

Cabinet

Minutes of a Meeting of the Cabinet held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **15th June 2017**.

Present:

Cllr. Clarkson (Chairman);

Cllr. Bell (Vice-Chairman);

Cllrs. Mrs Bell, Bennett, Clokie, Galpin, Pickering, Shorter, White.

Apologies:

Cllrs. Bradford, Mrs Martin.

Also Present:

Cllrs. Bartlett, Buchanan, Burgess, Chilton, Dehnel, Heyes, Hicks, Howard-Smith, Knowles, Link, Miss Martin, Michael, Ovenden, Smith.

Chief Executive, Corporate Director (Law and Governance), Director of Place and Space, Head of Culture, Head of Finance and IT, Head of Planning Policy, Accountancy Manager, Principal Solicitor (Strategic Development), Senior Policy, Performance and Scrutiny Officer, Senior Communications Officer, Open Space Planning Development Officer, Senior Member Services Officer.

31 Declarations of Interest

Councillor	Interest	Minute No.
Bartlett	Made Voluntary Announcements that he was a Shareholder of the Farriers Arms Public House and a Governor of the East Kent Hospitals Trust	34
Clarkson	Made a Voluntary Announcement that he was a Director of A Better Choice for Property Company Ltd.	34
Shorter	Made a Voluntary Announcements that he was a Shareholder of the Farriers Arms Public House.	34

32 Minutes

Resolved:

That the Minutes of the Meeting of the Cabinet held on the 11th May 2017 be approved and confirmed as a correct record.

33 Leader's Announcements

The Leader said that everyone at the Council had been saddened to hear of the recent passing of The Countess Mountbatten of Burma, who had died at the age of 93 this past Tuesday at her home in Mersham. She was of course Prince Phillip's Cousin and Godmother to the Prince of Wales and had several ties to the Borough – indeed she was known locally as Lady Brabourne and lived at Newhouse in Mersham. She was involved in so many local organisations, in particular the Ashford Borough Museum Society.

He said he also wanted to express the Council's sadness on the tragic events at the Grenfell Tower fire in London. Thoughts were with all those families so grievously affected. Ashford Borough Council did not have high rise blocks within its Housing Revenue Account, however there were a number of blocks of flats and maisonettes within the Ashford area together with sheltered housing schemes. He said he would like to assure everyone that all of the appropriate safety policies and procedures were up to date, in place and fully adhered to, however they were currently reviewing matters in the light of this disaster. The Council would obviously take notice of the investigation into this tragic incident and take action if that investigation identified any recommendations needed to continue to ensure the safety of all residents. It had also been pointed out to him just that evening that Kent Fire Brigade were undertaking a scrutiny of all high rise buildings in terms of their cladding.

The Leader said he also wanted to take the opportunity to congratulate Ashford's MP Damian Green on his recent election victory and his appointment as First Secretary of State. He also welcomed Councillor Simon Howard-Smith as the new Ward Member for Bockhanger and Councillor Charles Suddards as the new Ward Member for Victoria.

34 Ashford Borough Draft Local Plan 2030 (Regulation 19) Proposed Revisions

The Leader introduced the item which he said he had brought forward on tonight's Agenda due to the levels of public interest. He said that he wanted to make it clear that the report from Officers proposed revisions and new policies in the Draft Local Plan and sought authority to go out to a second round of formal public consultation for a six week period. This was the next step in the formation of the draft plan that had already seen more than two years of concentrated work. During the second consultation period, the Council would welcome responses from across the Borough. The comments received would be fully analysed, considered, responded to and where appropriate actioned. The Plan would be adjusted once again and come back to the Cabinet later this year. The revised Plan would then be sent to the Planning

Inspector for an Examination in Public, where once again, anyone in the Borough be they a business, resident or other organisation would be welcome to attend and make their views known directly to the Inspector. The Council had already held one round of public consultation during 2016 and indeed many of the points raised then had now been added in to the draft Plan. Such items at Cabinet Meetings were normally limited to two public speakers, but given the level of interest and importance of this matter, he had agreed to increase that to eight individuals. Each speaker would be allowed the usual three minutes. He did wish to advise though that this was not a debating Chamber this evening. The Cabinet would listen and note those views expressed and would be happy to do so, but they would not be entering into any debate. He strongly recommended everybody to also respond to the consultation and put their thoughts, expressions, comments and views to the formal consultation process in writing. He advised that Appendix 1 to the papers included the agreed changes to the original draft plan following the comments received as a result of the 2016 consultation; Appendix 2 detailed new policies and new sites that did not form part of the 2016 draft Plan; and Appendix 3 outlined all responses to all points put forward during the first consultation in 2016. He also directed attention to the tabled papers which included an addition to the report which had not been re-produced during formatting and the comments of Orlestone Parish Council.

In accordance with Procedure Rule 9.3 Mrs Williams, a local resident, spoke on this item. She advised that the impact of development sites in and around the villages of Brabourne and Smeeth would be extensive. The Otterpool development and new houses at Sellindge and Mersham would all bring extra traffic to the A20, but what infrastructure improvements had the Council planned to ease the impact of traffic on the A20 from all the proposed sites in the area? Brabourne and Smeeth was a rural area between Mersham-Le-Hatch Deer Park and the North Downs and from all directions could only be approached through narrow, winding rural lanes thus making it totally unsuitable for anything other than very small evolving developments of under ten houses. For this reason she considered that any development to the North East of the A20 was ill-advised. At present they potentially had in the Plan: - a site at Church Road; Caldecott and possibly the Hospital Field. If the playing field and builders yard did not get put in to the Plan they would appear as 'windfall sites' so the village could be completely swamped with about 300 extra houses. She asked how the Council was going to limit these submissions so that over time they would not just 'add another one on'? The cumulative effect of both planned developments and windfall add-ons would be enormous to a village of that size. There was also the cumulative effect of development in all villages to consider. They had thought that their present Village Protection Policy would help to formulate rural policies and preserve rural characteristics, but that appeared to have been watered down in the Plan. The Church Road development at Smeeth would exit near a one-lane pinch point. The road was little more than a lorry width at this point with a narrow S bend by the Church and again narrowed on to the dangerous Smeeth crossroads. Six cars waiting to join the A20 from Church Road would block the access in to Church Road from the A20, in that case you would have cars waiting on the A20 to turn in to Church Road. If you then added the additional traffic coming from Aldington because of development there to the further 150 properties from just the Church Road and Hospital sites alone, the consequences could be catastrophically dangerous at this crossroads. The alternative route along the Ridgeway was one lane for much of the length of the existing houses because of parked cars. On Church Road there was no

