

## Cabinet

Minutes of a Meeting of the Cabinet held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **8<sup>th</sup> February 2018**.

### Present:

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

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

### Apology:

Cllr. Bennett.

### Also Present:

Cllrs. Bartlett, Mrs Blanford, Buchanan, Burgess, Chilton, Dehnel, Feacey, Hicks, Howard-Smith, Knowles, Link, Ovenden, Smith, Suddards, Waters, Wedgbury, Mrs Webb.

Chief Executive, Director of Law and Governance, Director of Place and Space, Director of Finance and Economy, Head of Planning and Development, Head of Legal and Democracy, Head of Housing, Head of Health, Parking and Community Safety, Head of Corporate Policy, Economic Development and Communications, Interim Head of Finance, Environmental Operations Manager, Health, Parking and Community Safety Manager, Community Safety Team Leader, Senior Communications Officer, Senior Accountant, Corporate Scrutiny and Overview Officer, Domestic Abuse Coordinator, Senior Member Services Officer.

## 327 Declarations of Interest

Councillor	Interest	Minute No.
Clarkson	Made a Voluntary Announcement that he was a Director of A Better Choice for Property Company Ltd.	333

## 328 Minutes

### Resolved:

**That the Minutes of the Meeting of the Cabinet held on the 11th January 2018 be approved and confirmed as a correct record.**

## **329 Leaders Announcements**

The Leader said he wanted to comment on recent stories in the press about the Council not having a “dedicated team for fly tipping”. He said he found this assertion quite odd as the Council did have a very dedicated team which covered enforcement across a number of disciplines including fly tipping. He questioned the value of a team that would only deal with fly-tipping in isolation. There had also been much made of the fact that the Council had not issued any on the spot fines for fly-tipping, but this would of course be reliant on catching the offenders in the act. What this Council had done was take prosecutions through the courts when offenders could be identified and there had been two high profile successful prosecutions against fly-tippers. The Council was focussing efforts on trying bring about a cultural change in the Borough, whereby the dropping of any litter, including fly-tipping, was something that people simply did not do.

## **330 Air Quality Task Group – Report from Overview and Scrutiny Committee**

The Chairman of the Air Quality Task Group introduced the report which made a total of 29 recommendations to form the basis for an Air Quality Strategy for the Borough. He drew attention to nine particular recommendations on page 13 of the report and thanked Members of the Task Group and Officers for their hard work.

A Member said that in his opinion the Task Group had not looked at the real drivers of air pollution and put too much focus on cars and the private motorist. With regard to Recommendation 3 and the proposal for dwellings on new developments to be provided with an electric vehicle charging point, he considered that as most households had more than one car, one charging point would not be enough. He also said that given that new employment sites had already been forced to include cycle bays and participate in cycle to work schemes for a number of years, and this had resulted in no discernible change to transport habits, he considered such approaches simply unnecessarily increased the cost burden on developers. He also questioned the ability of the National Grid to cope with any significant increase in the use of electric vehicles.

The Leader responded that travelling habits were indeed changing and many young people were electing not to take up driving in favour of cycling and public transport. He was also confident that the National Grid would make its own arrangements to cope with the increased use of electric vehicles. The Chairman of the Task Group clarified that the recommendation referred to “at least one electric vehicle charging point being provided”, so there was scope for what the Member had suggested.

### **Resolved:**

**That the recommendations within the report be adopted as the basis for an Air Quality Strategy for the Borough.**

### **331 Report of the Overview and Scrutiny Budget Scrutiny Task Group**

The report presented the findings of the Budget Scrutiny Task Group following its scrutiny of the Council's draft 2018/19 budget. The Overview and Scrutiny Committee had considered the report and regarded the budget as sound and deliverable.

