

## Cabinet

Minutes of a Meeting of the Cabinet held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **8<sup>th</sup> September 2016**.

### Present:

Cllr. Clarkson (Chairman);

Cllr. Bell (Vice-Chairman);

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

### Apologies:

Cllrs. Knowles, Michael

### Also Present:

Cllrs. Burgess, W Howard, Krause, Link, MacPherson, Ovenden, Pickering, Smith, Wedgbury.

Chief Executive, Corporate Director (Law and Governance), Head of HR, Communications and Technology, Head of Finance, Head of Culture, Housing Improvement Manager, Head of Environmental and Customer Services, Environmental Contracts and Operations Manager, Human Resources Manager, Health, Parking and Community Safety Manager, Senior Environmental Health Officer, Accountancy Manager, Senior Commercial Development Manager, Head of Corporate Property and Projects, Policy and Performance Manager, Head of Planning Policy and Economic Development, Corporate Fraud Manager, Refugee Resettlement Co-ordinator, Communications Officer, Member Services Manager.

## 117 Declarations of Interest

Councillor	Interest	Minute No.
Clarkson	Made a "Voluntary Announcement" in respect of Agenda Item 6 as he was the Chairman and Director of the Ashford Borough Council Better Choice for Property company.	119

## 118 Minutes

### Resolved:

**That the Minutes of the meeting of the Cabinet held on the 14<sup>th</sup> July 2016 be approved and confirmed as a correct record.**

## **119 Corporate Property Performance Annual Report 2015/16**

The report set out information on the revenue performance of the Council's Corporate Property Portfolio during the previous 12 months. It also advised of the opportunities being explored to increase the profitability of the Portfolio during the coming 12 months.

The Portfolio Holder said that he welcomed the report and explained that this was the first time the report had been presented to the Cabinet. He explained that in 2014 the Council had agreed to look to generate an additional £2 million per annum by 2020 to enable the Borough Council to become grant free. In terms of the table in Appendix 1 to the report, he advised that whilst it was comprehensive it did not reflect all of the costs involved with the properties, for example capital charges/financing charges or internal recharges for staff costs. He indicated that future reports would pick up and incorporate this further information. The Portfolio Holder referred to the percentage return on investment for International House and other acquisitions and in terms of Park Mall he said he wished to emphasise that this property was acquired to aid regeneration and not for initial revenue return.

The Portfolio Holder for Town Centres Focus and Business Dynamics advised that in terms of Park Mall, the acquisition had helped generate further value in the Town Centre and would also generate increased business rates.

### **Resolved:**

- That (i) **the revenue performance of the Council's Corporate Property Portfolio during the previous 12 months as provided for in the Corporate Property Income Schedule attached at Appendix 1 to the report be noted.**
- (ii) **the options currently being explored to increase profitability during the next financial year be noted.**

## **120 Updated Enforcement Policy for Revenues and Benefits**

The report sought Cabinet's endorsement of an Updated Enforcement Policy for Revenues and Benefits taking into account changes in legislation and the introduction of the Department for Work and Pensions (DWP) Single Fraud Investigation Service.

The Portfolio Holder emphasised the vital work undertaken by the Fraud Team and considered it was important that it offered a deterrent to those considering fraudulent activities. He advised that the Corporate Fraud Manager was due to appear in a Channel 5 documentary on 21<sup>st</sup> September about fraud and also advised that the Officer was leaving the Authority and he offered his best wishes for her future.

**Recommended:**

**That the Updated Revenues and Benefits Enforcement Policy as attached at Appendix 1 to the report be approved.**

## **121 Progress Report on Syrian Vulnerable Persons Resettlement Scheme**

The report provided feedback on the progress and development of the Borough Council's involvement in the Syrian Vulnerable Persons Resettlement Scheme in Ashford.

The Portfolio Holder said he was pleased with the progress made to enable those Syrians who were resettled in Ashford to have a reasonable life and he said he wished to encourage home owners to make property available for the Borough Council to rent.

The Chairman referred to a recent event which hosted all Syrian Vulnerable Persons' families from all over Kent. He said the evening was enjoyed by all participants and it had been a joy to hear the little children sing at the event.

