



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 19th October 2017 at 7.00 pm

Yours faithfully

T W Mortimer
Corporate Director (Law and Governance)

Agenda

	Page 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:	(i)
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 20 th July 2017	
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 recommendations set out in the Minutes of the Meetings of the Cabinet held on the 14 th September and the 12 th October 2017 (to follow)	1-5
9. To receive the Minutes of the Meetings of the Appointments Committee held on the 20 th , 21 st , 24 th and 25 th July 2017	6-13
10. To receive the Minutes of the Meeting of the Audit Committee held on the 28 th September 2017	14-21

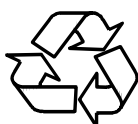
11. To consider Motions of which Notice has been given pursuant to Procedure Rule 11
12. Questions by Members of which Notice has been given pursuant to Procedure Rule 10

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.

DS
11th October 2017

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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
- (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 **20th July 2017**.

Present:

His Worshipful the Mayor, Cllr. W R Michael (Chairman);

Cllrs. Aaby, Barrett, Bartlett, Mrs Bell, Bell, Bennett, Mrs Blanford, Bradford, Buchanan, Burgess, Chilton, Clarkson, Clokie, Farrell, Feacey, Galpin, Heyes, Hicks, A Howard, W Howard, Howard-Smith, Knowles, Koowaree, Krause, Link, Macpherson, Miss Martin, Mrs Martin, Murphy, Ovenden, Pickering, Shorter, Sims, Suddards, Mrs Webb, White.

Also Present:

Chief Executive, Director of Law and Governance, Director of Place and Space, Head of Finance and IT, Senior Member Services Officer.

Prior to the commencement of the meeting The Reverend John Mackenzie said prayers.

Apologies:

Cllrs. Dehnel, Mrs Dyer, Mrs Heyes, Smith, Waters, Wedgbury.

118 Exempt or Confidential Information

The Mayor asked whether any items should be dealt with in private because of the likely disclosure of exempt or confidential information. The Director of Law and Governance advised that there were none.

119 Declarations of Interest

Councillor	Interest	Minute No.
Aaby	Made a Voluntary Announcement that he was an employee of Southeastern trains.	122 (b)
W Howard	Made a Voluntary Announcement that he was a Director of Ashford (Kent) Bowling Green Ltd who owned the land where the Ashford Town Bowls Club was situated.	122 (b)

120 Minutes

Resolved:

That the Minutes of the Meeting of the Council held on the 18th May 2017 be approved and confirmed as a correct record.

121 Announcements

(a) The Mayor

The Mayor welcomed everyone to the meeting. He said that over the past few weeks he and the Mayoress had fulfilled 35 engagement requests plus held two functions for their own charities. They had been great opportunities to share with the Borough's communities and learn about their hopes and aspirations. Three events had particularly stood out because they showcased wonderful things that the Council was doing for important sections of the community. It was important to underline this as some of the good things remained invisible to residents, particularly when large ticket items were preoccupying their minds and making it hard to understand their benefits.

He firstly wanted to mention Quarry View in Aldington and The Spires at Tenterden - extra care homes which were a quantum leap from those of the past. Residents were proud to call these their home and he understood why when he had visited, because their privacy was retained but help was also on hand when needed. Social isolation could be a big problem for the elderly and these care homes fully addressed that issue as they were community-centric. The facilities on hand also made the homes a hub for their surrounding community as they had shops, hairdressers, beauty salons, fitness rooms and superb cafeterias. He had been so impressed that in his speech he thanked residents for welcoming him to their 'play park' which had brought laughter, but it was a wonderful credit to Ashford Borough Council that it was creating a new type of care home for this country and he was sure plenty of others would follow that lead.

Another visit he wanted to mention was Belgic Court which had also raised the bar, this time in terms of homes for vulnerable young people. It was a fantastic facility that pro-actively helped young people to become self-supported over a two year programme. He had met with two of the residents and had been impressed by what they had told him. The number of vulnerable young people was on the increase and more facilities like this were desperately needed because the future was with today's young and they needed to do everything to show them that they were valued members of society. He said he looked forward to a time when facilities like Belgic Court were no longer necessary because they did not have vulnerable young people.

The Mayor said that last Friday (14th July) something wonderful had happened in Ashford that would remain in the memories of all those that had attended for many years to come. The first Kent Challenger Games had taken place and was judged to be an outstanding success by schools, teachers, the children taking part and attending dignitaries. Some 650 children from 47 schools across Kent had participated in fun and games that were out of the ordinary, challenging, exciting and gave them a sense of achievement. A choir of 160 children, from across schools, sang ten inspirational songs including the Games Anthem 'One in a Million'. Also, during the day, the Gurkha Military band had given outstanding performances as had the Towers Cheerleaders Stunt Team. On a personal note it had been a tearful day as he had seen his dream of 2012 realised, but more so for the children as they had lived out their dreams to do such activities and represent their schools. The Games aimed to level the playing field by scoring on effort, teamwork and participation and this had seen some unexpected winners. The children had in fact enjoyed it so much that they had asked if they could come back next Friday! With a huge military presence at the Games, Ashford and Kent's Military Covenants had been able to be

reaffirmed. A small group of Councillors had seen the immense value in the Games and given him day to day support and he wanted to give heartfelt thanks from both him and the children to Councillors Dehnel, Miss Martin, Mrs Dyer and White who had all been absolutely amazing. He also wanted to thank the 60 volunteers who had made the event safe and enjoyable.

He said that the months ahead would be challenging for the Council as the new Local Plan progressed and significant developments came on stream. He looked forward to all Councillors working together for everyone's benefit.

In conclusion, the Mayor said that his next two charity events would be in November, at Cinnamon Spice and in January when he would be holding a 'black and white masquerade ball' at London Beach. He looked forward to all attending and raising huge sums of money for his young person's charities.

(b) Leader of the Council

The Leader said before he made his usual announcements he did want to reflect on the Kent Challenger Games. In his article for the Kentish Express he had said that this had been the Mayor's inspiration and the Council needed to recognise that and give him the credit for that. He thought that they would now be a recurring presence in the calendar and whilst he was sorry he had personally not been well enough to be there, the Games had been a great accolade not only for Ashford but the whole of Kent. He also wanted to echo the Mayor's comments about Quarry House. He had made a point of visiting some of the Borough's extra care homes and had been astonished by the facilities. Perhaps some visits should be organised for Members as a whole to see some of these projects.

