



CABINET

Notice of a Meeting, to be held in the Council Chamber - Ashford Borough Council on Thursday, 6th December, 2018 at 7.00 pm.

The Members of the Cabinet are: -

Cllr Clarkson (Chairman) – Leader of the Council
Cllr Bell (Vice-Chairman) – Deputy Leader and Portfolio for Legal and Democracy
Cllr Mrs Bell – Portfolio for Environment and Land Management
Cllr Bennett – Portfolio for Culture
Cllr Bradford – Portfolio for Community Safety and Wellbeing
Cllr Clokie – Portfolio for Planning
Cllr Galpin – Portfolio for Corporate Property
Cllr Pickering – Portfolio for Human Resources and Customer Services
Cllr Shorter – Portfolio for Finance and IT
Cllr White – Portfolio for Housing

NB: Under the Council's Public Participation Scheme, members of the public can submit a petition to the Cabinet if the issue is within its terms of reference or ask a question or speak concerning any item contained on this Agenda (Procedure Rule 9 refers)

Agenda

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23 November 2018

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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:

- Membership of outside bodies that have made representations on agenda items, or
- Where a Member knows a person involved, but does not have a close association with that person, or
- 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/5962/2193362.pdf
- (b) The Kent Code of Conduct was adopted by the Full Council on 19 July 2012, 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.

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Cabinet

Minutes of a Meeting of the Cabinet held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **8th November 2018**.

Present:

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

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

Apologies:

Cllrs. Buchanan, Ovenden, White.

Also Present:

Cllrs. Bartlett, Burgess, Hicks, Iliffe, Link, Smith.

Chief Executive, Director of Law and Governance, Director of Finance and Economy, Head of Legal and Democracy, Head of Planning and Development, Head of Finance, Head of Corporate Policy, Economic Development and Communications, Cultural Projects Manager, Environmental Protection and Licensing Team Leader, Senior Accountant, Senior Policy and Scrutiny Officer, Communications Officer, Member Services Manager (Operational).

213 Minutes

Resolved:

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

214 Leader's Announcements

The Leader said he did want to make a brief mention of two exciting events that were happening in Ashford over the forthcoming weekend. Firstly, the BBC Children in Need's Rickshaw Challenge would be coming to Ashford on its first night on Friday 9th November and an episode of the One Show would be broadcasting live from Ashford Town Centre that evening. Secondly, this coming Sunday, 11th November, would see the commemorations for the 100th year anniversary of the end of the First World War. There were a number of events happening across the Borough, including the lighting of the beacons in various locations. The Town Centre would be hosting the usual Remembrance Service in the Memorial Gardens at 11am as well as the 'Battle's Over' ceremony including the lighting of the new Civic Beacon along with the display of poppies and the silent soldier in the North Park in the evening. He wanted to thank

Councillor Dehnel and Officers who had worked so hard to make both events happen and encouraged all to attend.

215 Overview and Scrutiny Recommendations to Cabinet – A Better Choice for Property Ltd

The report from the Overview and Scrutiny Committee made two recommendations to the Cabinet from its meeting on 28th August 2018. The Cabinet agreed those recommendations with a slight addition as suggested by Management Team.

Resolved:

- That (i) the Board of Directors for A Better Choice for Property Ltd produce a statement for Members clarifying whether the Company will seek to acquire or provide properties outside of the Borough.**
- (ii) the future appointment of non-executive Directors to A Better Choice for Property Ltd should be subject to appropriate background and credit checks being completed and the adoption of an anti-bribery and fraud policy.**

216 Overview and Scrutiny Recommendations to Cabinet – Air Quality

The Leader thanked the Overview and Scrutiny Committee for their report and recommendations, but he considered the Cabinet was not in a position to accept them as they were largely issues outside of the Council's remit. With regard to bus services on new developments, this remained the responsibility of Kent County Council in negotiation with bus operators, so whilst this Council would continue to work closely with all parties to secure appropriate contributions for public transport as development sites came forward, it could not ensure the delivery of services for which it was not responsible. On the issue of the Council formulating a specific supplementary planning policy in respect of air quality, the Leader said that whilst he recognised and shared the concerns of Overview and Scrutiny, the Local Plan to 2030 did contain an existing air quality planning policy and the Borough was not projected to exceed any of the national air quality objectives, so adoption of a supplementary planning policy on air quality was considered unnecessary.

A Member said that KCC had recently agreed to fund a "taxi-bus" service for Tenterden and the surrounding villages as well as funding for a new App which would allow for easy reporting of bus timetable failures. These were expected to be operational from June 2019 so he considered it was fair to say that KCC would be offering a lot of support to bus services going forward. As always with bus services there was the issue of 'use it or lose it', so it was hoped that these developments would be widely publicised.

Resolved:

That the report be received and noted but the two recommendations be not adopted.

217 Corporate Performance Report – 2018/19 Quarter 2

The report summarised performance against the Council's suite of Key Performance Indicators (KPIs) for Quarter 2 (1st July to 30th September) 2018/19. Certain Performance Indicators from the previous Council framework had been retained and allowed for historic data comparison, however a number of new Performance Indicators had been agreed upon for which data was only available for the last quarter. A summary of all KPIs was appended to the report.

Resolved:

That the report be received and noted.

218 Medium Term Financial Plan 2019 - 2024

The Portfolio Holder introduced the report which presented the Medium Term Financial Plan (MTFP). This was a budget forecast including underlying assumptions and covered a five year period from 2019 to 2024 for the General Fund. The Business Plan for the Housing Revenue Account (HRA) would be covered separately in a report to the December Cabinet meeting, along with the Draft Budget for 2019/20. He drew particular attention to the announcement from Government that the HRA cap that controlled Local Authority borrowing for house building had been abolished. This was extremely positive news and opened up particular opportunities for the Council with its successful track record.

The Portfolio Holder for Corporate Property drew attention to the Government announcement on the creation of a Future High Streets Fund to invest £675m in England. He advised that the Minister for High Streets had personally commented to him that this particular innovation had been inspired by his visit to Ashford and so those involved locally should take credit for that.

Cabinet Members expressed their thanks to the Portfolio Holder and the Officer team for the hard work they put in to ensure a sound financial base for the Council. In a recent study by CIPFA, Ashford Borough Council had been in the top 50 most financially resilient Local Authorities in the country and this was down to the approach that had been undertaken in recent years.

Resolved:

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

219 Financial Monitoring – 2018/19 Quarter 2

The Portfolio Holder introduced the report which presented the forecast outturn for 2018/19 based on actual information to the end of September 2018. The report covered the performance and forecasts of the General Fund and the Housing Revenue Account, with commentary supporting key variances in the body of the report.

Resolved:

- That (i) the forecast outturn position for the General Fund and the Housing Revenue Account be noted.**
- (ii) the Capital Monitoring and Treasury Management position be noted.**

220 Gambling Policy Statement of Principles

The Environmental Protection and Licensing Team Leader introduced the report which presented a final version of the Council's Statement of Principles for Gambling following the three month statutory consultation previously approved by Cabinet in May 2018.

Recommended:

- That (i) the consultation responses and feedback be noted.**
- (ii) the final draft of the Statement of Principles for Gambling be adopted by Full Council.**

221 Swan Centre Football Pavilion

The Portfolio Holder introduced the report which sought authority to proceed with a project to replace the outdated and inadequate football changing facilities at the Swan Centre in South Willesborough and replace them with new, fit for purpose facilities by working with the local community Football Club, Kent County Football Association and the Football Foundation.

The Ward Member for South Willesborough said he had been disappointed with the process followed for this scheme. The original planning application had been left off the weekly lists and the wrong local residents had originally been consulted. There was a lot of concern about the size and scale of the proposed building and the removal of the hedge which screened the existing building from neighbouring properties. Whilst he understood these were planning issues, previous developments in the area had always been through a thorough public consultation and he considered this proposal should be deferred to allow that to happen and avoid the perception of a *fait accompli*.

The Portfolio Holder advised that the report in front of the Cabinet dealt purely with the project and not planning matters. There would be an opportunity to raise planning concerns through the planning process and when it came to Committee, but for now

there was some urgency in obtaining authority to proceed and meet the timetable to secure the significant levels of funding needed from the Football Foundation.

The Portfolio Holder for Finance and IT considered that the recommendations should include consultation with the relevant Portfolio Holder and the Cabinet agreed.

Resolved:

That (i) the Head of Culture be authorised, in consultation with the Director of Law and Governance, the Head of Corporate Property and Projects and the Portfolio Holder for Culture, to negotiate and agree terms with the Football Foundation and Bromley Green Football Club and thereafter let a contract in accordance with the Contract Procedure Rules for the provision by the Council of a new pavilion as described in the report, subject to: -

(a) securing that the cost (including prudent contingency) will be covered by those parties and/or other external grants together with the s.106 contribution allocation referred to in the report,

(b) planning permission having been applied for and granted, and

(c) a project risk analysis having been prepared that is satisfactory in her view, in consultation with those Officers/Members.

In the event that any of those matters are not satisfactory, the proposal shall be reported back for decision by Members.

(ii) the Head of Culture be authorised, in consultation with the Head of Legal and Democracy, the Head of Corporate Property and Projects and the Portfolio Holder for Culture, to negotiate and agree terms with Bromley Green Football Club for a lease for the long-term management of the pavilion and associated pathways and fencing on such terms as she, in consultation with those Officers/Members, considers appropriate.

(iii) the Head of Culture be authorised, in consultation with the Head of Legal and Democracy, the Head of Corporate Property and Projects and the Portfolio Holder for Culture, to negotiate and agree terms with the Football Foundation for funding this proposal.

(iv) the Head of Legal and Democracy be authorised, in consultation with the Head of Culture, the Head of Corporate Property and Projects and the Portfolio Holder for Culture, to execute and complete all necessary documentation to give effect to the above.

222 Local Plan and Planning Policy Task Group Notes – 25th October 2018

The Leader drew attention to the Task Group's specific recommendation that the use of Bus Gates as a means of satisfying proposed policy TRA4 of the Local Plan to 2030, should be avoided.

Resolved:

- That**
- (i) the Notes of the Meeting of the Local Plan and Planning Policy Task Group held on the 25th October 2018 be received and noted.**
 - (ii) the Cabinet endorse the Task Group's position statement that the use of Bus Gates as a means of satisfying proposed policy TRA4 of the Local Plan to 2030, should be avoided.**

223 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.

Agenda Item 5



ASHFORD
BOROUGH COUNCIL

Agenda Item No: 5
Report To: Cabinet
Date of Meeting: 6 December 2018
Report Title: Draft Budget 2019/20
Report Author & Job Title: Lee Foreman – Senior Accountant
Jo Stocks – Senior Accountant
Maria Hadfield – Senior Accountant
Portfolio Holder Cllr. Neil Shorter
Portfolio Holder for: Finance & ICT

Summary: This paper presents the draft budget for 2019/20 for the General Fund and the Housing Revenue Account.

The draft budget is in line with the MTFP which was presented at the November Cabinet meeting.

The draft budget outlined in this report will form the basis of budget scrutiny and budget consultation processes. Overall there is a balanced budget for 2019/20, however there are a number of risks with this projection that are explored in the body of the report.

The report also includes the draft Housing Revenue Account budget which incorporates the Housing review proposals and the 30 year business plan assumptions, both reports are elsewhere on the agenda.

Key Decision: YES

Significantly Affected Wards:

Recommendations: **The Cabinet is recommended to:-**

- I. Note the budget context and risk advice
- II. Approve the draft budget for 2019/20
- III. Approve the draft Housing Revenue Account budget for 2019/20 Section 3 of the report.
- IV. Agree that this report will be used as the basis for budget consultation with the public, the business community, parish councils and staff.
- V. Agree the draft budget as set out in the report should now be submitted to the Overview and Scrutiny Committee's Budget Task Group for formal scrutiny.

Policy Overview: The council's revenue budget is intended to support the priorities set out within the Business Plan and flows through from the Medium Term Financial Plan (MTFP).

The Business Plan is geared to ensure that priorities are delivered and that the council's service activities are managed within the constraints of the forecast cuts in government funding.

Financial Implications: The council has a requirement to produce a MTFP and a balanced budget. This report contains the four year settlement levels of government funding. This is the final year of the agreed settlement and therefore funding beyond 2019/20 is uncertain.

The HRA budget has been prepared on the basis of the 30 year business plan and shows that the plans for maintaining investment in housing stock are affordable and within the current resource forecasts. The business case represented in this report does not include plans following the removal of the debt cap as the model is currently being updated to reflect this recent change.

Equalities Impact Assessment No not at this stage, however an assessment will be included in the February report.

Other Material Implications: Consultation will be undertaken with the Joint Consultative Committee and business community, with findings reported back in February.

Exempt from Publication: **NO**

Background Papers: **None**

Contact: Lee.foreman@ashford.gov.uk – Tel: (01233) 330509

Report Title: Draft Budget 2019/20

Introduction and Background

1. This report sets the scene for Cabinet to consider the draft budget for 2019/20. The report explains the important background and contextual information to the medium term financial plan (MTFP) and next year's budget.
2. The Council agreed the corporate plan covering the period 2015-20 outlining the four proposed priorities for the Council during 2015/16. The underpinning Medium Term Financial Plan has also been approved (Cabinet November 2018) and is in line with the Council's business plan. This draft budget has been built based on the MTFP and reflects the corporate plan priorities.
3. The corporate plan sets the broad context for financial planning over the short and medium term, this will be refreshed once a new corporate plan is adopted.
4. As detailed in the MTFP report the Council agreed to accept the four year funding settlement which provided some surety over funding, this is the last year of that settlement.
5. The detailed budget for 2019/20 has now been drafted and is broadly in line with the targets established within the MTFP. The budget is based upon a £5.00 (3.17%) increase in Council Tax for Band D properties which will continue to see the Council maintaining its position as the lowest in Kent.
6. Section 3 of this report is in line with the HRA business plan that was reported to members in November.
7. The forecast for the Council's capital reserves (Section 4 - Capital Resources) is included and shows that these resources remain under pressure and as a consequence borrowing will need to be used to fund the majority of capital investments which carries a higher revenue budget cost.
8. This report seeks Cabinet's approval to the draft budget that will then form the basis of the budget scrutiny and consultation processes with the final budget due to be reported to the February Cabinet for approval and recommendation to Full Council.

Structure of the report

9. For ease of consideration this report is split into sections;
 - i. Context
 - ii. Draft budget
 - iii. Housing Revenue Account
 - iv. Capital resource forecast and capital programme implications
 - v. Next steps

Section 1 Context

The Medium Term Financial Plan

10. The Council's Medium Term Financial Plan for the period 2019-24 was reported to Members in November 2018. The MTFP highlighted a small pressure of £36,000 for the 2019/20 budget which has been managed down throughout services to enable this balanced budget to be presented. This section seeks to update members on substantive changes since that report was drafted.

The Corporate Plan

11. In October 2015 the council agreed the Corporate Plan that contained the key themes as areas of important focus over the period 2015 - 2020. These are:
 - a. Enterprising Ashford
 - b. Living Ashford
 - c. Active and Creative Ashford
 - d. Attractive Ashford
12. Since then the Council has developed a Programme Management Plan with a number of priority projects, many of which are underway, nearing completion or complete such as the commercial quarter and the Elwick Place development which includes a multiscreen cinema, hotel and restaurants.
13. This budget and medium term financial plan has been set to enable key priorities to be the focus over the next five years, although these will be realigned when a new corporate plan is adopted.

The Economy

14. An economic outlook was presented to cabinet as part of the MTFP report in November and focused around the uncertainly Brexit was having on the economic outlook.
15. At the time of writing this report that uncertainty was no closer to being resolved having had the Prime Minister issue a draft agreement which divided opinion universally within Government.
16. The political wrangling's and its impact on the economy will continue to be monitored and forecast adjusted accordingly.

Building the Draft Budget 2019/20

17. The Service's draft budgets have been prepared alongside the relevant Service Plans and in consultation with the Portfolio Holders.
18. Finance met with all Heads of Service to identify any emerging pressures which would need to be factored into the budget. Growth items relating to these discussions, such as support for transforming Planning and homelessness were reported as part of the MTFP to Cabinet in November.
19. There are a number of corporate projects and service proposals which are yet to be approved and are therefore not reflected in the draft revenue budget. Approved projects that fall under capital will be included in the capital budget which will be presented to members for scrutiny.
20. There is corporate project funding available in revenue reserves which is generated from an allocation of new homes bonus receipts, at the time of

writing this report the balance was £3.1m. Upcoming projects are reviewed through the PID (Project Initiation Documents) process and funds can be allocated as appropriate in accordance with corporate priorities.

Table 1: MTFP 2019-2024 (excluding HRA)

	2019/20 £'000's	2020/21 £'000's	2021/22 £'000's	2022/23 £'000's	2023/24 £'000's
S31 Grant NNDR reliefs	(1,578)	0	0	0	0
Retained Business Rates	(3,143)	(4,646)	(4,740)	(4,744)	(4,669)
New Homes Bonus (50% allocated to support base budget)	(2,820)	(2,936)	(2,678)	(2,852)	(2,228)
Government Funding	(7,541)	(7,582)	(7,418)	(7,596)	(6,897)
Council Tax	(7,556)	(7,925)	(8,305)	(8,703)	(9,120)
Total Income Receipts (Including Specific Grants)	(48,640)	(48,382)	(48,230)	(48,080)	(47,950)
Base Budget Gross Expenditure	65,829	66,951	67,284	67,644	68,261
Budget Increases	(2,056)	(3,021)	(3,297)	(3,220)	(3,683)
BUDGET GAP	36	41	34	45	611

21. Managing the plan will need to be handled carefully. The Corporate Plan is focused on the delivery of business and housing growth as well as income generation by commercial activities; these items are important strands in the delivery of the financial strategy over the long term and the Council's ambition to be self-financing. Therefore whilst cost management is going to be an important focus, this must not be at the cost of delivery of these priorities.

Local Government Funding

22. The Cabinet made the decision to accept the Governments four year settlement and these funding levels have been built into the MTFP and the draft budget build. Initially negative RSG was expected to be charged to the Council totalling £240,000 in 2019/20. Government have indicated this will not be chargeable in 2019/20 however it could be in later years.
23. 2019/20 is the final year of the four year settlement and the finance team is keeping abreast of developments and have responded to consultations on proposals around changing the fair funding formula for the next spending review which is likely to be published next autumn, with the 2020/21 budget being impacted. As with previous reviews though there will likely be a transitional period in which any funding cuts (if that is case) can be managed.