pathway as far up as the Church with no room to put one, there was major traffic congestion at school times as demonstrated by the photos she had circulated and cars would be parked by the proposed exit to Church Road. The visual impact of the houses would be substantial. Light pollution at night would remove the tranquillity which was why a large proportion of people either moved to or stayed in the village. In February 2014 Church Road was impassable to traffic because near to the proposed development, for nearly a week, flood water was more than 18 inches deep. Two brownfield sites had been put forward within the Parish boundary and she said she could not understand why the Council was considering building on a greenfield site such as Church Road or the playing fields before allocating both brownfield sites. Caldecott was one of these brownfield sites, but she strongly recommended that the main existing house called the Paddocks was preserved because of its historical and architectural interest and it was part of their village heritage. Concluding on the Church Road site, for all of the reasons mentioned it was difficult to understand why it had been deemed as suitable, apart from 'making up the numbers'. She considered that the fulfilling of numbers was not a good enough reason to outweigh the very negative effect it would have on their special village.

Mr Yeomans, a local resident, had applied to speak but was not present.

In accordance with Procedure Rule 9.3 Mrs Cunningham, a local resident, spoke on this item. She said she was very concerned at the scale and pace of development in the rural areas around Ashford, in particular Policy HOU4 which seemed to make uncapped development possible in every village. She asked what the Council was going to do to ensure that development did not go unchecked and that rural villages were protected. It seemed to her that an overwhelming proportion of housing in the Local Plan was being proposed for Kingsnorth, Woodchurch and Shadoxhurst and that the normal planning policies and guidelines that were meant to protect rural villages from being swamped by an urban conurbation no longer applied. She asked how the Council was going to contain the urban sprawl of Ashford and protect the rural villages. Where were the green belts and buffer zones to protect villages from being a part of urban Ashford and, in addition, why was the Council not prioritising brownfield sites and denser urban housing within Ashford town itself?

In accordance with Procedure Rule 9.3 Mr Ledger, of Shadoxhurst Parish Council, spoke on this item. He advised that the updated Draft Local Plan in front of Members considered Policy Site S36 still to be viable and sustainable. The Parish Council and residents disagreed and their previous objections had been dismissed. S36 was the field beside the Kings Head Public House in Shadoxhurst. Members present who were also at the March 2017 Planning Committee agreed a development nearby on what he considered an unsuitable field in the village due to the hole in Ashford's Five Year Housing Supply. Although there was now important case law on the National Planning Policy Framework which needed to be considered for each development site, alas it came too late for Shadoxhurst. However, he considered there was something seriously wrong when the last green space in the middle of a village, which was also an important community asset and which the Planning Officers should be helping them to protect, was being encouraged for development and maximising the housing haul of developers. This was rather than minimising the impact on this part of the community by having the site put to a village amenity and

proper village green status. He considered that Shadoxhurst needed help from the Borough Council and for them to listen to local residents who were not happy. Rushing headlong to fill the five year supply would not just ruin Shadoxhurst, but other villages too. He said that the Local Plan should protect rural areas with measured and balanced growth but also consider the clear lack of infrastructure in the villages. The cumulative effects of small developments that appeared to be 'easy wins' were not being considered in conjunction with neighbouring developments and certainly with no regard or contribution to infrastructure needs. Defendable green belts were needed around every village and the value of green spaces within every community must be recognised by Ashford Borough Council. He said that the Council Members were at a crossroads. It either led to greatness or disaster. He asked if they would help Shadoxhurst get its village green and what was their message to Shadoxhurst and every single village and Parish in the Borough? Would they have the courage to protect them or would they bow to developer pressure and tarnish the beautiful rural gems in Ashford's crown?

In accordance with Procedure Rule 9.3 Mr Hickmott, of Brabourne Parish Council spoke on this item. He advised that over six generations of his family had lived in the village and he cared passionately about his birthplace but he wanted to make some more general comments as Brabourne Parish Council and local residents were deeply concerned at the potential adverse impact of any development in open countryside beyond the confines of villages. The Parish Council was vigorously and unanimously opposed to such developments and regarded it as its duty to take every possible step to protect its village from their devastating impact. They were under no doubt that development outside the confines of their village would irrevocably destroy the character and rural tranquillity of the village. They considered that any such development would breach the countryside protection and spatial distribution standards of the Ashford Development Plan. Although there were no sites within the Parish of Brabourne in the draft Local Plan, the Parish Council's view was that the Development Plan Policies remained of paramount importance and relevance and therefore significant or full weight should be given to them. This Strategy also had the expressed purpose of protecting rural settlements such as Brabourne Lees from inappropriate or speculative development. To this end Brabourne and Smeeth had commissioned a Village Protection Policy jointly covering both villages. This had been submitted to Ashford Borough Council and he understood that the principles in the document would be incorporated in to the new Plan.

