



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 14th December 2017 at 7.00 pm

Yours faithfully

T W Mortimer
Corporate Director (Law and Governance)

Agenda

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Nos. |
|--|----------------------|
| 1. Apologies | |
| 2. To consider whether any items should be dealt with in private because of the likely disclosure of Exempt or Confidential Information. | |
| 3. Declarations of Interest:- To declare any interests which fall under the following categories, as explained on the attached document: | (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 19 th October 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 9 th November and the 7 th December 2017 (to follow) | 2-9 |
| 9. To receive the Minutes of the Meeting of the Audit Committee held on the 5 th December 2017 (to follow) | |

10. To consider Motions of which Notice has been given pursuant to Procedure Rule 11
11. 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
6th December 2017

Queries concerning this agenda? Please contact Danny Sheppard:
Telephone: 01233 330349 Email: danny.sheppard@ashford.gov.uk
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Declarations of Interest (see also “Advice to Members” below)

- (a) **Disclosable Pecuniary Interests (DPI)** under the Localism Act 2011, relating to items on this agenda. The nature as well as the existence of any such interest must be declared, and the agenda item(s) to which it relates must be stated.

A Member who declares a DPI in relation to any item will need to leave the meeting for that item (unless a relevant Dispensation has been granted).

- (b) **Other Significant Interests (OSI)** under the Kent Code of Conduct as adopted by the Council on 19 July 2012, relating to items on this agenda. The nature as well as the existence of any such interest must be declared, and the agenda item(s) to which it relates must be stated.

A Member who declares an OSI in relation to any item will need to leave the meeting before the debate and vote on that item (unless a relevant Dispensation has been granted). However, prior to leaving, the Member may address the Committee in the same way that a member of the public may do so.

- (c) **Voluntary Announcements of Other Interests** not required to be disclosed under (a) and (b), i.e. announcements made for transparency reasons alone, such as:

- a. Membership of outside bodies that have made representations on agenda items, or
- b. Where a Member knows a person involved, but does not have a close association with that person, or
- c. Where an item would affect the well-being of a Member, relative, close associate, employer, etc. but not his/her financial position.

[Note: an effect on the financial position of a Member, relative, close associate, employer, etc; OR an application made by a Member, relative, close associate, employer, etc, would both probably constitute either an OSI or in some cases a DPI].

Advice to Members on Declarations of Interest:

- (a) Government Guidance on DPI is available in DCLG’s Guide for Councillors, at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/240134/Openness_and_transparency_on_personal_interests.pdf
- (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 **19th October 2017**.

Present:

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

Cllrs. Bartlett, Mrs Bell, Bell, Bennett, Mrs Blanford, Bradford, Buchanan, Burgess, Chilton, Clarkson, Dehnel, Mrs Dyer, Farrell, Feacey, Galpin, Heyes, Mrs Heyes, Hicks, A Howard, W Howard, Howard-Smith, Koowaree, Krause, Link, Macpherson, Miss Martin, Mrs Martin, Pickering, Sims, Smith, Suddards, Waters, Mrs Webb, Wedgbury, White.

Also Present:

Director of Finance and Economy, Director of Law and Governance, Senior Member Services Officer.

Prior to the commencement of the meeting Members remained standing in respect for the late Charles George Findlay who was the Member for the Ashford Bybrook Ward between 1991 and 1995, and a Member of Kent County Council until 2009. The Reverend John Mackenzie then said prayers.

Apologies:

Cllrs. Aaby, Barrett, Clokie, Knowles, Murphy, Ovenden, Shorter.

193 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.

194 Minutes

Resolved:

That the Minutes of the Meeting of the Council held on the 20th July 2017 be approved and confirmed as a correct record.

195 Announcements

(a) The Mayor

The Mayor welcomed everyone to the meeting. He said although it may now be long forgotten, he trusted Members and Officers had been able to relax over the summer and spend quality time with family and friends. He said it was essential to do this to stay sharp with Council matters and balancing yin and yang was important in this regard. Since the last Council meeting he and the Mayoress, together with the Deputy Mayor, had fulfilled many engagements and presented Ashford in the best

possible light. To date he had fulfilled about 80 engagements, meeting many wonderful people that made up the Ashford community. One thing that had struck him was how dependent many organisations were on volunteers. Indeed, without volunteers much good work in the community would come to a grinding halt. These people unselfishly gave hours of time for no reward and went about their work in a silent way. Ashford was enriched by having this large band of dedicated volunteers within its midst and he wished to publicly thank all volunteers for their devotion and to let them know that the value they delivered to Ashford had not gone unnoticed.

Ashford was twinned with the towns of Bad Münstereifel in Germany, Fougères in France and Hopewell in Virginia, USA. Every year the towns in Germany, France and England met as an act of commitment to friendship and understanding following the two World Wars. Each town took a turn to host the meeting and this year was in Fougères. The theme for this year was sport and the youth of each town presented what their town had to offer and the value of sport to the health and wellbeing of their communities and the town in general. Homewood School had put together an excellent presentation for Ashford and he thanked the students on behalf of Ashford for their hard work, which for them came at a time when they were also taking very important exams. Brexit had been on the mind of their Twinning friends so he had taken the opportunity to address this in his speech and off-line with those that had engaged him on the subject. He reassured them and said that what happened at a local level transcended what happened on a national level and Brexit would not affect the relationship they had enjoyed and fostered since the Second World War. 'Brexit' was an unfortunate term as it implied that the UK was 'pulling up the drawbridge' when he considered it was simply about sovereignty. If it was permissible he said he would share an analogy he had used which had been endorsed by Ashford's MP Damian Green – One day a friend may say to you "you and I are friends and we enjoy doing many things together, but that thing we do on a Friday, I do not want to do that anymore, would you be offended by this?" As a friend I say "of course not, but I hope we can continue with all of the other things which we do together". To which the reply would be "yes of course". He considered with Brexit it was the same and they still wished to continue doing many things together. In private he may wish to understand why his friend wished to stop doing some things, but never would he criticise his friend – true friends did not resort to this. Those who had spoken with him said they understood the British position more clearly and were pleased that we wished to remain friends and continue to do things together. He considered there was a lot of misunderstanding about Brexit.

As part of the relationship, a party of students from Fougères had recently visited Ashford and asked him many questions in an attempt to learn more about the differences between the two towns. Also, at the Twinning meeting, he had met a Politician charged with getting a grip on immigration in Germany. He informed that 50% were now refused entry to Germany and returned to their country of origin. He had stated that immigration had become a major problem and the infrastructure of the country had been so overwhelmed by an influx of nearly one million immigrants that it had led to resentment and anger from the population. For a number of years Ashford had stood still due to an absence of any real direction, but it was now going through an exciting era of renaissance and a new beginning. These were exciting times for everybody and as Council Members and Officers he considered they should all be proud to be part of it. As with the immigration issue in Germany, many residents that he had met had expressed worries over proposed development levels overwhelming their communities and local infrastructure and the impact on quality of life. He said that as a Council they were only too conscious of this and he had

reassured people that they were taking action to counter those fears. Residents had asked that the Council do not “take their eye off the ball” through complacency or assumption and they expected them to get a grip on matters and give reassurances to them.