Local Retention of Business Rates

24. As previously reported to Cabinet the Council has become part of a 100% business rates retention pilot with other Kent authorities for 2018/19.
25. Building on the government's manifesto commitment to continue to give local government greater control over the money they raise. The government aims to increase the level of business rates retained by local government from the current 50% to 75% in April 2020. As part of this process there will be a new round of bidding to become part of a 75% pilot for 2019-20 to which the current pool has made a bid.

New Homes Bonus

26. New Homes Bonus is measured on the number of properties (above what would normally be expected) that have been completed during a year October

to September using data submitted on the council tax base return to government, this amount is then paid to the Council for a period of four years.

27. The NHB scheme was originally awarded for a period of 6 years, but following cuts from Government it was reduced to 4 years. The New Homes Bonus receipts are split 50/50 between revenue support and corporate projects and therefore a major reduction in future house building or further reform of the scheme could have a serious impact on the MTFP and future corporate projects. The draft budget 2019/20 anticipates total NHB receipt of £2.8m with £1.4m supporting the base budget with a further £522,000 supporting corporate projects which also form part of the base budget. If total New Homes Bonus receipt fell below £1.9m then there would not be sufficient resources available to fund the base budget.
28. The Council Tax Base return has been completed showing 389 new properties (converted to band D equivalents). This is adjusted by the 'deadweight' calculation which removes 214 new properties from the total eligible for NHB. This adjusted amount will generate around £525,000 from next April (for 2018/19 new builds only).

Council Tax and Local Referendums on Council Tax

29. The draft budget includes a Council Tax increase of £5.00 which equates to a rise of 3.17% resulting in a Band D equivalent charge of £162.50; this is an increase on last year which saw an increase of £3.50 (2.3%) for the year.
30. The proposed increase will not trigger a referendum as district councils are permitted to raise council tax by 3% or higher, as long as it does not exceed £5 on a Band D property.
31. The current administration has a commitment to remain the lowest council tax in Kent. The table below shows the Council Tax level for other Kent authorities as at 2018/19 against the proposed 2019/20 level for Ashford:

District	Increase on previous year		Band D charge
Ashford	£5.00	3.17%	£162.50
Canterbury	£5.94	2.98%	£205.20
Dartford	£4.95	2.95%	£172.80
Dover	£4.95	2.79%	£182.34
Gravesham	£5.67	2.96%	£197.28
Maidstone	£7.29	2.97%	£252.90
Sevenoaks	£6.03	2.97%	£208.80
Shepway	£7.48	2.98%	£258.39
Swale	£4.95	3.00%	£169.83
Thanet	£6.57	2.99%	£226.44
Tonbridge & Malling	£5.91	2.99%	£203.42
Tunbridge Wells	£4.98	2.95%	£173.57

32. The table shows that should the other Kent districts decide to freeze council tax Ashford will remain the lowest in Kent by £7.33 (Swale being the next lowest at £169.83 for 2018/19)

33. Whilst there is a long held ambition for the Council to grow its income streams from commercial activities it needs to be recognised that this strategy needs to mature before this will be achieved. Therefore with the risks to the council's funding and ambitions to improve services the increase is considered necessary. Government funding is also set on the basis that Council's will levy the maximum possible council tax on an annual basis, therefore any deviation from this puts further pressure on corporate resources.

Section 2 - Draft Budget 2019/2020

34. The draft budget has been built based on the four year settlement that was accepted at the October 2016 Cabinet as part of the MTFP report. This is the last year of the 4 year settlement which provides firm figures for 2019/20 but funding from next year onwards is currently being consulted on.
35. The draft budget presented below includes a £5.00 (3.17%) increase in council tax, with the borough Council's element of the charge now being £162.50 (2018/19 was £157.50) for a band D property.
36. Services were given targets from the MTFP against which they had to build their budgets. Budgets have then been built in detail and services have largely been able to manage within the expenditure limits set. Some pressures have come out during the process but these have been managed within the services.
37. The draft budget is summarised below.

Table 2: Draft General Fund Budget 2019/20

Actuals 2017/18 £	Budget 2018/19 £	Projected Outturn 2018/19 £	Detail	Budget 2019/20 £
17,219,136	16,314,150	16,623,645	Service Expenditure	15,490,930
(2,897,465)	(3,387,820)	(3,441,870)	Capital Charges & Net Interest	(2,492,440)
249,629	256,250	256,250	Levies	259,130
2,347,782	1,228,180	1,228,180	Contribution to/(from) Balances	1,839,710
(710,713)	0	0	Government Grant	0
(4,198,829)	(4,189,400)	(4,189,400)	Retained Business Rates	(4,706,300)
(1,093,398)	(348,270)	(348,270)	Business Rates S31 Grants	(14,750)
(3,401,256)	(2,478,400)	(2,478,400)	New Homes Bonus	(2,820,000)
(7,495,798)	(7,394,690)	(7,394,690)	Council Tax	(7,556,280)
19,088	0	255,445		0

38. The details of service expenditure are attached at **Appendix A**. Subject to Cabinet's approval this budget will then be scrutinised and form the basis of the budget consultation process that will be completed in time for a final draft budget to be presented to Cabinet and then Council in February.
39. The Council's Medium Term Financial Plan is predicated on the aim to become entrepreneurial and enterprising to raise revenues, however the need for continued economy and efficiency is ever present to ensure value for money for services. Accordingly, included within the budget is a 1% efficiency target with an aim to reduce costs by 1% per annum for a period of 5 years. This will continue to be achieved through a combination of service reviews and thematic reviews on council expenditure, to challenge the way services are delivered and procured and achieve savings.

Risks

40. The risks to the 2019/20 draft budget are shown at **Appendix B** and represent the risks to the budget at the time of writing this report. These risks will be reviewed throughout the budget setting cycle and be presented to the Overview and Scrutiny Budget Task Group.
41. These risks will be amended as risks are identified and will form the basis of the Chief Financial Officers report over the robustness of the budget which will be included in the final Budget report for February Cabinet.

Section 3 Housing Revenue Account

HRA Business Plan

42. The HRA business plan will be presented to this Cabinet for approval elsewhere on this agenda. The HRA Business Plan originates from this budget.
43. It is proposed that the HRA business plan should be scrutinised alongside the general fund draft budget as part of the budget scrutiny process.

Draft HRA Budget 2019/20

44. The HRA Budget has been built to enable the council to maintain Decent Homes Standards, service the debt as a result of the HRA subsidy reform, and take account of the continuing 1% rent reduction running from 2016/17 to 2019/20.
45. It should be noted that the HRA Business Plan is currently being reviewed in light of the Government announcement removing the HRA debt cap. The results of this review will be reported to Members as soon as it is available.

Table 3 – Draft Housing Revenue Account Budget 2019/20

Finance and Economy HRA Summary				
Housing Revenue Account				
ACTUAL	BUDGET	PROJECTED	DETAIL	ESTIMATE
2017/18	2018/19	OUTTURN		2019/20
£	£	2018/19		£
		£		
6,424,511	5,268,380	5,225,580	Supervision & Management	5,777,130
(24,704,303)	(24,978,930)	(25,287,080)	Income	(24,843,280)
16,038,828	17,445,420	17,407,660	Other	16,030,460
3,461,712	3,418,400	3,538,900	Repairs & Maintenance	3,478,370
1,220,748	1,153,270	885,060	SERVICE EXPENDITURE	442,680

46. These figures are in line with the position forecast within the HRA business plan, with a deficit anticipated. There are a number of HRA projects currently underway and this in year deficit is financed from reserves for the purpose of financing capital projects.
47. Members are asked to approve the draft HRA budget for 2019/20 for scrutiny purposes.

Section 4 - Capital Resources

48. The Council prepares a capital programme annually based on the Corporate Priorities and approves capital projects throughout the year. Financing of these projects are included in the Project Initiation Documents, however final financing will be approved at the end of the year.
49. Due to the nature of some reserves it is best to utilise these first and retain flexibility for the Council, for example, capital receipts can only be used on capital purposes therefore it is better to use these reserves first and keep revenue reserves, which can be used for any purpose.
50. The Housing Revenue Account has two kinds of capital receipts, general capital receipts that can be used for any capital purpose, and one-for-one receipts that can only be used for the provision of new affordable housing. To ensure the Council has enough flexibility in its capital financing and complies with the one-for-one commitment to government, these latter receipts will always be used first before capital receipts and revenue reserves.

Capital Resources Forecast

51. Capital investment is currently made from the following funding streams:
 - a. Internal resources such as capital receipts and revenue reserves.
 - b. Prudential (external) borrowing. The Medium Term Financial Plan provides specific support to borrow for General Fund corporate projects that have been highlighted in the corporate plan. There is also specific borrowing for capital works on Council assets support by the planned maintenance schedule for capital works.
 - c. Third party grants and contributions from government, other authorities and other grant bodies.
 - d. Section 106 developer contributions – as at 31 March 2018 contributions amounting to £7.3m (capital & revenue) were held in reserves.
52. The table below shows the forecast based on current assumptions including that supported by revenue resources to support spending of a capital nature.

Table 4 – Capital resource forecast (General Fund)

Resources available	2018/19 £'000	2019/20 £'000	2020/21 £'000	2021/22 £'000
Resources brought forward:				
Capital receipts	44	0	0	0
Repairs and renewals reserve	660	560	460	360
Borrowing limit unapplied	500	500	500	500
	1,204	1,060	960	860
Potential resources				
Estimate of capital receipts	250	250	250	250
Estimate of reserve contributions to the repairs & renewal reserve	250	250	250	250
Approved borrowing limit supported by the revenue budget	500	500	500	500
	1,000	1,000	1,000	1,000
Current planned outlay financed by:				
Use of capital receipts	294	250	250	250
Use of the repairs & renewal reserve	350	350	350	350
Use of prudential borrowing (principally for the asset maintenance programme)	500	500	500	500
	1,144	1,100	1,100	1,100
Uncommitted resources carried forward	1,060	960	860	760

Capital Investment

53. Elwick Place commenced in May 2017 and will be officially opened on 8 December 2018. The construction work has consistently remained on its original programme throughout the 18 month build timeline. Negotiation are currently underway with various parties for the eateries. The two anchor tenants Picturehouse and Travelodge are in final preparation for the opening date.
54. Future expansion of A Better Choice Property Company will be supported by further loans. This will underpin the strategic aims of the company to grow and establish itself within the private letting sector.
55. In March 2018 the Council acquired the Mecca building in the centre of the town. Consultants have now been engaged to develop a scheme to bring forward proposals for the future of redevelopment of this strategic purchase.
56. Another important site on the redevelopment agenda is the former Goods Yard this project is now known as the Coachworks. Consultants are also developing plans for the future use and these will be presented back to Cabinet in due course.

Section 5 - Next Steps

57. Once approved by Cabinet it is proposed to submit the draft budget for formal scrutiny by the Overview and Scrutiny Committee and its Budget Scrutiny Task Group. This will include an examination of the base budget, assumptions on inflation, growth items and budget reduction proposals. The scrutiny process will continue throughout December and January with conclusions reported to the Cabinet in February.
58. The final budget report will be presented to Cabinet and then onto Council in February which will include any additional proposals for the budget and recommend to Cabinet the measures necessary to bridge any budget gap arising.

Implications and Risk Assessment

59. Risk assessments are being completed by Services and will form part of the Scrutiny process and reported back to Council with any recommendations from the Budget Scrutiny Task Group.

Equalities Impact Assessment

60. The assessment will be completed alongside the final budget reported to Cabinet and Council in February.

Consultation Planned or Undertaken

61. This report will form the basis of consultation with the business community, the public and parish councils. A summary document will be produced and sent to key stakeholders and posted on the website for comment.
62. The results from this consultation will help inform the final budget and will be reported back to the February Cabinet.

Conclusion

63. Members are asked to consider the contextual information against which the MTFP and draft budget have been developed.
64. To approve the draft budget for 2019/20 for the purpose of public consultation, consultation with the parish councils, and for the basis of budget scrutiny by the Overview and Scrutiny Committee.

Portfolio Holder's Views

65. To be given at the meeting

Contact and Email

66. Lee Foreman – 01233 330509 – leeforeman@ashford.gov.uk

DRAFT REVENUE BUDGET				
DIRECTORATE SUMMARY				
Actuals	Budget	Projected	Directorate	Budget
2017/18	2018/19	Outturn		2019/20
£	£	2018/19		£
£	£	£		£
1,281,734	1,218,170	1,193,210	Chief Executive	1,202,140
4,338,712	2,787,820	3,214,271	Director of Finance & Economy	2,493,600
1,887,883	2,088,570	2,140,122	Director of Law & Governance	1,214,360
9,710,807	10,219,590	10,076,042	Director of Place & Space	10,580,830
17,219,136	16,314,150	16,623,645	Service Expenditure	15,490,930
(300,055)	(1,903,390)	(1,957,440)	Non service specific	(393,600)
16,919,081	14,410,760	14,666,205	ABC Budget Requirement	15,097,330
(16,899,993)	(14,410,760)	(14,410,760)	Financing	(15,097,330)
19,088	0	255,445		0

DRAFT REVENUE BUDGET				
SERVICE SUMMARY				
Actuals 2017/18 £	Budget 2018/19 £	Projected Outturn 2018/19 £	Service	Budget 2019/20 £
1,281,734	1,218,170	1,193,210	Corporate Policy, Economic Development & Communications	1,202,140
1,425,945	1,414,090	1,544,084	Legal & Democratic Services	1,358,860
1,660,794	1,787,440	1,766,562	Planning	2,133,270
4,609,305	3,668,940	3,624,495	Finance & IT	3,810,440
19,732	105,010	102,170	HR & Customer Services	142,300
1,136,195	689,780	903,713	Housing General Fund Services	967,780
442,206	569,470	493,868	Community Safety and Wellbeing	(286,800)
4,724,330	5,186,090	5,035,930	Environmental & Land Management	5,254,380
(1,406,789)	(1,570,900)	(1,313,937)	Corporate Property & Projects	(2,284,620)
3,325,684	3,246,060	3,273,550	Culture	3,193,180
17,219,136	16,314,150	16,623,645	Service Expenditure	15,490,930
(2,897,466)	(3,387,820)	(3,441,870)	Capital Charges & Net Interest	(2,492,440)
249,629	256,250	256,250	Levies	259,130
2,347,782	1,228,180	1,228,180	Contribution to Balances	1,839,710
16,919,081	14,410,760	14,666,205	ABC Budget Requirement	15,097,330
			Income	
(710,713)	0	0	Government Grant	0
(4,198,829)	(4,189,400)	(4,189,400)	Retained Business Rates	(4,706,300)
(1,093,398)	(348,270)	(348,270)	Business Rates S31 Grants	(14,750)
(3,401,256)	(2,478,400)	(2,478,400)	New Homes Bonus	(2,820,000)
(7,495,797)	(7,394,690)	(7,394,690)	Council Tax	(7,556,280)
19,088	0	255,445		0

General Fund Draft Budget 2019/20				
Actuals 2017/18 £	Budget 2018/19 £	Projected Outturn 2018/19 £	Department	Budget 2019/20 £
			Corporate Policy, Economic Development & Communications	
157,635	71,400	39,380	Chilmington	0
342,826	245,100	245,100	Policy and Performance	257,680
433,158	476,150	479,550	Economic Development	510,300
348,115	425,520	429,180	Communications & Marketing	434,160
1,281,734	1,218,170	1,193,210		1,202,140
			Legal & Democratic Services	
983,036	852,470	852,489	Democratic Representation	825,870
380,085	503,210	498,685	Electoral Services	473,680
10,496	0	130,000	Legal	(20)
52,328	58,410	62,910	Mayor	59,330
1,425,945	1,414,090	1,544,084		1,358,860
			Planning	
30,712	117,810	117,810	Building Control	117,820
1,122,523	1,066,350	1,056,909	Development Control	1,143,530
(2,816)	(41,150)	(41,150)	Land Charges	(26,540)
(0)	31,920	49,814	Planning Administration	254,910
510,375	612,510	583,179	Strategic Planning	643,550
1,660,794	1,787,440	1,766,562		2,133,270
			Finance & IT	
40,884	35,840	(71,145)	Accountancy	75,060
16	(60)	7,360	Audit Partnership	(50)
675,537	799,670	805,170	Benefits Administration	836,750
280,477	417,870	417,870	Council Tax Collection	549,240
20	120	120	Debtors/Debt Recovery	(20)
21,230	10,840	10,840	Exchequer	47,530
(102,485)	(256,040)	(256,040)	Housing Benefits Payments	(256,000)
261,093	(64,220)	(64,220)	NNDR Collection	(38,770)
1,729,178	1,653,810	1,574,080	Non-Distributed Costs	1,661,320
149,687	7,760	55,760	ICT	15,850
175	(30)	(30)	Telephony	70
1,447,232	950,140	1,016,820	Strategic Corporate Costs	731,320
106,262	113,240	127,910	Corporate Management	188,140
4,609,306	3,668,940	3,624,495		3,810,440
			HR & Customer Services	
19,500	105,000	102,160	Human Resources	157,300
232	10	10	Visitor & Call Centre	(15,000)
19,732	105,010	102,170		142,300

			Housing General Fund Services	
134,870	117,410	113,440	Private Sector Housing	155,750
20,134	36,880	57,500	Housing Strategy and Enabling	82,390
844,664	535,270	719,080	Housing Options	748,660
741	9,060	(30,300)	Facilities Management	(9,980)
131,223	0	0	Refugee Project	0
4,564	(8,840)	43,993	Gypsy Site - Chilmington	(9,040)
1,136,195	689,780	903,713		967,780
			Community Safety and Wellbeing	
419,208	574,040	530,211	Community Safety,AMC,Licencing	575,610
693,640	618,160	670,581	Environmental Health	562,320
(670,642)	(622,730)	(706,924)	Parking & Engineering	(1,424,730)
442,206	569,470	493,868		(286,800)
			Environmental & Land Management	
329,756	303,490	306,430	Street Scene	342,750
2,908,586	3,292,380	3,172,380	Refuse,Recycling,Street Clean	3,280,420
1,485,988	1,590,220	1,557,120	Grounds Maintenance	1,631,210
4,724,330	5,186,090	5,035,930		5,254,380
			Corporate Property & Projects	
4,753	6,960	40,720	Project Delivery Team	22,150
0	0	0	Town Centre Development	0
(1,411,542)	(1,577,860)	(1,354,657)	Corporate Property	(2,306,770)
(1,406,789)	(1,570,900)	(1,313,937)		(2,284,620)
			Culture	
319,508	279,780	279,780	Cultural Services Management	389,890
1,659,474	1,591,700	1,591,700	Leisure Centres	1,398,380
259,113	260,080	267,660	Open Spaces and Conservation	271,370
339,519	359,760	359,760	Single Grants Gateway	371,760
227,860	236,440	236,880	Tourism & Heritage	243,180
520,209	518,300	537,770	Cultural Projects	518,600
3,325,683	3,246,060	3,273,550		3,193,180
17,219,136	16,314,150	16,623,645	NET EXPENDITURE ON SERVICES	15,490,930

2019/20 Draft Budget Report

The following table represents risks to the 2019/20 draft budget at both a service and economic level. These risks will be monitored throughout the Budget setting cycle and be updates accordingly before being presented to Cabinet in February as part of the final budget setting report.