In accordance with Procedure Rule 9.3 Mrs Crawley, of Charing Parish Council spoke on this item. She said that residents of Charing were dismayed by the substantial increase in the number of dwellings proposed for Charing. This said, they fully acknowledged the pressures on Ashford Borough Council to provide substantial additional housing, but far more additional housing seemed to be coming Charing's way than outlined in the draft plan. The report proposed three sites for Charing together with providing 235 dwellings. This was a 17% increase in the number of dwellings in the Parish and nearly a fifth for Charing Village. There were however another 160 dwellings in the pipeline, either with planning permission granted, applications underway or very likely. This included notably 51 dwellings in the Orbit age restricted scheme due before the Planning Committee at their next meeting, with approval recommended. 160 plus 235 dwellings would equal a 29% increase of the Parish housing stock and a third on Charing village itself. On top of that there were

the developments proposed by Gladman for 245 houses. Whilst nobody was in favour of that, Gladman's reputation was well known. Even without Gladman, the numbers mentioned would substantially increase pressure on Charing's facilities and infrastructure - pressure that nearby developments, including the two closest by in the A20 Corridor totalling 225 dwellings, would add to. The Plan seemed to contain virtually nothing about improving facilities and infrastructure and she asked how the Council could propose a substantial increase in housing without looking at the impact on local facilities? She said they would of course comment on the draft when issued for consultation, but she asked Members of the Cabinet for two things. Firstly that there be proper discussions between Ashford Borough Council's Planners and Charing Parish Council concerning the amount of housing proposed for Charing and the necessary upgrades in facilities as this was to date yet to happen. They appreciated that there were only so many hours in the day and drawing up a Local Plan was an onerous task, but the proposed impact on Charing was huge. Secondly, they asked for three additions to the draft Plan before it went out for consultation – Greater acknowledgement of the impact on Charing and a commitment to considering related infrastructure and amenity needs properly; a clear commitment that if other more suitable sites come forward for development that they would be considered instead of, not in addition to, those already proposed; and a commitment that there would be no progress on the land adjoining the Poppyfields site for 180 houses, until the threat from the Gladmans proposal was completely over and a clear commitment received from the landowners that they would not put that site forward again for housing development.

In accordance with Procedure Rule 9.3 Mrs Garrard, of Aldington and Bonnington Parish Council spoke on this item. She said she believed that Aldington residents should not be called upon to bear further major impacts of development to help Ashford Borough reach its Five-Year Housing Supply shortfall. That shortfall had not arisen because of Aldington and they called for a complete rest from development in the Parish in the near term. There had been a 27% increase in Aldington's population as a result of development between 2001 and 2011, compared with just 1.6% in Tenterden and the increase was estimated to 58% to this year. There was a human cost to this. Assuming just one car per three people that would mean a further 200 cars moving around the village which would put immense pressure on the village's narrow poorly maintained lanes. The main route from the A20 was a C Road which had already been used by most of the construction traffic for the 85 new dwellings over the last five years and included several pinch points and two narrow bridges that were truly for single file traffic. Two new projects would add 14 new houses and several cars to the same end of the village and some young residents knew nothing of the tranquillity of village life, just noise and disturbance from building. The Council's proposals included 50 houses in Smeeth in Policy S50, accessed from Station Road and this was the under pressure main route in to Aldington. There was also Otterpool Park Garden Town to consider. It was in Shepway District but it brought 12,000 houses to within 270 yards of Aldington's east boundary. Any west bound traffic not exiting via the A20 would route through Aldington. Whilst Members may not feel that a Shepway development was their concern, and certainly Aldington residents had no say on Shepway District Council, the threatened extra pressure on Aldington's roads, lanes and residents. Turning to infrastructure, she said that long standing shortfalls had not been addressed, services had not kept pace with the population increase, broadband was poor,

mobile phone signal sometimes non-existent, one of the two Pubs had closed and one of the two shops was for sale. She also questioned the ability of utility and service companies to cope with the increased demand and there was no mains gas supply. Developers claimed sustainability because there was a bus service, but the bus service ran mainly to school times, was of no use to London commuters or those working outside the village and did not run at evenings or weekends. There was no public transport for those who needed to go to the Doctors at Sellindge or Hamstreet or to the Hospital. Developers also claimed sustainability because they put bike sheds in each garden but this did not make the lanes any less dangerous to cycle on. Finally, she said that sites SS4 and SS5 in the first draft plan were filtered out as unsuitable so she asked why they were back in now albeit in a reduced form. Was Aldington again to provide for the Borough's housing shortfall? She considered it was time for the Council to give Aldington breathing space from development to absorb the houses and people they had gained and instead help Aldington and its pressing infrastructure issues.

In accordance with Procedure Rule 9.3 Mr Tomkins, of Brook Parish Council spoke on this item. He said that the Parish Council had written a site submission for SS12 on 25th February 2014 and given some of the following reasons why the site was unsustainable and the Council agreed: - the site was prone to flooding; drainage and sewerage was an issue in Brook and more households would make the problem worse; the village was a ribbon or linear development and there was no backfilling in Brook as this particular site would be; Brook was an Area of Outstanding Natural Beauty and this would destroy the beauty of the village; the site was some 100m from a Site of Special Scientific Interest because of its geology; it had no public transport; the local school caused a huge parking problem at either end of the day causing a safety risk for access to emergency vehicles who already found it impossible to pass the parked cars. Furthermore, the village had no infrastructure – no shops, poor mobile phone signal and they often had powercuts in Winter because electricity came from overhead. The roads to the M20 and Wye were already difficult and the proposals threatened to make that worse in conjunction with the proposed major development at the rear of the William Harvey Hospital. There were also no brownfield sites in the village at all and these were just some of the reasons why they wished to reject the proposed plan and as far as they were concerned nothing had changed since the last time they made a submission. He considered that any development in Brook was totally unsustainable for the reasons stated previously. Nothing had changed, no views had changed. These were material considerations for sustainable development that reflected the guidance laid down in the National Planning Policy Framework which became effective in 2012. For those reasons, he asked for Brook to be removed from the Plan.

The Leader said that he and colleagues had listened attentively to what had been said and again advised all speakers to put their comments to the Officers as part of the consultation and assured that they would be examined very carefully. The Government had made it clear that development was needed but he said he was very passionate about this Borough and wanted to defend it as much as possible and this process would assist with that.

The Portfolio Holder for Planning said he also wanted to urge all present to feed their comments in to the consultation. He thanked the Planning Officers for the huge

amount of work that had gone in to compiling the Plan which was successful. He considered it was logically sound and although he understood that not everyone would agree with everything in it, everybody had the opportunity to not do so. One of the Ward Members for Weald South Ward said she wanted to congratulate Officers as they had proposed Policy SP7 – Separation of Settlements which would be absolutely essential in ensuring some sort of buffer zone around the local villages. She hoped this policy would be enacted and be able to stand up strongly to developers.