The Mayor said that in meeting members of Ashford’s community he came across people doing remarkable, incredible and exceptional things for the betterment of their communities – he called these the ‘Silent Heroes’. This had led him to think that the Mayor’s Office should recognise these individuals in some way and he had introduced a new Mayor’s Award. These would not be “handed out like confetti”, but only given to those who did or achieved something truly exceptional and the first recipient had received their award this past Tuesday. Harrison Cummins, a nine year old boy who had lost his Mother to cancer in 2015, having seen the love and care given to his mother by the Hospice staff, decided to raise money for them so their excellent work could continue for both his Mother and others. Over the past two years he had raised £25,000 for the Pilgrims Hospice through cake sales and other charity events. He said it was wonderful that his Mother had lived to see him raise £13,000 in the first year. The Mayor said he would be attending his next fundraising event in December. Harrison was an inspiration to all because he proved that by drawing on true inner strengths you could make what appeared to be impossible, entirely possible, and he had been very honoured to meet him.

He said that he had others lined up to receive awards during his term of office, and he also hoped to introduce a Mayor’s Award for businesses and organisations who had achieved something truly exceptional. At engagements he had become conscious that the Mayoralty was revered by the general public and they did attach importance to meeting the Mayor. The Mayor’s Awards would bring tangibility to the general public to the Mayor’s Office and subsequently the Council. If Members or Officers knew of individuals or organisations doing exceptional things he said he would be pleased to hear from them.

The Mayor said it had given him great pleasure to host a tea in the Mayor’s Parlour for those who had sponsored the Create Festival. The festival had been an outstanding success again this year, improving with each passing year. Without sponsors though this would be impossible so he wanted to publically thank all sponsors and called for all businesses to lend their support to Create, which delivered immense value to thousands of people in Ashford. He had met many people at the Festival who had been coming for years, including a couple who had attended every one since the beginning. It seemed that Create’s reputation for fine acts and civilised atmosphere was far reaching. Chris Dixon was the person behind the festival and should probably go be the name of “Mr Create” given his hard work! He wanted to publicly congratulate Chris and let him know that his painstaking efforts had not gone unnoticed by both the Council and the people of Ashford.

In conclusion, the Mayor reiterated that he had two charities which he wished to support through his events and he hoped Councillors would support these events to enable his charities to deliver much needed equipment for use by those in the community who were disadvantaged through personal circumstances. The “Winter Warmer” evening at the popular Cinnamon Spice restaurant on the 7th November was almost a sell-out, but there may be one or two last tickets available at £15 for those who could get in quickly! Finally, on the 28th October he and Doreen would mark 50 years of marriage. He had been told that they were a dying breed and it was

therefore perhaps fitting that they were spending all day at a wildlife conservation centre and it had been said that he was wild life!

(b) Leader of the Council

The Leader said that he wanted to take the opportunity to highlight some of the positive developments that had taken place since the Council last met.

Over the last few months two of the Council's Big 8 projects had reached significant milestones. The new multi-million-pound state-of-the-art Ashford College had opened its doors to students in September and now stood proudly on the corner of Elwick Road. This first-rate facility would educate and equip students with the necessary knowledge to assist their employment skills for the future. Two weeks ago he had also been pleased to be invited by developers Quinn Estates and George Wilson Developments to take part in a special ceremony to mark the 'topping out' of the first office block in the new business hub opposite Ashford International Station. He had been told that it was on course for completion in January 2018 and with at least 75% of space already let, this was another of the Big 8 Projects.

These two projects were particularly pertinent when considering the results of a perception report produced by inward investment agency Locate in Kent which again identified Ashford as the most improved area in Kent for business growth. Excellent rail and road links in close proximity to London and Europe, available sites, quality of life and a supportive local Council were all listed as positives. The study showed that 62% indicated that Ashford had improved as a business location over the past five years. This was up from 57% in 2014 and made Ashford the most improved District in the county and the number one business location in Kent yet again.

The Leader reported that the previous week the Council had held an event at the German Museum next to St Pancras International Station and invited around 100 guests to hear from the Council and their key partners about the opportunities there were in Ashford. The event had been a great success and indeed the Housing and Finance Institute had circulated a three page paper the following day entitled "How to Run a Great Business Breakfast" and started by saying "Here we share our view of how to put on a good business breakfast, inspired by the Ashford Way".

It was also important to realise though that the Council's focus was not only about attracting inward investment and creating jobs – they were also working very hard to provide every day services for a growing population. Aspire, the in-house grounds maintenance service, was now one year old and was making the Borough a brighter, more colourful and tidy place. There was of course more to do and the team was receiving considerable training to improve their skill levels, which in turn would allow them to broaden their work.

On the 15th September 2007, the Stour Centre opened following a huge redevelopment. Ten years on the Centre had earned a reputation as a well-used and much enjoyed leisure facility for local residents and visitors alike and it was soon about to embark on a new chapter. The Council and the Ashford Leisure Trust had recently signed a new partnership agreement which would reinvigorate the way leisure was provided in the Borough in the future. This paved the way for them to work together to secure major investment into the facilities and to ensure that they could provide the best and widest possible range of leisure opportunities for Ashford's residents and visitors.

Finally, the Leader advised that earlier that evening he had attended the launch event for sponsorship opportunities for *Snowdogs Discover Ashford* – a significant cultural event coming next year. For ten weeks in Autumn 2018, leading up to Christmas, the streets and open spaces of Ashford would become a world class trail of individually designed and beautifully created giant Snowdog Sculptures. Businesses, groups, education establishments and individuals were invited to sponsor a Snowdog sculpture (themed on Raymond Briggs' classic *The Snowman and The Snowdog*). Local and national artists would design and decorate Ashford's Snowdogs and each dog would be unique, with its own design and personality. The finished sculptures would be displayed at key locations throughout the streets, roads, parks and public areas of the town and Borough. Each Snowdog would then be auctioned by Pilgrims Hospices and would raise significant funds to support specialist end of life care for local people.

196 Cabinet – 14th September and 12th October 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 – 14th September 2017

Resolved:

- That (i) the Minutes of the Meeting of the Cabinet held on the 14th September 2017 be received and noted with the exception of Minute Nos. 156 and 157.**
- (ii) Minute Nos. 156 and 157 be approved and adopted.**

In accordance with Procedure Rule 15.5 Councillor Miss Martin asked for it to be recorded that she had voted against the resolution in Minute No. 156 of the Cabinet of 14th September 2017.

(b) Cabinet – 12th October 2017

Resolved:

- That (i) the Minutes of the Meeting of the Cabinet held on the 12th October 2017 be received and noted with the exception of Minute Nos. 184 and 187.**
- (ii) Minute Nos. 184 and 187 be approved and adopted.**

197 Appointments Committee – 20th, 21st, 24th and 25th July 2017

(a) Appointments Committee – 20th July 2017

Resolved:

That the Minutes of the Meeting of the Appointments Committee held on the 20th July 2017 be received and noted.

(b) Appointments Committee – 21st July 2017

Resolved:

That the Minutes of the Meeting of the Appointments Committee held on the 21st July 2017 be received and noted.

(c) Appointments Committee – 24th July 2017

Resolved:

That the Minutes of the Meeting of the Appointments Committee held on the 24th July 2017 be received and noted.

(d) Appointments Committee – 25th July 2017

Resolved:

That the Minutes of the Meeting of the Appointments Committee held on the 25th July 2017 be received and noted.

198 Audit Committee – 28th September 2017

Resolved:

That the Minutes of the Meeting of the Audit Committee held on the 28th September 2017 be received and noted.

(DS)

MINS:

Cabinet

Minutes of a Meeting of the Cabinet held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **9th November 2017**.

Present:

Cllr. Clarkson (Chairman);
Cllr. Bell (Vice-Chairman);

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

Apologies:

Cllrs. Hicks, Link.

Also Present:

Cllrs. Buchanan, Burgess, Dehnel, Howard-Smith, Knowles, Miss Martin, Wedgbury.