The Portfolio Holder said that this year's process had been extremely thorough and had picked up a number of useful points. He was pleased that Overview and Scrutiny had found the draft budget to be sound and deliverable and thanked all Members, Officers and Portfolio Holders involved for their hard work. The Chairman of the Budget Scrutiny Task Group said he echoed those sentiments. He advised that this year's process had been good and thorough and he thanked Members of the Task Group for their diligence and the Officers who had supported the Task Group. He directed Members' attention to paragraph 7 of the report which contained a list of areas identified by the Task Group which were beyond their remit. He was pleased to report that these had been agreed by the Chairman of the full Overview and Scrutiny Committee as areas to review as part of their 2018/19 work programme.

#### **Resolved:**

- That (i) it be noted that the Overview and Scrutiny Committee regards the Council's draft 2018/19 budget as sound and deliverable.**
- (ii) it be noted that the Overview and Scrutiny Committee regards the Council's reserves position as suitable to cover identified contingencies and risks.**

### **332 Financial Monitoring Quarterly Report**

The report presented an assessment of the outturn position for the financial year based on the first three quarters of the year, including the General Fund, the Housing Revenue Account and the Collection Fund. The General Fund was projecting an overall overspend against original budget of £57,000, with a target to have a balanced budget by the end of the year. There was an overall positive movement from last quarter of £30,000. The Housing Revenue Account was projecting an underspend against original budget of £318,000, with an overall movement from last quarter of £240,000.

The Portfolio Holder drew attention to the recommendations, in particular to note a breach of the Council's Investment Policy. The breach was a result of borrowing in advance of need to benefit from lower interest rates, but only related to the Council's own self-imposed rules and not to any statutory requirements. Whilst it was recognised that the breach had taken place for good reason and posed limited risk to the security of the Council's funds, some Members considered that if the Council had regulations and policies in place, caution should be taken to abide by them and they should be reviewed if necessary.

A Member made reference to the Collection Fund surplus and said that if these funds could be distributed earlier by the Districts this would ease pressure on KCC's budget. The Director of Finance and Economy said that Officers worked closely with KCC

colleagues and there was a careful balance to be struck and that a surplus would be distributed to KCC for the next financial year. The Deputy Leader said that issues such as this needed to be looked at 'in the round' as there were a number of other areas where KCC and the Districts worked together.

**Resolved:**

- That**
- (i) the outturn position for the General Fund, Housing Revenue Account and the Collection Fund be noted.**
  - (ii) the additional £200,000 design works for Victoria Park be approved and the £99,000 approved by Management Team for the initial bid be noted.**
  - (iii) the £95,000 approved by Management Team for the residents magazine be noted.**
  - (iv) the £10,000 to be allocated to the set-up of shadow Parish Councils (paragraph 20 of the report refers) be approved.**
  - (v) the breach of the Investment Policy set out in paragraph 48 of the report be noted.**

### **333 Revenue Budget 2018/19**

The report presented the final Draft 2018/19 Budget which would be recommended to the Full Council for approval. The Budget supported the third year of the Council's Corporate Plan and included changes to services following the Housing Service review. The report also covered the Housing Revenue Account which included a 1% reduction in rents, the second of a four year reduction programme, the Capital programme and the Council's Treasury Management Strategy. The Portfolio Holder for Finance and IT introduced the report and said that it reflected approximately six months of hard work and full consultation and scrutiny processes. He commended its contents to the Cabinet.

A Member made reference to Appendix H of the report – Prudential Indicators and said he had concerns over the estimated levels of debt from borrowing the Council was accruing, particularly that which was being predicted for 2021 and the authorised limit the Council was setting itself. He considered these were at very high levels for a District Council and although he understood the rationale of borrowing to invest, particularly in the current climate of low interest rates, he thought there should be more caution in case of significant changes to the financial landscape and the burden that may place on this Council. The Director of Finance and Economy stated that the Operational Boundary was the key limit to focus on and reflected proposals within the draft capital plan, although these would still require Member approval in the usual way. The reason that the authorised limit was double the capital boundary was due to advice from Arlingclose so that if needed the Council could restructure its debt.

