He urged the Fraud Manager to stay in touch with the Committee and said that if workloads did increase to a point where extra staff were needed, they would be happy to support that case.

**Resolved:**

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

## 56 Internal Audit Annual Report and Opinion 2015/16

The Deputy Head of Audit Partnership introduced the report which presented the 2015/16 Head of Audit's Opinion on the Council's internal control, governance and risk management, with supporting work completed during the year. The report provided a wide-ranging update on the Audit Service and progress against its work plan for the year (which had for the first time this year been based on a number of days, rather than projects). This had allowed for more flexibility and to be able to respond to change. The team itself had worked hard on its own professional development during the year and a number of individual skills and qualifications had been achieved in 2015/16.

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

- Two trainees had been appointed during the year and had left quite quickly. For the first time, the Service had created a career graded post and there had been lots of interest and high level candidates. Given the circumstances behind the departures, this was not considered to be a major issue.
- The Chairman said that the shortfall of 67 days (24%) between the planned and actual days was a little concerning. He understood the days would be rolled in to the following year but as this was about a quarter of the year's work this did seem particularly high and he hoped it would not be repeated. The Deputy Head of Audit Partnership explained that some of these days had been taken up with work in other areas and they had also had the issue with staff turnover. Any work deferred had been done with the agreement of management and anything that had been previously assessed as high risk had not been deferred. The audit work plan reflected a 3-4 year strategy and was adjusted and refreshed every year so programmed work was not 'lost'.
- The limited progress with regard to Safeguarding was noted as disappointing. Officers explained that this was to be expected as a working group had been established to implement improvements and revised processes had to be embedded. There would be a further re-assessment later in 2016 and it was expected demonstrable progress would have been made by that time.
- The conclusion that strong controls were in place to deliver staff training and development was questioned as the two pieces of audit work that had identified 'weak' assurances – data protection and safeguarding – had both flagged a lack of staff training as a contributory issue.
- The Chairman wanted to congratulate the staff on the professional qualifications they had achieved this year.
- In the review of parking enforcement it was noted that the procedure for officers to take payments and pay in money required clarification. Normally such officers would not take payments, particularly in cash, but the enforcement of HGVs had created opportunities where drivers wished to pay

in cash and it was considered preferable to accept any form of payment possible from a sometimes hard to reach source.

- An allocated Data Protection Officer had been appointed and their Head of Service would provide cover in their absence.
- The lack of reports under the whistleblowing policy could be viewed as a positive, however there should not be complacency about that position as a lack of reporting may be due to a lack of knowledge or familiarity with the system.

**Resolved:**

- That**
- (i) the Head of Audit's Opinion for 2015/16 that the Committee can place reliance on the overall adequacy of the Council's internal control, governance and risk management be noted.**
  - (ii) the work underlying the Opinion and the Head of Audit's view that the service has upheld proper independence and conformance with Public Sector Internal Audit Standards be noted.**

## **57 Audit Committee Annual Report 2015/16**

The Deputy Head of Audit Partnership introduced the 2015/16 Annual Report of the Audit Committee which summarised the Committee's discharging of the responsibilities set out for it in the Council's Constitution.

The Chairman asked that a Members' register of attendance be included within the final report to qualify the statement that the Committee had been well attended.

**Resolved:**

- That**
- (i) subject to the addition of an attendance register for Members, the Audit Committee's Annual report for 2015/16 be agreed.**
  - (ii) the Committee agree to provide the Annual Report to Full Council, demonstrating how the Committee has discharged its duties.**

## **58 Annual Governance Statement 2015/16**

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. This year's Statement built on previous statements and provided updated information where needed. It concluded that governance arrangements remained appropriate, effective and adaptive to change as circumstances dictated.

The Senior Policy, Performance and Scrutiny Officer introduced the report and explained that this would be the last Annual Governance Statement produced against the old Local Code of Corporate Governance and the arrangements for 2016/17 were outlined in the next agenda item. He ran through this year's statement and gave some detail around each of the six core principles.

A Member thanked the Officer for the report and said it was extremely thorough and clear. He suggested that in future statements comments under Principle 1 around targeting the Council's available resources and capacity to deliver its aspirations as set out in the Corporate Plan should also be included in Principle 5 – Effective Capacity of Members and Officers.

