

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.

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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.

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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.

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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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