Chief Executive, Director of Law and Governance, Director of Place and Space, Director of Finance and Economy, Head of Corporate Policy, Economic Development and Communications, Head of Corporate Property and Projects, Head of Environment and Land Management, Head of Housing, Head of HR and Customer Services, Accountancy Manager, Customer Service Manager, Environmental Contracts and Enforcement Manager, Facility Development Manager, Health, Parking and Community Safety Manager, Senior Policy, Performance and Scrutiny Officer, Commercial Development and Regeneration Officer, Corporate Scrutiny and Overview Officer, Environmental Health Officer, Open Space Planning Development Officer, Communications and Marketing Manager, Senior Member Services Officer.

212 Minutes

Resolved:

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

213 Leader's Announcements

The Leader advised that the pilot scheme for an experimental overnight parking and clamping trial for HGVs on the A20 had commenced and seemed to be working well at this early stage. The Truck Stop appeared to be coping with the extra demand and the mobile app advising of the number of available spaces was being well used. He had checked before the meeting and at that stage there had been 89 free spaces. The Leader said he looked forward to both the Ashford and Shepway Truck Stops increasing their capacities in the near future.

214 Ashford Borough Council's Performance – Quarter 2 - 2017/18

The report updated Members and the public on the performance of the Council against its Corporate Plan for Quarter 2 - 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 re-iterated that the data belonged to the whole Council and he hoped all Members would look and take an interest in it. Information on the Council's performance would be available to the public via the Council's website imminently. He advised that the number of residents needing temporary Bed and Breakfast accommodation continued to increase which was unfortunate. Whilst this was a national issue, the Council was active in looking to respond and a report on the forthcoming Homelessness Reduction Act would be coming to the Cabinet in December.

The Portfolio Holder for Corporate Property drew attention to town centre vacancy rates which, at 7.9%, were at their lowest since rates were first recorded in 2008. These figures also did not yet reflect the new shops that had opened in recent weeks or were due to open before the end of this month. He said he would like to publically thank Jo Wynn-Carter, the Council's Town Centre Regeneration Manager, who had done a fantastic job in reducing those rates and would be missed when she left the Council next month.

Resolved:

That the Council's performance against the Corporate Plan in Quarter 2 of 2017/18 be noted.

215 Financial Monitoring – Quarter 2 – 2017/18

The report presented an assessment of the outturn based on the first half of the financial year, including the General Fund, the Housing Revenue Account and the Collection Fund. The General Fund was projecting an overspend against original budget with an overall movement from last quarter of £14,000. There were a number of variances affecting this position detailed within the report, however it should be noted that during the last quarter £100,000 of the service contingency was utilised and this had now been removed from the forecast. The Housing Revenue Account was projecting an underspend of £78,000, and there were again a number of variances affecting the position that were detailed in the report. He considered this was a good achievement in the current climate and applauded those involved. The report also asked Members to delegate authority to the Director of Place and Space, in consultation with the Portfolio Holder for Planning, to increase Planning Fees in line with statutory fee increases.

Resolved:

That (i) the outturn position for the General Fund, Housing Revenue Account and the Collection Fund be noted.

- (ii) the update to the HRA Business Plan to include the purchase of off plan dwellings be noted (Paragraphs 20 – 22 of the report refer).

Recommended:

- That
- (i) the Council delegate authority to the Director of Place and Space, in consultation with the Portfolio Holder for Planning, to increase Planning fees in line with statutory fee increases (Paragraphs 10 – 12 of the report refer).
 - (ii) the Council approve the transfer of the Section 151 functions to the Director of Finance and Economy, which were previously held by the Head of Finance and IT (Paragraph 13 of the report refers).

216 Medium Term Financial Plan 2018-2023

The report presented the Medium Term Financial Plan, a budget forecast including underlying assumptions, covering a five year period from 2018 to 2023. This was for the General Fund and a Business Plan for the Housing Revenue Account would be covered separately in a report to the December Cabinet. The Plan highlighted a budget gap from 2020/21 and the proposed measures to close that gap, including the Inflation Management Strategy.

Both the Leader and the Portfolio Holder drew attention to paragraphs 53 – 55 of the report on development of future income streams, which was all part of the Council's wider strategy to improve the quality of services, whilst at the same time limiting the burden on Council tax payers and the reliance on Government subsidies.

Resolved:

- That
- (i) the forecast be noted and underlying assumptions accepted.
 - (ii) the Inflation Management Strategy be endorsed.
 - (iii) it be noted that this is the third year of the four year settlement.
 - (iv) the one year change to the New Homes Bonus policy be noted.
 - (v) authority be delegated to the Director of Finance and Economy in consultation with the Leader and Portfolio Holder for Finance and IT to agree the Council's continued participation in the Kent Business Rates pool.

217 Mid Kent Joint Waste Partnership – Ashford's Progress

The report examined the Council's progress in the Mid Kent Joint Waste Partnership and asked the Cabinet to agree to continue with the same collection methodology until re-procurement began in 2019/20 as well as making some slight adjustments to non-statutory services to cover costs and encourage digital service participation.

The Portfolio Holder introduced the report and emphasised the ongoing positive picture. She addressed concerns about a possible increase in fly-tipping and the measures the Council was taking to mitigate those concerns including jointly funding with other Kent Authorities, (for a two year trial), an Intelligence officer who would be dedicated to the detection of, and data sharing on, waste crime, to enable possible prosecutions. Additionally, they would be exploring the possibility of mobile camera fly-tipping enforcement. She endorsed the recommendations in the report and thanked the Borough's residents for their continued support.

Resolved:

- That**
- (i) the positive progress on the contract to date be noted.**
 - (ii) in the life of this contract, Ashford Borough Council would continue with the same collection methodology (subject to no legislative/regulatory changes that indicate to the contrary).**
 - (iii) in 2018/19 the Council engage with residents to achieve, as far as is practicable, a future quality household waste collection service, that residents demand and continue to understand and support.**
 - (iv) adjustments to non-statutory services be supported to cover costs from the next financial year and encourage digital service participation.**

218 Playing Pitch and Sports Facilities Strategy

The report advised that both of these strategies had been produced by external consultants Max Associates, to assess current and future demand for indoor and outdoor sports facilities. They both supported the emerging Local Plan and would address the Borough's qualitative and quantitative needs. The report sought endorsement of the draft strategies and authority to adopt them following public consultation. Copies of both strategies could be found in the Members Room and on the Ashford Borough Council website.

Resolved:

- That**
- (i) the responses made against the draft Playing Pitch and Indoor Sports Facilities Strategies following consultation be noted.**
 - (ii) the Playing Pitch and Indoor Sports Facilities Strategies be approved and authorised for adoption.**
 - (iii) authority be delegated to the Director of Place and Space, in consultation with the necessary Portfolio Holders, to put in place all actions necessary to implement both Strategies.**

219 Open Space Strategy - Adoption

The Portfolio Holder introduced the report which advised that the Open Space Strategy had been produced to detail how the Council, in partnership with a range of organisations, planned to protect, enhance and provide open spaces to 2030 and

helped inform relevant sections of the emerging Local Plan. Following formal consultation on the draft Open Space Strategy, a number of comments had been received and these were contained at Appendix 1 to the report. These had resulted in a few updates to certain parts of the strategy. The report sought endorsement of the final strategy, a copy of which could be found in the Members Room and on the Ashford Borough Council website.

Resolved:

- That**
- (i) the representations made against the draft Open Space Strategy following consultation be noted.**
 - (ii) the final Open Space Strategy be approved and endorsed for adoption.**
 - (iii) authority be delegated to the Director of Place and Space, in consultation with the necessary Portfolio Holders, to agree final formatting and minor editing.**

220 Digital Transformation Strategy

The Portfolio Holder introduced the Strategy which set out how the Council would go about developing greater on-line service delivery to provide customers with the widest choice of ways to access services and to improve efficiency of service provision. The report recommended that Cabinet approve and adopt the Strategy and associated action plans, and delegate the Member level monitoring of delivery of the Strategy to the IT and Digital Transformation Advisory Committee.