**Resolved:**

**That the 2015/16 Annual Governance Statement be approved and signed by the Leader and Chief Executive as required by regulations.**

## **59 Local Code of Corporate Governance – *Delivering Good Governance in Local Government 2016***

The report summarised the new CIPFA/SOLACE Code – 'Delivering Good Governance in Local Government 2016', which set the standard for Local Authority governance. The Senior Policy, Performance and Scrutiny Officer explained that it would be good practice for the Council to adopt its own compliant Code of Corporate Governance based upon the national framework. This local Code would apply to Annual Governance Statements from the financial year 2016/17 onwards. He presented the framework in the context of Ashford Borough Council's Governance arrangements.

**Resolved:**

**That a new Local Code of Corporate Governance based on the *Delivering Good Governance in Local Government 2016* Framework be agreed.**

## **60 2015/16 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 Head of Finance on behalf of management. They covered similar points to assurance letters in the past and had already been shared in draft with the External 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.



**Resolved:**

**That the Chairman's and Management's 2015/16 Assurance Letters be endorsed.**

## **61 Annual Staff Appraisal Process**

The Head of HR, Communications and Technology introduced the report which followed a request from the Committee to bring forward a report showing how performance was managed through the annual appraisal process. She advised that the report showed the journey the Council had been through since 2015 when it introduced a new appraisal system as well as its next steps in making sure there was a good quality of appraisal for managers and staff. In terms of conclusions and next steps, the Head of HR, Communications and Technology reported that the gradually improving completion rates indicated that the system was starting to bed in and the intervention of poor performance procedures where appraisals had not been completed would send a strong message about how important appraisals were to ABC. Changes to the way the training budget was allocated and managed should also help underpin the importance of undertaking the appraisals in a thorough and timely way. Although the completion rate had improved from year one to year two, the proportion of appraisals completed late was still disappointing and the Chief Executive and Management Team had sent a very clear message about the consequences of non-completion. In conclusion she advised that they aimed to make better use of the data gathered from having a 'potential and performance jigsaw'.

The Chairman said he was a big advocate of appraisals in his own work life and wanted to praise Officers for the huge amount of work they had undertaken on this over the last couple of years. In terms of completion rates he wondered if one of the problems was trying to undertake all appraisals by the financial year end (31<sup>st</sup> March) which tended to be the busiest time of year for a lot of departments. To take some of the pressure off managers he suggested consideration be given to staggering appraisal dates (perhaps by employment start date). He also suggested a third party should perhaps be present to oversee the appraisal discussions themselves. The Head of HR, Communications and Technology said she would raise both of these points as part of the ongoing review of the appraisal process.

The Chairman said that as part of the whole appraisals process it would be important to keep a close eye on the corporate training budget and whether this was sufficient for the organisation. Training was sometimes seen as one of those things an organisation could do without when times were hard, but this was a false economy as if problems arose, they were often more expensive to put right. He encouraged the Head of HR, Communications and Technology to stand her ground if she felt she was being put under any pressure to cut training budgets inappropriately and he said that this Committee would fully support her if that was the case as staff training was vitally important to the Council in continuing to fulfil its legal responsibilities.

The Committee wished to acknowledge the good work that Officers had undertaken in this whole area and encouraged them to keep up the momentum.

**Resolved:**

- That (i) the progress made since the introduction of the iTrent performance management module in 2015 be noted.**
- (ii) the planned next steps to review the qualitative elements of the appraisal process be noted and supported.**

## **62 External Audit Update Report**

A report had been received from the Council's External Auditor, Grant Thornton UK to update the Committee on progress against the audit plan. Overall progress was good and the Council continued to maintain a good working relationship with Grant Thornton. The Head of Finance highlighted two particular elements of the report that the Committee may wish to consider at future meetings, namely a report Grant Thornton had published on the effectiveness of Audit Committees and a report by CIPFA about Fighting Fraud and Corruption. Lisa Robertson further confirmed that work was underway on the auditing of the Council's accounts and Council Officers had been extremely prompt in getting the relevant information to them. They anticipated no problems with meeting this year's earlier deadline of the end of July for those accounts to be signed off. The Committee wanted to congratulate Officers for their part in this work so far.

The Chairman said he would certainly welcome consideration of the Grant Thornton report on the effectiveness of Audit Committees and also encouraged the Fraud Manager to have a look at the CIPFA report.