One of the Ward Members for Saxon Shore Ward said it was fair to say there was a huge amount of concern and residents felt that they had not really been listened to and perhaps that was a general message the Cabinet could take away from this process and act on what residents were saying. With regard to the issue at hand she asked why particularly the Council had followed a strategy of delivering a large proportion of the Five-Year Housing Supply in the rural areas, as opposed to some other Boroughs and Districts in Kent that had chosen to find strategic sites outside rural areas such as Canterbury, which she considered would have made the process easier. There was concern, particularly in Aldington's case, about cumulative growth. The current plan had proposed 40 new dwellings for the village, in the same period plan up to 2018 there would have been 179 built – in terms of population over a 63% increase from 2001 to 2017 and 28% increase since 2011. She said that nobody in the villages in her Ward had a problem with development, they understood that they needed to be part of the process of delivery for the whole Borough, but large numbers of housing were being proposed in Aldington and Brabourne and Smeeth which were only tertiary development areas and villages such as Brook, Bilsington and Hastingleigh were not even in the plan as they were not considered to be sustainable areas and yet development was being proposed in Brook. In Aldington's case, they had already delivered far more housing than their tertiary status suggested it should do, with seemingly more to come. Looking at Tenterden, the Borough's second town, in the same period as Aldington had experienced its 28% population increase, Tenterden's had increased 1.6% which she considered quite shocking for an area which was in the plan to bear some of the brunt of development. She said that this had all now happened, but what the residents of Saxon Shore had been asking for since 2013 was to give their area a rest from development and this had seemingly previously been agreed. Nothing had changed in planning policy and the way things were viewed, other than the Five-Year Housing Land Supply issue and quite frankly in her view that showed the Council was being reactive rather than responsive and not properly thinking about the serious impact this had on rural areas. In her view, the major concern of residents and the issue that the Cabinet needed to consider most carefully was that cumulative small developments in rural areas did not qualify for Section 106 or other funding and thus saw no significant improvements in infrastructure. There needed to be discussions with the villages about how this situation could be improved, how things could be planned properly and the positives that could come out of development and there also needed to be serious consideration of the effects of the Otterpool development on this part of the Borough. In conclusion, she asked if Policy TRA 9 regarding Public Transport could be reviewed to mention routing for HGVs and Policy TRA 3 regarding Parking to potentially allow for more parking spaces for 3 and 4 bedroom houses in rural areas. She also hoped to see more dialogue and reference in the

Plan on Landscape Protection Policies in order to mitigate the effects of cumulative development.

The Ward Member for Boughton Aluph and Eastwell said that residents had asked him to make some general comments on the Local Plan. This would be the most important decision to come before this Council and whilst in part the plan was commendable, some proposals would have a detrimental impact upon the character and landscape of the Ashford Borough and affect the quality of life of many residents. The proposal was in many ways on a par with that of some years previous that in his view had seen the loss of the character of the town and its remarkable heritage and what was here had the potential for further loss but this time across the Borough. When people talked about sustainability they normally pointed to infrastructure but residents believed the character and landscape of a place was an integral part of its sustainability. Beautiful landscape so close to the town centre was what made Ashford stand out from anywhere else – Canterbury and Maidstone may have more heritage buildings and more thriving shopping centres, but they had nothing on their doorstep like Ashford's landscape character. The two most incredible examples were by the Willesborough Road and the lower end of Trinity Road where the views were priceless and provided considerable enjoyment to both residents and visitors. He said that some of the proposals coming forward would never have seen the light of day in previous eras, and indeed some had already been previously rejected and the new stance of the Council in proposing sites that had well founded objections did worry residents. The Five-Year Land Supply issue seemed to be skewing thinking for all the wrong reasons. He had always said he was proud to be a Member of this Council in terms of its innovative approach, but residents believed the Council could do much better with this Local Plan. From the beginning the approach to housing numbers had been questioned and appeared to be flawed because they perpetuated more of the same regardless of all other considerations. One figure that stood out was nearly 44% or 6600 homes to serve inward migration, but this was based on past data. When did inward migration cease to be a factor or would this go on ad infinitum? He considered that with so many residents and villages opposed there was a real threat that proposed local plan sites might be dropped during examination resulting in an unsound plan and where would this leave Ashford? Residents believed this Local Plan had been created in haste because of the Five-Year Land Supply issue and that thinking was affected by this and they were saddened that for once the Council had not taken the lead on this and put the needs of residents first by fighting for what was right for Ashford, even if that meant challenging national planning policy for the residents.

The Ward Member for Weald East said he was greatly encouraged by the work that had been done and he thought it would be helpful if the consultation documents included some clarity about potential future additions to the Green Corridor. This was detailed elsewhere on the Agenda for this meeting under the Open Spaces Strategy item in a rather bland and potentially misleading fashion and there was a strategic policy map that showed more detail on the potential future additions. This whole issue was clearly subject to further discussion by Councillors and residents would have an opportunity to comment on the affects for their own areas.

In response to the comments made, the Head of Planning Policy said that the strategy that underpinned the revisions to the plan had been formulated during the

last year in response to the changing circumstances in terms of the Council having to find additional housing over the whole of the plan period to meet an increased need, but also the question of the Five-Year Housing Supply. In his view, it was essential for the Council to produce a plan that demonstrated they would deliver a Five-Year Housing Land Supply and be able to supply that to the Planning Inspectorate on appeals and at the Local Plan Examination. If they could not, then the consequence was that the Council could potentially lose the weight they attached to their policies. In order to help the Council do that, they needed to find and allocate sites that they were confident could be come forward within that five-year period. In the main, evidence had shown that relatively small sites, spread out and those in areas of higher demand which largely were in the rural parts of the Borough, were those that were more likely to be successful in coming forward over that five-year period. However, they did need to be judicious in terms of the sites chosen and the scale of those sites so that allocations and applications were appropriate in their context. The alternative of allocating larger sites ran the risk of taking longer to come forward and this was what put the Council in a difficult position in the first place. They may also have their own infrastructure problems which would need to be resolved first so he was confident that the strategy proposed was the right one.