Budget Component	Financial standing and management
<p>1. Pressure on the 2018/19 Budget and impact going forward.</p>	<p>Homelessness – This has been a constant pressure in the past few years and therefore warrants mention. However, changes in legislation and the expansion of the homeless prevention team are looking to reduce the pressure in this area by tackling homelessness at source through preventative measures which should ease the pressure on temporary accommodation costs. Early indications show that this approach is being effective and costs at Q2 budget monitoring showed no new pressures on the temporary accommodation budget. Where homelessness cannot be prevented then initiatives such as Christchurch House will also support the existing budget.</p> <p>In addition to the above a further £100,000 was introduced to the 2019/20 budget to further develop incentive schemes to harness support from the private rented sector in preventing Homelessness.</p> <p>Planning / Planning Reserve – There has been unprecedented recruitment issues (circa 30% vacancy rate) within the planning service which have led to increase costs through the need to engage consultants to support staff and deliver the operational needs of the Service. To support the service in 2019/20 and beyond additional funding has been introduced to within the budget to support re-engineering of the services with a view to retaining and recruiting staff necessary to resolve staffing issues going forward.</p> <p>The planning reserve has been stretched and is expected to be significantly diminished by the start of 2019/20. However, the planning reserve is subject to these cyclical movements as planning appeals are fought (in the absence of a local plan) and the Local Plan is currently being approved by the planning inspectorate.</p> <p>Although a Local Plan is now in place developers need to utilise the identified land supply to support development in the borough and prevent further speculative applications on unidentified sites.</p> <p>Corporate Property – Pressures have arisen in this area through a need to employ new Officers to strengthen the Council’s contract management arrangements. Tough economic conditions have also meant the previously anticipated rent increases have not been deliverable.</p> <p>For 2019/20 the new services structure has been fully built into the budget so this will not be a recurring issue. Rents have also been revised to agreed levels and will therefore be received in accordance with forecast for 2019/20.</p>

Budget Component	Financial standing and management
	<i>Legal Services</i> – legal services have had pressures arising from the need for temporary staffing in 2019/20 and a reduction in chargeable time to external clients.

Budget Component	Financial standing and management
2. Commercialisation	<p>2019/20 will see a number of large commercial projects coming to fruition such as Elwick, and the Carlton Road industrial units. Budgets have been built into the budget to reflect anticipated income streams, however, the first years of large schemes can be hard to accurately forecast while units are let and the site becomes established.</p> <p>Should the performance of the new assets not perform as forecast then the Council can utilise the New Initiative Reserve to support the budget or the Economic Risk Reserve which was set up last year.</p> <p>The Council has a contingent liability for 2 floors of CQ38 which will be triggered if the developer is unable to let the space, Officers are working closely with the Developer to ensure that this risk is mitigated.</p>
3. Demand-led service pressures	<p>For several services the council is less able to control demand during times of economic pressure on households. In this category are services such as: homelessness, the payment of housing benefit and council tax support payments, and servicing general customer enquiries.</p> <p>During 2018/19 the Borough transferred to the Full Universal Credit service that will see all New claims to be made under the new benefit and not the legacy benefit of Housing Benefit. The levels of claimants on UC is currently under 1,000 but as this number increases services will need to adapt to the changing demand of these customers, for example managing the impact on rent collection levels, Council Tax Collection and Council Tax Support Claims.</p> <p>The housing market poses a number of risks to this authority, with rising house prices rents are escalating and this will create a pressure on welfare and housing services.</p> <p>Management Team receives budget monitoring information, and has some flexibility to manage demand through transferring resources from other services, and the prudent use of reserves (subject to limits).</p> <p>There is a recognition that priority project workload will demand more resource if it is all to be managed according to the council's corporate plans, and some project work is of course influenced by government (for example, the welfare reform responses).</p> <p>The council has adequate reserves, including new homes bonus receipts to help with such pressures.</p>
4. New service developments	<p>Digitalisation is a key priority for the organisation to ensure systems work effectively and efficiently to deliver excellent services for our external stakeholders. The digitalisation programme will also target internal systems to ensure efficiencies through digitalisation can be maximised to create staffing capacity to manage business growth within existing resources.</p>

Budget Component	Financial standing and management
	<p>Reserve funding of £150,000 has been earmarked to support the digital agenda roll-out, however, additional support from services will be required which could create pressure on service delivery and require backfilling of staff. Any pressures will be funded through the digitalisation reserve.</p> <p>The Elwick development is due to open in December 2018 and the budget has made an allowance for the additional costs and income from the scheme.</p> <p>Members have expressed concern over the resourcing of the planning department to cover workloads and the costs of planning appeals. The Budget has allowed for a 20% increase in planning fees. This is being recycled into the service with an element used to support a growth in establishment and replenish reserves that are used to fund appeals and the costs of the local plan.</p>
<p>5. Assumptions about increases in service income.</p>	<p>The budget proposes that service income are is increased by an average of 3.0%, for legislative reasons or demand some charges will be lower of higher than this.</p> <p>The proposed service charges are presented in detail as part of the budget report. Any amendments to the proposals may involve a slight risk to the budget.</p> <p>The Council's strategy to manage its budget is dependent on the development of service income streams from property and as the portfolio increases this becomes a more significant risk to the council. The budget has been built to reflect the vacancy levels at International house and the other commercial property that the Council operates. If tenants are found we would expect there to be an increase in income.</p> <p>Experience of downturns suggests that many of the council's rental streams hold up well in times of recession there are some areas that may be more vulnerable (Shop and Office units).</p>
<p>6. Housing Revenue Account</p>	<p>The Housing Revenue Account continues to see rents reduce by 1% this year following government policy and will have to manage this pressure within the HRA as it is a ring-fenced fund.</p> <p>The HRA debt cap has now been removed and the ability to build affordable housing without the restrictions of the debt cap. The business plan is currently being reviewed to reflect new opportunities.</p> <p>Regular updating of the HRA business plan and financial monitoring will occur during 2019/20.</p>
<p>7. Estimates of the level and timing of capital receipts.</p>	<p>Capital receipts are now low in the General Fund, the budgets and financing of the capital plan reflects this.</p> <p>The Housing Revenue Account capital receipts have increased over the last couple of years due to the invigorated 'Right to Buy' policy.</p>

Budget Component	Financial standing and management
	<p>The majority of RTB receipts need to be held to fund affordable housing (funds 30% of the total cost) within the Borough, and this Council took the opportunity to retain these receipts for this purpose, these receipts are called 1-4-1 capital receipts.</p> <p>Following the recent government announcements (reduction in rents of 1%) the estimated retained reserves within the HRA, to match-fund the affordable housing works have been significantly reduced.</p> <p>The receipts and capital plans are being closely monitored and ensure these receipts are used to avoid repayment which would attract interest of 4% above base. (See Part 3 HRA)</p>
8. Major Capital Projects	<p>The Council agreed the Corporate Plan at the October 2015 Cabinet meeting and work is in progress to prepare proposals for the detailed Corporate Delivery Plan.</p> <p>This plan will carefully consider the delivery of the project and the funding overall and will be monitored by the Strategic Delivery Board.</p>
9. Business Rates	<p>Advice on the risk to the council's business rates yield has been included in the report. However a major risk to the budget is the revaluation of rates and the level of appeals against new valuations that are likely to affect the overall level of rateable value within the borough.</p> <p>The level of income from business rates is affected by the overall performance of the economy, with the UK seemingly well placed to manage the global uncertainty. Business rates are monitored regularly and any downturn will be flagged in the monitoring.</p> <p>The nature of the system for accounting for business rates means that the general fund is guaranteed to get the level of income forecast in the budget, however in the event of a decrease or increase in income it will not be distributed to the general fund and preceptors until the following year. Therefore the budget is insulated from business rates risk for the current year.</p> <p>The Council is part of the 100% business rates retention pilot and has bid to be a pilot under the 75% retention scheme as reported earlier. This has not been included in the budget and will be held in reserve to cover risks in the budget, it is recommended that this is not utilised until the value can be quantified later in the year.</p>
10. Welfare Reform	<p>The government's welfare reform agenda has been reported to cabinet and the council has established a welfare reform task group to monitor and manage the risks of this agenda. The reforms have very few direct impacts on the council however they have the potential of affecting the level of demand for council services and have an impact on the council's ability to collect taxes and rents due.</p>

Budget Component	Financial standing and management
11. Inflation, Interest Rates and Pay Award	<p>Inflation is a factor that needs to be managed carefully within any financial planning regime. The council benefitted from the low levels of inflation over the last few years, however, nearing the end of 2017/18 inflation started to rise and has continued to do so and MTFP reflects a higher inflation level for 2019/20 which falls back to the 2% target by 2020/21.</p> <p>Interest rates have been forecast in line with the Arlingclose (Treasury Management Advisors) forecasts. As a net investor the General Fund is more affected by its ability to generate returns on its cash balances rather than borrowing cheaply. Savings have been made in recent years by not borrowing to fund projects and using cash balances, however as interest rates rise the council will want to lock into low long term rates.</p> <p>Pay – during 2018/19 a two year pay settlement was approved for 2018/19 and 2019/20 of 1.5% or £400 whichever was the higher for the individual employee, however increments are also due for new employers and these have been allowed for in the budget.</p>
12. Brexit	<p>This area gives rise to a number of separate risks, such as the Economy, Transport, Labour, and the transition period. The Audit Committee is reviewing the separate risk register at its December meeting.</p>

Agenda Item No: 6

Report To: Cabinet

Date of Meeting: 6 December 2018

Report Title: Council Tax Base 2019/20

Report Author & Job Title: Maria Hadfield - Senior Accountant

Portfolio Holder Cllr Shorter Portfolio Holder for Finance & Budget, Resource
Portfolio Holder for: Management and Procurement



ASHFORD
BOROUGH COUNCIL

Summary: This Council is required to approve the tax base used to calculate the level of Council Tax for 2019/20. It is calculated with regard to the number of domestic properties (including a forecast of new properties), which are then converted to Band D equivalents.

The tax base has been calculated at 46,500 band D properties, an increase of 820 (or 1.8%) on the current year.

Due to the complexities of separating the two new parish Councils from the unparished area the detailed tables will be distributed at the meeting.

Key Decision: YES

Significantly Affected Wards: All

Recommendations: **The Cabinet is recommended to:-**

- I. Agree the 2019/20 'Net' tax base of 46,500 Band D equivalent properties
- II. Agree 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 (see appendix D totalling £40,900).
- III. Note 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.

Policy Overview:	The Council Tax base is required to be set in accordance with the Local Authorities (Calculations of Tax Base) Regulations 2012
Financial Implications:	The tax base recommended will be used to calculate the level of Council Tax requirement that will be recommended to the Council on 21 February 2019.
Legal Implications	
Equalities Impact Assessment	As part of the final budget reported to Cabinet in February
Other Material Implications:	None
Exempt from Publication:	NO
Contact:	Maria.hadfield@ashford.gov.uk – Tel: (01233) 330545

Report Title: Council Tax Base 2019/20

Introduction and Background

1. The Council Tax Base for 2019/20 and its distribution across parished and un-parished areas needs to be agreed.
2. By 31 January 2019 the Council as the 'billing authority' is required to notify its major precepting bodies (Kent County Council, Kent Police Authority and Kent and Medway Fire and Rescue Authority) and the parishes of the relevant council tax base for the 2019/20 financial year.
3. For 2019/20 the calculation of the Tax Base has required that the properties that will fall into the two new Parish Councils that are currently being established be separated from the unparished area. This has created an additional complication to the calculation this year and for the purposes of calculating the tax base this has been completed, but further checking will be completed before billing has been completed to ensure that properties have been allocated correctly.

Council Tax Support

4. A Council Tax support scheme was introduced in April 2013 to address the abolition of Council Tax Benefit, and the associated 10% funding reduction by Government (Cabinet 2012).
5. The Kent scheme was updated in April 2017 (Cabinet December 2016), at the request of the major preceptors.
6. The scheme is designed to incentivise work and asks those people of working age, who currently claim council tax support, to contribute something towards their council tax. The scheme was amended to include the following, for working age claimants:
 - a. Set the contribution level at 17.5%
 - b. The capital threshold is set to £10,000
 - c. A Band D cap has been introduced
 - d. A flat rate £10 per week deduction in respect of a non-dependant (unless the non-dependant is disregarded)
 - e. A minimum income floor has been introduced in respect of self-employed claimants

- f. Second Adult rebate has been abolished
- 7. There are no planned changes to the scheme for 2019/20, although a working group has been set up to review the scheme in light of other benefit changes and will report back to Council on any changes for future years.

Protection for Parish Councils

- 8. The introduction of Council Tax Support effectively reduced the tax base for many if not all of the parish councils. If no action were taken this would have resulted in taxpayers suffering increases in their tax towards parish precepts, even in circumstances where the cash amount of precept was unchanged. The grant available for parish councils is proposed to continue to be a total of £40,900 in 2019/20 to be allocated based on the level of their precept and the Council Tax Support discounts for their parish. The proposed allocation is detailed in **Appendix D**.

The Tax Base (adjusted for various allowances)

- 9. The council has already submitted a tax base return to central government, this figure is 50,461 (2018/19 49,814), but is based on the number of properties on the valuation list as at 1 October 2018 and excludes provisions for new properties, Council Tax Support discounts, and allowances for non-collection.
- 10. The tax base calculation made in this report allows for new properties anticipated to be coming on to the Valuation List. It is forecast that 1,880 properties will be added to the valuation list in line with the assumption in the Medium Term Financial Plan.
- 11. In calculating the tax base the authority must also have regard to discounts, exemptions, non-collection and appeals. For the purposes of this calculation 1% has been estimated for losses on collections and appeals, this is consistent with the collection levels that are being achieved.
- 12. For 2019/20 the tax base has been calculated at 46,500 (2018/19 was 45,680) as detailed at **Appendices A, B & C**.

Implications and Risk Assessment

- 13. The Council Tax base is an important element of the budget setting process, estimating the number of properties upon which council tax will be levied.

Next Steps in Process

- 14. Once agreed by the Council the tax base will be notified to the County Council, Kent Police, Kent and Medway Fire Authority and the Parish Councils.

Conclusion

15. The 2019/20 tax base is in line with the assumptions in the Financial Strategy and the calculation results in a tax base of 46,500 band D equivalent properties. This will be used in the detailed budget and council tax setting calculations.

Portfolio Holder's Views

16. To be given at meeting.

Contact and Email

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TAX BASE 2019/20
BAND D EQUIVALENTS

TABLE TO FOLLOW

ANALYSIS OF PROPERTIES FOR WHOLE AUTHORITY 2019/20

TABLE TO FOLLOW

**TAX BASE 2019/20
LOCAL TAX BASE (WHOLE/PART AREAS)**

TABLE TO FOLLOW

Proposed allocation of CTS grant

TABLE TO FOLLOW



Agenda Item No:	7
Report To:	Cabinet
Date of Meeting:	6 December 2018
Report Title:	Housing Revenue Account (HRA) Business Plan 2018-2048
Report Author & Job Title:	Sharon Williams, Head of Housing Jo Stocks, Senior Accountant
Portfolio Holder	Cllr. White, Portfolio Holder for Housing
Portfolio Holder for:	Cllr. Shorter, Portfolio Holder for Finance & IT

Summary:

This report provides an annual update to Members on the financial projections associated with the HRA Business Plan.

Work has been undertaken to review the cost base of the HRA and model for the life of the business plan. The Plan has been updated to allow for the latest planned maintenance schedule and the approved capital schemes.

In addition, the Business Plan model is in the process of being amended to reflect the recent government announcement that, with effect from 29 October 2018, the HRA debt cap has been removed to allow councils to build more housing. Officers will review the Business Plan in light of this announcement and will present an update to Members in the new year.

Overall, the plan remains affordable.

Key Decision: No

Significantly Affected Wards: None

Recommendations: **The Cabinet is asked to:-**

- I. Review and agree the updated HRA Business Plan and financial projections. Including the consequences of the inclusion of the AHP program on the level of HRA borrowing.**
- II. Note that Overview and Scrutiny (O&S) are required to review the HRA Business Plan financial projections as part of the budget scrutiny process.**

Policy Overview: The Council is required to have a 30 year business plan for the Housing Revenue Account (HRA).

Financial Implications: This paper provides an update to the financial position of the HRA over the next 30 years. The financial model forecasts that the HRA business plan continues to be a robust and viable business and is able to deliver its key

priorities.

The financial model is a tool for testing existing priorities, the impact of changes in Government policies and changes in key business sensitivities such as inflation to ensure that Ashford's plans remain affordable

Legal Implications

Equalities Impact Assessment

As part of the final budget which will be reported to Cabinet in February 2019.

Other Material Implications:

None

Exempt from Publication:

No

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Report Title: Housing Revenue Account Business Plan 2018-2048

1. The HRA is a ring-fenced, self-financed operation funded by council tenants, through rent, not Council Tax. It manages, maintains and repairs nearly 4,700 properties. It also monitors and funds the Private Finance Initiative (PFI) for the regeneration of Stanhope in South Ashford.
2. The HRA Business Plan Model is a fluid document that officers are updating regularly throughout the year. As part of the annual budget setting process members receive an update of the HRA Business Plan financial projections. This report updates the position for the period 2018-48. It should be noted that Officers are in the process of updating the model to incorporate the removal of the HRA debt cap, which will affect the 30 year business plan. It is intended that this update will be presented to Members in the new year.