**Resolved:**

**That the report from External Audit be received and noted.**

## **63 External Audit Fee Letter 2016/17**

The Council's External Auditor, Grant Thornton UK had submitted an Audit Fee Letter for 2016/17 which outlined their proposed fee. The scale of those fees was set by Public Sector Audit Appointments (PSAA) and the scope of the audit was determined by the National Audit Office. The fee was in line with the budget and reflected the reduction that was secured when the audit contracts were last tendered. The letter also included an outline audit timetable.

**Resolved:**

**That the fee scale for 2016/17 and the External Auditor's outline of planned audit work for the year be noted.**

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## **64 Report Tracker and Future Meetings**

**Resolved:**

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

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Telephone: 01233 330349 Email: [danny.sheppard@ashford.gov.uk](mailto:danny.sheppard@ashford.gov.uk)  
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**Agenda Item No:** 10  
**Report To:** Council  
**Date:** 21 July 2016  
**Report Title:** Overview and Scrutiny Annual Report - 2015/16  
**Report Author:** Corporate Director (Law and Governance)



**Summary:**

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 2015 – March 2016. The report was considered by the Overview and Scrutiny Committee on 24 May 2016.

**Key Decision:** No  
**Affected Wards:** None  
**Recommendations:** **The report be received and noted.**  
**Policy Overview:** None  
**Financial Implications:** None  
**Risk Assessment** No  
**Background Papers:** None  
**Contacts:** [keith.fearon@ashford.gov.uk](mailto:keith.fearon@ashford.gov.uk) 01233 330564

## **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 2015/16.

### **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 2015/16 the O&S Committee had 12 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 June 2015**

5. Since June 2015 items considered by the main O&S Committee have included: -
  - ABC Business Plan quarterly performance report
  - Sickness absence figures and information for 2015/16
  - Annual Report of the Housing Framework 2013-2018
  - Quality Bus Partnership
  - Public Services (Social Value) Act 2012
  - Emergency Planning Response to Oak Tree Road Gas Explosion and lessons learned in response
  - International House – Report on Full Years Trading
  - Disabled Adaptions to Council Homes
  - Review of Changes Made to the Mayoralty following the O&S Review in 2010
  - Presentations from Southern Water and Southeast Water
  - Medium Term Financial Plan
  - Flood Prevention on ABC Land
  - Community Safety Partnership update
  - The Council's draft 2016/17 budget

**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**

6. 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 2016/17 budget was achievable and in line with the Council's 5 year Medium Term Financial Plan and the priorities in the 'The Next Five Years' Corporate Plan 2015-2020 adopted by Cabinet in October 2015.
7. By the end of the scrutiny process the Task Group were confident that the Budget was legal and achievable.
8. The Task Group made four recommendations which the main committee supported and relayed to the Cabinet.
9. The Cabinet supported the recommendations which are set out below-
  - (i) it be noted that the Overview and Scrutiny Committee regards the Council's draft 2016/17 Budget as legal and achievable.
  - (ii) the Risk Matrix and the risks identified within, especially those that fell within the shaded part of the matrix be endorsed.
  - (iii) it be noted that the Overview and Scrutiny Committee would consider it inappropriate for any amendments to be made to the Budget following scrutiny as it would potentially make the Budget insecure (subject to any unexpected announcements on Central Government funding).
  - (iv) it be noted that the Overview and Scrutiny Committee intend to scrutinise the MTFP document at its April meeting and test the assumptions made as a starting point for scrutiny of the following year's Budget.

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

10. 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.
11. In February 2016, 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.
12. There was a lot of good news in the report including:
  - The number of incidents of Anti -Social Behaviour decreased by 643 compared to 2014/15.

- The number of incidents of fly tipping had decreased by 184 when comparing 2013/14 and 2014/15.
- Drug offences had decreased from 214 to 149 which represented a 30.4% reduction.

## **Reviews on the Forward Plan**

13. 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

14. In October 2015, following a discussion with the Chief Executive, the Committee agreed to take a more strategic approach to Overview and Scrutiny. At their November meeting the following topics for potential review were added to the Future Reviews and Report Tracker:-

- Education and how Free schools sat within the education plans for the Borough.
- Local Council's and Public Health
- Houses in Multiple Occupation
- HS1 and Eurostar Services
- Update on Syrian Vulnerable Persons Relocation Scheme
- Water Supply and Waste Water disposal
- Power Supply and IT Disaster Recovery at the Civic Centre and the robustness of Council policies in respect of flooding (added at the January 2016 meeting).