In conclusion, the Leader said he was aware that this was the most important issue the Council would consider and that it affected almost everyone in the Borough in one way or another. They would now be going out to consultation and he was conscious that people would be away during the summer period, therefore he and Cabinet colleagues would like to propose that the consultation period be extended until 31st August, which was beyond the statutory period, but would allow more time for people to get their comments in and for Officers to properly examine them.

Resolved:

- That (i) the proposed revisions to the Regulation 19 draft Local Plan (June 2016) and the additional proposed new policies set out in Appendices 1 and 2 to the report be agreed for public consultation until the 31st August 2017.**
- (ii) the proposed responses to the representations made on the Regulation 19 draft Local Plan (June 2016) as set out in Appendix 3 to the report be agreed.**
- (iii) authority be delegated to the Head of Planning Policy, in consultation with the Portfolio Holder for Planning to make any necessary additional minor changes needed prior to the start of the public consultation period.**

35 Final Outturn 2016/17

The report presented the outturn revenue position for the General Fund and the Housing Revenue Account. It also presented the Capital Outturn for the Authority, how capital works had been financed and a Treasury Management update. The Portfolio Holder introduced the report and thanked the Finance Team for their hard work in producing such a clear set of papers in a timely fashion. He also drew

attention in particular to the collection rate outturn which he wanted to congratulate the Revenues and Benefits team on.

In response to a question from a Member about the Kent Business Rates Pool, the Head of Finance and IT confirmed that it was the Council's intention to remain in the Pool, but the issue of pooling was very much in flux with the reforms to Local Government Finance, so it would be important to understand the direction of Local Government funding over the coming years and membership was only for one year at a time. However, it was fair to say that membership had proved beneficial over the past two years.

Resolved:

- That**
- (i) the financial outturn for 2016/17 be noted.**
 - (ii) the Head of Environment and Land Management be given a delegation in conjunction with the Head of Finance and IT, to approve drawdown from the Repairs and Renewals reserve up to the maximum allocated for asset management and bin replacement (paragraphs 17a and 17b of the report refers).**
 - (iii) carried forward requests for New Homes Bonus in year underspend shown in Appendix A of the report be approved.**
 - (iv) the Annual Treasury Management position be noted.**
 - (v) the revised Treasury Management Strategy limits be approved.**
 - (vi) the breach in the Treasury Management Strategy limits be noted.**

36 Annual Report and Quarter 4 Performance Report 2016/17

The report updated Members and the public on the performance of the Council against its Corporate Plan during Quarter 4 2016/17. The report also included the Council's Annual Report and detailed how this would be presented digitally on the Council's website. The Portfolio Holder for Finance and IT introduced the report and drew attention to his comments within the report. It was confirmed that there would be on-line access via a dedicated area on the Council's new website including a readable copy of the Annual Report, the interactive timeline of successes and links to associated websites. A very small number of additional copies of the report could also be made available to any Members interested and the dashboard facility was also available to all Members to drill down in to.

In response to a question the Senior Policy, Performance and Scrutiny Officer agreed to supply more information to a Member on food businesses' compliance with hygiene standards and how that compared to previous periods.

A Member asked about the One You, healthy living facility in Park Mall and wondered if it needed to be more conveniently located to secure its future. The Portfolio Holder for Corporate Property advised that there were discussions over further funding and a longer lease in Park Mall and that was the perfect location for them.

Resolved:

- That (i) the Council's performance against the Corporate Plan in Quarter 4 of 2016/17 be noted.**
- (ii) the Annual Report be approved and endorsed.**

37 Section 106 Agreements – Annual Monitoring Report 2016/17

The report provided an annual update showing how contributions were being collected and applied in a proper way and that the monitoring of Section 106 contributions remained robust. It reinforced the point that Section 106 was an important resource stream and that Officers were prepared for any legislative changes. The report also included details of new contributions negotiated, an accounts update, funds received from existing agreements; and updates on projects being funded by Section 106 obligations.

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.

38 Draft Open Spaces Strategy 2017 to 2030

The Portfolio Holder introduced the report which outlined a draft strategy produced by Allen Scott Landscape Architecture which would enable the Council, in partnership with key stakeholders, to ensure current and future demand for public open space was met in terms of quality, quantity, value and access. It sought endorsement of the draft strategy and authority to complete public consultation.

Resolved:

- That (i) the draft Open Spaces Strategy be approved and consultation via the Council's public consultation portal be authorised.**
- (ii) authority be delegated to the Head of Culture, in consultation with the Director of Place and Space and the Portfolio Holder for Culture, to incorporate any changes and complete the final version of the strategy.**

- (iii) **the final version be received for adoption at a future Cabinet meeting.**

39 Ground Water Management and Flood Protection Task Group

The report advised that the Ground Water Management and Flood Protection Task Group had been set up as a task and finish group to consider how the Council worked to prevent flooding in the Borough. The Group met four times during 2016 and 2017 and made several recommendations in relation to flooding. The report responded to those recommendations.

The Chairman of the Task Group said that Chairing the Group had been a really useful and interesting experience. Officers had been able to exchange technical data and she looked forward to continuing to work with the Water Group.

A Member, who was also a Member of the Task Group, said that it had been disconcerting to hear that as part of the discussions on the Otterpool development they seemed to think that flooding and excess water could be pushed towards the Aldington reservoir, rather than towards Hythe, so she hoped that would be kept under review.

The Chairman said that from his point of view he was pleased with how the Sustainable Urban Drainage Systems (SUDS) were working on the new developments throughout the Borough. During the severe flooding in 2014 he had toured the Borough and he was pleased that none of the new housing developments had suffered flooding in the housing areas themselves.