The Leader said he would like to take the opportunity to provide a short update on recent developments. Many of them had already been covered widely in the local newspapers.

Colleagues would note that builders were now on site at Elwick Place, piling for the foundations, where plans were moving forward to transform the derelict land into a vibrant new leisure quarter with a six-screen picturehouse cinema, hotel and restaurants, complete with a new 282 space car park. The Council was funding the construction of the development, which was on their land, and once the work was complete they would own the leisure facility and would secure a source of income in the long-term for the people of Ashford that would enable the Council to deliver its services to the whole of the Borough. He was sure that all were looking forward to this wonderful new leisure quarter for the town centre because when it became a reality it would breathe new life in to the Borough. Over the road the Commercial Quarter was rising from the ground before their very eyes and, at the latest count, he thought they were now up to the fourth floor.

He had been pleased to see that Kent Invicta Chamber of Commerce's Chief Executive Jo James had been awarded the outstanding Contribution to Business in Kent Award at the recent Kent Excellence in Business Awards 2017 ceremony. Jo was a central figure in Kent's, and more importantly, Ashford's business community and he had had the pleasure of working closely with her on a number of projects. Jo was (almost!) as passionate about Ashford as he was, and he was delighted her hard work and dedication to supporting the business community had been recognised.

He advised that Ashford's historic Victoria Park had been awarded a £167,000 development grant from the Heritage Lottery Fund. This would allow the Council to develop its bid for another grant in to the millions to develop Victoria Park. In partnership with stakeholders and community representatives, the Council had adopted an ambitious masterplan that aimed to create an attractive destination that boosted local civic pride, promoted wellbeing and celebrated the rich heritage of the site. Victoria Park had an outstanding architectural feature, the iconic and exuberant Hubert Fountain and the funding would support timely and beneficial repairs to this Grade II* listed fountain. Other works would include replacing the existing play space with sensory gardens, extending the popular community orchard, restoring the secret garden area and creating a paved path in to the park. Providing the community with a pleasant environment to visit and enjoy was important to the Council and the new funding would help create a well-maintained space, the type of which was needed when there was so much commercial, industrial and housing development in Ashford. Along with the success of the Kent Challenger Games, there had been other successful cultural activities, events and entertainment in recent weeks including the Festival in the Park and of course the Create Music Festival this coming weekend.

Finally, on a more domestic note, the recruitment process for the Council's four senior appointments was underway with the Council's Appointments Committee. It had been a long process of longlisting and shortlisting with consultants and the first of those interviews had been earlier that day and this would continue over the next three days. He was pleased to announce that the Committee had unanimously appointed Ben Lockwood as the new Director of Finance and Economy and he was sure that the appointment would be universally welcomed.

122 Cabinet – 15th June and 13th July 2017

The report of the Director of Law and Governance, which had been tabled, clarified the procedure for consideration of the Cabinet minutes.

(a) Cabinet – 15th June 2017

Resolved:

That the Minutes of the Meeting of the Cabinet held on the 15th June 2017 be received and noted.

(b) Cabinet – 13th July 2017

Councillor Miss Martin said she wished to raise a question on Minute No. 102 – Station Approach. She said that given the Cabinet decision to move the taxi feeder rank to the Stour Centre car park leaving only two taxi spaces in the station forecourt and only allowing taxis to enter the station when one of those two spaces was free, she wanted to ask the Portfolio Holder what the plan was for disabled residents who needed a taxi when the two at the rank could not accommodate disability? She also asked what plans had been made to review this decision and how changes could be made if it was found that this strategy failed the public, the disabled and the taxi trade?

Councillor Bradford, Portfolio Holder for Health, Parking and Community Safety, responded that the number of rank spaces outside the domestic side of the station was not changing. As part of the consultation responses to the enabling works on Station Approach, the importance of a well-designed and properly maintained CCTV system for the enlarged and re-located taxi waiting area had been raised by a number of respondents, along with the need for a back-up system that would include a call system for disabled vehicles and other specific vehicles to be called to the taxi rank at the front of the station. Procurement was underway to ensure that both a well-designed and properly maintained CCTV system and a call up system for disabled and other specific vehicles was delivered. This would be an additional service to what was there currently and, incidentally, this point was covered in Paragraph 34 of the report to Cabinet on the 13th July. In response to the second point, he said that the Council was investing over £100,000 in the enabling works that included the zebra crossing and the increased capacity relocated taxi waiting area and a detailed process had been undertaken to ensure that the proposals would work. Safety studies and consultation had been undertaken with stakeholders and there had been a number of key meetings with taxi representatives. In addition the proposals had been considered by the Joint Transportation Board and the Planning Committee. The impact of the work would be closely monitored by Officers and views would be sought from members of the public, key stakeholders and representatives of disabled groups in the weeks after the new arrangements came in to place.

Resolved:

That subject to the expiry of the period by which decisions arising from the Meeting of the Cabinet held on the 13th July 2017 may be called in, i.e. 26th July 2017, the Minutes of the Meeting of the Cabinet held on the 13th July 2017 be received and noted.

In accordance with Procedure Rule 15.5 Councillors Miss Martin and Mrs Martin asked for it to be recorded that they had voted against the resolution in Minute No. 102 of the Cabinet of 13th July 2017.

123 Appointments Committee – 22nd June and 12th July 2017

(a) Appointments Committee – 22nd June 2017

Resolved:

That the Minutes of the Meeting of the Appointments Committee held on the 22nd June 2017 be received and noted.

(b) Appointments Committee – 12th July 2017

Resolved:

That the Minutes of the Meeting of the Appointments Committee held on the 12th July 2017 be received and noted.

124 Selection and Constitutional Review Committee – 13th July 2017

Resolved:

That the Minutes of the Meeting of the Selection and Constitutional Review Committee held on the 13th July 2017 be approved and adopted.

125 Audit Committee – 22nd June and 11th July 2017

(a) Audit Committee – 22nd June 2017

Resolved:

That the Minutes of the Meeting of the Audit Committee held on the 22nd June 2017 be received and noted.

(b) Audit Committee – 11th July 2017

Resolved:

That the Minutes of the Meeting of the Audit Committee held on the 11th July 2017 be received and noted.

126 Annual Report of the Audit Committee – 2016/17

Resolved:

That the Annual Report of the Audit Committee be accepted.