Introduction and Background

3. The Council is required to have a 30 year Business Plan for the HRA. To support this a 30 year financial model, sourced from the Chartered Institute of Housing, is maintained, which forecasts the financial position, capital requirements and cash flow for the HRA and allows the long term viability of the service to be modelled and tested.
4. As part of the national reform of the HRA subsidy system, in March 2012, the Council completed the buyout of the HRA from the housing subsidy system for £113.7m, transferring a proportion of the national housing debt. Total HRA debt is currently £115m, an average of approximately £23,100 per property. The existing use value of social housing is held at 33% of Market Value, this EUV-SH is, for Ashford, approximately £54,600 (with the Market Value approximately £165,000). Both valuations are well below the average debt per unit.
5. As part of the HRA reform, Government imposed a debt cap for each Local Authority, Ashford's debt cap was £126m, this limited the level of debt each authority could have for its housing stock. It was announced, as part of the 2018 Autumn budget, that the HRA debt cap would be abolished from 29 October 2018, to enable councils to increase house building. More detail on the abolition of the debt cap and the likely impact for Ashford is included elsewhere in this report, but currently government have abolished the cap and have not imposed any controls on authorities to manage this change in policy within the national fiscal framework.
6. Before the announcement, this Authority had been developing a bid to increase the debt cap by £61m and therefore have a number of sites already identified to deliver more properties. The details of these additional sites are referred to in the Affordable Housing report being considered on the same Cabinet agenda as this report. The removal of the debt cap now provides the financial basis for the Council to proceed with these additional sites. Therefore, this model shows an increase in borrowing attributed to the HRA of £61m.
7. The Housing Framework (agreed at Cabinet May 2018) sets out the broad principles for Housing and the delivery strategy, including the development of

- an Affordable Homes Delivery Plan. This will form a basis to set out the reviewed delivery approach, internal governance arrangements and drive the HRA Business Plan priorities. A further report will come back to members.
8. Further work is underway to clearly set out the opportunities that the debt cap removal provides, to increase the delivery of affordable housing and to consider internal governance arrangements required to manage this process. Officers will report on the impact of this in the new year.
 9. The Current Housing Framework Key Principles are set out below:
 - a. Continue to build/acquire new homes for a range of tenures and needs, including shared ownership and homes for rent; utilising all available internal and external funding streams, as appropriate
 - b. Plan to rebuild/remodel the council sheltered accommodation across the borough to provide high standard accommodation for older and vulnerable persons, including ex-forces applicants, from the borough
 - c. Decent Homes Standard to be maintained over the 30 year Business Plan cycle
 - d. Provide an adequate programme of disabled adaptations to meet the needs of disabled tenants within a reasonable timeframe
 - e. Identify opportunities to remodel existing stock to cater for the needs of homeless people.
 10. The current business plan sets out the mechanism to enable the delivery of affordable housing, including the effective use of HRA resources, in light of removal of the debt cap. The Affordable Homes Delivery report (elsewhere on the agenda) sets out an initial 25 sites (in exempt appendix 3), all of which are included in the HRA Business Plan. However, this does mean that the HRA debt will increase from current levels by circa £61m.
 11. Due to the impact of the four year 1% rent reduction, implemented by Government in 2016/17 (2019/20 being the final year), a service review of Housing was implemented, and approved in December 2016, which has mitigated the effects of the rent loss over the four year period. Housing have taken a pro-active approach to further review the service and are currently undertaking a 'Lean Review' to challenge the processes and drive efficiencies for the HRA. The results from this review are currently being assessed and have therefore not been included in the current model.

Significant changes

Removal of Debt Cap

12. Since 2017/18, the council has been negotiating with Government to increase Ashford's debt cap to enable a number of house building and sheltered housing projects. As a result of the volume and scope of requests, from Local Authorities, Government removed the debt cap for all local authorities from 29 October 2018. Currently Government have published the revised regulations that remove the debt cap but there has been no other guidance published on how government wish to monitor and manage Housing debt in relation to the public sector balance sheet.
13. Following this announcement the HRA Business Plan is being reviewed to incorporate a number of potential projects as well as changing the timing of existing projects, officers will continue this work and report on the results to

members in the new year.

14. One of the issues officers are considering is that of Prudential Borrowing. As Government no longer limit HRA borrowing the council needs to understand the impact of this change on the governance arrangements for the HRA, and revise the operational and authorised limits as appropriate, using the Business Plan model to understand the viability of each project, and the effect of each project, on the overall viability of the business plan. This report models and increases Housing debt to reflect the AHP that Members are being asked to approve.
15. The Affordable Housing Programme report (elsewhere on the agenda) sets out the position regarding potential projects in more detail.

Modelling Assumptions

Projects

16. A number of approved projects have been incorporated into the model, these are as follows:
 - Danemore
 - East Stour Court
 - Affordable Housing Project
 - Poplars
 - Halstow Way
 - Oakleigh
 - Court Wurtin
 - The purchase of 10 street properties in 2018/19
17. The HRA Affordable Housing Programme report (elsewhere on the agenda) contains an exempt appendix (appendix 3) which contains details of the sites being proposed for development in the forthcoming years.

Inflation Forecast and Impact

18. Movements in inflation are a key sensitivity in any financial modelling and the HRA financial model applies a number of inflation assumptions to costs and income items in the budget.
19. Rent income is, according to Government formula, to increase by CPI+1%. However, due to pressures on the welfare budget Government put in place a rent reduction programme, of 1% per annum for the four years between 2016/17 – 2019/20. Government have advised that rents will revert back to CPI+1% from 2020/21 for at least 5 years, therefore the model assumes that after this 5 year period rent increases by CPI only.
20. Inflation assumptions have been updated in the model to reflect those used in the Medium Term Financial Plan (Approved at Cabinet November 2018), these assumptions were provided by Arlingclose, the council's treasury advisors.

Interest Rates and amount set aside to repay debt or invest in future capital projects

21. The vast majority of HRA borrowing was taken out at fixed rates, so interest rate risk is largely managed through this process. The interest rate risk of any future borrowing will need to be considered at the time.

22. The model assumes that the authority uses HRA balances to repay additional borrowing when it can. As a result it is anticipated that the authority will only have £5,000,000 of debt by the end of the plan. However, this model does not include any unapproved projects, or the impact of the debt cap removal. It is expected that this position will change.
23. If the debt repayment were to be extended, without investing in new projects there would be a significant risk that the HRA would hold significant cash balances, as well as continuing to have outstanding loans. This would create a cost of carry, whereby investment returns are lower than the corresponding cost of holding debt; this could become an issue if investment returns remain low for a significant period.

Welfare Reform

24. A continuing risk for the Business Plan is the impact of Welfare Reform, in particular the roll out of Full Service Universal Credit (UC). Despite Ashford's statistics continuing to show high rent collection levels those Local Authorities that have implemented Full Service UC are seeing arrears levels increase significantly. Ashford saw the implementation of Full Service UC on 20 June 2018, since this date there is an average of 7.8 new claims per week. With the average debt per tenant rising from £402 to £640 over this period. This is lower than the county average and is attributed to the provisions put in place prior to full service rollout. At the time of writing there were a total of 156 arrears cases.
25. Sheltered housing continues to present a lower risk, regarding welfare reform. This is due to the age demographic of the tenants in these properties, who are exempt from many of the reforms.
26. Officers will continue work towards minimising the impact of welfare changes for both tenants and the council. However, it is important to acknowledge the potential for issues as welfare reforms continue to rollout, in particular UC.
27. Officers continue to monitor new cases using IT solutions, the UC Landlord Portal (with which the council have Trusted Landlord Status) and existing procedures to mitigate the effects. Officers will continue to monitor arrears and reflect observations in the Business Plan model, as appropriate.

Other assumptions included in the model

28. Disabled adaptations are anticipated to be £500,000 per annum, with the aim that we can deliver required adaptations within six months.
29. The repairs contract has recently been re-tendered, the model has not yet been updated for the additional costs, anticipated to be around £100,000 per annum. It is expected that underspends in the capital maintenance programme will offset this additional expenditure. However, in the longer term the new contractor for repairs, maintenance and voids will manage a number of work streams that have previously been managed in-house. It is anticipated that operational efficiencies, such as first time fix, will lead to greater productivity, as staff will be able to focus on quality inspections and preventative inspections (For further details of how the new contract differs to the previous contract please see Appendix B). The full impact of these changes on day-to-day working practices is not yet known. Officers will continue to monitor and any anticipated savings will be included in future iterations of the Business Plan model.
30. In addition to this, a Lean Review is being undertaken in Housing, specifically

the Repairs department. It is hoped that, in the longer term, efficiencies made in processing will be reflected by savings.

31. The purchase of 10 street/off plan properties, using 'one for one' money has been included for 2018/19. The model is currently being re-worked to incorporate the lifting of the debt cap, which may provide further opportunities in this area, however following a consultation with Government councils could be restricted with these types of purchases (see paragraph 38 below). Therefore, it should be noted that these numbers could change. Delegated authority to vary these numbers was given to the Head of Housing and Director of Finance & Economy, in consultation with Portfolio holders, as part of the Financial Monitoring Report, presented to Cabinet in November 2017.
32. The model continues to maintain a minimum reserve balance of £1m, to meet approved priorities, this minimum balance is in line with that of other authorities. Any surplus resources will either be, invested in new income streams, or be used to repay the housing debt and reduce the Housing Capital Financing Requirement (HRA CFR), which is a measure of the HRA's indebtedness.
33. Right to Buys have been difficult to predict in recent years, with 16 having taken place this year to date (there were 7 at this time in 2017/18 and 31 at a similar time in 2016/17). However, we are anticipating, on average, 25 sales per annum for the life of the plan. These estimates will be continually reviewed as more information is available.

Capital Receipts

34. Capital receipts received for the sale of council properties, under the Right to Buy (RTB) scheme, have been built into the financial model.
35. It should be noted that capital receipts from Right to Buys are also applied to General Fund capital programme items, such as Disabled Facilities Grant (DFG) and community projects.
36. The authority is part of a Government scheme to re-invest Right to Buy receipts in affordable housing, known as 'One for One Replacement', as a result the Council retains Right to Buy for this purpose. These receipts need to be used within three years for the provision of additional affordable housing units and can account for up to 30% of the build cost, per unit. If these receipts are unused within 3 years, they are returned to the Secretary of State with an interest charge of 4% above base at the time of the funds being held (compound interest chargeable).
37. Earlier in the year government consulted on plans to make changes to the use of receipts from Right to Buy sales. These proposals will have a significant effect on the Business Plan and once officers have received clear guidance from Government the impact will be modelled and plans revised accordingly, in liaison with Members. However, at the time of writing, there has been no detail from Government to allow this modelling to take place.
38. It is expected that any changes will be based around the three main consultation areas, which were as follows:
 - i. Currently One for One money can account for up to 30% of a new build property, the consultation suggested the Government were considering greater flexibility in this ratio, perhaps

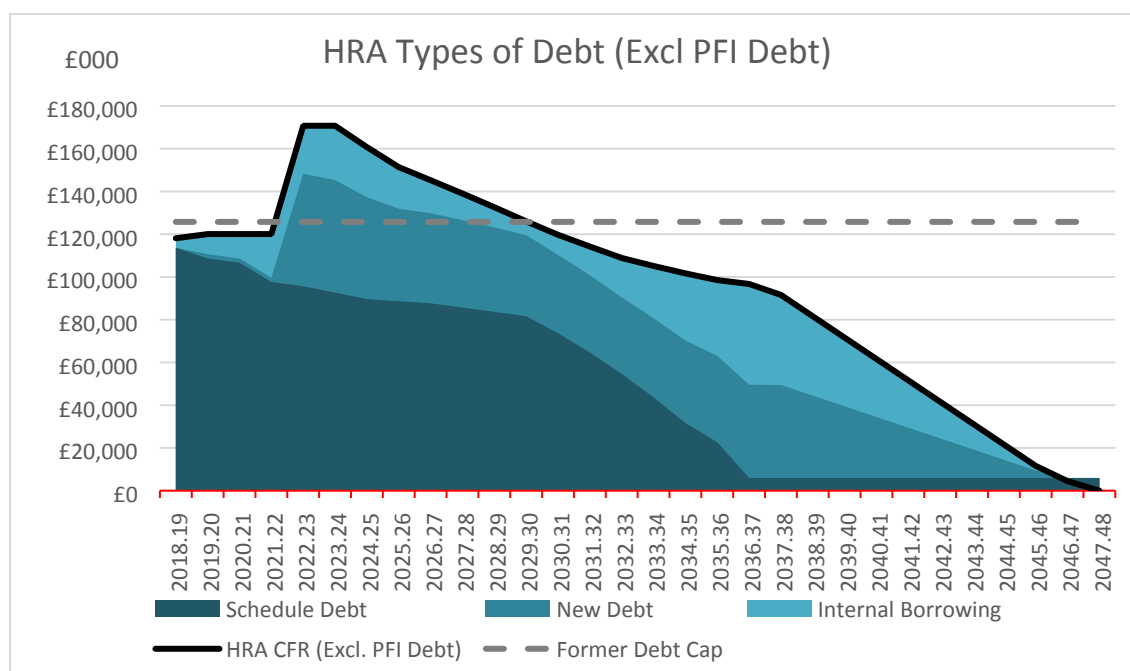
allowing a 50% ratio for the provision of social rented housing, rather than affordable rents

- ii. The current time frame to spend receipts is 3 years, the consultation proposed extending this to 5 years for existing receipts
- iii. Councils are currently able to spend One for One receipts on the purchase of existing properties, the consultation proposed a cap on the purchase price of these properties of £167,000 (South East cap).

Modelling HRA Debt and Capital Resources

39. A model for the first 10 years of the Business plan is attached to this report at appendix A. This table shows the cash in and outflows for the HRA and gives a forecast HRA balance at the end of each year. This is supported by a larger forecast over the remaining 20 years of the business plan.

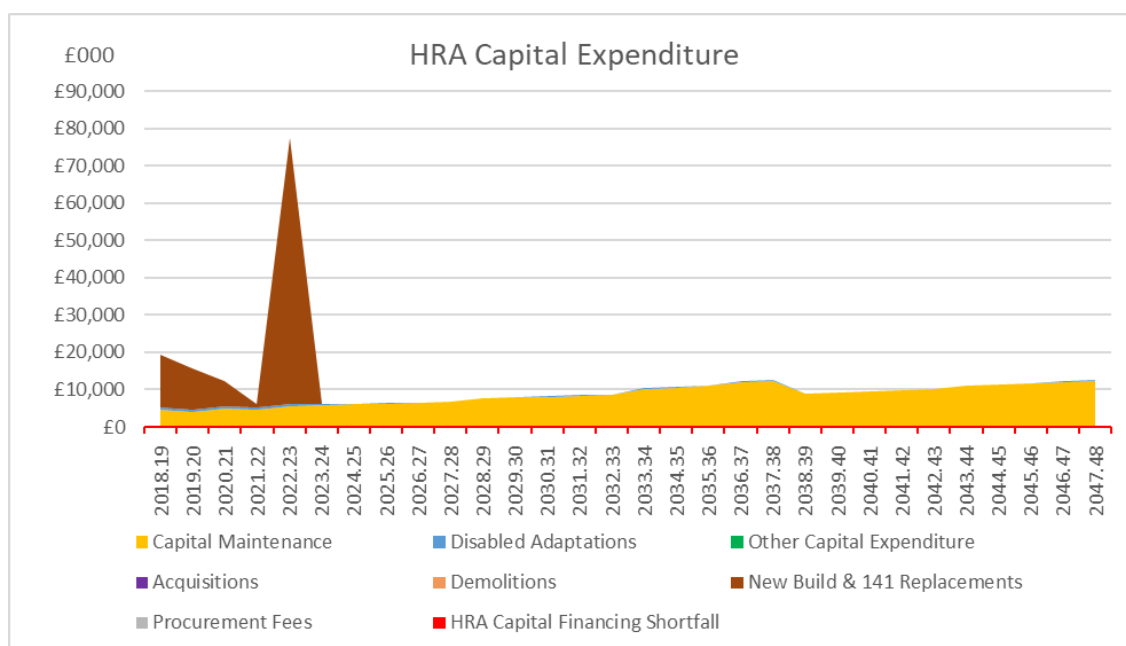
Graph 1: Amount of HRA Debt held (values shown in £000's, year 1 – 2018/19)



- 40. Graph 1 shows the HRA CFR (Capital Financing Requirement is a measure of the level of debt needed) outstanding for the life of the HRA Business Plan and how it is made up, for example the current debt portfolio (shown in dark blue), as well as additional borrowing taken out as these loans mature.
- 41. The dotted line represents the old debt cap to illustrate to members the level at which HRA borrowing is increasing.
- 42. In the graph above the HRA CFR is defined as the amount of housing debt held by an authority.
- 43. It is assumed that debt will be repaid, using HRA balances, where possible.

44. The middle blue area represents the borrowing that is required to fund the extension of the AHP program.
45. The pale blue area represents the area where there is a refinancing risk to the business plan and if interest rates increase beyond the levels in the plan there would be an additional pressure.
46. The profile of the debt, as currently reported, could change in future, depending on future proposals not included in the model or any changes in priorities, as agreed by Members. This is a flexible approach, which will be monitored by officers as new projects are considered and approved.
47. Whilst the HRA business plan is affordable at the new level of debt, it is important to note that not all the schemes have a payback period of less than 15 years. This means that the 'Cost Floor Rule' which limits the Right To Buy discount on properties, ensuring that the receipt is not less than the cost of the property. After this 15 year period there is the potential that a property could be sold under the Right to Buy and the receipt is less than the residual debt for the property. At this time this risk is thought to be low.

Graph 2: Capital Expenditure and Resources (values shown in £000's, year 1 – 2018/19)



48. The Business Plan model also tracks the levels of planned capital expenditure and the availability of resources, and highlights any years where there are insufficient resources available to meet the financial demands.
49. The graph above shows the composition of the HRA capital programme. The majority of the expenditure is on Capital Maintenance, if there were any unfunded projects this would show in red.
50. The graph above also shows the new build projects that are incorporated into the model in the first 6 years of the plan.
51. If spend did exceed the availability of funds then mitigating action to make savings or delay projects would be considered.

52. Therefore, in conclusion, the business plan, including the AHP programme, remains viable and the HRA balance over the 30 period exceeds the minimum level. At the end of the 30 year period the model estimates that the remaining housing debt would be £5m, with a total stock of 4,623 properties.

Wider Policy context

EU Referendum

53. The UK is leaving the EU on 29 March 2019, the potential impact of Brexit is unknown at this time, however work is being done on this corporately. However, from a business planning perspective officers will continue to heed the advice from our treasury advisors and ensure the Business Plan is updated in line with any advice going forward.
54. It is thought that the major risks at this time could be in relation to the labour force (primarily for the Council's contractors), and additional costs arising through currency fluctuations. Likewise, there may be a reduction in the availability of materials, therefore costs may increase.
55. Officers will continue to review these issues and will liaise with Members should mitigating action be needed, such as delaying projects to ensure the council has the resources available.