The Leader responded that the key point to keep in mind was that the Council's borrowing was asset based. They were borrowing to invest in assets that would increase in value. The Government was encouraging Local Authorities to be more entrepreneurial in this way in order to bring in their own income and in his view, all the

time the Council was holding such assets he did not see any problem with this strategy. Other Members agreed and said that whilst the Council did have to be aware of its levels of debt, they should also be aware of good deals and opportunities and take advantage of them. Interest rates were low and would continue to be so for the foreseeable future. It was in the interests of local Council Tax payers to pursue this approach and avoid the burden of reduced Government Grants being placed on them by way of large Council Tax increases. Ashford's remained the lowest Council Tax in Kent and this was something the Council should be rightly proud of. The Member who raised the original question said that whilst he understood the point being made, he would be re-assured by seeing some sort of regular assessment of metrics related to Loan to Value rates and interest cover and considered these could be included within budget monitoring reports once a year to address concerns about the Council's levels of borrowing. Cabinet Members said they would be happy to receive such an update, but before making a specific recommendation, they wanted to take time to seek advice from Officers about the best way to present that information. The Portfolio Holder said that the Annual Report on Corporate Property received by the Cabinet every April, did contain information about property values and revenues and perhaps that was the avenue to present such additional information, but he would explore that issue outside of the meeting.

A Member also made reference to the Strategic Acquisitions Policy which stated that 10% of returns were allocated to reserves and he asked which reserve this referred to? The Director of Finance and Economy confirmed that this was the New Initiatives Reserve. The Leader confirmed that this approach was part of the Council's wider ambitions to be self-sufficient in the face of diminishing Government Grant. It was acknowledged that this more entrepreneurial approach did carry risks and it was therefore imperative to carry those reserves to support the budget and increase resilience.

**Resolved:**

- That**
- (i) the Budget context and MTFP position be noted.**
  - (ii) the Chief Finance Officer be delegated powers to establish local discounts in Business Rates in accordance with Government policy.**
  - (iii) the reserve summary as set out at Table 6 of the report (Appendix C refers) be noted.**
  - (iv) the Equality Impact Assessment as set out in Appendix E to the report be noted.**
  - (v) the Housing Revenue Account Budget for 2018/19 be approved.**
  - (vi) the estimated average rent decrease of 1% in accordance with Government guidelines be approved and that the rent setting for the future continues to follow movements in the "limit rent" set by the Government.**

- (vii) the advice from the Chief Financial Officer concerning the robustness of the estimates and the adequacy of reserves be noted.

**Recommended:**

- That
- (i) the Revenue Budget 2018/19 including the net Budget requirement of £14,410,760 (excluding Parish Precepts) be approved.
  - (ii) the level of Discretionary Fees to be levied from 1st April 2018 (as set out in Appendix D to the report) be approved.
  - (iii) Band D Council Tax be set at £157.50.
  - (iv) Members allocate £500 of the Member's grants to WW1 commemorative events.
  - (v) the Capital Budget for 2018/19 (as set out in Appendix G to the report) be approved.
  - (vi) the Prudential Indicators and MRP policy as set out in Appendix H to the report and the Treasury Management Strategy Statement at Appendix I to the report be approved.
  - (vii) the updated Financial Procedure Rules as contained at Appendix J to the report be approved.
  - (viii) the Risk Based Verification Policy as outlined in Appendix K to the report be approved.

### **334 Ashford Borough Council Performance – Quarter 3 2017/18**

The report updated Members and the public on the performance of the Council against its Corporate Plan for Quarter 3 - 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 thanked the Corporate Scrutiny and Overview Officer for his diligence in pulling the report together. He re-iterated that the data belonged to the whole Council and he hoped all Members would look and take an interest in it. He advised that the Council's approach to the monitoring of its performance against the Corporate Plan was being revised and summary highlights from the online Performance Dashboard for each of the plan areas were attached to the report.