Resolved:

- That**
- (i) the existing Water Group, comprising Officers and partner organisations, be the focus for considering groundwater and flood protection issues in the future and that Councillor Hicks be invited to become a member of that group.**
 - (ii) the helpful work carried out by the Task Group be noted and thanks be given to the Members involved.**

40 Ashford Heritage Strategy

The Portfolio Holder introduced the report which outlined a draft Heritage Strategy for inclusion within the Local Plan 2030. He wanted to commend the Officers involved, led by the report author, for the work undertaken and endorsed the report for consultation. He invited all Parish Councils, Forums, local history groups and individuals to read the strategy very carefully and respond to the consultation as he believed there may be more that could and should be included. All views would be considered and additions and updates included in the final document, hopefully to the September Cabinet meeting.

A Member said he welcomed the document and found the content fascinating. He felt the most important heritage building in the Borough was the locomotive shed at the Ashford Railway Works. A lot of people in the Borough associated with this unique building and the railway in general and he hoped the Council would do everything it could to save it. The Leader assured that this was indeed the case.

Resolved:

- That (i) the contents and recommendations of the current draft of the Ashford Heritage Strategy be endorsed.**
- (ii) approval be given for the formal consultation on the strategy for a period of six weeks.**

41 The District Deal 2017/18

The report reviewed progress against the targets set in the District Deal which had been in place for a year and considered what areas to prioritise for attention next year.

Resolved:

- That (i) the report be noted and the progress made since the original District Deal was signed be welcomed.**
- (ii) the focus for next year's refreshed District Deal as set out in the report and Appendix to the report be agreed.**

42 Land at Priory Way and the Rear of Tilden Gill Road, Tenterden – Proposed Sale

The report considered the advice on the valuation of the land at Priory Way and the options available to the Council.

Resolved:

- That (i) the disposal of the Housing Revenue Account (HRA) land at Priory Way as shown on the plan attached as Appendix 2 to the report be approved in principle on the basis that the buffer strips shown at Appendix 3 to the report are retained in the ownership of the Council.**
- (ii) authority be delegated to the Head of Housing to achieve the best price in her view based on the valuations and to agree the terms of the disposal of the land at Priory Way, in consultation with the Director of Law and Governance, Heads of Corporate Property and Finance and their Portfolio Holders.**

- (iii) the capital receipt be ring-fenced to support the delivery of the HRA capital programme.
- (iv) the Director of Law and Governance be authorised in consultation with the Head of Housing to execute and complete all necessary documentation to give effect to the above recommendations on such detailed terms and conditions as contained in the report and those considered appropriate.
- (v) the Head of Housing be authorised, in consultation with the Director of Law and Governance, to dispose in the future of any parts of the existing buffer strip at market value to adjacent properties if the land becomes redundant due to the layout of the development.

43 Local Plan and Planning Policy Task Group – 7th April, 18th April and 10th May 2017.

Resolved:

That the notes of the meetings of the Local Plan and Planning Policy Task Group held on 7th April, 18th April and 10th May 2017 be received and noted.

44 Ashford Strategic Delivery Board – 28th April 2017

Resolved:

That the notes of the meeting of the Ashford Strategic Delivery Board held on 28th April 2017 be received and noted.

45 Trading and Enterprise Board – 8th May 2017

Resolved:

That the Minutes of the Meeting of the Trading and Enterprise Board held on the 8th May 2017 be received and noted.

46 Joint Transportation Board – Nomination of Membership

Resolved:

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

Councillors Bradford, Burgess, Feacey, Heyes (Ch), Mrs Martin, Ovenden, Mrs Webb.

47 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.

Queries concerning these Minutes? Please contact Danny Sheppard:
Telephone: 01233 330349 Email: danny.sheppard@ashford.gov.uk
Agendas, Reports and Minutes are available on: www.ashford.gov.uk/committees

Cabinet

Minutes of a Meeting of the Cabinet held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **13th July 2017**.

Present:

Cllr. Bell (Vice-Chairman in the Chair);

Cllrs. Mrs Bell, Bennett, Bradford, Clokie, Galpin, Pickering.

Apologies:

Cllrs. Clarkson, Shorter, White, Buchanan, Burgess, Howard-Smith, Link, Miss Martin, Ovenden.

Also Present:

Cllrs. Barrett, Chilton, Heyes, Hicks, Knowles, Smith.

Chief Executive, Corporate Director (Law and Governance), Head of Culture, Head of Finance and IT, Head of Health, Parking and Community Safety, Head of Housing, Licensing Manager, Project Delivery Engineer, Communications Officer, Senior Member Services Officer.

96 Declarations of Interest

Councillor	Interest	Minute No.
Hicks	Made a Voluntary Announcement that she was a Member of Kingsnorth Parish Council.	104
Smith	Made a Voluntary Announcement that he was Treasurer of the SWAN Community Group.	103

97 Minutes

Resolved:

That the Minutes of the Meeting of the Cabinet held on the 15th June 2017 be approved and confirmed as a correct record.

98 HRA Affordable Housing Programme - Update

The report provided an update on the Housing Revenue Account (HRA) affordable housing delivery programme previously approved at Cabinet on the 14th April 2016. In addition, the report also set out proposals for a new affordable housing programme

over the next five years (2018 to 2022), maximising grant funding, capital receipts from Council house sales and HRA resources in order to contribute to meeting the demand for housing in the Borough.

Resolved:

- That**
- (i) the progress with the Affordable Housing Programme 2015-2019 set out at Appendix 1 to the report be noted.**
 - (ii) the proposed new programme (2018-2022) shown at Exempt Appendix 2 to the report be approved, maximising grant funding from the HCA and receipts from the sale of Council properties.**
 - (iii) authority be delegated to the Head of Housing, the Head of Finance and IT and the relevant Portfolio Holders to vary the programme as necessary to maximise use of 1 for 1 monies for the purchase of street properties subject to resources being available within the HRA business plan.**
 - (iv) the Director of Law and Governance be authorised to execute and complete all necessary documentation, in consultation with the Head of Housing, to give effect to the above recommendations including the execution of any agreement necessary for the receipt of grant from the HCA.**

99 Dover Place Public Realm Phase II and International House Car Park Re-Surfacing

The report advised that the proposed works on one of the Council's Big 8 projects would enhance the Commercial Quarter and facilitate its further development. It provided information on the proposed works and sought authority to proceed with the two projects and to accelerate the delivery programme to bring them forward approximately four months earlier than planned. The rationale for early delivery was due to the completion date of the Quinn CQ office building being brought forward to spring/early summer 2018. It would also allow the Council to take advantage of an opportunity which would significantly reduce the disruption that the work would cause to the business tenants in International House by utilising the new Quinn CQ building's car park on a temporary basis whilst works were undertaken in the International House car park.