Resolved:

- That**
- (i) the Digital Transformation Strategy be approved and adopted.**
 - (ii) the Member level monitoring of the delivery of the Strategy and action plans be delegated to the IT and Digital Transformation Advisory Committee.**

221 Garage Commercialisation Strategy

The report sought Cabinet approval to implement the Garage Commercialisation Strategy which would improve revenues from existing garages and provide improved parking and landscaping in and adjacent to the Council's estates. The Strategy would also identify sites suitable for development or alternative uses.

Members expressed their general support for the proposals and the principle of allowing more flexibility around garage sites. One Member asked about the reference to 'development potential' and whether that would allow for the development of Council or local needs housing? She also hoped that in view of the lack of parking in the urban areas, all opportunities to create extra parking areas for residents would be explored. The Portfolio Holder for Corporate Property responded that each site would be looked at on a case by case basis, but generally they had already been assessed as too small for housing potential when they were originally part of the Housing Revenue Account. The Leader agreed that any opportunities to improve parking

provision should be examined. The Deputy Leader advised that in Biddenden, redundant garages had been transformed in to local needs bungalows, so there was already a precedent for this type of development.

In response to a question the Chairman responded that there would certainly be consultation over sites with relevant Ward Members and that was reflected within the recommendations.

Resolved:

- That**
- (i) the development of the Garage Commercialisation Strategy be noted.**
 - (ii) the Head of Corporate Property and Projects be authorised, in consultation with the Portfolio Holders for Corporate Property and Finance and IT, and following consultation with relevant Ward Members, to approve alternative usage of garage sites to maximise the value of such sites to the Council.**
 - (iii) the Head of Corporate Property and Projects be authorised, in consultation with the Portfolio Holders for Corporate Property and Finance and IT and the Director of Finance and Economy, to approve any revised pricing strategy developed as part of the implementation of the Garage Commercialisation Strategy.**

222 Primary Authority Partnerships

The report sought delegated authority for the Head of Health, Parking and Community Safety to enter into Primary Authority partnerships with suitable businesses. It explained that Primary Authority partnerships described an arrangement between businesses and regulators which improved the sharing of advice and guidance on regulatory matters relating to food hygiene, health and safety and licensing.

The Portfolio Holder endorsed the contents of the report and wanted to publically thank the Environmental Health Officer for the hard work she had undertaken to make some sense of this report and bring it to the Cabinet.

Resolved:

That authority be delegated to the Head of Health, Parking and Community Safety to enter into Primary Authority partnerships under the provisions of Section 25 of the Regulatory Enforcement and Sanctions Act 2008, as amended by The Enterprise Act 2016 and the Co-ordination of Regulatory Enforcement Regulations 2017.

223 The Armed Forces Covenant

The Member Champion for the Military Covenant and Ceremonial Liaison introduced the report which advised that the Armed Forces Covenant was a promise from the Nation, ensuring that those who served or had served in the Armed Forces, and their families, were treated fairly. This commitment was made in recognition of the sacrifices they made on behalf of the Country. The Covenant was not designed to

give Armed Forces, Veterans and their families preferential treatment compared to other citizens, but it should ensure that they got a fair deal and were not disadvantaged because of their service. He gave some practical examples of where this principle had been put in place to achieve a favourable outcome. The report outlined an action plan for delivering the Council's commitments under the Armed Forces Covenant and strengthening support for the Armed Forces community. The Member Champion advised that he was looking forward to working with the newly appointed Head of Corporate Policy, Economic Development and Communications on the action plan and chairing a new Civilian Military Partnership Board, which would work to bring in representatives of all of the relevant agencies to support the Council's Officers and the Armed Forces community.

The Member Champion further explained that a lot of work had been undertaken recently to revamp the Remembrance Sunday event which would be taking place that coming weekend and on an event at the Ashford Tank to mark the 100th Anniversary of the Battle of Cambrai on the 17th November. He hoped that both of these projects would further demonstrate the Council's commitment to Ashford's Armed Forces community.

The Leader said he fully supported the report and said that it further demonstrated this Council's desire to be an exemplar Authority and a leader on a number of issues. They had been recognised as a national pioneer for their work on resettling Syrian refugees, they were one of the most improved Authorities in the UK on waste and recycling and earlier that day Ashford Borough Council had been shortlisted in the prestigious Local Government Chronicle Awards, in both the entrepreneurial Council of the Year and overall Council of the Year categories. This was all an indication of the direction in which the Council was heading.

Resolved:

- That (i) the action plan outlined at paragraphs 16 – 18 and Appendix 2 to the report be approved.**
- (ii) the appointment of the Head of Corporate Policy, Economic Development and Communications to the role of Lead Officer for the Armed Forces Covenant be noted.**
- (iii) the Cabinet's support for the Armed Forces Covenant be re-affirmed.**

224 'Planning For The Right Homes in The Right Places' – Response to DCLG Consultation

The report set out the Council's proposed response to the current consultation document from the Department of Communities and Local Government entitled 'Planning for the Right Homes in the Right Places'. The Portfolio Holder directed Members attention to the tabled paper which contained a revised version of the proposed response. He said this was an extremely important document and he hoped the DCLG would take on board the Council's comments.

The Leader advised that the Local Plan and Planning Policy Task Group had spent a considerable amount of time going through each of the questions and helping Officers

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to formulate the final response. A Member asked if the responses would have any bearing on the emerging Local Plan and if the Council had undertaken any lobbying of Government to have the numbers changed for the current period? The Leader said that Officers would be able to advise on the issue of lobbying, but he knew the Government faced a large housing shortfall and Ashford would have to play its role. The Deputy Leader said that rather than lobbying, at this stage the focus should be on completing the Local Plan process and getting that in place as soon as possible, in order to protect the Borough and its residents.

Resolved:

That the proposed responses to the consultation questions set out in the tabled Appendix to the report be endorsed.

225 Economic Regeneration and Investment Board – 27th September 2017

Resolved:

That the notes of the meeting of the Economic Regeneration and Investment Board held on the 27th September 2017 be received and noted.

226 Local Plan and Planning Policy Task Group – 13th September and 5th October 2017

Resolved:

That the notes of the meetings of the Local Plan and Planning Policy Task Group held on the 13th September and 5th October 2017 be received and noted.

227 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 **7th December 2017**.

Present:

Cllr. Clarkson (Chairman);
Cllr. Bell (Vice-Chairman);

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

Apologies:

Cllrs. Burgess, Chilton, Galpin, Hicks, Knowles

Also Present:

Cllrs. Barrett, Buchanan, Dehnel, Mrs Dyer, Howard-Smith, Link, Miss Martin, Ovenden, Smith, Wedgbury.

Chief Executive, Director of Law and Governance, Director of Place and Space, Director of Finance and Economy, Head of Corporate Policy, Economic Development and Communications, Head of Health, Parking and Community Safety, Head of Housing, Head of Planning and Development, Interim Head of Finance, Health, Parking and Community Safety Manager (JF), Chilmington Community Management Organisation Project Manager, Economic Development Manager, Policy Manager, Principal Solicitor (Strategic Development), Senior Accountant (JS), Senior Accountant (LF), Senior Accountant (MH), Communications Officer, Senior Member Services Officer.

At the commencement of the meeting the Chairman advised of a change of order to that contained within the Agenda.