Implications and Risk Assessment

56. The Business Plan financial projections continue to be viable and include the current spending commitments, as mentioned above officers are exploring the potential the removal of the debt cap provides.
57. If any new initiatives are developed and approved by Members they will be incorporated into the business plan financial projections and the impact on the viability of the business plan will be costed and measured and reported back to Members when those initiatives are reviewed.
58. As the Business Plan is built over a 30 year period it is inevitable that government policy will change. The current model is based on the current regulatory framework. In the event of any material changes to this framework the Business Plan will need to be reviewed.
59. Other risks to the Business Plan include variations in costs, for example capital repairs and maintenance may be higher or lower than anticipated, which over the life of the Business Plan could have a substantial impact. In addition to this inflation is also a risk, which not only affect materials and contractor costs but also rental income which uses CPI to calculate any increases.

Next Steps in Process

60. Members are asked to agree the latest updated HRA business plan financial projections which set out the long term financial plans for the Council's housing stock which has been set in conjunction with the detailed HRA budget for 2019/20 (also on this agenda).
61. Members are asked to note that Overview and Scrutiny (O&S) are required to review the HRA business plan financial projections as part of the budget scrutiny process.
62. Work will continue to review and further update the Business Plan financial projections in the light of forthcoming Government announcements. An

updated Business Plan will be presented to Members early in 2019/20 financial year.

63. In conjunction with this update, a governance framework will be created to ensure that future projects and borrowing are aligned with Member priorities and appetites.
64. It will also be necessary to review the HRA priorities, in conjunction with Members.
65. In addition to this, as new schemes are developed the Business Plan will be reviewed to test the viability of each project.
66. As previously mentioned Housing are undertaking a Lean Review, which, it is anticipated, will complement the recent re-tendering of the Repairs contract. The recommendations following this review will be examined and implemented where appropriate.

Portfolio Holder's Views Suggested Comments

67. I am happy to report that despite the dynamic environment in which we are operating, the HRA Business Plan remains affordable. Furthermore, as outlined in the narrative of this paper, there is significant opportunity for the council to continue to deliver on the priorities of the Business Plan, building and acquiring homes of a mix of tenures within the borough and improving the options for those wishing to live independently.
68. Keeping a robust Business Plan in place is at the core of delivering our thought-leading housing services and the paper as set out here, complemented by the HRA affordable housing programme paper, illustrates why we have such a strong reputation countywide and nationally for the breadth and quality of projects we are delivering.

Contact and Email

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Appendix A – HRA Business Plan (extract) – Top level budget summary to 2028/29

Description	1 2018.19	2 2019.20	3 2020.21	4 2021.22	5 2022.23	6 2023.24	7 2024.25	8 2025.26	9 2026.27	10 2027.28
Income										
Gross Rental Income	£24,146	£24,332	£25,497	£26,761	£28,722	£30,104	£30,873	£31,372	£31,878	£32,393
Void Losses	-£167	-£168	-£176	-£185	-£199	-£208	-£214	-£217	-£221	-£224
Other Rental Income	£2	£0	£0	£0	£0	£0	£0	£0	£0	£0
Tenanted Service Charges	£1,142	£1,174	£1,203	£1,233	£1,264	£1,296	£1,328	£1,361	£1,395	£1,430
Leasehold Service Charges	£112	£115	£118	£121	£124	£127	£130	£133	£137	£140
Non-Dwelling Income	£51	£39	£40	£41	£42	£43	£44	£45	£47	£48
Grants	£3,000	£3,000	£3,000	£3,000	£3,000	£3,000	£3,000	£3,000	£3,000	£3,000
Other Income	£0	£0	£0	£0	£0	£0	£0	£0	£0	£0
Total income	£28,287	£28,492	£29,681	£30,971	£32,953	£34,362	£35,161	£35,694	£36,236	£36,787
Expenditure										
General Management	-£8,838	-£9,816	-£10,070	-£10,330	-£10,597	-£10,871	-£11,153	-£11,442	-£11,738	-£12,043
Special Management	-£750	-£789	-£809	-£830	-£852	-£874	-£896	-£919	-£943	-£967
Other Management	-£944	-£898	-£916	-£935	-£953	-£972	-£992	-£1,012	-£1,032	-£1,052
RRSL Penalty	£0	£0	£0	£0	£0	£0	£0	£0	£0	£0
Bad Debt Provision	-£61	-£61	-£64	-£68	-£73	-£76	-£78	-£79	-£81	-£82
Responsive & Cyclical Repairs	-£3,512	-£3,603	-£3,736	-£3,917	-£4,119	-£4,383	-£4,527	-£4,661	-£4,799	-£4,941
Other revenue expenditure	£0	£0	£0	£0	£0	£0	£0	£0	£0	£0
Total expenditure	-£14,104	-£15,168	-£15,596	-£16,080	-£16,594	-£17,177	-£17,646	-£18,113	-£18,593	-£19,086
Capital financing costs										
Interest paid	-£3,762	-£3,929	-£4,018	-£4,215	-£5,475	-£6,658	-£6,480	-£6,058	-£5,732	-£5,504
Debt management expenses	-£62	-£88	-£90	-£91	-£93	-£95	-£96	-£98	-£100	-£102
Interest Received	£3	£3	£2	£2	£3	£3	£4	£3	£2	£2
Depreciation	-£4,915	-£5,023	-£5,123	-£5,225	-£5,330	-£5,437	-£5,545	-£5,656	-£5,769	-£5,885
Capital financing costs	-£8,736	-£9,037	-£9,228	-£9,529	-£10,895	-£12,186	-£12,117	-£11,809	-£11,599	-£11,489
Appropriations										
Revenue provision (HRA CFR)	£0	£0	£0	£0	£0	£0	-£10,000	-£8,628	-£6,116	-£6,232
RCCO	-£6,309	-£4,510	-£5,500	-£5,000	-£4,000	£0	£0	£0	£0	£0
Other appropriations	£0	£0	£0	£0	£0	£0	£0	£0	£0	£0
Appropriations	-£6,309	-£4,510	-£5,500	-£5,000	-£4,000	£0	-£10,000	-£8,628	-£6,116	-£6,232
Net income/ (expenditure)	-£862	-£223	-£643	£362	£1,464	£4,998	-£4,602	-£2,856	-£72	-£19
HRA Balance										
Opening Balance	£3,548	£2,686	£2,463	£1,820	£2,182	£3,646	£8,644	£4,042	£1,187	£1,115
Generated in year	-£862	-£223	-£643	£362	£1,464	£4,998	-£4,602	-£2,856	-£72	-£19
Appropriated in	£0	£0	£0	£0	£0	£0	£0	£0	£0	£0
Appropriated out	£0	£0	£0	£0	£0	£0	£0	£0	£0	£0
Closing Balance	£2,686	£2,463	£1,820	£2,182	£3,646	£8,644	£4,042	£1,187	£1,115	£1,095

Appendix B - Anticipated changes as a result of a new responsive repairs contractor

	Current Arrangements	New Arrangements
1.	3 contracts/ contractors to deliver responsive repairs, work to void properties and PVCu windows and doors. Supported by various other contracts and arrangements for a variety of work.	1 contractor to deliver/manage the following workstreams: <ul style="list-style-type: none"> Responsive Maintenance (including Emergency Works ordered during Normal Working Hours and including Mutual Exchange Gas and Electric Tests); Out of Hours Emergency Works; Disabled Adaptations Major Works; Void Property Works; and Routine Maintenance; Technical Inspections; Roofing; Scaffolding; Pest Control; Property Health Checks/MOTs; Locksmith services. CCTV; Communal Boilers; Mechanical Services; Communal TV Aerial and Satellite Systems; Controlled Door Entry; Electrical installations; Fire Safety Works; Intruder Alarms; Landlords Electrical Works; Lift Installations; Lightning Conductors; Water Hygiene and Storage Tanks.
2.	Contractor and ABC staff located in separate offices	Colocation of ENGIE and ABC staff.
3.	Ashford BC Schedule of Rates	M3NHF Schedule of Rates
4.	Repair calls taken by ABC and appointments made subsequently by contractor	Repairs calls and appointments offered by ABC at first point of contact. Will access ENGIE's appointment/scheduling system to achieve this.
5.	Out of hours repairs call handling by Ashford Monitoring Centre	Out of hours repairs call handling by ENGIE
6.	Roalco working hours Monday to Friday 08:00 to 17:00	ENGIE working hours Monday to Friday 08:00 to 17:00 plus Wednesday evening 17:00 to 20:00 and Saturday 09:00 to 13:00.
7.	4 hour out of hours emergency response time	2 hour out of hours emergency response time
8.	No minimum order price	£25 minimum order price
9.	Scaffolding charged separately	Scaffolding below 2 storeys included in SoR rate. Scaffolding above 2 storeys charged separately.
10.	No IT integration	IT Integration will include: <ul style="list-style-type: none"> Raising orders Appointment details Attendance by operative Notification of works completion Access to before and after photographs

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Agenda Item 8



Agenda Item No: 8

Report To: Cabinet

Date of Meeting: 6th December 2018

Report Title: Housing Revenue Account Affordable Housing Programme – annual update to Cabinet

Report Author & Job Title: Mark James, Development Partnership Manager

Portfolio Holder Cllr. Gerald White
Portfolio Holder for: Housing

Summary:

This report is presented to Cabinet at a critical time, when the national spotlight is firmly on housing delivery, and local need is high. This update primarily focuses on the Housing Revenue Account (HRA) affordable housing delivery programme, which was previously reported to Cabinet on 13th July 2017.

In September 2018, the council submitted a formal bid, as part of a national bidding process, to have its HRA debt cap increased. In response to the appetite for house building expressed by local authorities, subsequently the debt cap has been scrapped. This presents the council with a number of options to accelerate delivery.

Therefore, this report sets out a broad range of proposals for delivery mechanisms that can be implemented in the short, medium and long term, in order to contribute towards meeting the demand for housing in the borough. These will retain Ashford Borough Council's housing service's status as an exemplar for delivery, not just in the county but the south east as a whole.

While some of these options see the council building on land it owns, those parcels of land, from infill to larger-scale development are being exhausted and the council will need to look at how it can acquire land to continue delivering affordable homes in the volume required. This will necessitate the council to put in place a mechanism whereby delegated authority enables officers and the portfolio holder for housing to act quickly in the marketplace to take advantage of any land opportunities that present themselves.

Key Decision: No

Significantly Affected Wards:

Recommendations: The Cabinet is recommended to:-

I. Note the progress with the affordable Housing programme 2015–2018 set out at Appendix 1 and street properties purchased set out at Appendix 2.

II. Both note and approve the content of the proposed new programme to 2022 – originally submitted as part of the HRA debt cap uplift bid to the Ministry of Housing Communities and Local Government (MHCLG), shown at Exempt Appendix 3.

III. Delegate authority to the Head of Housing and the Head of Finance and the relevant Portfolio Holders, to vary the programme as necessary to maximise use of one-for-one monies for the purchase of street properties subject to resources being available within the HRA Business Plan.

IV. Authorise the Head of Legal and Democratic Services in consultation with the Head of Housing to execute and complete all necessary documentation to give effect to the above recommendations including the execution of any agreement necessary for the receipt of grant.

V. Afford delegated power to the Head of Housing, Head of Finance, Housing Operations Manager for Development, and Development and Regeneration Manager, in conjunction with the Portfolio Holder for Housing, to bid and/or purchase land suitable for development, up to a value of £2m independently of cabinet approval.

Policy Overview: Housing Strategy Framework Priority 1 – Improve the supply of affordable housing to meet local housing needs in urban and rural areas, and Housing Statement 2018-2023

Reform of HRA – Cabinet endorsed five key priorities for a further spend as a result of greater freedom within the HRA.

Corporate Plan – High Quality Homes to meet local need and Kent Forum Housing Strategy 2012–2015, affordability and choice.

National Housing Strategy 2011 – delivering new homes under the affordable rent model.

Financial Implications:	Delivery of new build council housing has been achieved using both grant funding and HRA cash resources. This was to ensure the HRA remained within the debt cap and met its debt repayment commitment. The HRA debt cap has now been scrapped.
Legal Implications	Homes England requires the Council to enter into a formal agreement in relation to grant funding it provides.
Equalities Impact Assessment	See attached at Appendix 4. The assessment does not identify any adverse impacts on any client group.
Other Material Implications:	Design and construction standards will comply with Ashford spatial standards (complying with Residential Space and Layout SPD), Lifetime Homes (a standard we set out for Registered Social Landlords) and Code for Sustainable Homes level 3 (which we are committed to for Homes England purposes), and level 4 on energy. Emphasis on the building envelope will deliver the greatest benefits for landlord and tenant.
Exempt from Publication:	Yes, <u>Exempt Appendix 3</u> This is not for publication by virtue of Paragraphs 2 and 3 of Part 1 of Schedule 12A of the Local Government Act 1972 and the public interest in maintaining the exemption outweighs the public interest in disclosing the information
Contact:	mark.james@ashford.gov.uk – Tel: (01233 330687)

Housing Revenue Account Affordable Housing Programme – annual update to Cabinet

Introduction and Background

1. This report provides an update for cabinet members on the delivery of the approved 2015-2018 programme, which they last received an update on in July 2017.
2. As members will recall, spending within the HRA has been regularly reviewed and reported to Cabinet, both individually and as part of budget papers. Indeed, this cabinet paper is reported at the same time as the HRA Business Plan. That paper illustrates how strong a position the council is in to continue its programme of build and acquisition and deliver against the Business Plan priorities. The council, as a result of its proactive affordable homes building programme, utilised the headroom in its HRA when the debt cap restriction was in place.
3. Following the release of a prospectus by the MHCLG in June 2018, the council submitted an ambitious bid to have the headroom in its HRA increased. The funding was prioritised for local authority areas identified as having 'high affordability pressures' – i.e. where the difference between social rents and private rents is £50 or more per month. Some details of the submission are detailed later in the report. With the debt cap removed, greater flexibility exists for the council to build new affordable homes. The council therefore aims to increase the delivery of affordable homes through its debt cap and other means.

Current Position

4. The current Affordable Homes Programme 2015-2018 is provided at Appendix 1. This sets out the current sites identified for delivery and the current position. Members will recall the programme provided for the provision of a total of 29 units over 11 sites. Some of these have been delivered to notable effect – such as the two semi-detached bungalows built by the authority at Noakes Meadow – the first to be built to M4(3) standards (the full Category 3 accessible standard for new-build dwellings) in the borough, highlighted by occupational therapists who have seen them as the blueprint for any such future projects in the county, and selected as a finalist in the recent 2018 Kent Design and Development Awards.
5. Moreover, in the government's 2014 Housing Standards Review, the costs of making a two-bed terrace M4(3) standard is costed as being over £22,000. Our employer's agent Pellings indicates that the properties delivered at Noakes Meadow involved upgrade work totalling only £6.9k per dwelling – emphasising our ability to achieve value for money.
6. Delivering properties such as Noakes Meadow is notable. A key HRA Business Plan priority is to deliver disabled adaptations within our stock. In

building homes to this standard that represent value for money, we are making the £500,000 budget go further.

7. The remaining sites to be delivered in the 2015-2018 programme are at:
 - Brattle, Woodchurch (4 x 2-bed houses)
 - Ragstone Hollow, Aldington (2 x 2-bed and 2 x 3-bed houses)
 - Calland, Smeeth (2 x 2-bed and 2 x 3-bed houses)
 - The Weavers, Biddenden (2 x 2-bed bungalows)
 - Jubilee Fields, Wittersham (4 x 3-bed houses)
8. The majority of these units are being funded by the use of one-for-one capital receipts, where 30% per unit cost can be funded via these receipts, whereas only 20% per unit can be funded via Homes England grant. Given the lack of headroom in the HRA when the debt cap was in position, it was prudent for the authority to make full use of capital receipts following the sales of council-owned properties (referred to as one-for-one funding) to progress these builds. The efficient and complete use of these right-to-buy receipts is critical as there are conditions set out that they must be used within three years or repaid to the government with a significant interest payment calculated using 4% above base rate – though the government is consulting local authorities on extending the timeframe it has to use one-for-one funding.
9. Housing and finance officers keep the level of one-for-one capital receipts under continual review and have managed the funding arrangements effectively to this point and continue to monitor. As identified in the HRA Business Plan paper, they have also responded to the one-for-one funding consultation produced by the government.

Street purchase programme

10. The council also purchases 'street' properties (regular properties available on the open market), using one-for-one capital receipts. These are, by and large, ex-council properties previously sold under the right-to-buy scheme. In the last financial year the council has purchased 15 'street' properties, totalling just over £2.3m – these are detailed in Appendix 2. Some of these properties have been returned to the council's housing stock and let to households on our waiting list and others have been acquired to facilitate larger projects coming forward, such as the proposed redevelopment of The Poplars, agreed by Cabinet previously. As the HRA Business Plan report indicates, the removal of the debt cap should ensure that we can continue to acquire properties, delivering on this priority.

Danemore

11. Additionally, the current delivery programme also includes the demolition and rebuild of the sheltered housing scheme at Danemore in Tenterden, This was removed from the Homes England (formerly Homes and Community Agency) programme following the council's success in securing an award of £1.6m from the Care and Support in Sheltered Housing (CASSH) funding programme. The proposals for Danemore provide a high standard of homes for older persons.
12. Following the success of the council's award-winning Farrow Court scheme, Danemore represents the second redevelopment of a sheltered housing scheme and will deliver 34 homes, with work on the site set to be completed before Christmas. The emphasis is placed firmly on independent living, and will see the sale of four cottage-style chalet bungalows that have been constructed as part of

the project. These will be sold on the open market and the profit from these will offset the overall cost (£7.5m) of the Danemore scheme.

13. Danemore will set the tone for future project procurement. Danemore was procured using a two-stage tender process, which leads to better results on both timescales and budget.