127 Annual Report of the Overview and Scrutiny Committee – 2016/17

Resolved:

That the Annual Report of the Overview and Scrutiny Committee be accepted.

(DS)

MINS:

Cabinet

Minutes of a Meeting of the Cabinet held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **14th September 2017**.

Present:

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

Cllrs. Mrs Bell, Bradford, Clokie, Shorter, White.

Apologies:

Cllrs. Bennett, Clarkson, Galpin, Pickering, Buchanan, Miss Martin, Mrs Martin, Ovenden.

Also Present:

Cllrs. Barrett, Burgess, Dehnel, Feacey, Howard-Smith, Link.

Chief Executive, Director of Law and Governance, Director of Finance and Economy, Head of Housing, Senior Commercial Development Manager, Neighbourhood Services Manager, Senior Policy, Performance and Scrutiny Officer, Commercial Development and Regeneration Officer, Communications Officer, Senior Member Services Officer.

154 Minutes

Resolved:

That the Minutes of the Meeting of the Cabinet held on the 13th July 2017 be approved and confirmed as a correct record.

155 Corporate Property Performance – Annual Report 2016/17

The Portfolio Holder introduced the report which advised that the revenue generated by the Council's corporate property portfolio contributed significantly to the Council's income. The income generated for the financial year ending March 2017 was contained within the report. He advised that the Council had had a good year both in terms of income generated and in securing lettings at Park Mall. In response to a comment he had received from a Member by email, he reminded the Cabinet that the purchase of Park Mall had not been made to generate a revenue return, but rather for regeneration purposes and to reinvigorate the town centre and in this respect it was performing well.

Resolved:

- That (i) the revenue performance of the Council's corporate property portfolio during the previous twelve months as provided for in the Corporate Property Income Schedule attached at Appendix 1 to the report be noted.**
- (ii) the work undertaken to increase profitability and investment activity during the previous twelve months and going forward be noted.**
- (iii) the Chief Executive's urgency decision to authorise the execution of an agreement with High Speed 1 Ltd as described in the report be noted.**

156 Proposed Purchase of Light Industrial Units at Carlton Road

The report advised that the Council currently owned and ran an industrial estate at Ellingham which was fully occupied and with a tenant waiting list. An opportunity had now presented itself which would allow the Council to purchase off plan a proposed new light industrial estate comprised of 28 varied size units at a derelict site at Carlton Road, Cobbs Wood. The Portfolio Holder said he fully supported the proposed purchase on both a financial basis and for the possibility it gave for the Council to promote economic investment, growth of small business and employment opportunities in the Borough. He advised that the final acquisition was subject to detailed due diligence and final negotiation of contracts, but he wanted to thank the Officers who had worked so hard to bring this proposal to fruition, in particular the Commercial Development and Regeneration Officer

Recommended:

- That (i) the Head of Corporate Property and Projects be authorised, in consultation with the Portfolio Holders for Finance and IT and Corporate Property, and the Directors of Finance and Economy and Law and Governance, to carry out detailed due diligence, negotiate terms and take any other steps he considers prudent in the Council's interests in order to enable the purchase to proceed as a sound investment, and to approve final due diligence reports and a final risk analysis schedule which are satisfactory in his view, and subject to those matters (ii) and (iv) below become effective. In the event that those matters are not satisfactory, the proposal shall be reported back for decision by the Cabinet.**
- (ii) the Council enter into an agreement to purchase the freehold interest in the industrial estate as outlined in the report and appendices.**
- (iii) the Council agree to finance the cost of the purchase from General Fund Reserves and/or Prudential Borrowing at the discretion of the**

Director of Finance and Economy, in consultation with the Portfolio Holder for Finance and IT.

- (iv) **the Director of Law and Governance, in consultation with the Head of Corporate Property and Projects, be authorised to execute and complete all necessary documentation to give effect to the above.**

157 Tenancy Strategy, Tenancy Policy and Procedure

The report sought approval to adopt the new Housing Tenancy Strategy and Tenancy Policy and Procedure. The policy outlined the objectives of the Authority with reference to the review of fixed term tenancies and maximising the best use of the Authority's housing stock. The report also highlighted legislative changes brought in by the Housing and Planning Act 2016. The Portfolio Holder introduced the report and advised that it was not proposed to adopt the Government's optional 'Pay to Stay' Policy as the cost of administration would far outweigh any financial benefits.

Recommended:

That the revised Tenancy Strategy and Tenancy Policy and Procedure be adopted.

158 Ashford Borough Council Performance – Quarter 1 2017/18

The report updated Members and the public on the performance of the Council against its Corporate Plan for Quarter 1 - 2017/18. 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 summary highlights from the online Performance Dashboard. He re-iterated that the data belonged to the whole Council and he hoped all Members would look and take an interest in it. A timeline of achievements was also now available to the public via the Council's new website.

Resolved:

That the Council's performance against the Corporate Plan in Quarter 1 of 2017/18 be noted.

159 Financial Monitoring – Quarter 1 2017/18

The report presented an assessment of the outturn position based on the first four months of the financial year, including the General Fund, the Housing Revenue Account and the Collection Fund. The General Fund was projected to be overspent by £74,000, predominantly due to void periods at International House and homelessness pressures. The Housing Revenue Account was projecting an overspend of £708,000, largely due to the 1% rent reduction. The HRA Business Plan had been reviewed in light of this pressure and was still affordable. The report also updated Members on the new Local Business Rates Relief Scheme and the next

steps to implement the scheme as well as asking the Cabinet to delegate authority to the Director of Finance and Economy, in consultation with the Portfolio Holder for Finance and IT, to complete the design of and consultation on a discretionary scheme and for that to be reported to the Cabinet in December.

The Portfolio Holder advised that he had received some comments from Members prior to the meeting regarding the pressure on the planning reserve which was already fully committed for the year in terms of spend on planning appeals. If there were further appeals the Council would need to consider how to fund them and it may be necessary to earmark further funding from reserves to meet these pressures, either from the General Fund reserve, from additional planning income, or funding allocated to corporate projects. The Vice-Chairman in the Chair said it was absolutely vital that the Council continued to defend planning appeals in order to continue to protect residents from unscrupulous developments.