259 Declarations of Interest

Councillor	Interest	Minute No.
Clarkson	Declared an Other Significant Interest as a Director of A Better Choice for Property Limited and would leave the meeting for the debate and vote on this item.	277
Chief Executive	Declared an Other Significant Interest as a Director of A Better Choice for Property Limited and would leave the meeting for the debate and vote on this item.	277

Interim Head of
Finance

Declared an Other Significant Interest as a
Director of A Better Choice for Property Limited
and would leave the meeting for the debate
and vote on this item.

277

260 Minutes

Resolved:

That the Minutes of the Meeting of the Cabinet held on the 9th November 2017 be approved and confirmed as a correct record.

261 Leader's Announcements

The Leader advised that he had recently made some further changes to the Deputy Portfolio Holders and would like to bring these to Members' attention this evening. Councillor Andrew Buchanan had moved to Deputy Portfolio Holder for Culture, a position which had been vacant and Councillor Mrs Jenny Webb had replaced Cllr Buchanan as Deputy Portfolio Holder for Health, Parking and Community Safety.

262 Submission Version of the Ashford Borough Local Plan 2030

The Portfolio Holder introduced the report which asked Cabinet to approve the final submission version of the Local Plan to 2030 and recommend that Full Council approves the submission of the Plan for public examination. He wanted to thank all of those involved in getting the Plan to this stage and all of the residents who had been involved in the extensive consultation that had taken place. With this Plan in place, and M20 Junction 10a now getting the go ahead, Ashford would be able to fulfil its five year land supply and be in a better position to protect itself against unscrupulous and speculative development. He endorsed the recommendations.

In accordance with Procedure Rule 9.3 Mr Tomkins, Chairman of Brook Parish Council spoke on this item. He said he wanted to thank Ashford Borough Council Members for their help and support over the years, but he said that he could not understand why they were now proposing to build on a site in their village which was in an Area of Outstanding Natural Beauty and one that had been previously rejected as unsuitable for development. The reasons remained: - the village was a ribbon or linear development and there was no backfilling in Brook as this particular site would be; drainage and sewerage was an issue in Brook and more households would make the problem worse; Brook had no public transport and KCC appeared to be withdrawing support for the Dial A Bus service; and the roads were already busy and dangerous and there was a huge parking problem at picking up and dropping off time at the local school – if there was to be development in the village perhaps a car park for the school should be considered. Furthermore, the village had no infrastructure, public services or shops. People in the village understood the need for growth in the Borough, but at no time had anyone from the Planning Department engaged with people in the village and asked them what they wanted. The Council appeared to have excluded Bonnington from development because it would be affected by nearby development in Aldington, and he asked them to do the same for Brook as it would already be affected by proposed development in Wye and close to the William Harvey

Hospital. For those reasons, he asked for Brook to be removed from the Plan and for the impacts on smaller villages and rural communities to be further considered.

The Leader responded that the Council did understand the concerns of the villages. The Plan going forward was the result of over four years of work and they had been at pains to ensure that as much development as possible took place on brownfield sites. They had been out to public consultation on two occasions and there would be another opportunity for the public to raise their concerns at the Examination in Public with the Planning Inspector. They were talking about relatively modest numbers of new housing in the area (10 dwellings in Brook and 30 in Aldington) and if approved, this would protect against far larger numbers potentially coming forward from predatory developers. Further to questions about the Examination in Public process, it was explained that the Inspector would consider all representations previously made and could invite individuals to address the Examination at his discretion.

One of the Ward Members for Saxon Shore said that she accepted it was difficult to make changes to the Plan at this late stage, but Members needed to accept that there were concerns and whilst they may only be talking about relatively small numbers of additional dwellings, this was on top of over-delivering with significant numbers in the previous plan and represented numbers that could surely be absorbed within existing brownfield sites. People in her Ward did feel let down and that promises had not been kept. They understood the Council's need to deliver housing, but the concern was a lack of discussion with them and that comments made in the public consultation had not been taken account of. She also referred to Policy HOU1 and asked if social rented accommodation should be restricted to the urban areas, rather than rural villages with limited services and if conditions could potentially be put on planning applications to control HGV traffic on rural roads.

The Leader said he would refute the suggestion that promises had not been kept. With the housing situation as it was, the Council had not been in a position to make promises of any kind. The Portfolio Holder said that villages did have to grow from time to time to avoid stagnation. With regard to affordable housing, he said that there were already a large number within the urban area and there was a feeling that some should be provided in the villages. This had been the result of much discussion over the years.

The Deputy Leader said that as a rural Councillor he very much supported and welcomed the Local Plan. As previously mentioned, the Plan was actually the best protection that could be afforded to the villages and any alternative would potentially be far worse.

Resolved:

- That (i) the schedule of responses to the public consultation on the proposed 'Main Changes' to the Regulation 19 draft Local Plan to 2030 (published in July 2017), as attached as Appendix 2 to the report, be approved.**
- (ii) the proposed further minor amendments to the Regulation 19 version of the Local Plan to 2030, as set out in Appendix 3 to the report, be agreed.**

Recommended:

- That (i) the Council authorise the Head of Planning and Development to submit the Local Plan to 2030, attached as Appendix 1 to the report (and as amended by the further minor amendments at Appendix 3 to the report), to the Secretary of State for independent public examination.**
- (ii) the Council grant delegated authority to the Head of Planning and Development to: -**
- (a) make any further modifications he considers necessary or desirable before or during the Examination.**
 - (b) ask the Inspector to recommend modifications to the draft Local Plan under Section 20 (7C) of the Planning and Compulsory Purchase Act 2004, if such modifications are considered necessary to make the Plan sound and/or compliant with legal requirements; and,**
 - (c) take any action he deems necessary to progress the draft Local Plan through the examination process.**

263 Overview and Scrutiny Committee – Housing Framework Annual Report

The report presented recommendations from the Overview and Scrutiny Committee following its consideration of the Housing Framework Annual Report. The Portfolio Holder for Housing advised that the recommendations were duly noted, but he considered they were already firmly part of the Service's thinking and plans.

The Leader advised that the Council had previously examined credit unions and decided not to promote them at this time, although this position would be kept under review.

In response to a question about modular housing, the Portfolio Holder advised that whilst it was too early to go public on the details, they were currently examining and financially modelling a scheme as a means to accelerate the delivery of lower cost housing for key workers.

Resolved:

- That (i) the report be noted and formally published on the Council's website.**
- (ii) the Overview and Scrutiny Committee's request for Officer research into the following areas be noted and (resource permitting) taken forward: -**
- (a) The viability of schemes to encourage capital investment into social housing provision by landlords.**

- (b) The viability of modular housing homes as a means to accelerate the delivery of less costly social housing.**
- (c) The viability of self-build as an additional housing delivery option.**
- (d) The role and promotion of credit unions operating in the Borough.**

264 Draft Budget 2018/19

The report presented the draft budget for 2018/19 for the General Fund and the Housing Revenue Account. The Portfolio Holder advised that the report was the culmination of a significant amount of work, which he thanked Officers for, and would now go forward for scrutiny via the Overview and Scrutiny Committee and budget consultation. The proposals had been predicated on decisions made some four years ago to take a more commercial approach and provide income streams for the Council, in response to reducing Government grant. In the New Year the Cabinet would be looking to extend the Commercial Investment Strategy and further proposals would come forward at that time.

The Leader said that over the last ten years this Council had delivered a balanced budget year on year and continued to deliver the lowest Council Tax in Kent and one of the lowest in the Country. This was at the same time as being one of the financially soundest Local Authorities in the Country and delivering on this Administration's pledges which included not only maintaining services, but enhancing them.

