

Overview and Scrutiny Committee

Minutes of a Meeting of the Overview and Scrutiny Committee held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **24th March 2015**.

Present:

Cllr. Chilton (Chairman);
Cllr. Davison (Vice-Chairman);

Cllrs. Apps, Bartlett, Buchanan, Feacey, Hodgkinson, Miss Martin, Mrs Martin, Mortimer, Sims.

Apologies:

Cllr. Hicks.

Also Present:

Cllrs. Robey, Shorter, Smith.

David Adams, Area Education Officer – KCC, Bryan Fitzgerald, Planning Manager, Statutory & Strategic Services - KCC

Head of Community and Housing, Senior Commercial Development Manager, Head of Finance, Policy Manager, Principal Solicitor - Strategic Development, Member Services and Scrutiny Manager, Member Services & Scrutiny Support Officer.

410 Declarations of Interest

Councillor	Interest	Minute No.
Bartlett	Made a 'Voluntary Announcement' as he was a Director of British Land, a former owner of International House.	414
Chilton	Made a 'Voluntary Announcement' as he was a Governor of Beaver Green Primary School.	412
Davison	Made a 'Voluntary Announcement' as he had been a Governor of Hamstreet Primary School.	412
Hodgkinson	Made a 'Voluntary Announcement' as she	413

was a Council tenant and in receipt of Housing Benefits.

Shorter

Made a 'Voluntary Announcement' as he was a Director of Kent Play Clubs, 412

And

Made a 'Voluntary Announcement' as he was a Director of A Better Choice for Building Consultancy Ltd, which was not related to any item on the agenda.

411 Minutes

Resolved:

That the Minutes of the Meeting of this Committee held on the 24th February 2015 be approved and confirmed as a correct record.

412 S106 Agreements and Education Provision

David Adams introduced his report and said he wished to thank the Council for its support in obtaining valuable S106 contributions. Ashford was a growth area and successful educational planning was dependent upon these contributions. He said his report outlined the historical approach to home-to-school distances, as defined in legislation. However, the reality was that this was now an outdated method and it was necessary to consider whether this was still an appropriate approach for today's requirements. It was also important to recognise that the Community Infrastructure Levy (CIL) would not secure the same levels of income as S106 contributions had done in the past. It would be necessary for KCC to work with districts to secure sustainable contributions in order to realise the necessary infrastructure. Partners would need to work together to align service capacity with anticipated development. KCC would work on a system of identifying projects in order to seek contributions. However various factors could result in these projects not coming to fruition, and one of the challenges was to manage these intervening factors.

The Chairman opened up the discussion and the following points were raised:

- In response to a question, David Adams explained that the historical position was based on a two and three mile 'walking distance' for children under and over the age of eight respectively. This was now considered to be an outdated mechanism. It was important to consider

where pressure was likely to be due to local demand, but also where pressure might be caused due to parental wishes.

- A Member asked about the new academy for Finberry, which would be located off-site initially. David Adams advised that a sponsor had been identified to run the academy and it was hoped the funding agreement would be finalised before the start of the pre-election period. The academy would initially be housed in part of the old Ashford South building, and would take Reception, Year 1 and Year 2 pupils. The academy would be relocated in September 2016 to new buildings.
- One Member noted that KCC had a statutory duty to ensure that there were sufficient school places. He said Hamstreet Primary School had been told there were no funds available to enlarge the school because there was no current population pressure. This had led to oversized classes. The same was true at Furley Park School where mobile units had been introduced to cater for the pupil pressure. He considered that KCC forecasts were incorrect in the case of these two schools and he questioned who had the final decision on the spending of S106 funds. David Adams responded that within the Kent Commissioning Plan the accuracy of forecasts was closely scrutinised. KCC aspired to achieve an accuracy rating of as close to zero percent as possible, and the county-wide forecasts were broadly meeting this aspiration. However, in Ashford, between October 2012 and October 2013, demand for primary school places had risen by 370 pupils. Half of this number was related to in-migration of families only, and the other half was from larger birth-rate cohorts attaining school age. The significant uplift in migration pressure had led to an under-forecast. It was not yet known whether this was a one-off situation or likely to be an annual trend, but it had led to a lack of current capacity. At Furley Park School the situation had been dealt with on a temporary basis by providing modular units, although permanent buildings had now been established. Hamstreet School had received a negative Ofsted report which led to a drop in the demand for places. This in turn diminished the justification for investment in the school. Increased pressure on secondary schools would see the establishment of a new secondary school in Ashford in 2022/23.
- In answer to a question, David Adams confirmed that parental opinion was influenced by Ofsted reports, and it could take a while for a school to regain its reputation following a poor Ofsted report. This echoed his earlier point that KCC could identify projects for investment, but factors such as Ofsted reports, might preclude the investment finally taking place. He confirmed that figures for migration were factored into forecasts and were based on moderated trends as well as various other factors.
- One Member asked about Repton Primary School and said that the estate had only been half built by the time the school was ready for two form entry. David Adams explained that Repton was designed as a hybrid school, where the infrastructure for a two form entry school was

established initially, although only classrooms for one-form entry were erected. Further classrooms were intended at a later date, once the school pupil numbers justified further building. However, it had then been decided to deliver Repton School in one phase only.