Resolved:

- That**
- (i) the proposals to accelerate the delivery programme for the resurfacing of International House car park be approved to allow the allocated funding to be spent in the 2017/18 financial year instead of 2018/19.**
 - (ii) authority be given to the Head of Corporate Property and Projects to negotiate the temporary car parking arrangements with Quinn Estates.**

- (iii) authority be given for the Dover Place Public Realm project to proceed, including the preparation of further designs and planning permission prior to procuring the works, either via competitive tender or an alternative method.**
- (iv) authority be given to the Director of Law and Governance, in consultation with the Head of Corporate Property and Projects and his Portfolio Holder, to effect and complete all necessary documentation.**

100 Taxi Licensing Policy

The report presented Cabinet with an updated version of the Council's Taxi Licensing Policy following the expiry of the current policy in April 2017. The new policy reflected changes in legislation and good practice.

In accordance with Procedure Rule 9.3, Mrs Whybrow, a local taxi driver representative, spoke on this item. She advised that the taxi drivers welcomed the opportunity to review the policy but the concern was that drivers had not had the opportunity to comment before it was sent out for consultation with the public and in her opinion, they should have had that opportunity. She considered the proposals in the policy were skewed too much towards the urban areas of the Borough and did not pay enough attention to the vast rural areas and in her view, it was another occasion where the perhaps well-intentioned plans of this Council with regard to its taxi drivers had not quite hit the mark. Officers had mentioned the possibility of a drop-in session with drivers during the consultation, but no further meetings were planned and she wondered whether a drop-in session would be enough of an opportunity for drivers to properly respond.

The Portfolio Holder said it was worth re-iterating that the purpose of this report was to agree that the draft policy be sent out for consultation. After listening to the speaker, he was concerned that there was a risk there could be 'consultation about a consultation'. Several stakeholder groups needed to give feedback, as well as the taxi drivers, and they would all have that opportunity during the consultation period.

The Licensing Manager ran through the proposed updates to the policy and the basis on which they had been put forward.

Resolved:

- That**
- (i) the contents of the draft policy be endorsed.**
 - (ii) the draft Taxi Licensing Policy be published for the purposes of consultation with the public and trade; following a suitable consultation process a final version be submitted to Cabinet for adoption.**

101 Independent Living Scheme at Repton Park

The report set out proposals to work in partnership with Cheyne Capital (an investment management company), using their Social Impact Fund, to deliver an Independent living scheme for older people at Repton Park, Ashford.

Resolved:

- That (i) the Council enters into a 40-year lease and sub-lease with Cheyne Capital (or its group companies) to support the delivery of an independent living scheme for older people at Repton Park, subject to any planning approvals that may be required to enable the proposed scheme to progress.**
- (ii) authority be given to the Head of Housing, Head of Finance and IT and the Director of Law and Governance, in consultation with the Portfolio Holder for Housing, to execute and complete all necessary documentation to give effect to the above recommendation.**

102 Station Approach

The report advised that as one of the Council's Big 8 projects, the proposed works would enhance the Commercial Quarter and facilitate its further development. It focused on two improvement projects that the Council had identified to reduce vehicle congestion on Station Approach and provide a safer and more direct route for pedestrians between the Commercial Quarter, railway station, town centre and Stour Centre car parks.

In accordance with Procedure Rule 9.3, Mrs Whybrow, a local taxi driver representative, spoke on this item. She said previous visions for the town centre had seemed to want to remove taxis from the centre of Ashford altogether and her perception was that taxi drivers had been excluded from all discussions in recent months on the proposal to move the current taxi rank. There had previously been a proposal to move all taxis to the international side of the station and she said the Portfolio Holder had been unavailable for a number of months whilst taxi drivers asked for meetings about the proposals. She said there had been no inclusion of the taxi trade as a whole in discussions and only conversations with individual drivers. The proposal to move taxis from their current location to the Stour Centre car park would make things more difficult for the public and in particular disabled passengers. In addition, proposals to re-route traffic through the disabled parking area would, in her opinion, make this part of the station extremely dangerous. She concluded by saying there were a number of opportunities to do something different and better to what was being proposed, but she considered taxi drivers had been ignored and excluded.

The Vice-Chairman in the Chair directed Members attention to a letter from Councillor Miss Martin raising questions on the report and he advised that the Portfolio Holder would respond directly to the Councillor.

The Portfolio Holder said that the most important aim of this report was to provide a new zebra crossing for the safe passage of pedestrians using the station and beyond. The location had been chosen because it was where people already naturally looked to cross the road and this would increase when the students for the new college began to arrive in September and the new offices opened in the Commercial Quarter. In his view, the crossing was an absolute necessity. The other important part of the proposal was a plan to relocate the taxi holding rank to a proper, purpose built area in part of the Stour Centre car park. The current unofficial arrangement saw cars waiting on the side of the road in front of International House where the new crossing and zig zag markings would need to be provided. He advised that as recently as October 2016 Southeastern had wanted to move the taxis to the International side of the station. He had personally made a lot of effort to keep the rank on the domestic side, even though at times it would have been easier and less expensive not to do so. He said he had a lot of respect for taxi drivers and the role they played in moving people safely around the Borough and for that reason he considered they deserved a proper purpose-built rank on the domestic side of the station, and to not do so would be a disservice.