**Resolved:**

**That the success of the scheme to date be noted and the Council's commitment to continue with the scheme for the duration of the five year Government programme be reaffirmed.**

## **122 Food Safety Policy**

The report presented an updated Food Safety Policy which covered the Council's approach to discharging the statutory duty to enforce relevant food law across the Borough. The Portfolio Holder read his Portfolio Holder comment views as detailed in the report.

**Recommended:**

**That the Food Safety Policy be approved.**

## **123 Alcohol, Drugs and Substance Misuse Policy**

The report set out a policy which included clear standards and expectations to promote employee wellbeing and to ensure that the Council mitigated against health and safety risks to the public, to service users and to employees themselves as a result of alcohol, drugs and substance misuse.

**Recommended:**

**That (i) the new Alcohol, Drugs and Substance Misuse Policy be approved.**

- (ii) the introduction of alcohol/drug testing for employees in Safety Critical posts on health and safety grounds be approved.
- (iii) Heads of Service be given delegated authority to designate a post as Safety Critical within their Service under the Council's Alcohol, Drugs and Substance Misuse Policy, after consultation with the relevant Corporate Director and the Director of Law and Governance and the Human Resources Manager.

## **124 Annualised Hours Policy**

The report sought approval to a new "Annualised Hours Policy" which set out clear standards and expectations for employees working an annualised hours working pattern.

The Portfolio Holder for Public Interaction and Borough Presentation advised that in terms of the Grounds Maintenance Team, this Policy would help maintain flexibility for both the employee and employer and would allow the payment of employees' salaries to be spread out on an average basis throughout the year.

### **Recommended:**

**That the new Annualised Hours Policy be approved.**

## **125 Microchipping of Dogs**

The report provided information on the new regulations requiring dogs to be microchipped in the UK and set out how the Borough Council would enact the provisions set out in the regulations.

The Chairman drew attention to the tabled papers which included an additional recommendation which would provide for deceased animals found on the public highway to be checked for a microchip and if present, every endeavour would be made to notify the owner of their sad loss.

### **Recommended:**

- That**
- (i) the policy document set out at Appendix 1 to the report be approved.
  - (ii) in addition to Appendix 1, in the event of a deceased animal (classed as a pet) being found on the public highway which forms part of the recycling, waste collection or street cleansing service, the animal be scanned for a microchip and if present, Officers make every endeavour to notify the owner of their sad loss.

## **126 Ashford Town Centre, Kingsnorth and Woodchurch Conservation Areas – Revision of Boundaries and Adoption of Appraisals**

The report sought approval for the adoption of three Conservation Area appraisals and Management Plans which related to the Conservation Areas at Ashford Town Centre, Kingsnorth and Woodchurch.

The Portfolio Holder explained that whilst the Borough Council had aspirations in terms of the Big 8 projects and the provision of modern buildings, he said that this document also showed that the Borough Council was passionate in terms of protecting the heritage of the Borough. He said that the plans had been available for inspection between November and December 2015 and this had been followed by public exhibitions.

In response to a question, the Chairman confirmed that Conservation Area plans for all other areas of the Borough would be produced in time.

### **Resolved:**

- That
- (i) the Conservation Area Appraisal and Management Plan 2016 (CAMP) relating to the Ashford Town Centre be adopted and a revised boundary be designated for the Ashford Town Centre Conservation Area as shown on Map 1 attached to the report.**
  - (ii) the Conservation Area Appraisal and Management Plan 2016 (CAMP) relating to Kingsnorth be adopted and a revised boundary be designated for the Kingsnorth Conservation Area as shown on Map 1 attached to the report.**
  - (iii) the Conservation Area Appraisal and Management Plan 2016 (CAMP) relating to Woodchurch be adopted and a revised boundary be designated for the Woodchurch Conservation Area as shown on Map 1 attached to the report.**

## **127 Ashford Borough Council's Performance – Quarter 1 2016/17**

The report provided a headline overview of performance against the Council's Corporate Plan for Quarter 1 - 2016/17. 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 drew attention to the Council's new Performance Dashboard which he explained would allow more graphical information to be set out on the Council's performance enabling it to be more readily assimilated. He advised that this document was created from live data and in due course he hoped that aspects of the data would be made available for the general public to access.