## **The Future**

15. 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. From May 2016 the support and management of the O&S Function will move from Member Services to the Policy and Performance Team.

16. 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**

17. 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.
18. The management and support of the Overview and Scrutiny function moved from Member Services to the Policy and Performance Team in May 2016.

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## **Audit Committee**

# **Annual Report 2015/16**



## **Introduction by Chairman of Audit Committee**

*This report provides an overview of the Audit Committee's activity during the municipal year 2015/16.*

*I am pleased to report the continued good work of the Committee in providing an independent overview of the Council's governance. This role includes detailed consideration of the work of external and internal audit plus robust scrutiny and challenge of the Council's financial performance.*

*During 2015/16 the Committee met four times and was pleased to note, among the highlights, a further unqualified accounts and value for money opinion from our external auditors and a positive conclusion on the Council's control and governance from our internal auditors.*

*Once again during 2015/16 the Committee is grateful for the contributions of its members, as well as to those officers who support its work.*



*Councillor Link  
Audit Committee Chairman (2015/16)*

## Introduction

Ashford Borough Council supports and understands the value and benefits of having an independent Audit Committee.

The Audit Committee is an essential check on the corporate governance framework; providing an independent and high-level overview of the internal control, governance and risk management for the Council.

The Committee monitors internal and external audit activity, reviews and comments on the effectiveness of the Council's regulatory framework and reviews and approves the Council's annual statements of accounts.

The Committee is independent from the Council's Executive and Scrutiny functions and has clear reporting lines and rights of access to discharge its responsibilities in line with its Terms of Reference (Appendix I). This includes direct access to the Council's Appointed Auditor and Head of Audit Partnership without the presence of other officers where appropriate.

The Committee is not a substitute for the Executive function in the management of internal or external audit, risk management, governance, or any other review or assurance function. It is the Committee's role to examine these functions, and to offer views and recommendations on the way the management of these functions is conducted.

Effective audit committees can bring many benefits to local authorities and these benefits are described in CIPFA's Audit Committees - Practical Guidance for Local Authorities as:

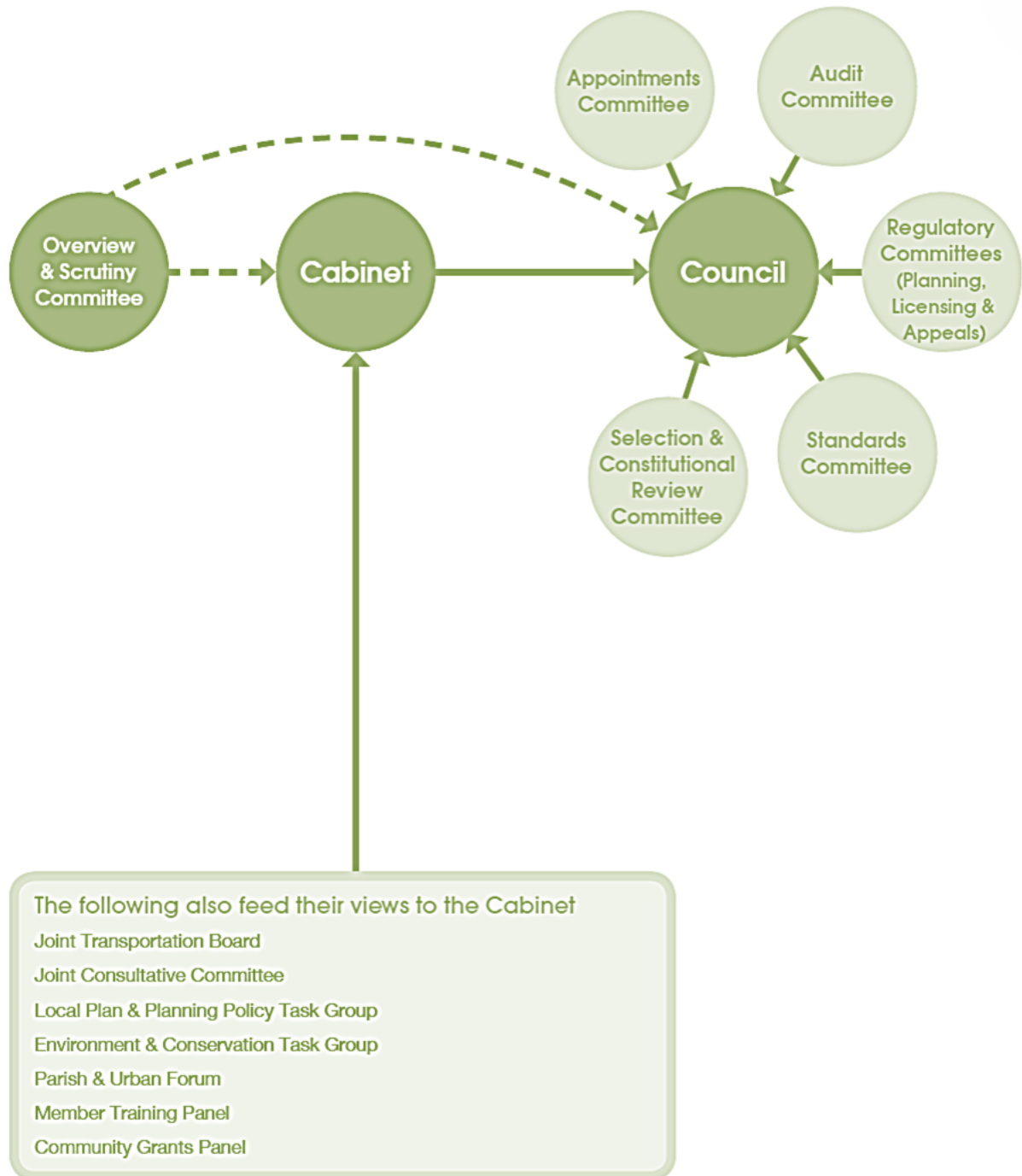
- Increased public confidence in the objectivity and fairness of Council financial and other reporting.
- Reinforcing the importance and independence of internal and external audit and similar review processes.
- Providing additional assurance through the process of independent review and challenge.
- Increasing emphasis and awareness of internal control, governance and risk management.