Recommended:

- That**
- (i) the budget context be noted.**
 - (ii) the draft budget for 2018/19 be approved.**
 - (iii) the draft Housing Revenue Account budget for 2018/19 be approved.**
 - (iv) the report be used as the basis for budget consultation with the public, the business community, Parish Councils and staff.**
 - (v) the draft budget as set out in the report be submitted to the Overview and Scrutiny Committee's Budget Task Group for formal scrutiny.**
 - (vi) an increase to the long-term empty homes premium for Council Tax from 50% to 100% be approved.**

265 Council Tax Base 2018/19

The report advised that the Council was required to approve the tax base used to calculate the level of Council Tax for 2018/19. The tax base had been calculated at

45,680 Band D properties, an increase of 1008 (or 2.26%) on the current year. The Portfolio Holder also directed Members attention to references to the Council Tax Support Scheme.

Recommended:

- That (i) the 2018/19 'net' tax base of 45,680 Band D equivalent properties be agreed.**
- (ii) the distribution across parished areas of the proposed grant to Parish Councils to help compensate for the negative impact caused by the Council Tax Support Scheme on Parish Council's tax bases (Appendix D to the report totalling £40,900 refers) be agreed.**
- (iii) the possibility of further Cabinet and Council decisions being required before the end of January, should any material change in the tax base be required as a consequence of any further relevant funding announcements from Government, be noted.**

DELIBERATELY LEFT BLANK

**TAX BASE 2018/19
LOCAL TAX BASE (WHOLE/PART AREAS)**

LOCAL TAX BASE 2017/18	WHOLE AREA	BAND D EQUIVALENT	NEW OCCUPATIONS	0.75% PROVISION	Less discounts Council Tax Support	LOCAL TAX BASE 2018/19
		48,719	658.00	(337)	(4,368)	44,672
	PARISH					
594	Aldington & Bonnington	652	17	(6)	(56)	607
339	Appledore	384	3	(3)	(46)	338
702	Bethersden	774	7	(7)	(68)	706
1,096	Biddenden	1,186	22	(11)	(88)	1,109
146	Bilsington	155	1	(1)	(11)	144
1,067	Boughton Aluph and Eastwell	1,117	2	(11)	(66)	1,042
597	Brabourne	618	2	(6)	(24)	590
155	Brook	157	8	(2)	(2)	161
453	Challock	460	43	(5)	(12)	486
1,306	Charing	1,421	24	(13)	(149)	1,283
746	Chilham	818	18	(8)	(75)	753
93	Crundale (PM)	94	0	(1)	(1)	92
501	Egerton	523	14	(5)	(27)	505
173	Godmersham	176	0	(2)	(5)	169
2,415	Great Chart with Singleton	2,629	47	(24)	(227)	2,425
114	Hastingleigh	120	0	(1)	(7)	112
716	High Halden	790	15	(7)	(64)	734
264	Hothfield	327	21	(3)	(75)	270
107	Kenardington	117	4	(1)	(12)	108
4,435	Kingsnorth	4,625	4	(44)	(244)	4,341
129	Little Chart	132	2	(1)	(3)	130
740	Mersham and Sevington	859	19	(8)	(41)	829
108	Molash	119	0	(1)	(10)	108
102	Newenden	108	0	(1)	(6)	101
597	Orlestone	649	0	(6)	(58)	585
476	Pluckley	513	21	(5)	(43)	486
681	Rolvenden	731	30	(7)	(68)	686
335	Ruckinge	350	5	(3)	(17)	335
543	Shadoxhurst	559	23	(5)	(38)	539
641	Smarden	669	34	(7)	(43)	653
360	Smeeth	398	4	(4)	(36)	362
777	Stanhope	1,043	0	(8)	(284)	751
202	Stone	224	0	(2)	(20)	202
3,534	Tenterden (TC)	3,767	177	(36)	(315)	3,593
175	Warehorne	179	1	(2)	(6)	172
325	Westwell	344	1	(3)	(16)	326
529	Wittersham	584	3	(5)	(56)	526
835	Woodchurch	904	17	(9)	(66)	846
1,025	Wye with Hinxhill	1,125	26	(10)	(113)	1,028
16,539	Unparished Area	18,789	1,268	(175)	(2,435)	17,447
44,672		49,189	1,883	(459)	(4,933)	45,680

266 Housing Revenue Account (HRA) Business Plan 2017-2047

The report provided an annual update on the financial projections associated with the HRA Business Plan. The Portfolio Holder thanked Officers for their hard work in putting the plan together and advised that it appeared the bid to the DCLG for an increase in the HRA debt cap had been unsuccessful at this time. He advised that the Council would bid again in 2019, when it was considered there was a higher chance of success.

Resolved:

- That (i) the updated HRA Business Plan and financial projections be agreed.**
- (ii) it be noted that the Overview and Scrutiny Committee was required to review the HRA Business Plan financial projections as part of the budget scrutiny process.**

267 Chilmington Green Community Development Strategy

The Portfolio Holder for Culture introduced the report which advised that adoption of the strategy would enable an early approach to educating, engaging and empowering new residents and the growing population of Chilmington Green and set a framework for community development activity for a wide range of delivery partners. Houses would begin to be built next year and it was about creating a living community, above and beyond a traditional housing estate and producing something truly innovative for the South East of England. It would also place management control firmly in the hands of residents. Substantial community consultation had taken place, with the Strategy amended to reflect this. This was the culmination of three years of hard work and thanks were given to the Project Manager and all those individuals involved.

Resolved:

That the consultation and its outcomes be noted and the approach be endorsed.

Recommended:

- That (i) the Early Community Development Strategy for Chilmington Green be adopted.**
- (ii) the Director of Place and Space, in consultation with relevant Directors, be authorised to put in place a legal contract with the Chilmington Green Community Management Organisation, to lead and co-ordinate delivery of community development action, using as appropriate the relevant Section 106 contribution.**

268 Discretionary Business Rates Relief Scheme

The Portfolio Holder introduced the report which presented an amended Discretionary Business Rates Relief Scheme, in response to the consultation on the criteria of the scheme and detailed financial modelling. This was a fully funded scheme for the next three years and honouring the pledge to support local businesses made back in 2015.

The Leader said that the proposals were indicative of the notice taken of consultation feedback by this Council.

Resolved:

That the amended scheme as outlined in the report be adopted.

269 East Kent Growth Framework 2017 - 2027

The report summarised the East Kent Growth Framework 2017 – 2027, as prepared for the East Kent Growth Board by Litchfields, alongside an Officer Working Group from the six East Kent Local Authorities. This was an important piece of strategic work, updating the 2013 East Kent Growth Plan and setting out an overarching strategic approach for identifying investment priorities to achieve long term economic growth across East Kent for the next ten years. The Leader directed attention to two important projects in particular – M20 Junction 10A and the Ashford International Station Signalling, which were taking place in the Borough, but were vital for the development of East Kent as a whole.

Resolved:

- That**
- (i) the contents of the East Kent Growth Framework and associated documents be noted.**
 - (ii) the East Kent Growth Framework be endorsed as the strategic document setting out the key investment priorities for the growth of East Kent.**

270 Short Stay Accommodation

The report advised that the purchase of 112 Beaver Road had been approved in May 2017 and a capital budget was now sought to convert the property into the Council's second short stay accommodation facility. This was following the successful development of Christchurch House for a similar purpose.

The Leader said that success of Christchurch House as an innovative scheme, which had actually saved the tax payer money against Bed and Breakfast costs, had been widely recognised. It also meant that this proposal made sense as well as being something to be proud of. A Member agreed and said that the facility would also provide a significantly safer option for families than being placed in Bed and Breakfast accommodation.