**Resolved:**

**That the Council's performance against the Corporate Plan in Quarter 1 of 2016/17 be noted.**

## **128 Budget Monitoring Report – First Four Months 2016/17**

The report presented an assessment of the outturn position for the financial year based on the first four months actuals for the General Fund, the Housing Revenue Account and the Collection Fund. During this period the General Fund was projected to have a balanced budget after transfers to reserves and there was a forecast service underspend of £183,000. The Housing Revenue Account was projecting an overall surplus of £1,598,000.

The Portfolio Holder drew attention to the Tabled Papers and the revised Table 1 to the report.

**Resolved:**

- That**
- (i) the Budget Monitoring position as at 31<sup>st</sup> July 2016 be noted and the transfers to reserves set out in paragraphs 7 – 8 of the report be approved.**
  - (ii) a loan to Brabourne Parish Council for the future planning appeal costs for the development of Hospital Field, for a maximum of £40,000, be approved subject to legal agreements.**
  - (iii) the changes to financing for the Affordable Housing Programme as set out in paragraphs 28 and 29 of the report be noted.**
  - (iv) the revised Planned Maintenance Schedule as set out in paragraph 30 of the report be noted.**

## **129 Cabinet Task Groups, Steering Groups and Boards: Terms of Reference and Membership – September 2016**

The report set out the Terms of Reference for Cabinet Member Groups which were required to be approved in accordance with the Constitution.

The Chairman explained the reasoning behind the establishment of the new Groups and to the amendments made to the Terms of Reference of existing Groups.

**Resolved:**

**That the Terms of Reference and Membership of the various Groups and Boards as set out within the report and as attached at Appendix A to the report be approved.**

## **130 Local Plan and Planning Policy Task Group – 30<sup>th</sup> June and 3<sup>rd</sup> August 2016**

**Resolved:**

**That the notes of the meetings of the Local Plan and Planning Policy Task Group held on the 30<sup>th</sup> June and 3<sup>rd</sup> August 2016 be approved and adopted.**

## **131 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.**

## **132 Exclusion of the Public**

**Resolved:**

**That pursuant to Section 100A(4) of the Local Government Act 1972 as amended the public be excluded from the meeting during consideration of the following item, namely Grounds Maintenance Consultation Update and Review of Associated Potential Pension Costs, as it is likely in view of the nature of the business to be transacted or the nature of the proceedings that if members of the public were present there would be disclosure of exempt information hereinafter specified by reference to paragraphs 1 and 2 of Schedule 12A of the Act, where in the circumstances the public interest in maintaining the exemption outweighs the public interest in disclosing the information.**

## **133 Grounds Maintenance Consultation Update and Review of Associated Potential Pension Costs**

The report sought approval for the early release of the Local Government Pension (LGPS) for Post Holder 6110 in the event that the post became redundant and the associated costs of early release of the LGPS.

**Recommended:**

- That**
- (i) the update regarding the consultation process involving the Street Scene and Open Spaces Operative (Post Holder 6110) be noted.**
  - (ii) the early release of pension costs associated with Post Holder 6110, be approved in the event that the role is made redundant and no alternative employment within the Council can be secured.**

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Queries concerning these Minutes? Please contact Keith Fearon:  
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## **Cabinet**

Minutes of a Meeting of the Cabinet held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **13<sup>th</sup> October 2016**.

### **Present:**

Cllr. Clarkson (Chairman);

Cllr. Bell (Vice-Chairman);

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

### **Also Present:**

Cllrs. Burgess, Hicks, Link, Ovenden, Pickering, Smith, Mrs Webb, Wedgbury.

Chief Executive, Corporate Director (Law and Governance), Head of Finance, Head of Environmental and Customer Services, Head of HR, Communications and Technology, Head of Culture, Head of Planning Policy and Economic Development, Head of Health, Parking and Community Safety, Head of Housing, Policy and Performance Manager, Programme Manager, Communications Officer, Member Services Manager.

## **162 Minutes**

### **Resolved:**

**That the Minutes of the meeting of the Cabinet held on the 8<sup>th</sup> September 2016 be approved and confirmed as a correct record.**

## **163 Corporate Plan Update: The Corporate Delivery Programme and the Medium Term Financial Plan 2017 to 2022**

The report was comprised of three sections. Part I gave an update on the Corporate Plan, Part II examined the Delivery Programme with specific updates on current progress of the projects within the Programme and Part III was the Medium Term Financial Plan and included a budget forecast together with underlying assumptions covering the five year period from 2017 to 2022 for the General Fund.