Resolved:

- That**
- (i) the outturn position for the General Fund Housing Revenue Account and the Collection Fund be noted.**
 - (ii) the appropriations between the General Fund and the Housing Revenue account contained at Paragraphs 15-17 of the report be approved or noted as appropriate.**
 - (iii) the purchase of land near Blind Grooms Lane (Paragraphs 18-19 of the report refer) be noted.**
 - (iv) the purchase of 112 Beaver Lane (Paragraph 20 of the report refers) be noted.**
 - (v) the continued operation of One You (Paragraphs 21-23 of the report refer) be noted.**
 - (vi) the breach of the Investment Policy (Paragraph 55 of the report refers) be noted.**
 - (vii) authority be delegated to the Director of Finance and Economy, in conjunction with the Portfolio Holder for Finance and IT to: -**
 - (a) complete the design of a proposed Discretionary Business Rates Relief Scheme based on the principles outlined in the report**
 - (b) conduct a consultation process on the proposed scheme to gather views on the design of the scheme to report back to Cabinet in December.**

160 Local Plan and Planning Policy Task Group – 11th August 2017.

Resolved:

That the notes of the meeting of the Local Plan and Planning Policy Task Group held on the 11th August 2017 be received and noted.

161 Economic Regeneration and Investment Board – 4th August 2017

Resolved:

That the notes of the meeting of the Economic Regeneration and Investment Board held on the 4th August 2017 be received and noted.

162 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:
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Cabinet

Minutes of a Meeting of the Cabinet held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **12th October 2017**.

Present:

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

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

Apologies:

Cllrs. Chilton, Clarkson, Mrs Martin, Ovenden.

Also Present:

Cllrs. Buchanan, Burgess, Hicks, Howard-Smith, Link, Miss Martin, Mrs Webb.

Chief Executive, Director of Law and Governance, Director of Place and Space, Director of Finance and Economy, Head of Health, Parking and Community Safety, Head of Legal and Democracy designate, Health, Parking and Community Safety Manager, Environmental Protection and Licensing Team Leader, Resilience Team Leader, Senior Communications Officer, Licensing Officer, Senior Member Services Officer.

180 Minutes

Resolved:

That the Minutes of the Meeting of the Cabinet held on the 12th September 2017 be approved and confirmed as a correct record.

181 Leader's Announcements

The Chairman advised that the Leader had recently made some changes to the Deputy Cabinet Members and some of the Cabinet Task Groups and had asked him to bring these to Members' attention this evening: - Cllr Stephen Dehnel had moved to Deputy Cabinet Member for Legal and Democracy (Deputy Leader); Cllr Mick Burgess had replaced Cllr Dehnel as Deputy Cabinet Member for Planning; Cllr Phil Sims had stepped down as Deputy Cabinet Member for Culture (replacement TBC). He also asked the Cabinet to agree that the membership of the Compliance and Enforcement Board be increased to reflect the importance of that particular Group going forward by adding Cllrs. Shorter and White and Cllr Neil Bell (as an ex officio Member) and to change the name of the Public and Voluntary Transport Liaison Task Group to the "Strategic Transport Group".

He further advised that Agenda Item E1 had been withdrawn to allow for further due diligence to take place over the proposed strategic acquisition.

Resolved:

- That**
- (i) the changes to Deputy Cabinet Members be noted.**
 - (ii) changes to the membership of the Compliance and Enforcement Board be agreed.**
 - (iii) the change of name of the Public and Voluntary Transport Liaison Task Group to the “Strategic Transport Group” be agreed.**

182 Recommendations in Respect of Health Infrastructure Provision in the Borough

The Portfolio Holder for Health, Parking and Community Safety introduced the report which had come from the Overview and Scrutiny Committee and set out the recommendations from their recent review of Health Infrastructure Provision in the Borough. He advised that he supported the recommendations and assured Members that the issues were being addressed via the Ashford Health and Wellbeing Board and the former Public and Voluntary Transport Liaison Task Group.

One of the Ward Members for Saxon Shore said that as a Member of the Overview and Scrutiny Committee she wanted to express her concern at what she viewed as a weak report. She had written to the Chairman of the Committee making this point as she knew that her constituents, and many others across the Borough, were extremely concerned at the lack of reference to medical provision in the emerging Local Plan and at a lack of assurance from the relevant bodies that adequate facilities would be able to be provided.

Resolved:

- That**
- (i) the Council continue to work closely with the CCG to ensure that the Local Plan provides the requisite opportunities to support the development of healthcare provision.**
 - (ii) the Cabinet ensure that related aspects such as transport access to health care (for rural and/or elderly populations) are considered via an appropriate Task Group(s).**
 - (iii) the Cabinet consider how best to work with the Ashford CCG and other Kent Local Authorities to lobby for changes in the funding allocation formula for CCGs to better reflect the projected population growth of Ashford.**
 - (iv) the Cabinet consider how future Section 106 Agreements can be made in such ways that, so far as possible within the legal parameters, contributions relating to health infrastructure can be flexibly applied to projects across the Borough.**

183 Taxi Licensing Policy

The Chairman directed Members' attention to the tabled paper which included an additional comment that had been received after the consultation deadline, with a response from the Licensing team.

The Portfolio Holder introduced the report which presented a final version of the Council's Taxi Licensing Policy for adoption. The prior version effectively expired in April 2017 and the latest version included relevant updates and incorporated results from the public consultation period. He said that over 400 individual letters had been sent out to the taxi trade as part of the consultation process and he wanted to thank Officers for the work they had put in to this large undertaking.

One of the Ward Members for Saxon Shore said that she had been told that some of the taxi trade had not received letters as these had only been sent by email. The Environmental Protection and Licensing Team Leader said he was unaware of this concern and he would be happy to provide copies of the letters that went out to the Member.

Resolved:

- That**
- (i) the outcomes of the public consultation be noted.**
 - (ii) the additional changes to the draft policy be reviewed and agreed.**
 - (iii) the revised Taxi Licensing Policy, as drafted, be adopted.**

184 Ashford Heritage Strategy

The report advised that following the Cabinet meeting in June, a formal consultation on the draft Ashford Heritage Strategy had taken place during which a number of representations had been received, resulting in a few updates to certain parts of the strategy. The Cabinet was now asked to recommend the final strategy for adoption by the Council. The Portfolio Holder said that the strategy would provide a useful evidence base for the Local Plan to 2030 and it was helpful to bring all of the Borough's heritage assets in to one document.