Proposal for new homes

14. On 18th September the council submitted its formal bid to the MHCLG to increase the headroom in its HRA (which as the HRA Business Plan reflects sat at around £9m), following the prospectus issued by government in June. The council had long argued that increasing the debt cap would enable it to rapidly expand its affordable homes new build programme up to 2022. Given the timescales involved it was not possible to liaise with all ward members ahead of the bid's submission (detailed in Exempt Appendix 3). Those members have now been invited in, or written to, to see the proposals that are due to come forward in their wards. Those sessions were very positive and the constructive input of those ward members is to be acknowledged here, with their views shaping the housing department's plans.
15. The headlines from the council's bid were that we submitted 25 sites, which would provide 334 new homes for affordable rent (including houses, bungalows and flats) with funding drawn down by March 2022. The council effectively applied for £61m of headroom in order to put these plans into practice. To put this ambitious bid into context, the council has built 280 new homes since 2011 – still a major achievement compared with figures across the south east.
16. Of course, subsequent to submitting the bid, the Prime Minister mentioned in her party conference speech on 3rd October that the HRA debt cap would be scrapped, and following communication from the secretary of state, the cap was formally removed on 29th October. At the current time it appears that local authorities are free to borrow as much debt as they can reasonably service, but we await further details from the Ministry. This could work to Ashford's advantage as the HRA Business Plan reports that our HRA debt sits at £115m, an average of £23,100 per property, well below the average social housing value (£54,600) of each property.
17. A significant amount of work was undertaken by many officers across several departments (notably, housing, finance and planning) to draw such a strong bid together. Though there was no definitive outcome from the bid submission (albeit that the debt cap was removed), the groundwork will absolutely benefit the authority going forward and ensure that there is a potential programme of work to make use of future funding streams.
18. The proposed plans will be supported by the use of one-for-one capital receipts, as certain types of grant funding from Homes England (e.g. Care And Support Specialised Housing [CASSH] funding) cannot be used in conjunction with debt cap funding. In the case of each specific site, members should be reassured that the funding streams will be utilised carefully to make absolutely the best use of the money available to maximise delivery. Where CASSH funding is a better match for a project, offering greater money per

unit, the council will then make an alternative application to this fund. There is currently £76m of CASSH funding available up to 2021.

Commentary on future delivery

19. There are currently around 1,400 households on our waiting list for affordable housing. An increased emphasis must therefore be placed on, and an impetus put behind, the delivery of affordable housing specifically (affordable rent and home ownership products), as we play our part in delivering homes.
 20. This is important because the emerging local plan places greater emphasis on delivering affordable home ownership than properties for affordable rent – due to the viability testing that has been carried out as part of its drafting. In the ‘Ashford Town’ area, there will be no affordable rent properties, only 20% affordable home ownership properties (though with flatted development this 20% is not a requirement). In the ‘Hinterlands’ area, there is just a requirement of 10% affordable rent and 20% affordable home ownership. And in the rural areas of the borough there is also only a requirement of 10% affordable rent and 30% affordable home ownership.
 21. This looks set to increase the number of affordable homes overall but will see a reduction in the number of affordable rent properties coming forward – hence the need to fund our own affordable homes programme utilising funding streams available to complement section 106 provision. The council’s development team is working with registered providers (RPs) who will take on the smaller numbers of properties potentially coming forward through s106 agreements – and indeed can consider purchasing s106 allocations itself with the HRA debt cap now removed.
 22. In-keeping with its dynamic approach and reputation as being a thought-leader in the housing sector, there are a number of viable suggestions that have been discussed internally by the housing department’s recently created development team (which ensures the delivery of the council’s own-builds, enables the delivery of homes by RPs and makes the best use of our housing stock). These suggestions are in addition to these strands of the development team’s work and are initially set out below for members to absorb. They are also alluded to in the council’s housing statement 2018-23
- Modular homes*
23. Cabinet members are aware of the council’s need to provide temporary accommodation for those residents to whom the council has a homeless duty. Moreover, the council needs to consider delivering these homes as a priority. This is not just to save the council and the taxpayer around £75 per night in bed and breakfast (B&B) costs, but also to save those residents the indignity of living out of B&B accommodation during what is already a traumatic time in their lives.
 24. The council already has a well-publicised bespoke property that it renovated at Christchurch House, which provides eight units of accommodation and prevents families having to live out of suitcases in B&Bs. However, though there are plans in place to provide a second such property – which is currently going through the conveyancing process – there is such a pressing need that

the council is considering alternative solutions, such as homes built through modular construction and converted shipping containers.

25. The containers have advantages to all parties:
 - The person(s) placed in this form of accommodation would not have to vacate the premises during the day as they would in a B&B
 - There is no ongoing cost to the council and taxpayers as there is with B&B accommodation, as outlined above
 - There could be an opportunity to support the Kent-wide economy by sourcing a local provider of such accommodation
 26. Council officers have been investigating, with the knowledge of the portfolio holder for housing, the possibility of acquiring some units for this purpose. Further details will be forthcoming in due course as and when a definitive plan of action is identified.
- An Affordable Housing Company*
27. Though the council has a wholly-owned property company, this company is focusing on the private rented model at this time due to the need to become a profit making company before venturing into other future projects such as the affordable market. Creating an affordable rented vehicle (possibly a company) could therefore help the council develop sites and then sell them onto a special purpose vehicle (SPV) that can then rent them affordably.
 28. SPVs are legal entities that are designed to prevent adverse risk being transferred to or from its owners. Its operations are limited to the acquisition and financing of specific property assets, such as affordable housing in this suggested instance.
 29. This model consists of a borrowing vehicle supported by a financial institution which undertakes the actual development and a charitable arm, or operating vehicle, which takes the properties on a long lease from the borrowing vehicle as a subsidiary of the council. Such a move could enable the council to increase the amount of housing stock in our ownership, and let the properties on short-term assured shorthold tenancies, which would protect them against right-to-buy legislation. More research needs to be undertaken on this by officers and the findings will be reported back to members.
 30. This product previously could not be offered through the HRA due to HRA debt cap rules. It is likely, that it would need to be a General Fund product that would need to be funded by General Fund borrowing.
- Joint ventures (JVs)*
31. The council could join forces with another RP, local authority, or even developer operating in the borough to deliver an increased volume of affordable housing through an SPV – ideal for this kind of delivery. The benefit of adopting this approach is that the council would retain a healthy stake in developments across the borough without putting its HRA at major risk. The council would bear only a proportion of any risk while maintaining an influence over, and possibly generate revenue from, the management and letting of the stock once built.

32. Such an approach could conceivably also leverage in external funding to developments and open up access to a wider range of privately owned sites, which would simply be unfeasible if the council went it alone. Several RPs have expressed an interest in exploring such an arrangement with the council – fusing together the skills and abilities both parties would bring. Officers are meeting those RPs with whom it enjoys a strong rapport to discuss how potential arrangements could work in practice for the betterment of the borough and intervene in the market when opportunities arise.

33. Establishing such a venture would not be a quick fix, as a lot of groundwork must be put in place to ensure you are partnering with an organisation that shares your values, culture, objectives etc. However, partnering with an organisation to access their expertise or financial capability, enabling you to undertake a project together that you may otherwise not have been able to deliver alone, is an attractive option and one the council will explore fully in the coming months.

Institutional investment

34. The council has already sought institutional investment to bring forward an independent living scheme for older people at Repton that had stalled and without innovation would not have been unlocked. Given the backing from cabinet for this initiative, which recently was highly commended at the Kent Housing Group awards, the council could look at further options for using institutional investment elsewhere in the borough where other methods have been exhausted to bring sites forward.

Community Land Trusts (CLTs)

35. CLTs are a form of community-led housing, set up and run by ordinary people to develop and manage homes, among other assets. CLTs act as long-term stewards of housing, ensuring it remains genuinely affordable, based on what people actually earn in their area, not just for now but for future occupiers.

36. The role of CLTs is being recognised at a national level now, with the National Federation of Builders in particular supporting the way in which they are disrupting the market. There are a number of ways in which the council could assist CLTs, notably through land or financial means – however, given the position in which we find ourselves, our own involvement could be through development and potentially through the letting and management of the stock.

37. The council is aware of a proposed CLT in the borough and will continue to support the group as it seeks to develop homes in perpetuity for local residents. The council has recently become an associate member of the National CLT Network and will continue to follow this rapidly growing sector, to which the government recently committed to invest £300m in.

Rent Plus

38. Rent Plus is an innovative new model of affordable home ownership delivery. Its homes all comprise new build properties. Tenants have five-year renewable tenancy agreements, at an affordable rent set at 80 per cent of market rent, including any service charge, with no maintenance responsibilities. This gives them time to save for a deposit and build creditworthiness records that will support mortgage applications. After a tenancy period of five, ten, 15 or 20 years, the occupier will be invited to

purchase their property. There is no obligation to purchase but those who choose to receive a gifted deposit of ten per cent of the property's market value. There is no chain and, as they are already in situ, there are no uncertainties or moving expenses of most house purchases.

39. All Rent Plus homes are sold after 20 years. If they are not purchased by the occupier or the housing association, houses will be sold on the open market, with a percentage of net proceeds paid to the local authority/RP for the delivery of future affordable housing.
40. This model of affordable home ownership is positive but not without risk – such as financial, social cohesion or fluctuations in the property market. Furthermore, it cannot be delivered through the HRA. The General Fund could deliver this, however. It could also be included in s106 agreements as an alternative affordable home ownership product, given the National Planning Policy Framework's inclusion and definition of Rent-to-Buy products.

Opt-to-Buy

41. One alternative to Rent Plus is the opportunity the council has to create a bespoke version of it. Senior housing officers have been in discussion with the portfolio holder for housing regarding a scheme based on a similar idea. It would have at its core the central ambition of helping people into home ownership, and could be an alternative to shared ownership where obtaining a mortgage and having a deposit up front do not make it accessible for all.
42. Further discussions will be held with members to see how such a product could be developed and taken forward, but it is clear that a scheme along these lines would offer greater security to those renting as market rent properties often have shorter tenancies (which can also contribute to a lack of civic pride in an area and the deterioration of its reputation), as well as higher rents that render saving for a mortgage deposit virtually impossible. Furthermore, with news reports stating that people in this generation may rent all of their lives, this offer will be a welcome introduction into the market.

Land acquisition

43. As stated, the council put forward 25 sites for the bid it submitted under the HRA debt cap uplift process. Of those sites, 24 were in the council's ownership with one additional site identified but needing to be purchased.
44. Although the council can now begin to scope out the delivery of the 24 sites in its ownership, it does mean that the land within the council's ownership (HRA and General Fund) which could be used to provide affordable housing on, is diminishing, and soon the council will have exhausted its own available land. This necessitates the council potentially engaging land agents, and working closer with developers to identify plots of land before they are brought to the market. The council has a duty to not push the market value of land up by entering bids in an already crowded marketplace, which is why the other options listed out above may prove more palatable to all stakeholders.
45. One of the sites included in the bid recently became available but the council was not in a position to act, due to internal sign-off procedures. This is something that the council must consider going forward, in order to maintain its position as a lead authority in the housing sphere. Therefore, it is

suggested here that Cabinet members exercise the foresight to grant the portfolio holder for housing, and senior housing and finance officers, the autonomy to make land acquisitions (up to a value of £2m) where a residual value is worked out and the opportunity represents clear value for money within the HRA, or for the purpose of any venture outlined above.

Additional options considered but discarded

Viability assessments

46. The conclusions of viability reviews are reported to planning committees. They explain the conclusions reached by developers as to why certain sites can only provide a particular level of affordable housing, or why providing infrastructure in addition to affordable homes could prevent them from achieving competitive returns. There is an argument that these assessments are squeezing the amount of affordable homes coming forward on developments across the country.
47. Some authorities have taken the step to publish the viability assessments submitted by developers in full. While increased transparency does not on its own bring forward greater contributions, it is a symbolic step and some believe that forcing the disclosure of viability assessments could help create some useful peer pressure. However, following discussions with members of the Kent Developers Group, it is felt by housing officers that it is far better to work on building trust and an honest, open rapport with developers, rather than go down this route.
48. The council's emerging Local Plan has been extensively tested for viability and sees the affordable element of developments being weighted in favour of affordable home ownership products rather than affordable rent. This ought to mean that in the short-to-medium term the need to contest viability on both sides is reduced.

ABC Lettings

49. The council will continue to look at growing its social lettings agency, ABC Lettings. This currently works successfully, managing some of the acquisitions made by the property company and those acquired through the dedicated team's rapport with local landlords. It provides homes for some households to whom the council accepts a homeless duty. These households would generally be considered high-risk by private landlords.
50. It is, however, felt that it may be a more of a sound commercial decision for ABC Lettings to remain a non-commercial enterprise, focusing on its core social responsibility and presenting an attractive offer to landlords that in turn helps homeless households, rather than trying to expand and being subject to taxation. That way it can continue to deliver on its social responsibility, whereas a strict 'for-profit' remit may make it unviable.

Implications and Risk Assessment

51. In such a dynamic environment, the barriers to delivering affordable housing are both stark and evolving. In delivering affordable housing in the borough, the challenges we face are broadly similar to any other RP. These are:

- High land values
- The notion of what affordable genuinely means – is it 80% of market rent or should it be income based
- There is a high need for rented accommodation that falls within Local Housing Allowance rates
- Right-to-Buy – we have sold 165 of our homes under this scheme in the last five years, during which period we have built 164 (though this figure includes Farrow Court). The trend of a reduction in numbers in the last two financial years means that the one-for-one monies are reducing, potentially increasing our resilience on various bidding rounds for Homes England funding in the future
- The need for affordable and temporary accommodation is growing and the impact of non-delivery – especially in light of the Homelessness Reduction Act – is:
 - i. more cost to the council through temporary placements
 - ii. the social toll on those who are unable to be housed
 - iii. reputational
 - iv. financial concerns – the funding streams that our commercial assets are creating may, if not continually addressed, see a demoralising effect on the bottom line figures, with the pressures of battling homelessness draining those resources

52. Doing nothing is an alternative but is a big risk to the council's reputation, being often cited as a thought-leader in terms of its affordable housing delivery and recently picking up a number of high profile awards in the county, and shortlisted for national accolades with its projects. Furthermore, the council has a duty to find alternative mechanisms for the delivery of affordable housing with the 1,400 households currently waiting to be housed.

Equalities Impact Assessment

53. Members are referred to the attached Assessment at Appendix 4. There are no adverse impacts identified.

Consultation Planned or Undertaken

54. All sites within the future delivery programme are subject to planning approval. As part of the planning application process further formal consultation will take place with local residents and ward members – importantly before proposed plans are submitted - giving them an additional opportunity to respond to the proposals outside of the formal planning consultation process.

55. This additional stage of consultation gives local residents and other stakeholders a genuine opportunity to understand and influence the proposals, talking through the likely impact in more detail with housing staff. Previous consultations have proved very successful and we vow to continue the approach we have adopted thus far to engage local people.

Other Options Considered

56. Officers have carried out extensive modelling exercises in order to maximise the resources available to the HRA to address further needs and meet our strategic aspirations. The proposals as set out also sensitively consider planned and appropriate decanting programmes, where applicable.

Reasons for Supporting Option Recommended

57. The options set out represent the best use of the resources available, taking into account a range of factors including availability of our anticipated increased HRA headroom, the effective use of one-for-one monies, and also other sources of funding, such as CASSH. The housing portfolio holder will be kept informed at all times regarding the most appropriate use of funding for each proposed scheme.

Next Steps in Process

58. Consultation will begin with ward members and local communities once we receive formal notification from the Ministry as to which schemes can come forward for delivery. Detailed project plans will be developed for the 2018/23 Affordable Housing Programme and necessary preparatory work and site investigations will commence as required.

Conclusion

59. The report sets out further evidence of the council's proactive approach to the delivery of affordable housing. The council prides itself on the strength of its proven track record in delivery in the sector – both for residents with general needs and our older population. We await the outcome of our bid for more headroom in our HRA – a bid that echoes the ambition we have to deliver as many homes as possible and play our part in responding to the housing crisis.
60. The programme set out maximises the current resources available to the HRA and manages the potential risk of returning under-spent capital receipts to the Treasury with high interest.

Portfolio Holder's Views

61. I am pleased to endorse this report. The proven track record of delivery is something that we have rightly been applauded for as a council but this report signifies a new dawn in our delivery.
62. Our debt cap uplift bid was, we suspect, unparalleled in its ambition to the Ministry of Housing Communities and Local Government. We are sending out a strong message to everyone about our intention to play a full role in delivering the much-needed homes the national government wants to provide. We now await to see how best we can take advantage of the removal of the HRA debt cap following the Prime Minister's announcement.
63. The report not only sets out our bold ambition in terms of numbers (notionally up until 2022 as indicated in the HRA debt cap uplift bid), but it sets the

platform for future delivery and how we will foster our already strong relationships with others to deliver via new mechanisms. All stakeholders should be heartened that we use all potential funding streams to their maximum effect. Let no one be in any doubt that we intend to continue to lead the way.

Contact and Email

64. Mark James (mark.james@ashford.gov.uk)

Appendix 1 to November 2018 cabinet report

Phase 5 of Ashford Borough Council's affordable homes new build programme

Address	Homes	Anticipated handover date
Brattle, Woodchurch	4 x 2-bed houses	November 2018
Calland, Smeeth	2 x 2-bed houses and 2 x 3-bed houses	November 2018
Danemore, Tenterden	34 apartments for independent living	November 2018
Jubilee Fields, Wittersham	4 x 3-bed houses	November 2018
Ragstone Hollow, Aldington	2 x 2-bed houses and 2 x 3-bed houses	March 2019
The Weavers, Biddenden	2 x 2-bed bungalows	Late 2019

Appendix 2 to November 2018 cabinet report

Street properties purchased in the 2017-18 financial year

Address	Price	Date
7b Grampion Close	£99,000.00	11 th July 2017
18 Langholme Road	£220,000.00	24 th August 2017
5 Beaver Lane	£188,000.00	25 th August 2017
16 Rothbrook Drive	£250,000.00	30 th October 2017
7 Beaver Lane	£213,000.00	3 rd November 2017
118 Towers View	£135,000.00	22 nd November 2017
50 Boxley	£127,500.00	8 th December 2017
6 Oaktree Road	£132,000.00	11 th December 2017
7 The Poplars	£95,000.00	20 th December 2017
18a Tennyson Road	£110,000.00	22 nd January 2018
8 The Poplars	£95,000.00	31 st January 2018
77 Beecholme Drive	£192,500.00	1 st February 2018
6 Western Gardens	£250,000.00	14 th February 2018
96 Clockhouse	£132,000.00	23 rd February 2018
1 Hillbrow Lane (freehold reversion)	£82,500.00	29 th March 2018

1. An Equality Impact Assessment (EIA) is a document that summarises how the council has had due regard to the public sector equality duty (Equality Act 2010) in its decision-making. Although there is no legal duty to produce an EIA, the Council must have **due regard** to the equality duty and an EIA is recognised as the best method of fulfilling that duty. It can assist the Council in making a judgment as to whether a policy or other decision will have unintended negative consequences for certain people and help maximise the positive impacts of policy change. An EIA can lead to one of four consequences:

- (a) No major change – the policy or other decision is robust with no potential for discrimination or adverse impact. Opportunities to promote equality have been taken;
- (b) Adjust the policy or decision to remove barriers or better promote equality as identified in the EIA;
- (c) Continue the policy – if the EIA identifies potential for adverse impact, set out compelling justification for continuing;
- (d) Stop and remove the policy where actual or potential unlawful discrimination is identified.