- David Adams advised that the Government had recently shrunk the space standards required for schools, which meant that smaller buildings were acceptable. The Government had also removed the space standards around green space. One Member commented that he considered it inappropriate that the Government had shrunk space standards and he urged KCC to continue to seek adequate sites for development as schools. He also emphasised the importance of focusing on the growth of the community aspect within cohorts of children and parents, not just the educational aspect.
- A Member asked what would happen to the children in the years above Year 2 at Finberry. David Adams replied that he considered there would mainly be younger children at Finberry development initially, and these children would be catered for by the temporary provision at the old Ashford South School. However, if it appeared that there were enough families with older children, then it would be necessary to consider schooling provision for them too. He said KCC would invest as necessary in improving Ashford South School as it was only a temporary measure and some parts of the site would remain unsuitable for use.
- One Member asked about Chilmington Green and the suggestion that the first brick of the school should be laid at the same time as the first brick of the housing. David Adams responded that in reality he did not consider this was deliverable. It would not be possible for the developer to begin on the school infrastructure until enough revenue was coming in from the sale of housing.
- A Member also asked about the current pressure on the pre-school at Great Chart Primary School. David Adams said that the intake for this school would be restricted back to 60 pupils as there was not sufficient permanent accommodation for 90 pupils. Unfortunately, there would inevitably be some disappointed families.
- A Member asked about how much communication there was with Ofsted to ensure that there was sufficient commitment to a school to justify investment. David Adams responded that in new schools Ofsted inspected within the first two years, whereas for academies, which were funded by central Government, not KCC, Ofsted undertook a pre-opening check.
- David Adams said he would be willing to attend a future meeting if requested to do so.

Resolved:

That the report be received and noted.

413 Report of the Budget Scrutiny Task Group on the HRA business account 30 year business plan

The Chairman explained that the Budget Scrutiny Task Group had reviewed the HRA Business Plan 2014 – 2044 and were content with it. They invited the full O&S Committee to join with them in commending it to Cabinet.

Resolved that:

- i) The Overview and Scrutiny Committee receive an update report in about 18 months' time on the effect of the roll-out of Universal Credit on the Council;**
- ii) The Cabinet be advised that the O&S Committee has reviewed and is happy with the HRA Business Plan.**

414 Purchase of Commercial Property – International House – Update Report

The update report sought to provide Members of the Overview & Scrutiny Committee with information on the current position following the acquisition of International House, particularly with regard to asset and building management, current voids and budget forecast. The Chairman opened up this item for discussion and the following questions and comments were raised:

- A Member questioned the Cabinet report of 13th February 2014, which had been appended to the response to Members' questions contained in the appendices to the update report. In particular, he drew attention to paragraph 26, which referred to the former Crouch's Garage site needing significant investment. He then noted paragraph 52 of the 2014 report and said that according to his calculations the net yield would be barely 4%, which he felt was an unacceptable return on a Council investment. The Head of Finance said he thought the Member might have double counted bad debt provision and that the net return was higher than 4%.
- A Member expressed his dissatisfaction that the Committee had not been provided with a copy of the lettings schedule for International House despite this being specifically requested in the Members' questions. He also asked why the exempt appendices to the 2014 report had not been included in the agenda papers. The Chairman explained that he had met with the Chief Executive previously and agreed a 'questions and answers' format for the update report. It was agreed that Member Services would provide the specific Member with a copy of the exempt appendices to the 2014 report, and the Member Services and Scrutiny Manager advised that these were available on the intranet system for any Members to view.

- The Chairman said he would raise the issue of the missing lettings schedule through the usual channels. He suggested that the Overview and Scrutiny Committee could revisit this item after the elections and ask for any required information to be provided at a future meeting, possibly in July.
- Other Members also expressed concern that vital information appeared to be missing, and that figures provided in the 2014 report were estimates, rather than precise figures. The Chairman explained that there appeared to be a misunderstanding, and a Member noted that the report to Cabinet in February 2014 had only provided budget forecasts prior to the Council having acquired International House. In his update report the Senior Commercial Development Manager had provided an update on International House since its purchase and the response to Members' questions had been provided by the Strategic Housing and Property Manager.
- The Portfolio Holder for Town Centre Focus and Commercial Property said that it was intended to produce a report after one year's trading giving the actual outturn figures. He explained that this update report by the Senior Commercial Development Manager was in response to a request from the O&S Committee for information regarding International House, short of the full year's trading. He advised that the building was showing very good revenue returns at present and was helping to reinforce ABC's financial position. The report to Cabinet in February 2014 had been supported by full Council afterwards. He added that trading was currently producing an 8 or 9% net return.
- One Member expressed her concern that O&S Committee often appeared to be criticising Cabinet and finding fault, when their purpose was to support Cabinet. However, on this occasion she felt this item had been handled badly.
- Another Member said that the Council was becoming increasingly entrepreneurial and was likely to purchase more property from now on. In view of this fact several Members felt that O&S Committee should always be involved in consultation and examination before reports were submitted to Cabinet.

Resolved that:

- (i) Member Services would provide the relevant Member with a copy of the exempt appendices to the Cabinet report of 13th February 2014.**
- (ii) The report be received and noted, with a further report to be received early in the new Municipal Year to provide more precise financial information following the completion of a full year's trading.**

415 Future Reviews and Report Tracker

Resolved:

That the report be received and noted.

416 Last Meeting of the Committee prior to the elections

The Chairman advised that this was the last O&S Committee meeting before the elections, and training would be provided post-elections for new Committee Members. He thanked Officers and Members for their hard work over the current term and offered his best wishes to all those Members who were standing down.

Queries concerning these Minutes? Please contact Rosie Reid:
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