The Portfolio Holder for Finance and IT said he knew this document had been discussed and welcomed by many Parish Councils, including his own at Kingsnorth, and had been warmly received at the recent Ashford Forum. It would be a living document and it was important to keep it maintained and updated.

The Portfolio Holder for Culture said he was pleased to endorse the strategy. He had been involved in the commencement of the draft strategy in his previous Portfolio and he now looked forward to implementing its contents as part of his new one.

Recommended:

- That**
- (i) the representations made against the draft Ashford Heritage Strategy following its eight week consultation be noted.**

- (ii) the final Ashford Heritage Strategy be endorsed for adoption by the Council.**
- (iii) delegated authority be granted to the Head of Planning Policy to agree final formatting and minor editing of the Strategy prior to publication.**

185 Disabled Facilities Grants – Reduced Waiting Times

The Portfolio Holder introduced the report which set out proposals to address the Council's aspirations to level the playing field for disabled adaptations regardless of tenure. The report also provided feedback from the Kent wide multi agency research project commissioned by Kent Housing Group, which concluded earlier this year and suggested interim measures to bring down waiting times for those applying for a Disabled Facilities Grant.

Resolved:

- That**
- (i) a one-off additional capital funding contribution of £200,000 be approved for the financial year 2018/19.**
 - (ii) the provision of a dedicated occupational therapist for Ashford in partnership with KCC be supported, based on an initial six months and, subject to review, with the expectation of extending the placement up to 18 months. Total funding contribution from the Council for the 18 month secondment will be £32,250 and this will be match funded by KCC.**

186 Self and Custom Build Register – Charging of Fees

The Portfolio Holder introduced the report which explained the Council's responsibilities with regard to the Self and Custom Build Register, what current demand for self and custom build in the Borough meant for the Council and how that would be met. It also recommended that a fee was charged for entry onto the Register, and a renewal fee be charged annually to remain on the Register, to fully cover the Council's reasonable costs. He said he was extremely keen on this measure and the relatively inexpensive opportunity it provided residents to deliver some innovative housebuilding.

Resolved:

- That**
- (i) a fee may be charged for entry onto the Self and Custom Build Register, and for renewal on an annual basis, to fully cover the Council's reasonable costs.**
 - (ii) the fee amounts for the 'base period' 2017-18 be set at £30 for initial entry onto the register, and a £15 annual renewal fee.**

187 Business Continuity Policy

The Portfolio Holder introduced the report which presented the Council's Business Continuity Policy for adoption. The Policy highlighted and clarified the roles and responsibilities for Business Continuity as part of the Civil Contingencies Act 2004, including those of Elected Members.

Recommended:

That the Ashford Borough Council Business Continuity Policy be adopted.

188 100% Business Rates Retention – Bid For Pilot Status

The Portfolio Holder introduced the report which advised that Government were seeking bids from areas to pilot 100% Business Rates Retention. Kent, as a two shire county which included a Unitary Authority, was an excellent area for Government to pilot this scheme and provided an opportunity for Kent Authorities to shape the direction of this policy. In addition, Pilot Status would secure additional resources for Local Authorities within that pilot area which could be used to address key priority areas. The Cabinet was therefore asked to support a bid proposal.

Resolved:

That authority be delegated to the Chief Executive and the Director of Finance and Economy, in conjunction with the Leader and the Portfolio Holder for Finance and IT, to agree a bid proposal.

189 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

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Appointments Committee

Minutes of a Meeting of the Appointments Committee held in Council Chamber, Civic Centre, Tannery Lane, Ashford on the **20th July 2017**.

Present:

Cllr. Clarkson (Chairman);
Cllr. Clokie (Vice Chairman);

Cllr. Pickering.

Apologies:

Cllr. Koowaree, Mark Bearn – Hays Recruitment.

Also Present:

Cllr. Shorter.

Chief Executive, Head of Human Resources and Customer Services; Member Services and Ombudsman Complaints Officer.

115 Minutes

Resolved:

That the Minutes of the Meeting of this Committee held on the 12th July 2017 be approved and confirmed as a correct record.

116 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 items, 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 paragraph 1 of Part 1 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.

117 Appointment of the Director of Finance and Economy

Resolved:

That candidate No. E1.4 be offered the post of Director of Finance and Economy, subject to:-

(i) consultation with the Cabinet in accordance with General Procedure Rule – Appendix 3 – Procedural Decisions Relating to Committees – F (4) (b) and the Local Authorities (Standing Orders) (England) Regulations 2001.

(ii) the Corporate Director (Law and Governance) confirming that the procedure referred to in (i) above has been completed with no outstanding objections.

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Appointments Committee

Minutes of a Meeting of the Appointments Committee held in Council Chamber, Civic Centre, Tannery Lane, Ashford on the **21st July 2017**.

Present:

Cllr. Clarkson (Chairman);
Cllr. Clokie (Vice Chairman);

Cllr. Pickering.

Apologies:

Cllr. Koowaree.

Also Present:

Cllr. Bell.

Director of Law and Governance, Head of Human Resources and Customer Services; Member Services and Ombudsman Complaints Officer.

Mark Bearn – Hays Recruitment.

128 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 items, 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 paragraph 1 of Part 1 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.

129 Appointment of the Head of Legal and Democracy

The Committee interviewed three candidates during the exempt part of the meeting.

The Committee unanimously agreed that the third candidate they interviewed was the strongest candidate and should be offered the post, followed by the first candidate and then the second candidate.

The Committee agreed to offer the post to candidates in this order.

Resolved:

That the third candidate interviewed that day should offered the post of Head of Legal and Democracy, followed by the first candidate and then the second candidate, subject to:-

(i) consultation with the Cabinet in accordance with General Procedure Rule – Appendix 3 – Procedural Decisions Relating to Committees – F (4) (b) and the Local Authorities (Standing Orders) (England) Regulations 2001.

(ii) the Director of Law and Governance confirming that the procedure referred to in (i) above has been completed with no outstanding objections.

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Appointments Committee

Minutes of a Meeting of the Appointments Committee held in Council Chamber, Civic Centre, Tannery Lane, Ashford on the **24th July 2017**.

Present:

Cllr. Clarkson (Chairman);
Cllr. Clokie (Vice Chairman);

Cllr. Pickering.

Apologies:

Cllr. Koowaree.

Also Present:

Chief Executive, Director of Place and Space, Human Resources Manager.