Public sector equality duty

2. The Equality Act 2010 places a duty on the council, when exercising public functions, to have due regard to the need to:
- (a) Eliminate discrimination, harassment and victimisation;
 - (b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it (ie tackling prejudice and promoting understanding between people from different groups).

3. These are known as the three aims of the general equality duty.

Protected characteristics

4. The Equality Act 2010 sets out nine protected characteristics for the purpose of the equality duty:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership*
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

*For marriage and civil partnership, only the first aim of the duty applies in relation to employment.

Due regard

5. Having 'due regard' is about using good equality information and analysis at the right time as part of decision-making procedures.
6. To 'have due regard' means that in making decisions and in its other day-to-day activities the council must consciously consider the need to do the things set out in the general equality duty: eliminate discrimination, advance equality of opportunity and foster good relations. This can involve:
- removing or minimising disadvantages suffered by people due to their protected characteristics.
 - taking steps to meet the needs of people with certain protected characteristics when these are different from the needs of other people.
 - encouraging people with certain protected characteristics to participate

in public life or in other activities where it is disproportionately low.

7. How much regard is 'due' will depend on the circumstances. The greater the potential impact, the higher the regard required by the duty. Examples of functions and decisions likely to engage the duty include: policy decisions, budget decisions, public appointments, service provision, statutory discretion, decisions on individuals, employing staff and procurement of goods and services.
8. In terms of timing:
 - Having 'due regard' should be considered at the inception of any decision or proposed policy or service development or change.
 - Due regard should be considered throughout development of a decision. Notes shall be taken and kept on file as to how due regard has been had to the equality duty in research, meetings, project teams, consultations etc.
 - The completion of the EIA is a way of effectively summarising this and it should inform final decision-making.

Case law principles

9. A number of principles have been established by the courts in relation to the equality duty and due regard:
 - Decision-makers in public authorities must be aware of their duty to have 'due regard' to the equality duty and so EIA's must be attached to any relevant committee reports.
 - Due regard is fulfilled before and at the time a particular policy is under consideration as well as at the time a decision is taken. Due regard involves a conscious approach and state of mind.
- A public authority cannot satisfy the duty by justifying a decision after it has been taken.
- The duty must be exercised in substance, with rigour and with an open mind in such a way that it influences the final decision.

- The duty is a non-delegable one. The duty will always remain the responsibility of the public authority.
- The duty is a continuing one so that it needs to be considered not only when a policy, for example, is being developed and agreed but also when it is implemented.
- It is good practice for those exercising public functions to keep an accurate record showing that they have actually considered the general duty and pondered relevant questions. Proper record keeping encourages transparency and will discipline those carrying out the relevant function to undertake the duty conscientiously.
- A public authority will need to consider whether it has sufficient information to assess the effects of the policy, or the way a function is being carried out, on the aims set out in the general equality duty.
- A public authority cannot avoid complying with the duty by claiming that it does not have enough resources to do so.

The Equality and Human Rights Commission has produced helpful guidance on "Meeting the Equality Duty in Policy and Decision-Making" (October 2014). It is available on the following link and report authors should read and follow this when developing or reporting on proposals for policy or service development or change and other decisions likely to engage the equality duty. [Equality Duty in decision-making](#)

Lead officer:	Mark James
Decision maker:	Cabinet
Decision: <ul style="list-style-type: none"> • Policy, project, service, contract • Review, change, new, stop 	To provide an update on the Housing Revenue Account (HRA) Affordable Housing Programme and to get an endorsement from cabinet members about the new sites proposed as part of the council's HRA debt cap uplift bid – maximising grant-funding, receipts from council house sales and HRA resources in order to contribute towards meeting the demand for housing in the borough.
Date of decision: The date when the final decision is made. The EIA must be complete before this point and inform the final decision.	8 th November 2018
Summary of the proposed decision: <ul style="list-style-type: none"> • Aims and objectives • Key actions • Expected outcomes • Who will be affected and how? • How many people will be affected? 	<p>To note the progress with the council's existing affordable homes new build programme.</p> <p>To endorse the suggested sites that are proposed as part of the HRA debt cap uplift bid.</p> <p>To delegate authority to the Head of Housing and the Head of Finance and ICT to purchase street properties to maximise the use of capital receipts from Right to Buy sales, subject to resources within the HRA business plan.</p> <p>Enter in to the Shared Ownership Affordable Homes Programme grant agreement.</p>
Information and research: <ul style="list-style-type: none"> • Outline the information and research that has informed the decision. • Include sources and key findings. 	The following policies have identified the need to address housing supply in the Borough. The Housing Strategy Framework Priority 1 - Improve the supply of affordable housing to meet local housing needs in urban and rural, the HRA reform which lead to Cabinet endorsing five key priorities for further spending and allowing for greater freedom, the Corporate Plan, the Kent Forum Housing Strategy (2012-2015) highlighted the need for affordable homes and a choice for residents and the National Housing Strategy which highlights the delivery of new homes under the affordable rent model.
Consultation: <ul style="list-style-type: none"> • What specific consultation has occurred on this decision? • What were the results of the consultation? • Did the consultation analysis reveal any difference in views across the protected characteristics? • What conclusions can be drawn from the analysis on how the decision will affect 	<p>Consultation has taken place with colleagues in Legal Services, Planning and Development, Finance and ICT, the Housing Development Team, Housing Options and Corporate Property Services.</p> <p>The consultation has been to identify suitable areas to develop out affordable homes and the level of finance (inclusive of grant and capital contributions) required to achieve the programme.</p> <p>Further consultation will be carried out with ward members and the communities in which any new affordable homes are proposed to be taken forward before any proposed scheme is submitted to the planning department.</p>

people with different protected characteristics?	
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Assess the relevance of the decision to people with different protected characteristics and assess the impact of the decision on people with different protected characteristics.

When assessing relevance and impact, make it clear who the assessment applies to within the protected characteristic category. For example, a decision may have high relevance for young people but low relevance for older people; it may have a positive impact on women but a neutral impact on men.

Protected characteristic	Relevance to Decision High/Medium/Low/None	Impact of Decision Positive (Major/Minor) Negative (Major/Minor) Neutral
<u>AGE</u> Elderly	High	Positive (major)
Middle age	High	Positive (major)
Young adult	High	Positive (major)
Children	High	Positive (major)
<u>DISABILITY</u> Physical	High	Positive (major)
Mental	High	Positive (major)
Sensory	None	Neutral
<u>GENDER RE-ASSIGNMENT</u>	None	Neutral
<u>MARRIAGE/CIVIL PARTNERSHIP</u>	None	Neutral
<u>PREGNANCY/MATERNITY</u>	None	Neutral
<u>RACE</u>	None	Neutral
<u>RELIGION OR BELIEF</u>	None	Neutral
<u>SEX</u> Men	None	Neutral
Women	None	Neutral
<u>SEXUAL ORIENTATION</u>	None	Neutral

<p>Mitigating negative impact:</p> <p>Where any negative impact has been identified, outline the measures taken to mitigate against it.</p>	<p>There is nothing to mitigate</p>
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<p>Is the decision relevant to the aims of the equality duty?</p> <p>Guidance on the aims can be found in the EHRC's Essential Guide, alongside fuller PSED Technical Guidance.</p>	
Aim	Yes / No / N/A
1) Eliminate discrimination, harassment and victimisation	N/A
2) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it	Yes
3) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it	N/A

<p>Conclusion:</p> <ul style="list-style-type: none"> • Consider how due regard has been had to the equality duty, from start to finish. • There should be no unlawful discrimination arising from the decision (see guidance above). • Advise on whether the proposal meets the aims of the equality duty or whether adjustments have been made or need to be made or whether any residual impacts are justified. • How will monitoring of the policy, procedure or decision and its implementation be undertaken and reported? 	<p>Due regard has been considered throughout this proposal to each protected group.</p> <p>No unlawful discrimination has arisen from the decision.</p> <p>The effect on the community will be positive due to the aims of the programme delivery. No adjustments required.</p> <p>The programme will be monitored by a Housing Project group with regular updates to our Portfolio Holder and Cabinet.</p>
<p>EIA completion date:</p>	<p>27th September 2018</p>

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By virtue of paragraph(s) 2, 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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Agenda Item No: 9

Report To: Cabinet

Date of Meeting: 6th December 2018

Report Title: *Leisure Procurement Exercise Update*

Report Author & Job Title: Christina Fuller, Head of Culture

Portfolio Holder / Portfolio Holder for: Cllr Gerald White, Lead Member for the Leisure Procurement Exercise

Summary: This report updates Members on the evaluation process undertaken which has included the detailed solutions submitted by appropriately selected leisure operator bidders. These submissions have been assessed as part of the leisure procurement exercise that the Cabinet previously agreed at its meeting of 8th March 2018. The procurement exercise, undertaken in partnership with ALT, is continuing but this report seeks approval from the Council to agree the need for much needed capital investment into the facilities to create high quality modern leisure facilities that will significantly increase participation levels and contribute to the health and wellbeing of the residents of the borough.

Key Decision: YES

Significantly Affected Wards: Borough wide

Recommendations: **The Cabinet is recommended to:-**

- I. Note the progress made in procuring a new leisure operator to date, the timescales anticipated to complete the exercise and the legal framework to support the new arrangements;**
- II. Endorse the Partnership Board's decision to take forward two bidders to the next stage of the procurement exercise;**
- III. Agree for appropriate officers to undertake all legal and project work to complete the procurement exercise and legal framework;**
- IV. Note that whilst the capital investment is planned to be financed from Prudential borrowing, the capital financing costs will be met from the net savings to be realised across the lifespan of the contract within the leisure service budget.**

- V. **Delegate responsibility to the Director of Finance and Economy in consultation with the Portfolio Holder for Finance and Portfolio Holder for Housing (as chair of the Partnership Board and Lead member) to agree the final level of Prudential borrowing, ensuring it is affordable to the Council and covers the necessary risk and resource implications.**

Policy Overview: The current corporate plan sets out the Council's key priorities and highlights the need to improve leisure facilities and participation to support an active Ashford.

Financial Implications: Members are asked to agree the need for capital investment for the leisure facilities as part of the procurement exercise. They should note the current annual direct costs (excluding maintenance and planned lifecycle of the buildings) for the Council related to leisure facilities that totals £420,000 per annum. The range of Prudential borrowing costs and business cases submitted by the bidders at this time can be offset against the Council's existing costs.

Further negotiation is required and officers are mindful that Members will wish to support the delivery of re-furbished and re-ordered facilities enabling exciting new activities in addition to a well-managed leisure stock portfolio balanced against this affordable position for the Council.

Legal Implications New lease arrangements with ALT include the Council agreeing new leases of 15 + 5 years and a Funding Agreement (to cover monitoring arrangements and any appropriate management fee) for the leisure facilities. ALT will directly contract with the new leisure operator whilst a Deed of Guarantee between the Council and the leisure operator covers the industry standard risks where ALT is not in a position to cover such risks, for example, contamination of the site.

Equalities Impact Assessment See Attached

Other Material Implications: -

Exempt from Publication: No

Background Papers: -

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Report Title: *Leisure Procurement Exercise Update*

Introduction

1. This report updates Members on the leisure procurement exercise, undertaken by the Council in partnership with Ashford Leisure Trust (ALT) that aims to appoint a new Leisure Operator to manage the Stour Centre, Julie Rose Stadium & Conningbrook Lakes and Spearpoint Recreation Ground & Pavilion for 15 years (with an option to extend for a further 5 years) as agreed at the Cabinet meeting of 8th March 2018.
2. The Partnership Board (including Cllr Gerald White, the Chief Executive, Head of Finance and Economy, the Head of Culture, the Council's Solicitor and four ALT Trustees) have overseen the leisure procurement exercise assisted by an Evaluation Team, which includes ALT Trustees and appropriate Council officers. Both groups benefit from the support of a jointly funded external leisure procurement expert and solicitor.

Evaluation Process

3. At the initial stage of the exercise, Specific Questions (SQ), four leisure operating companies submitted applications. These submissions were evaluated and the recommendation made to the Partnership Board in June to take all four through to the next stage: Invitation to Submit Detailed Solutions (ISDS). One decided to withdraw before this stage due to a heavy workload.
4. The remaining three bidders submitted their detailed solutions 1st October 2018. These bids included plans for capital investment in addition to solutions for quality management, facilities management, meeting authority outcomes, approaches to marketing and pricing, staffing and volunteering and ultimately the financial impact to the Council and ALT.
5. Following a face-to-face dialogue meeting, a clarification stage and presentations by each of the bidders, the ISDS bids have been analysed and scored against the agreed procurement criteria. The Partnership Board in November considered these scores and agree that the two top scoring bidders should be taken forward to the next stage – Invitation to Submit Final Tender (ISFT).

Capital Investment

6. In order to complete the ISFT, a formal commitment from the Council to support capital investment is required. Council approval enables the Partnership Board to agree the final bids and select the successful bidder.
7. A range of solutions and levels of capital investment, including direct investment from bidders to support the business case, has been presented to the Partnership Board and requested of the Council.

8. As part of the ISFS evaluation, further clarification on costs and business proposals will enable the partnership to ensure the bids are robust and viable in terms of capital delivery and costs, income and expenditure and lifecycle liabilities and most importantly meet the ambition of the partnership as identified in the procurement specification.

Legal Framework

9. ALT currently have a lease for the Stour Centre to 2030 and are operating the Julie Rose Stadium under a two-year temporary arrangement. The legal framework between the Council, ALT and Operator post-appointment is complex given the liabilities and risk undertakings of the different parties and the structures of the bidders.
10. The final structure and legal documentation, leases and guarantees are being formed as part of the procurement process. Members are asked to delegate responsibility to the appropriate officers and through the decisions of the Partnership Board, to bring forward all the necessary legal documentation that appropriately covers the delivery of the capital investment, the successful operation of the facilities and appropriate monitoring and payment mechanisms.

Implications and Risk Assessment

11. The main risk attached to this project is the potential for bidders to drop out of the process. It is considered highly unlikely given the time and considerable amount of resources bidders have already committed to the procurement to get to the final stage.
12. Challenges by bidders are possible as part of procurement exercises. The risk of these being successful has been mitigated by following strict guidelines recommended by the leisure procurement experts.

Equalities Impact Assessment

13. Members are referred to the attached Assessment. The key issues arising are that the proposals under consideration will not have a negative impact on people with protected characteristics.

Consultation Planned or Undertaken

14. Consultations have taken place with ALT and Cabinet Members. Bidders have undertaken extensive research as part of the bidding process in order to ascertain the current leisure habits of residents and their aspirations for the future.

Options and Reason for Recommendation

15. Members acknowledge that working in partnership with ALT on the leisure procurement exercise offers the best solution for attracting a high quality leisure operator to jointly invest with the Council in providing outstanding modern leisure facilities for a growing population.

16. The Partnership Board has overseen the leisure procurement exercise agreed by the Council in March 2018 and ensured that it has been conducted properly and fairly and in accordance with the parties own obligations. This included allowing sufficient time for bidders with timescales adjusted slightly at the ISDS stage over the summer period.
17. The Partnership Board will consider the final stage recommendation from the Evaluation Team to agree which bidder provides the best and most effective service according to the tender evaluation scoring process.

Next Steps in Process

18. Timeline:

13th DECEMBER: Full Council agreement
18th DECEMBER: Initial dialogue meetings with selected bidders
15th/22nd JANUARY: Further dialogue meetings
23rd JANUARY: Issue final tender documents
15th FEBRUARY: Bidders submit final tenders
18th FEB – end of MARCH: Evaluation
End MARCH: Partnership Board agree appointment (subject to Council delegated authority)
End MARCH: ALT Board formal sign off
Early APRIL: Award
1st JULY: Proposed Contract Commencement

Conclusion

19. The leisure procurement exercise is a fantastic opportunity to provide Ashford with modern leisure buildings and equipment that will increase participation and enable a significant improvement in the health and wellbeing of residents in the Borough.

Portfolio Holder's Views

20. This has been a robust procurement exercise to date, supported by expert guidance. There are some exciting proposals and the next stage is crucial as it enables the partnership to engage further on the leisure operator proposals to ensure the business case meets the aspirations of the Council.

Cllr Gerald White (Chair of Partnership Board and Lead Member)

Contact and Email

Christina Fuller, Head of Culture christina.fuller@ashford.gov.uk – Tel: (01233) 330477

Ben Moyle Facility Development Manager. ben.moyle@ashford.gov.uk – Tel: (01233) 330475

Equality Impact Assessment

1. An Equality Impact Assessment (EIA) is a document that summarises how the council has had due regard to the public sector equality duty (Equality Act 2010) in its decision-making. Although there is no legal duty to produce an EIA, the Council must have **due regard** to the equality duty and an EIA is recognised as the best method of fulfilling that duty. It can assist the Council in making a judgment as to whether a policy or other decision will have unintended negative consequences for certain people and help maximise the positive impacts of policy change. An EIA can lead to one of four consequences:

- (a) No major change – the policy or other decision is robust with no potential for discrimination or adverse impact. Opportunities to promote equality have been taken;
- (b) Adjust the policy or decision to remove barriers or better promote equality as identified in the EIA;
- (c) Continue the policy – if the EIA identifies potential for adverse impact, set out compelling justification for continuing;
- (d) Stop and remove the policy where actual or potential unlawful discrimination is identified.

Public sector equality duty

2. The Equality Act 2010 places a duty on the council, when exercising public functions, to have due regard to the need to:
- (a) Eliminate discrimination, harassment and victimisation;
 - (b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it (ie tackling prejudice and promoting understanding between people from different groups).

3. These are known as the three aims of the general equality duty.

Protected characteristics

4. The Equality Act 2010 sets out nine protected characteristics for the purpose of the equality duty:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership*
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

*For marriage and civil partnership, only the first aim of the duty applies in relation to employment.

Due regard

5. Having 'due regard' is about using good equality information and analysis at the right time as part of decision-making procedures.
6. To 'have due regard' means that in making decisions and in its other day-to-day activities the council must consciously consider the need to do the things set out in the general equality duty: eliminate discrimination, advance equality of opportunity and foster good relations. This can involve:
- removing or minimising disadvantages suffered by people due to their protected characteristics.
 - taking steps to meet the needs of people with certain protected characteristics when these are different from the needs of other people.
 - Encouraging people with certain protected characteristics to participate in public life or in other activities where it is disproportionately low.