**Resolved:**

**That the Council's performance against the Corporate Plan in Quarter 3 of 2017/18 be noted.**

### **335 Annual Report of Work Undertaken on Domestic Abuse and to Support Victims of Domestic Abuse**

The report updated the Cabinet on the multi-agency work completed over the course of 2017 by the Domestic Abuse Co-ordinators. This work was undertaken in conjunction with the Ashford Domestic Abuse Forum who supported victims of domestic abuse within the Borough. The report also provided the detail of how the work supported victims of domestic abuse and addressed future work plans.

The Portfolio Holder said he commended the report and said that the Council should be extremely proud of the work it had been involved with. Ashford's work was held in high regard across the County and within the NHS. The Leader said the results detailed in the report fully justified this Council's decision to allocate a significant amount of funding to this issue and he considered this had been money well spent.

#### **Resolved:**

- That**
- (i) the work of the Domestic Abuse Coordinators and Independent Domestic Violence Advisors be noted.**
  - (ii) the work of partners tackling domestic abuse be endorsed.**
  - (iii) future updates on Domestic Abuse be included in the annual Community Safety report to the Overview and Scrutiny Committee from next year.**

### **336 Cemetery Memorial Safety Policy**

The report advised that an extensive memorial safety inspection had been carried out from May 2017 to January 2018 on all memorials in both open and closed burial grounds that were the responsibility of Ashford Borough Council. It provided Members with the outcomes of the inspections and options for undertaking any remedial works that may be required and associated costs.

#### **Resolved:**

- That**
- (i) any Category 1 memorials that do not receive remedial attention inside 12 months be carefully, horizontally re-laid.**
  - (ii) if further memorials become Category 1 from future inspection, the same procedure be followed to contact grave owners and where required, carefully horizontally re-laid.**
  - (iii) the updated rules and regulations be approved.**

### **337 Gypsy and Travellers Development Plan Document – Issues and Options Report**

The report advised that the Council had a statutory duty to plan for the needs of Gypsies and Travellers by identifying suitable sites in their Local Plans to meet an

identified need. In addition to the approach set out in the submitted Ashford Local Plan, the Council was committed to preparing a specific Development Plan Document (DPD) that dealt with Gypsies and Travellers. The Issues and Options report was the first stage in the process of preparing the Gypsy and Traveller DPD and posed a series of consultation questions.

**Resolved:**

**That the Gypsy and Traveller DPD – Issues and Options Report be agreed for the purposes of public consultation.**

### **338 Chilmington Gypsy Site – Future Ownership and Management**

The report set out a proposal for enhancing the management arrangements for Chilmington Gypsy Site. The proposal outlined a suggested approach to strengthen the management of the site, improve the health and wellbeing of the residents on the site, and ensure successful integration with the local community.

The Ward Member stressed the importance of the Council retaining landlord status for the site in order to oversee the management and ensure that it was of a good standard.

**Resolved:**

- That**
- (i) the Council enters into negotiations with interested parties for the grant of a lease and management agreement in relation to Chilmington Gypsy Site.**
  - (ii) delegated authority be given to the Directors of Law and Governance and Finance and Economy, in consultation with the Portfolio Holders for Finance, Housing and Community Safety, to finalise terms and grant a lease and a management agreement to an organisation identified following a formal selection process as set out in the report.**
  - (iii) the Director of Law and Governance enter into the necessary documentation to give effect to the decision.**
  - (iv) a disposal may proceed at an undervalue, if required, on the terms and for the reasons set out in paragraph 15 of the report.**

### **339 Local Plan and Planning Policy Task Group – 5<sup>th</sup> January 2018**

**Resolved:**

**That the notes of the meeting of the Local Plan and Planning Policy Task Group held on the 5<sup>th</sup> January 2018 be received and noted.**

## **340 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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Queries concerning these Minutes? Please contact Danny Sheppard:  
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