Jamie Houlders – Hays Recruitment.

130 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 items, 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 paragraph 1 of Part 1 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.

131 Appointment of the Head of Planning and Development

The Committee interviewed three candidates during the exempt part of the meeting.

The Committee unanimously agreed that the third candidate they interviewed was the strongest candidate and should be offered the post, followed by the second candidate and then the first candidate.

The Committee agreed to offer the post to the third candidate and adjourned the meeting to consider the suggestion of a market supplement. Additional data was circulated to the Committee Members by Hays Recruitment to assist in determining whether a market supplement should be offered to the third candidate. Members

subsequently agreed to make an offer, including a market supplement, following consideration of the advice from Hays.

Resolved:

That the third candidate interviewed that day should be offered the post of Head of Planning and Development with a market supplement as outlined in the advice circulated by Hays Recruitment, followed by the second candidate and then the first candidate, subject to:-

- (i) consultation with the Cabinet in accordance with General Procedure Rule – Appendix 3 – Procedural Decisions Relating to Committees – F (4) (b) and the Local Authorities (Standing Orders) (England) Regulations 2001.**
- (ii) the Director of Law and Governance confirming that the procedure referred to in (i) above has been completed with no outstanding objections.**

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Appointments Committee

Minutes of a Meeting of the Appointments Committee held at Boys Hall, Boys Hall Road, Willesborough, Ashford on the **25th July 2017**.

Present:

Cllr. Clarkson (Chairman);
Cllr. Clokie (Vice Chairman);

Cllr. Pickering.

Apologies:

Cllr. Koowaree.

Also Present:

Chief Executive; Human Resources Manager; Member Services and Ombudsman Complaints Officer.

Mark Bearn – Hays Recruitment.

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 items, 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 paragraph 1 of Part 1 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 Appointment of the Head of Corporate Policy, Economic Development and Communications

The Committee interviewed four candidates during the exempt part of the Committee Meeting.

The Committee unanimously agreed that the first candidate they interviewed that day was the strongest candidate and should be offered the post, followed by the fourth. The Committee agreed to offer the post to candidates in this order.

The Committee unanimously agreed not to offer the post to the second candidate or third candidate.

Resolved:

That the first candidate interviewed that day should be offered the post of Head of Corporate Policy, Economic Development and Communications, followed by the fourth candidate, subject to:-

(i) consultation with the Cabinet in accordance with General Procedure Rule – Appendix 3 – Procedural Decisions Relating to Committees – F (4) (b) and the Local Authorities (Standing Orders) (England) Regulations 2001.

(ii) the Corporate Director (Law and Governance) confirming that the procedure referred to in (i) above has been completed with no outstanding objections.

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Audit Committee

Minutes of a Meeting of the Audit Committee held in Committee Room No. 2, Civic Centre, Tannery Lane, Ashford on the **28th September 2017**.

Present:

Cllr. Waters (Chairman);
Cllr. Barrett (Vice-Chairman);
Cllrs. Buchanan, Burgess, Shorter, Smith.

Also Present:

Cllrs. Bradford, Clokie, Mrs Dyer.

Director of Law and Governance, Director of Place and Space, Director of Finance and Economy, Head of Culture, Head of Health, Parking and Community Safety, Head of Audit Partnership, Health, Parking and Community Safety Manager, Policy and Performance Manager, Programme Manager, Resilience Team Leader, Senior Auditor, Senior Policy Performance and Scrutiny Officer, Funding and Partnerships Officer, Senior Member Services Officer.

Elizabeth Jackson - Grant Thornton UK.

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In accordance with Procedure Rule 9.3 Mr Relf, a local resident, said he wanted to speak on Minute No. 83 – Corporate Enforcement Support and Investigations Team Annual Report 2016/17. The Minute stated that areas such as general enforcement, fly tipping, Council Tax and Business Rate fraud and social housing/tenancy fraud would all be areas of focus going forward. He asked how that commendable objective was going to translate in to effective action and if he could be assured that something would actually happen? He said that in the past the Council had been made aware of Business Rate avoidance at a particular address but no action was taken.

The Portfolio Holder for Finance and IT responded that this Council placed a high value on counter fraud and investigation work and it had repeatedly voiced its commitment to the Investigation Teams work. The Council had maintained its investigative resources at a time when nationally these resources had been transferred to the Single Fraud Investigation Service. Some Councils elected not to retain any counter fraud capability, but not Ashford. Not only had the Council maintained its investigators, but they had tasked them with branching out and investigating fraud in new areas beyond their traditional areas of focus. They were members of the Kent Intelligence Network (KIN), that had developed a data hub which allowed Councils to data match to identify potential frauds for further investigation. The Council would continue to use data matching, whether provided by the KIN or its own in house capability to identify potential examples of fraud. They were about to commence a pilot data matching exercise which would further seek to identify businesses who were not paying the correct amount of tax. The Council would continue to investigate all instances of fly tipping. The Environment and Land Management team were working with the Fraud and Investigations team in

investigating waste disposals with a view to taking formal action. To date they had made two prosecutions and were investigating others.

In addition, Ashford Borough Council worked collaboratively with all other Local Authorities in Kent and Kent County Council on matters such as litter and fly tipping through the Kent Resource Partnership. Each year, project funding had been used on various campaigns such as metal matters and plastic recycling. At the most recent Board meeting it was agreed that for the next two years they would fund an intelligence officer post that would be housed at KCC, to be dedicated to collecting and sharing intelligence on environmental crime, most specifically fly tipping, to ensure that waste criminals could be tracked. This was further evidence of their proactive approach to growing resources for enforcement. The success of this had been demonstrated in the annual reports that this Committee had received, which had contained details of the team's activity and they were a matter of public record.

He also said that in the first five months of this year the team had identified, and taken action against fraud to a value of £256,000 - covering a wide range of areas including Council Tax, Business Rates, Housing Benefit and Housing Tenancies. He was therefore pleased to give Mr Relf the assurance he asked for that something would happen, because it was happening now. With reference to the specific site mentioned by Mr Relf, he advised that the Council had investigated the address and passed its findings on to the Valuation Office which was the agency with the statutory responsibility for maintaining the business rates list and they had the duty to decide what action to take with the Council's findings.

Resolved:

That the Minutes of the Meeting of this Committee held on the 11th July 2017 be approved and confirmed as a correct record.