Recommended:

That a capital budget of £500,000 be allocated to enable conversion works at 112 Beaver Road, to create a short stay accommodation facility.

271 Smoke Free Civic and Stour Centre Grounds

The Portfolio Holder introduced the report which sought Cabinet's support for the introduction of a trial scheme to promote the Civic and Stour Centre as smoke-free grounds. This formed part of the Ashford Health and Wellbeing Board's work programme which was helping to create a healthy environment for the Borough's residents, visitors and employees. It supported both the Council's and Stour Centre's wellbeing initiatives. He advised that in a recent consultation 70% of respondents were fully in favour of the proposals.

Resolved:

That the introduction of a trial scheme to promote the Civic and Stour Centre as smoke free grounds be supported.

272 Trading and Enterprise Board – 6th November 2017

Resolved:

That the Minutes of the meeting of the Trading and Enterprise Board held on the 6th November 2017 be received and noted.

273 Ashford Strategic Delivery Board – 27th October 2017

Resolved:

That the notes of the meeting of the Ashford Strategic Delivery Board held on the 27th October 2017 be received and noted.

274 Local Plan and Planning Policy Task Group – 3rd November 2017

Resolved:

That the notes of the meeting of the Local Plan and Planning Policy Task Group held on the 3rd November 2017 be received and noted.

275 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.

276 Exclusion of the Public

Resolved:

That pursuant to Section 100A(4) of the Local Government Act 1972, as amended, the public be excluded from the meeting during consideration of the following item 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 3 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.

277 Victoria Quarter Development (Jemmett Road)

The Vice-Chairman directed Members attention to the tabled paper which updated the Cabinet following consideration of this report by the Trading and Enterprise Board on the 4th December 2017. He also thanked those individuals who had worked so hard to bring these proposals forward for the Property Company.

Recommended:

- That**
- (i) the outline Business Case for the proposed development as detailed in the report be approved.**
 - (ii) the Council delegate responsibility to the Head of Legal and Democracy and Director of Finance and Economy, in consultation with the Portfolio Holder for Finance and IT and the Deputy Leader, for signing off the final business case and making available to the Company the necessary funds for the proposed development.**
 - (iii) the Council delegate authority to the Head of Legal and Democracy and Director of Finance and Economy, to draft and enter into the loan agreements between Ashford Borough Council and A Better Choice for Property Limited.**

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Audit Committee

Minutes of a Meeting of the Audit Committee held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **5th December 2017**.

Present:

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

Apologies:

Cllrs. Burgess, Sims.

Also Present:

Director of Finance and Economy, Head of Health, Parking and Community Safety, Head of Corporate Policy, Economic Development and Communications, Head of Audit Partnership, Audit Manager, Member Services Officer.

Ciaran McLaughlin - Grant Thornton UK.

251 Minutes

In accordance with Procedure Rule 9.3 Mr Relf, a local resident, said he wanted to speak on Minute No. 172 – Minutes. The Portfolio Holder for Finance and IT had referred to the high value placed on counter fraud and investigation work undertaken by the Council. However the Council could only do so much with limited resources, given that over 10,000 residents claimed £38m per year it was easy for the system to be abused, which in his opinion it was. The Council had a portfolio of properties that were rented out and also prepared, held and had access to the Electoral Register therefore could ascertain who lived in those properties. Mr Relf questioned whether it mattered and if the only concern was the rent being paid? Further to this, the Council asked the public to report fraud as it came in many different forms. When successes were announced in relation to fraud the reality meant that the amount recovered less departmental costs was not as significant as first thought. Mr Relf had provided the Auditors with some information in relation to fraud and had offered additional information since however it was declined. He questioned whether members of the public should report information pertaining to fraud to the Council. He referred to a comment from the Auditor that the areas that he had raised were not the responsibility of Ashford Borough Council. Mr Relf questioned why the Council's website did not detail the contact details for the agencies which he would need to contact in relation to fraud outside the remit of the Council.

The Portfolio Holder for Finance and IT advised that at the last meeting of this Committee, Mr Relf had been advised that the Council was not responsible for the investigation of some potential incidents of fraud that he had highlighted to the Committee and the Council's External Auditor. The fraud section of the Council's website had links to the Department of Work and Pensions (DWP) and their Single Fraud Investigation Service (SFIS). As discussed at the last meeting of this Committee, the responsibility for managing the rating list for both Council Tax and Business Rates was with the Valuation Office (VOA). There were links to the VOA

on the Council's website in the context of a customer appealing a decision on their property but not specifically in relation to fraud. He had requested that the Web Team updated the Fraud page on the website to include a link to the VOA website where properties could be reported to them for investigation. Furthermore, he had requested that this be completed by the end of the month. He thanked Mr Relf for his question.

The Chairman drew attention to Mr Relf's inference that the Council did not care who was in their properties. He advised that the Council did care and there were many people in the Borough that were in desperate need of housing, therefore ensuring that their properties were not the subject of fraud was a priority.

The Director for Finance and Economy advised that he understood there was a backlog at the VOA. Concerns that Mr Relf had raised could be raised with the VOA directly.

Resolved:

That the Minutes of the Meeting of this Committee held on the 28th September 2017 be approved and confirmed as a correct record.

252 Business Continuity Planning – Follow Up

The Head of Health, Parking and Community Safety gave the Committee an update on the progress to date with the overarching Business Continuity Plan. Since the last meeting of the Committee, Officers had been working towards the sign off of the Business Continuity Plan by Management Team in January 2018. Both individual service plans and the overarching plan were to be discussed, along with the associated risk assessment. Business Continuity was now classed as a strategic risk and was under her area of responsibility. Considerable progress had been made in respect of an alternative site as a back-up facility; this had been identified as Repton Connect which would be available from March 2018. Other public buildings within the Council's ownership were being looked at and leases were being renegotiated to allow the Council to utilise them should the Civic Centre be unavailable. The Aspire Depot was also available for a small number of staff.

She advised that the Business Continuity Plan was 80% finalised with a few issues needing to be addressed. Lead Officers had met with each service and gone through each individual plan in detail. This work had enabled the creation of a priority list of which services needed to be 'resurrected' first and in which order. Testing would be carried out in February/March 2018, with one area in particular being tested by Zurich. The Business Continuity Steering Group had met with the Chief Executive as the Chairman. A pre-Cabinet briefing had been scheduled for February 2018 to bring Members up to speed with the Business Continuity Plan. The Head of Health, Parking and Community Safety advised that Management Team had taken note of the weak audit rating and an enormous amount of work had been undertaken throughout the Council to remedy this. Two areas in particular that had made significant progress were Planning and Housing.

The Head of Audit Partnership verified the progress made to date with the Business Continuity Plan. He confirmed that he was satisfied that that the Council was on track to meet/closely meet the recommendations and timescales as detailed in the audit findings.

In response to questions, the Head of Health, Parking and Community Safety advised that Business Continuity had previously been viewed as an administrative exercise. All Team Leaders/Managers had been advised of the importance of Business Continuity and the process had enabled them and the Management Team to better understand their services. The signing off of individual Business Continuity Plans ensured that each service would be able to carry on should the Plan need to be implemented.

The impact of a cyber-attack and the expected response was considered. There were a number of systems in place to try to prevent such attacks. The identification of such an attack would be paramount. Should such an attack be identified contact would be made with Interpol's Cyber Crime team. It was noted that cyber-attacks were usually mass attacks. The Director for Finance and Economy confirmed that the systems in place were regularly audited and tested and he was confident that they had the necessary systems and safeguards in place.

The Head of Audit Partnership confirmed that he would circulate the updated action plan to the Committee via Member Services.