The Portfolio Holder for Finance, Budget and Resource Management said that he believed that the report presented a good suite of documents which focussed on the Council's forward looking strategic planning process. In terms of the delivery programme he explained that this set out the Council's agreed priorities which were in place to ensure that the Council delivered sound outcomes for the residents of the Borough. The Portfolio Holder then went through all the recommendations within the

report and he explained that they were centred upon ensuring a continuation of the Borough Council's policy to deliver a viable budget for sustainability beyond 2019/20 when the Government grant ceased. He said that the Council's borrowing and acquisition policy enabled investment in projects which would help to maintain the services for the residents of the Borough.

The Leader referred to the presentation that he and other members of the Council had attended on commercialisation and explained that many other Authorities were also investing in projects to bring in revenue. He said that he believed Ashford had a sound and vigorous treasury management process which had enabled the Council Tax to be kept at the lowest in Kent, with the Ashford element being in the region of £150.

**Resolved:**

- That**
- (i) the general direction towards achieving the Council's Corporate Plan priorities be noted.**
  - (ii) the current Delivery Programme and progress of the projects within the programme be endorsed and noted.**
  - (iii) the forecast and underlying assumptions of the MTFP 2017–2022 be noted and accepted.**
  - (iv) the Inflation Management Strategy be re-endorsed.**
  - (v) the Borrowing and Acquisition Strategy be re-endorsed.**
  - (vi) the Closing-the-Gap Strategy 2019/20 be endorsed.**
  - (vii) authority be delegated to the Head of Finance, in conjunction with the Leader and Portfolio Holder, to agree the Council's continued participation in the Kent Business Rates Pool.**
  - (viii) the consultation responses in relation to 100% business rates retention be noted.**
  - (ix) the Government's four year settlement be accepted and the report be published as the basis of this Council's Efficiency Statement (as required by Government).**

## **164 Homelessness Review and Strategy**

The report presented the process and outcome of the recent public consultation on the Homelessness Review and draft Homelessness Strategy.

The Portfolio Holder drew Members' attention to the detailed comments arising from the consultation process set out in the report and he said that one of the principal means to reduce homelessness would be to encourage people to remain in their

current accommodation and to also encourage Landlords to lease properties to the Borough Council.

**Recommended:**

- That (i) **the findings of the recent public consultation into the review and strategy be agreed.**
- (ii) **the Homelessness Review and Homelessness Strategy be adopted.**

## **165 Adoption of the Wye Neighbourhood Plan**

The report explained the process by which the Wye Neighbourhood Plan had been produced and sought the Cabinet's endorsement of the Plan and its agreement to recommend that the Council "make the plan" as part of the Development Plan for the Borough.

The Portfolio Holder explained that this was the first Neighbourhood Plan to be adopted by the Council and he praised the work of the local community, Ward Member and the Planning Officers in bringing the document to the stage it was currently at. He explained that the Referendum vote held in Wye was overwhelmingly in favour of the proposals set out within the Plan.

The Ward Member said he wished to thank the Officers for all their hard work and assistance in taking the Neighbourhood Plan forward.

**Recommended:**

**That Full Council "make" the Wye Neighbourhood Plan in accordance with Section 38 A (4) of the Planning and Compulsory Purchase Act 2004.**

## **166 Ashford College Campus: Use of Chief Executive's Delegated Authority**

The report advised of the use by the Chief Executive of her Urgency Delegation to vary the approved Heads of Terms in order to finalise the Funding Agreements for the loan/grant to West Kent and Ashford College to deliver Phase 1 and 1A of the new Ashford College Campus on Elwick Road.

**Resolved:**

**That it be noted that the Chief Executive had exercised Delegated Authority on the grounds of urgency (Delegation 4.9) to vary the approved Heads of Terms in order to finalise the Funding Agreement with West Kent and Ashford College and the Intercreditor Agreement with West Kent and Ashford College and its primary lender.**

## **167 Local Plan and Planning Policy Task Group – 1<sup>st</sup> September 2016**

**Resolved:**

**That the notes of the meeting of the Local Plan and Planning Policy Task Group held on the 1<sup>st</sup> September 2016 be approved and adopted.**

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

**Resolved:**

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

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(KRF/AEH)

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