173 Business Continuity Planning Audit Report

The Head of Audit Partnership introduced the report which provided the Committee with a copy of the Business Continuity Planning audit report, issued in August 2017. The conclusion was that the controls offered only 'weak' assurance and needed further support to work consistently at an effective level. Consistent with the approach agreed by this Committee, any audit report receiving a 'weak' or 'poor' rating was reported to the next available meeting of the Audit Committee. He was pleased to advise that findings and recommendations of the audit report had been accepted by Officers and responded to quickly, with a management action plan being completed wherein plans for improvements to the service had been set out. The response so far was therefore commendable and he looked forward to working through the action plan with Officers.

The Head of Health Parking and Community Safety said that first and foremost she would like to apologise on behalf of Management Team for the weak audit rating. They fully accepted the rating and the findings of the report. There was a commitment to putting this right as soon as possible and she hoped the action plan that had been produced demonstrated Management Team's commitment. There had been a lot of good work undertaken on Emergency Planning in the last twelve months and perhaps that focus had seen them lose sight of Business Continuity to

some extent. The recommendations in the action plan reflected what needed to be done to achieve best practice, so whilst the function could certainly “raise its game”, it was also fair to say that it was not significantly failing. She advised that the significant findings in the report were: - Services had not updated their own Business Continuity Plans and these needed more detail; not enough testing of the plans had taken place; and Business Continuity as a whole did not appear to be embedded across the organisation. In terms of moving forward, there was a clear focus on what needed to be done and some important steps had already been undertaken. The aim was to get a high rating in the future and for the Council to be a leader in this issue. In terms of the dates in the action plan, the Head of Health, Parking and Community Safety advised that they would like to push some of the dates back to December 2017 which would allow her small team to properly analyse the Business Continuity plans submitted by Services and for the next meeting of this Committee to look at them ahead of a Management Team signoff in December.

The item was then opened up for discussion and the following responses were given to questions/comments: -

- The Council's overarching Business Continuity Plan was not currently governed by a policy. One had been drafted and this would be coming to Cabinet/Council for adoption in October. This would set out the responsibilities of everyone at the Council, including Members.
- The identification of an alternative site as a back-up facility for the Council to provide its key services from in the event of an emergency had been rated as a Priority 2 recommendation. Alternative sites had been identified but they would need to find something that suited the needs of the various teams within the Council. The Council's IT back-up arrangements had also recently been reviewed and assessed as 'good', so that had moved on over the last three years.
- The Committee was pleased to agree the extended timescale of December. They wanted the implementation dates to be realistic and they would clearly now fit in to a wider framework.
- Internal Audit expected the Council to act on all recommendations, regardless of rating level, but they had to prioritise each in terms of actions needed and immediacy. A recommendation which was a 'low' priority would still need to be dealt with, but there may be multiple ways to address the issue and timescales may not be quite so critical.
- A Business Continuity Steering Group would be re-established. The terms of reference were currently being updated and membership reviewed. The first meeting would be held in November and Steering Group members would be drawn from Management Team. Emergency Planning and Business Continuity would also be on Management Team agendas on a three monthly cycle.
- In response to a question about resources and whether the team had sufficient staff and budget to deal with the additional workload, the Health, Parking and Community Safety Manager said that they did want to take some time to review this matter. Over the next six months they planned to review

the whole process with a view to understanding exactly what resources would be needed going forward.

The Chairman said that the outcome of the audit was disappointing. Business Continuity Planning had received a similar rating back in 2014. It was therefore particularly disappointing that the corrective action taken then appeared to have been allowed to 'fall off' the agenda and this did not reflect well on Management Team, particularly as some of the same Management Team members remained. He thought the generator failure in 2015 should have been the trigger to spark a closer look at arrangements. In his view there needed to be more of a buy in from senior management to the importance of business continuity and a cultural change across the organisation. The results of the questionnaire undertaken as part of the audit showed that the majority of respondents did not know who their Lead Officer for business continuity was and that was concerning. He proposed that Internal Audit should use some of their contingency days to review Management Team agendas to assess why this had dropped off and if it was likely to be a problem going forward.

In terms of the specific individuals referred to in the report who had gone above and beyond to minimise the impact to the Council during the generator failure, the Chairman said he wanted to acknowledge them and thank them for their efforts.

The Chairman asked that going forward reports include the job titles as well as names for responsible Officers for ease of reference.

The Director of Law and Governance said that on behalf of Management Team, there was an acceptance from the top down that Business Continuity had not received the attention or priority that it deserved. Management Team now had a very different style and way of working, with much more structured agendas and a forward planning process, and topics such as Emergency Planning, Business Continuity and other corporate governance matters were reviewed routinely. He would be happy for Internal Audit to review this, but he was confident they would find a vastly improved position.

Resolved:

- That**
- (i) the Business Continuity Planning report and the planned actions by Officers to address its findings be noted.**
 - (ii) the request for extended implementation dates to December 2017 be supported and Committee Members receive a copy of the updated Action Plan.**
 - (iii) Internal Audit add a review of Management Team Agendas to their forward work programme to provide assurance over the issue of Business Continuity going forward.**

174 Presentations from Strategic Risk Owners

The Chairman explained that these would be the next in a series of regular updates from Risk Owners that would form part of the training and interaction process for this Committee.

The Head of Culture and the Funding and Partnerships Officer gave a presentation on the risk theme – Community Capacity, focusing on the Voluntary Sector. The presentation covered: - voluntary sector capacity; risk and consequence; controls in place; challenges; and further action.

The Chairman then opened the item up to the Committee and the following responses were given to questions/comments: -

- The chief concern was to make sure that current volunteers were supported in their role, but there was also clearly a risk that new volunteers could not be found.
- The Council did publish details of the Member grants it paid, but they did not publish percentage uptake levels. The Chairman considered it may be a useful exercise to advise Members who had any grant remaining of their balance each January, and the need to spend it before year end.
- There was some discussion on the application of the Ward Member fund and whether it needed to be spent directly in a Member's Ward. The Funding and Partnerships Officer advised that the wording was "for projects that benefit constituents in your Ward" and she did try to apply that criteria as inclusively as she could. Some Members said perhaps the criteria should be reviewed to include anyone in the Borough, particularly in the spirit of the Localism Act.
- At times, the application process for the various grants was quite demanding with all of the paperwork and administration involved, particularly for some of the smaller voluntary groups. The Funding and Partnerships Officer said she would always assist where she could and it was worth putting the time in to help some of these groups unlock funding pots. She could assist with template policies, constitutions, guidance or simply general advice.