## Statement of Purpose

*The purpose of an Audit Committee is 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 weakens the control environment, and to oversee the financial reporting process.*

*Audit Committee Terms of Reference*

# Ashford Borough Council Committee Structure



## Membership

The Audit Committee comprised of 8 Members:

- Cllr Link (Chairman)
- Cllr Waters (Vice Chairman)
- Cllr Buchanan
- Cllr Chilton
- Cllr Powell
- Cllr Shorter
- Cllr Smith
- Cllr White

## Meetings & Attendance

Date	Cllr Link	Cllr Waters	Cllr Buchanan	Cllr Chilton	Cllr Powell	Cllr Shorter	Cllr Smith	Cllr White
30/06/2015	Present	Present	Absent	Apologies	Present	Present	Present	Apologies
29/09/2015*	Present	Present	Present	Apologies	Apologies	Present	Present	Present
01/12/2015*	Present	Present	Apologies	Apologies	Present	Present	Present	Absent
15/03/2016	Present	Present	Present	Apologies	Apologies	Absent	Present	Present

\*Substitutes: Cllr Bartlett & Cllr Mrs Webb

The Audit Committee met four times in 2015/16:

- 30 June 2015
- 29 September 2015
- 1 December 2015
- 15 March 2016

The Audit and Governance Committee is supported by senior officers of the Council who are regularly present at meetings, including:

- Deputy Chief Executive (Section 151)
- Head of Finance (Deputy Section 151)
- Director – Law & Governance
- Head of Audit Partnership & Deputy Head of Audit Partnership
- Policy and Performance Manager
- Counter Fraud Manager

In addition, the Council's External Auditors (Grant Thornton) attended each meeting of the Audit Committee during 2015/16.

All of the Audit Committee agenda papers and minutes are available on the Council's [website](#).