Resolved:

That the update, and progress made to date, be received and noted.

253 Annual Governance Statement – Progress on Remediating Exceptions

The report updated on the progress made towards the three areas of review highlighted by the 2016/17 Annual Governance Statement. The Head of Corporate Policy, Economic Development and Communications, introduced the report and gave an update on the delivery dates for the three areas. In addition to the Corporate Peer Challenge that was planned for April 2018, there would also be service based peer challenge with a focus on Planning that was scheduled for February 2018.

The Portfolio Holder for Finance and IT welcomed the Peer Challenge and endorsed this to the Committee. He felt that it demonstrated the Council's willingness to learn and improve.

Resolved:

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

254 Annual Audit Letter

The Chairman introduced Ciaran McLaughlin to the Committee, he was the new Engagement Lead at Grant Thornton.

The Vice-Chairman drew attention to the 'valuation of the pension fund net liability' and questioned why bullet point three, in column two, and the second conclusion, in column three, contradicted one another? He requested clarification on whether there was an issue that required resolution. Ciaran McLaughlin advised that the third

column required updating. The work had been undertaken and the figures were within range.

It was anticipated that Grant Thornton would be able to issue the certificate closing the audit year by the end of December 2017. Furthermore, the certification of grants had been completed on 30th November 2017.

Ciaran McLaughlin apologised that there were a number of statements within the Annual Audit Letter that had not been updated.

The Chairman advised that the Committee consisted of a cross-section of Members with a wide range of understanding, therefore he requested that reports should be provided with all the necessary data to ensure that the Committee had all of the information available to them.

An unqualified audit opinion had been issued, the Director of Finance and Economy felt that this was a positive direction of travel and should not be overlooked.

Resolved:

That the Annual Audit Letter be received and noted.

255 Internal Audit Interim Report

The report provided an update in the progress towards completing the 2017/18 Internal Audit & Assurance Plan. It also provided updated information required by Audit Standards, including an assessment of available audit time, results of audit work and commentary on the performance of the audit service.

Using a PowerPoint presentation, the Head of Audit Partnership drew the Committee's attention to the audit standards. He confirmed that they had worked with full independence and on no occasion had Officers or Members sought or gained undue influence over their scope or findings. Management had agreed to act on all recommendations that have been raised. Drawing attention to the resource position, the Head of Audit Partnership advised that he was satisfied that the Partnership had enough resources to deliver the audit plan. A trainee member of staff had recently accepted a permanent role and was on his way to becoming fully qualified. This would enhance the quality and quantity of audit days available to the Partnership. A member of staff was currently on long term sick leave. The ability of the Partnership to utilise contractors to fill this gap had decreased, however due to the resilience afforded by partnership working, there would be no significant impact. There would be a fall of available audit days, but it should be noted that this was within the 'buffer' and the Head of Audit Partnership was satisfied the audit plan could be delivered.

The Committee welcomed the success of the training scheme and felt that this should be built upon. They requested that the Head of Audit Partnership hold discussions with the other Authorities within the Partnership regarding appointing another trainee and report back.

The Head of Audit Partnership drew attention to the weak assurance ratings that had been issued and provided an update on these, one of which had been discussed earlier in the meeting. In respect of IT Disaster Recovery he could confirm that this

had been given a sound audit rating in a report issued to officers after the papers deadline for this meeting.

Utilising a number of graphs, the Head of Audit Partnership drew attention to the performance of audits at Ashford over the past few years. In response to comments, he confirmed that in the future he would be able to provide a comparison in a 4/5 year format to mirror that of the audit plan. There had been a request to defer the food safety audit at the request of the Service due to staff shortages. He advised that this had been assessed and the Food Safety Agency performance indicator data had been reviewed which led them to agree to the deferral. He further advised that the Audit Manager had discussed this matter with the Service Head and following on from that discussion had presented the case to him for confirmation of the deferral. The decision had been carefully weighed up and considered and he confirmed that no undue influence had been gained.

Discussion was had regarding the ability of the Audit Team to be impartial and not to be the subject of undue pressure or coercion. The Head of Audit Partnership drew attention to their right to refuse to defer items in the audit plan. Furthermore, he and his Officers had direct access to Members and would be able to raise concerns with them directly.

The Director of Finance and Economy advised that audit planning was a matter that was now routinely on the Management Team agenda, which had enabled improved understanding and discussion and it was expected to achieve better co-ordination.

There had been a delay reported in respect of the IT Policy for In-house Developments. This had been accepted as the Council had undertaken a broader review of its digital strategy, which would encompass this area. The general record for action was good. The Head of Audit Partnership confirmed that no whistleblowing cases had been reported directly to Audit, however he was aware that the whistleblowing policy was in operation and was successful.

A mid-term review had been carried out, with consistent results across the Partnership. He felt that this was a strong tribute to the team. In addition he wished to highlight the 'Team of the Year' award that had been presented to the team at the Swale Stars awards earlier in the year. As a purely internal service they were often overlooked for such awards, so to be recognised was a testament to the team as a whole. He wished to extend his gratitude to the team for all of their hard work.

Resolved:

That

- i. the progress against the 2017/18 Internal Audit & Assurance Plan and findings so far be noted,**
- ii. the Head of Audit Partnership investigates the potential for expanding the training scheme and taking on another trainee.**

256 Member Briefing on Audit Planning for 2018/19

The Head of Audit Partnership, using a PowerPoint presentation, gave the Committee an overview of the audit planning process for internal and external audit. He had also included a number of potential questions that the Committee may wish to consider when considering the audit plans in March 2018. The internal audit planning process was in accordance with the Public Sector Internal Audit Standards. so the plan must be approved by the Committee and report on resource requirements. The potential range of auditable activity was drawn from a number of sources including; the budget book, organisation charts, objectives, partners and risk registers amongst others. He then drew attention to the risk assessment, in particular financial, strategic and fraud risk. As part of the planning stage consultation would be held with Officers, Management Team and the Team as a whole.

In respect of External Audit Planning, the Head of Audit Partnership advised that External Auditors were bound by the Code of Audit Practice set by the National Audit Office. Grant Thornton would also prepare their own risk assessment and determine their approach to responsibilities and risks. It should noted that the Committee could only note the External Audit Plan, whereas they were able to approve the Internal Audit Plan. Fees that the External Auditor could charge were governed by the Public Sector Audit Appointments (PSAA). The ability to vary that fee was limited and agreement from PSAA would need to be sought.

Ciaran McLaughlin advised that the materiality figure of 2% of the Council's gross revenue account (£1.7m) was a benchmark. If errors under this amount were discovered then these would be reported and highlighted to this Committee.

Resolved:

That the presentation be received and noted.

257 External Audit Progress Report

Ciaran McLaughlin advised that the quarter to December had focused on the completion of the housing benefit grant certification. On the 29th November they had given an unqualified opinion on this with an unamended claim. This was a significant achievement. He had met with the Director of Finance and Economy earlier in the day to commence audit planning which would be published in March 2018.

The Director for Finance and Economy advised the Committee that this was the third year running that an unqualified opinion had been given on the housing benefit grant certification. He wished to extend his gratitude to the staff involved for this achievement.

Resolved:

That the progress report be received and noted.

258 Report Tracker and Future Meetings

The Chairman requested that Business Continuity be placed on the agenda for March.

The Head of Audit Partnership advised that he would provide the Chairman, and any other Members that wished, updated progress reports for the audits previously discussed.

The Director for Finance and Economy advised that in respect of building security, regular ID checks were carried out.

Resolved:

That, subject to the inclusion of an update on Business Continuity in March, the report be received and noted.

Queries concerning these Minutes? Please contact Kirsty Morland:
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