The Director of Place and Space gave a presentation on the risk theme – Housing and Infrastructure, focusing on the risk that the pace of Infrastructure did not keep up with the pace of Housing delivery. The presentation covered: - the issues at hand; strategic infrastructure; partner agencies; local infrastructure; and a summing up of future goals (including the implementation of Community Infrastructure Levy (CIL), working with other organisations, exploring other sources of funding and more partnership working with Kent County Council and other strategic partners through the Ashford Strategic Delivery Board).

The Chairman thanked Officers for both presentations which the Committee had found extremely useful.

Resolved:

That the presentations be received and noted.

175 Annual Governance Statement – Progress on Remedying Exceptions

The report updated on the progress made towards the three areas of review highlighted by the 2016/17 Annual Governance Statement. The Senior Policy, Performance and Scrutiny Officer introduced the report and gave an update on delivery dates for the three areas.

The Chairman said that once all of the elements of the Transparency Code had been signed off as fully compliant, he would appreciate a spreadsheet which showed the full picture.

Resolved:

That the progress made towards the areas of review highlighted by the Annual Governance Statement as detailed in the report be noted.

176 Strategic Risk Management – Update Report

The Policy and Performance Manager introduced the report which asked the Committee to consider the Council's Strategic Risks, to note the updated assessments and to agree the adequacy of key controls and the mechanisms for monitoring and mitigation. She advised that since agreement and adoption of the current risk approach in 2015, monitoring and assessment of Strategic Risk had been an evolving process. Therefore some of the risk titles and descriptors had been amended to better reflect the risk factors. A more major review of the risk framework had now been proposed and therefore this would be the last time risk would be presented in this form to the Committee. A new framework was currently being developed by the Internal Audit Partnership in tandem with Officers at the Council and was scheduled to be presented to the Audit Committee at its meeting in March 2018. There would also be a presentation on this as part of the next Agenda item. She said that one issue worth drawing attention to was the proposal to include Emergency Planning and Business Continuity as a further Strategic Risk.

The Chairman said he was pleased to note the successful recruitment of four new senior members of staff, including three individuals from outside the Council. With a pay and reward project planned for later in the year, he considered this demonstrated that this Council was not too far off with what it was offering. The Portfolio Holder for Finance and IT said that whilst he would generally agree with that statement, there were more specialist roles where the Council did often find it difficult to recruit to. The Chairman asked to be supplied with an updated Council organogram once the new recruits were in post.

Resolved:

That (i) the assessments of the updated risk factors, adequacy of the key controls and the mechanisms for monitoring and mitigation be agreed.

- (ii) the proposal to include a further Strategic Risk on Emergency Planning and Business Continuity be noted.**

- (iii) it be noted that a new risk framework was being developed to improve risk management arrangements and would be presented to the Audit Committee in March 2018.**

177 Strategic Risk Management Training

Following the previous agenda item, the Committee received a presentation from the Head of Audit Partnership and Programme Manager. This would form part of the ongoing training and interaction process for this Committee.

The Head of Audit Partnership ran through the Risk Management process from the Council's perspective, monitoring and reporting and the next steps in terms of reviewing and updating the process. He stressed the multiple benefits to the Council of strong Risk Management arrangements, explained the principles of the existing Risk Management framework adopted in July 2015 including the recently renamed 'Pentana' system (previously Covalent) and outlined the Risk Management process step by step.

The Programme Manager focused on continuous improvement and the refresh of the current Risk Management system. She explained that work was ongoing and by the end of October they wanted to begin to put forward a system that better reflected the current Service Plans of the Council and to better define the areas that the Council wanted to monitor. It was hoped that this would allow the Council to keep a closer eye on things corporately and potentially become aware of issues prior to receiving weak audit reports. This was planned to be trialled through this year's budget scrutiny process. They were also aiming to update all Risk Registers by December 2017 and themes and Strategic Risks during early 2018. A key element of this would be a better and more accurate reporting mechanism for risk information inspired by best practice from the *John Lewis* model. She hoped to bring all of this together in an update for this Committee at its March 2018 meeting.

The Chairman then opened the item up to the Committee and the following points were raised: -

- Ultimately Risk Management was about projection, assumptions and even some guess work. It was a process that should be kept constantly under review and whilst risk owners were ultimately responsible for this, a good Risk Management framework meant that there was always more than 'one set of eyes' on an issue. If risks were tightly defined from the outset it should avoid a situation where application of the framework could be influenced or 'watered down'.

- Risk appetite was an important consideration. There may be certain risks that the Council was happy to accept and tolerate, even in red areas of a matrix, particularly as the Council became more commercial and entrepreneurial.

- There had been some suggestion that Reputational Risk could be dropped as a Strategic Risk area. The Portfolio Holder for Finance and IT said that he would challenge this suggestion because as the Council became more

entrepreneurial in its approach, working with partners and in joint ventures, the Council's reputation would be all important and fundamental to its success.

- Multiple layers of checking or sign off in a process did not necessarily make it more secure. It often meant that no one person took ultimate responsibility and one person being in charge was the best way to ensure you were covered.

Resolved:

That the presentation be received and noted.

178 External Audit Progress Report

Elizabeth Jackson introduced the report which included a summary of ongoing audit work at Ashford and some other general points of interest. She advised that this was her last meeting before a period of Maternity Leave and a new Engagement Manager for Ashford and her own replacement as Engagement Lead would be introduced to the Council during October.

The Director of Finance and Economy said that following the recent procurement exercise he was delighted to announce that Grant Thornton had been re-appointed as the Council's External Auditor for 2018/19. The Council would be seeking a quote for the 2018/19 Housing Benefit (Subsidy) Assurance audit in the coming weeks, and that would be shared with the Chairman.

The Chairman said that as part of his desire for reports for this Committee to be more interactive and easier to read, he would ask Grant Thornton to make future Progress Reports more user friendly, including bullet points where possible and perhaps some of the detail behind the web links referred to. Audit Committee Members were a diverse group of people, with varying backgrounds and skillsets, and he considered that the reports had to be targeted as such.

Resolved:

That the progress report be received and noted.

179 Report Tracker and Future Meetings

Resolved:

That the report be received and noted.

DS

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