## Business

During the year the Audit Committee has commented, examined and reviewed the following:

Audit Activity
• Internal Audit Annual Report
• Internal Audit Interim Report
• Internal Audit Plan
• Internal Audit Charter
• Weak and Poor Assurance Reporting
• Safeguarding – Internal Audit Findings
• Data Protection – Internal Audit Findings
• Strategic Risk Management
• Future of Local Public Audit
External Audit (Grant Thornton)
• Planned Audit Fee
• Annual Audit Letter
• External Audit Findings Report
• Certification of Grant Claims
• Progress Report
• Audit Committee Update
Finance
• Financial Statements
• Statement of Accounts
• Annual Governance Statement
• Annual Governance Statement – Progress of Remedying Exceptions
• Annual Reports on reserves and Balances
Governance
• Reporting for ABC Companies
• Fraud Annual Report
• Independent Audit Review of the Affordable Housing Programme
• Audit Committee Report Tracker and Future Meetings

## **Sources of Assurance**

In drawing a conclusion for the year, the Audit Committee gained assurance from the following sources:

### ***The work of Internal Audit***

The Head of Audit Partnership issued an unqualified Head of Audit Opinion in 2014/15 which concluded that the Council was operating an effective sound system of internal control, governance and risk management. Throughout the year the Committee has been kept up to date with delivery of the Internal Audit plan, implementation of audit recommendations, and has been kept aware of any emerging risks.

The Internal Audit plan for 16/17 included a breakdown of internal audit assurance for the coming year, and the Committee were given the opportunity to comment on the work of internal audit prior to endorsing the plan for delivery.

Adverse audit opinions have been presented to the Committee and at request, have been provided with regular progress updates on the implementation of audit recommendations. Specifically the Committee has considered the responses to the Safeguarding and Data Protection audits.

The Committee has continued to show its support to the Internal Audit team throughout the year, and has recognised the role, responsibility and authority of the service within the Audit Charter which was updated and agreed by the Committee in March 2016.

The Committee has received regular updates on the Council's strategic risk management arrangements.

### ***The work of External Audit (Grant Thornton)***

The external auditors report back to the Audit Committee providing regular updates on their programme of work. During the year, the External Auditors presented an unqualified value for money conclusion and an unqualified opinion on the financial statements.

The Audit Committee has provided effective challenge to the External Auditors as appropriate and gained assurance from the reports and updates provided during the year.

### ***Finance & Governance Reports***

The Committee provided robust challenge prior to approving the statements of accounts and financial statements in September 2015.

The Committee specifically gains assurance from the Annual Governance Statement which is a statutory document that explains the processes and procedures in place to enable the council to carry out its functions effectively.

The statement is produced following a review of the council's governance arrangements and includes actions address any significant governance issues identified. The Committee reviewed and approved the 2014/15 Annual Governance Statement.

## **Conclusion**

The Audit Committee, in partnership with the Council's Internal and External Auditors, and with the support of Officers has provided robust and effective independent assurance to the Council on a wide range of risk, governance and internal control issues.

The Audit Committee can demonstrate that it has appropriately and effectively fulfilled its duties during 2015/16.



## Terms of Reference & Responsibilities

The purpose of an Audit Committee is 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 weakens the control environment, and to oversee the financial reporting process (Minute No. 408/12/06 refers).

To consider/monitor or advise the council as appropriate upon:-

### Audit Activity

1. The Head of Internal Audit's Annual Report and Opinion, and a summary of internal audit activity (actual and proposed) and the level of assurance it can give over the council's Corporate Governance arrangements.
2. The summary of internal audit reports issued in the previous period.
3. Reports on the management and performance of the Audit Partnership Agreement.
4. Reports from the Head of Internal Audit on agreed recommendations not implemented within a reasonable timescale.
5. The External Auditor's Annual Management Letter and relevant reports.
6. Any detailed responses to the External Auditor's Annual Letter.
7. Specific reports as agreed with the External Auditor.
8. The scope and depth of external audit work and to ensure it gives value for money.
9. Liaison with the Audit Commission on the appointment of the Council's External Auditor.
10. The commissioning of work from internal and external audit.

## Regulatory Framework / Risk Management

1. An overview of the council's Constitution in respect of Contract Procedure Rules and Financial Regulations.
2. The effective development and operation of financial management, risk management and those elements of corporate governance within the remit of the Audit Committee.
3. 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.
4. To recommend the Authority's Annual Governance Statement for approval to the Executive. (Minute No. 531/5/10).
5. The council's compliance with its own and other published financial standards and controls.
6. The External Auditor's report on issues arising from the Audit of the Accounts.
7. The ability to refer matters to the Overview and Scrutiny Committee for their consideration (Minute No. 62/6/09). **Note:** The Overview and Scrutiny Committee has a similar provision to refer matters to the Audit Committee.

## Delegations

To exercise the powers and duties of the council relative to:-

1. 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.