The Ward Member for Stanhope asked about the effect of the proposals on the Stour Centre car park as this was already busy and liable to flooding. The Project Delivery Engineer advised that the Stour Centre had been involved in discussions and the flooding considerations had been taken in to account. The proposed taxi waiting area was in the area of the car park least affected by flooding and was also strategically placed to minimise impact on the Stour Centre. It was also worth noting that the layout of the proposed area had already been re-engineered following consultation with taxi drivers.

Resolved:

- That**
- (i) the proposal for installing a new zebra crossing on Station Approach be approved.**
 - (ii) the proposal to relocate the taxi waiting area to the Stour Centre car park be approved.**
 - (iii) the use of single source suppliers for the works be approved.**
 - (iv) the Director of Law and Governance be authorised to complete all necessary documentation for implementation of works on such terms as in the Council's interest.**

103 Newtown Works Section 106 Spend

The report explained that the Council had collected significant Section 106 funds through the operation of the deferred contributions mechanism at Newtown Works. The Head of Development, Strategic Sites and Design had delegated powers to decide which projects were prioritised for spend, however in view of the sums involved it had been requested that Members review the submitted bids and the suggested breakdown of funding and indicate that they were satisfied with the suggested split of funding. The report also explained the original Section 106 and

compared the percentage of allocation of funding in that agreement with a suggested split of the deferred sum of £1.83m.

The Ward Member for South Willesborough said that the area of South Willesborough and Newtown had always been a community deprived of funding. Now, only 14% of the monies generated from this development was proposed to be spent in South Willesborough and Newtown. He asked for this to be considered in the future when money came in from new developments throughout the south of Ashford.

Resolved:

- That (i) the proposed allocation of deferred payments received from the Newtown Development be endorsed.**
- (ii) authority be given to the Director of Law and Governance, Head of Development, Strategic Sites and Design, and the appropriate Heads of Service to complete all tasks and to execute and complete all documentation necessary to deliver the projects and give effect to the above recommendation.**

104 Ashford Town Bowls Club

The report sought Cabinet approval for the release of Section 106 contributions from the Newtown Works Development to be used for the relocation of Ashford Town Bowls Club to Kingsnorth Entrance Park and for the existing bowls club site on the corner of Vicarage Lane and Church Road to be used to enlarge and enhance the Memorial Gardens.

Resolved:

- That (i) the release of Newtown Section 106 contributions of £509,000 for the relocation of the Ashford Town Bowls Club and the transfer of the existing Bowls Club site to the Council for the enlargement and enhancement of the Memorial Gardens be approved.**
- (ii) authority be given to the Director of Law and Governance and appropriate Service Heads to secure the land at Vicarage Lane/Church Road in return for granting a long-term lease to Ashford Town Bowls Club of Council owned land at the Entrance Park in Kingsnorth.**
- (iii) a masterplan for further improvements to the Memorial Gardens incorporating the new site, be received at a later meeting, in consultation with the Design and Development of Parks and Open Spaces Task Group.**

105 Town Centre Annual Report

The report documented the achievements and projects delivered in the town centre by the Regeneration Team with support from Officers across the Council and how the

delivery had had a positive impact on the town in terms of footfall, vacancy rates and consumer confidence.

The Portfolio Holder said he wanted to make special mention of his Deputy Portfolio Holder Councillor Barrett and thank him for the work he had done to improve the appearance of the town centre.

Resolved:

- That**
- (i) the report and the considerable progress made in reinvigorating Ashford town centre as a whole be noted.**
 - (ii) the significant positive change in fortunes of Park Mall shopping centre since Members had the vision to instruct the Council to acquire it be noted.**
 - (iii) the delivery of Phase 2 of the business mentoring programme be agreed to support independent businesses at a cost of £10,000.**

106 Hamstreet Open Space, Play Area and Multi Use Games Area – Approval to Spend Section 106 Funding

The report advised that Section 106 funding had been secured from the Redrow development at Lancaster Close in Hamstreet. After extensive consultation with Orlestone Parish Council and residents, it was proposed to use the provisions for informal/natural green space and young people's play, to improve the village green and redevelop the play area located on the green near Hamstreet Victory Hall, managed by the Hamstreet Victory Hall Committee. Consequently, the play area at Lancaster Close, owned by the Borough Council, would be gradually decommissioned. It was proposed to use the contribution for outdoor sports pitches to resurface the existing Multi Use Games Area as the current surface had reached the end of its natural life. The proposals had the unanimous support of the Parish Council, both Ward Members and the Victory Hall Committee.

Resolved:

- That**
- (i) Section 106 funding of £143,645 (subject to any further indexation) be approved for spend on the projects detailed in the report.**
 - (ii) the contribution for outdoor sports pitches of £20,200 be transferred, subject to a funding agreement, to the Hamstreet and District Sports and Leisure Association, in order for them to arrange resurfacing of the Multi Use Games Area.**
 - (iii) authority be given to the Director of Law and Governance and the Head of Culture to complete all tasks and to execute and complete all documentation necessary to deliver the projects and give effect to the above recommendations.**

107 New Cabinet Advisory Committees and Task Groups – Terms of Reference

The report set out Terms of Reference of new Groups and advised of changes to existing Groups.

Resolved:

That the Terms of Reference of the new Advisory Committees and Task Groups and the changes to existing Groups as set out in the report be agreed.

108 Local Plan and Planning Policy Task Group – 25th May 2017.

Resolved:

That the notes of the meeting of the Local Plan and Planning Policy Task Group held on the 25th May 2017 be received and noted.

109 Economic Regeneration and Investment Board – 25th May 2017

Resolved:

That the notes of the meeting of the Economic Regeneration and Investment Board held on the 25th May 2017 be received and noted.

110 Trading and Enterprise Board – 3rd July 2017

Resolved:

That the Minutes of the Meeting of the Trading and Enterprise Board held on the 3rd July 2017 be approved and adopted.

111 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.

DS

Queries concerning these Minutes? Please contact Danny Sheppard:
Telephone: 01233 330349 Email: danny.sheppard@ashford.gov.uk
Agendas, Reports and Minutes are available on: www.ashford.gov.uk/committees