7. How much regard is 'due' will depend on the circumstances. The greater the

potential impact, the higher the regard required by the duty. Examples of functions and decisions likely to engage the duty include: policy decisions, budget decisions, public appointments, service provision, statutory discretion, decisions on individuals, employing staff and procurement of goods and services.

8. In terms of timing:

- Having 'due regard' should be considered at the inception of any decision or proposed policy or service development or change.
- Due regard should be considered throughout development of a decision. Notes shall be taken and kept on file as to how due regard has been had to the equality duty in research, meetings, project teams, consultations etc.
- The completion of the EIA is a way of effectively summarising this and it should inform final decision-making.

Case law principles

9. A number of principles have been established by the courts in relation to the equality duty and due regard:

- Decision-makers in public authorities must be aware of their duty to have 'due regard' to the equality duty and so EIA's must be attached to any relevant committee reports.
- Due regard is fulfilled before and at the time a particular policy is under consideration as well as at the time a decision is taken. Due regard involves a conscious approach and state of mind.
- A public authority cannot satisfy the duty by justifying a decision after it has been taken.
- The duty must be exercised in substance, with rigour and with an open mind in such a way that it influences the final decision.
- The duty is a non-delegable one. The duty will always remain the responsibility of the public authority.
- The duty is a continuing one so that it needs to be considered not only when a

policy, for example, is being developed and agreed but also when it is implemented.

- It is good practice for those exercising public functions to keep an accurate record showing that they have actually considered the general duty and pondered relevant questions. Proper record keeping encourages transparency and will discipline those carrying out the relevant function to undertake the duty conscientiously.
- A public authority will need to consider whether it has sufficient information to assess the effects of the policy, or the way a function is being carried out, on the aims set out in the general equality duty.
- A public authority cannot avoid complying with the duty by claiming that it does not have enough resources to do so.

The Equality and Human Rights Commission has produced helpful guidance on "Meeting the Equality Duty in Policy and Decision-Making" (October 2014). It is available on the following link and report authors should read and follow this when developing or reporting on proposals for policy or service development or change and other decisions likely to engage the equality duty. [Equality Duty in decision-making](#)

Lead officer:	Christina Fuller
Decision maker:	Cabinet
Decision: <ul style="list-style-type: none"> • Policy, project, service, contract • Review, change, new, stop 	Endorse the Partnership Board's decision to take forward two bidders to the next stage of the procurement exercise Approve capital investment in to the sports facility portfolio.
Date of decision: The date when the final decision is made. The EIA must be complete before this point and inform the final decision.	8 th December 2018 – Cabinet 13 th December – Full Council
Summary of the proposed decision: <ul style="list-style-type: none"> • Aims and objectives • Key actions • Expected outcomes • Who will be affected and how? • How many people will be affected? 	To update Members on the progress for procuring a new leisure operator, being progressed by the Council in partnership with Ashford Leisure Trust (ALT), providing information on the timescales anticipated to complete the leisure procurement exercise and the legal framework to support the new arrangements. To agree capital investment to allow officers to complete the exercise as outlined in its previous Cabinet report in March 2018.
Information and research: <ul style="list-style-type: none"> • Outline the information and research that has informed the decision. • Include sources and key findings. 	Selected bidders have put forward investment submissions and a business plan for the Stour Centre, Julie Rose Stadium & Conningbrook Lakes and Spearpoint Recreation Ground & Pavilion for 15 years (with an option to extend for a further 5 years). These have been evaluated as part of a first stage (ISDS) of the exercise.
Consultation: <ul style="list-style-type: none"> • What specific consultation has occurred on this decision? • What were the results of the consultation? • Did the consultation analysis reveal any difference in views across the protected characteristics? • What conclusions can be drawn from the analysis on how the decision will affect people with different protected characteristics? 	Key officers from the Council have consulted with Ashford Leisure Trust and key Members and will continue to do so. Bidders have carried out extensive local research to understand the local demographic, future growth and trends in participation levels. This has resulted in bids including programmes to address local needs and raise participation levels. The decision has a positive impact on people with different protected characteristics.

Assess the relevance of the decision to people with different protected characteristics and assess the impact of the decision on people with different protected characteristics.

When assessing relevance and impact, make it clear who the assessment applies to within the protected characteristic category. For example, a decision may have high relevance for young people but low relevance for older people; it may have a positive impact on women but a neutral impact on men.

Protected characteristic	Relevance to Decision High/Medium/Low/None	Impact of Decision Positive (Major/Minor) Negative (Major/Minor) Neutral
<u>AGE</u> Elderly	MEDIUM	POSITIVE
Middle age	MEDIUM	POSITIVE
Young adult	MEDIUM	POSITIVE
Children	MEDIUM	POSITIVE
<u>DISABILITY</u> Physical	MEDIUM	POSITIVE
Mental	MEDIUM	POSITIVE
Sensory	MEDIUM	POSITIVE
<u>GENDER RE-ASSIGNMENT</u>	NONE	NEUTRAL
<u>MARRIAGE/CIVIL PARTNERSHIP</u>	NONE	NEUTRAL
<u>PREGNANCY/MATERNITY</u>	NONE	NEUTRAL
<u>RACE</u>	NONE	NEUTRAL
<u>RELIGION OR BELIEF</u>	NONE	NEUTRAL
<u>SEX</u> Men	NONE	NEUTRAL
Women	NONE	NEUTRAL
<u>SEXUAL ORIENTATION</u>	NONE	NEUTRAL

Mitigating negative impact:

Where any negative impact has been identified, outline the measures taken to mitigate against it.

N/A

Is the decision relevant to the aims of the equality duty?

Guidance on the aims can be found in the EHRC's [Essential Guide](#), alongside fuller [PSED Technical Guidance](#).

Aim	Yes / No / N/A
1) Eliminate discrimination, harassment and victimisation	YES
2) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it	YES
3) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it	YES

<p>Conclusion:</p> <ul style="list-style-type: none"> Consider how due regard has been had to the equality duty, from start to finish. There should be no unlawful discrimination arising from the decision (see guidance above). Advise on whether the proposal meets the aims of the equality duty or whether adjustments have been made or need to be made or whether any residual impacts are justified. How will monitoring of the policy, procedure or decision and its implementation be undertaken and reported? 	<p>Due regard has been made to the equality duty, from start to finish of the scoping process and research stage.</p> <p>There will be no unlawful discrimination arising from the decision</p> <p>The proposal meets the aims of the equality duty as all sections of the community including those with protected characteristics will benefit from the new arrangements being proposed.</p> <p>Monitoring of the policy, procedure or decision and its implementation will be undertaken by the Council with ALT and the operator providing relevant information.</p>
<p>EIA completion date:</p>	<p>22-11-18</p>



Agenda Item No: 10
Report To: Cabinet
Date of Meeting: 6th December 2018
Report Title: HLF Parks for People bid for Victoria Park
Report Author & Job Title: Emma Powell, Open Space Planning Development Officer
Portfolio Holder **Cllr. Mike Bennett**
Portfolio Holder for: **Culture**

Summary: Members endorsed this strategic project as part of the delivery of the Corporate Plan 2015-2020, at the Cabinet meeting 6th April 2017.

Since November 2017 officers have been working to prepare all documentation for the Heritage Lottery Fund Parks for People Stage 2 bid, following a development grant of £167k, which confirms the capital and revenue improvement works, programme of activities and resources to reinvigorate Victoria Park.

Following consultation and support by the Victoria Park and Conningbrook Park Advisory Committee, and feedback from a successful development review meeting with Heritage Lottery Fund early November 2018, the bid is ready for submission and agreement by the Council.

This report presents a detailed summary of the bid totalling circa £4,417,983 and asks members to agree the release of £79,569.48 S106 contributions for the development stage, and agree the allocation of £460,948 S106 contributions and £650,000 Council funding, subject to a successful Round 2 bid from the Heritage Lottery Fund for the delivery phase, which the Council will be informed of in June/July 2019.

Key Decision: YES

Significantly Affected Wards: Borough wide

Recommendations: **The Cabinet is recommended to:-**

- I. Endorse the release of £79,569.48 S106 contributions identified under Financial Implications in the report to support the development stage phase to enable the bid to be completed and submitted;**
- II. Agree to submit the Heritage Lottery Fund Parks**

for People bid as outlined in the report, and approve the Council's total contribution of circa £1,370,398, split between identified S106 contributions, Council reserves, repairs and renewals budget and landscape maintenance costs;

- III. Allow the Head of Culture to agree any minor changes, in consultation with the Portfolio Holder for Culture, to ensure a strong bid is submitted in February 2019.

If the Council's Heritage Lottery Fund bid is successful to:

- IV. Note that the amounts profiled that make up the total Council's contribution could alter given additional S106 contributions may be secured;
- V. Agree for the Director of Finance and Economy to consider and apply appropriate forward funding to offset S106 contributions secured but not received to ensure the delivery of the project is not put at risk;
- VI. Delegate authority to the appropriate Directors and Heads of Service, in consultation with the relevant Portfolio Holders, to put in place all relevant documentation, staff and financial resources, management and monitoring processes, and communications, in order to deliver the project.

Policy Overview:

Corporate Plan:
Priority 3: Active & Creative Ashford *"Planned improvement to key public space and parks – Victoria Park"*
Priority 4: Attractive Ashford – Environment, Countryside, Tourism & Heritage *"To safeguard and conserve our local heritage and areas of outstanding landscape"*

Financial Implications:

The total package of delivery stage works is estimated to cost £4,417,983. This is split between a Heritage Lottery Fund grant of £3,049,900 and a total Council contribution of £1,370,398.

The Council contribution is split and is currently profiled with approximately £460,948 covered by identified S106 contributions, leaving £650,000 from reserves, £157,200 repairs and renewals, £14,500 Corporate Property PV project, £49,250 management and maintenance; in-kind volunteer time £38,500. This includes for all capital costs, professional fees, new staff, activities and events, publicity,

promotion, contingency and inflation.

The Council's contribution is an increase from the R1 bid of £621,700, which is split between £450k from reserves, £157,200 from the repairs and renewals budget and £14,500 corporate property PV project.

The S106 contributions are all to be spent on the 'Victoria Park Improvement Project' as envisaged by Priority 3 of the Corporate Plan.

Legal Implications	If successful award conditions will need to be accepted. The project delivery includes direct contracts with a variety of identified professionals and third party contractors.
Equalities Impact Assessment	See Attached
Other Material Implications:	Continued support from key officers for the delivery of this strategic project
Exempt from Publication:	NO
Background Papers:	The HLF bid documents are in the Members Room for information and are available from the Lead Officer.
Contact:	Emma.Powell@ashford.gov.uk – Tel: (01233) 330444

Report Title: HLF Parks for People bid for Victoria Park

Introduction and Background

1. This report updates Members on the positive progress made on producing a Heritage Lottery Fund (HLF) Parks for People bid for capital and revenue investment to Victoria Park and Watercress Fields. This is one of the key strategic projects that contributes to the Council's four corporate plan policies.
2. This report asks Members to endorse the Victoria Park & Watercress Field's HLF bid, and agree to the spending and release of S106 contributions and Council funding for the development and delivery stages.
3. Since November 2017, officers have been working towards submitting the HLF Stage 2 bid, following a development grant of £167k from the HLF, to design capital and revenue improvement works to Victoria Park. Much consultation has taken place with the community, key stakeholders and members.
4. Officers have also been working closely with HLF representatives to hone the bid and have recently passed a review stage. HLF feedback has been crucial to help improve the bid and present a strong and robust submission.
5. The full bid documents are provided in the Members Room and copies are available from the Lead Officer, Emma Powell. Key elements of the bid are attached as Appendices 1 – 5.
6. The project timetable is estimated as follows:
 - HLF bid submission February 2019 with a decision June 2019
 - Project delivery August 2019 – March 2022
 - Continued Park management, to include a key new staff role of Victoria Park Environment Manager – April 2022 onwards.

Heritage Lottery Fund bid – Development Stage

7. The development stage has involved detailed research, engagement and consultation, to inform the park design, activities, management and staffing; and to ensure the project meets the needs of existing and new park users and delivers HLF outcomes for heritage, people and communities.
8. Consultation highlighted key elements and issues with the park, which have shaped the park project. The importance of the river / improvements for wildlife; the condition of the toilets (poor); lack of café provision in the park; antisocial behaviour and not feeling safe in the park; more things to do in the park – events and activities and better play areas were highlighted.
9. As a result of the consultation and members wish to respond to local concerns and improvement ideas, the activities and capital elements anticipated at

Round One have developed, and investment has been increased that addresses these identified needs. The council has also committed to improving areas of the park additional to the bid submission, with Aspire and Property Services leading on specific management and maintenance tasks in the park.

Heritage Lottery Fund bid – Delivery Stage bid

10. The HLF Parks for People bid addresses the issues highlighted by the consultation and provides a focus on the elements and steps required to improve and maintain the park for the long-term benefit of local people and visitors. Key themes include:
 - a. Conserving existing historical and ecological features and sharing stories about them;
 - b. Improving facilities such as toilets, play areas, lighting, car park and path network;
 - c. Providing a café;
 - d. Improving wildlife and river corridor habitats;
 - e. Creating interpretation and educational resources;
 - f. Developing a long-term management and maintenance strategy;
 - g. Providing on site-staff and an in-house team dedicated to the park project;
 - h. Developing an activity and event programme, in partnership with the community and local organisations.
11. **The overarching vision for the project is to work with Ashford’s growing community to make Victoria Park a high quality, well-loved destination; where people feel safe, enjoy well managed facilities, celebrate its rich heritage, and regularly engage with a diverse range of activities, habitats and social opportunities.**
12. To deliver the vision, the project includes a range of activities and capital works, which together will uncover and celebrate the built, social and ecological heritage of Victoria Park and Watercress Fields.
13. The activity plan provides full details of the research, consultation and testing that has taken place to inform activity planning, as well as a detailed, costed action plan setting out all the activities that will be delivered. A summary is provided at Appendix 1.
14. To support the activity programme and deliver improvements for heritage, people and communities, there is a comprehensive programme of capital works. Full details are available in the design report, cost plan and masterplan and a summary and masterplan is provided at Appendix 2 and 3 with expected costs allocated.
15. The Management and Maintenance Plan sets out in detail how project outcomes will be sustained in the long term, including improved maintenance of the park landscape, river corridor, fountain, and buildings, as well as continued staff presence on site, ongoing volunteer opportunities, and a range of activities and events. This is summarised in Appendix 4; the staffing structure for delivering the project is also detailed here.

16. The investment in the park will need to continue after the delivery stage of the project, with the continued presence of on-site staff provided by the Park Manager, and the increased empowerment of the volunteers to deliver community events supported by the existing structures and staff in both environment services, property services and culture.

Financial Implications

17. The development stage cost has increased from £215,890 to £285,369. The increase in costs is due to additional reports and surveys recommended by HLF to provide stronger detail and robust submission; and increased fees associated with extending the development programmes and an increase in the delivery stage capital budget given community consultation.
18. The increase in development stage costs can be covered by income from Environmental Services, and strategic parks S106 contributions which Management team agree is appropriate to support the stage of consultation and design work given its strategic positioning for the town and its heritage importance to the borough.
19. Regarding the delivery stage, the total package of works is estimated to cost £4,417,938, and includes all capital costs, professional fees, new temporary staff, activities and events, publicity, promotion, contingency and inflation.
20. The bid requests a HLF grant of £3,049,900, requiring a council contribution of £1,370,398.
21. The profile of this council contribution is:
 - £460,948 of identified S106 contributions for a range of Victoria Park improvements (refer Appendix 5 for breakdown)
 - £650,000 reserves (£200k already agreed as part of a paper approved by Cabinet in April 2017)
 - £157,200 repairs and renewals base budget
 - £14,500 corporate property PV project
 - £49,250 management and maintenance (in-service contribution)
 - £38,500 volunteer time (in-kind contribution).
22. Members are asked to approve the S106 contributions shown in Appendix 5 and note that there are further S106 contributions that may come forward but have not been allocated to the project given their longer-term payment timescale. However, they may be appropriate to include, which could change the profile of the council's contribution as currently shown above. Members are being asked to allow officers to appropriately apply such shifts to the profile if appropriate and viable to do so.
23. A financial cash flow for the project has been matched against the predicted schedule of S106 payments (estimated on current housing rates). It identifies, after applying payments from HLF that a proportion (currently predicted as 50%) may not be received to support the cash flow required during the delivery of the project over the three years. Therefore, a recommendation is included for Members to consider a delegation to allow the approval of appropriate forward funding that ensures the successful delivery of the project within the timescales expected by the HLF.

24. The bid includes provision of a café. To ensure the viability of this provision, the evidence gathered indicates that favourable rents and support will be required to put in place the right operator and ensure its sustainability in the early years. Members are minded to note the implication on potential income from the café business which will be confirmed when tenders are received as part of the delivery of the project.

Risk Assessment

25. Several key risks have been identified: the HLF bid is not successful; recruiting skilled and experienced staff; tenders for capital works over budget; permissions (planning and Environment Agency) withheld; café operator not secured; S106 not paid in a timely manner to support cash flow.
26. The first risk, of not being successful, has been mitigated as much as is possible (although this is still a competitive bidding processes) by producing a bid which responds to the consultation, and fulfils the expectations of HLF. The draft documents have been assessed by HLF and we believe we have a strong submission. The proportion of funding from the council has strengthened the value, benefit and one would hope the positioning of the bid. It demonstrates the ambition of the council and its commitment to parks for people.
27. Officers have worked with qualified and experienced consultants to produce the bid. This approach has ensured that the bid allows for accurate (QS checked) budgeting, appropriate contingency and inflation. Partnership agencies such as the Environment Agency as well as planning colleagues have been consulted throughout the process. Members of the planning committee will have received a presentation on the masterplan and the elements that will require planning consent. A planning application will be submitted just before the bid goes to HLF; HLF will be notified of the outcome whilst the bid is reviewed.
28. The consultation strongly supported the provision of a café and community hub and the masterplan provides a viable solution in terms of seating areas and kitchen provision. The acknowledgement by the council of the risks associated to the early set up and delivery of a new venture will help to put in place solutions and support aspects that a new business may require.
29. As mentioned above in paragraph 23, a cash flow summary includes detail on when S106 contributions are expected to be paid. Although there is an identified risk that they will not support the delivery timescale, the financial risk is low as the developments have all started.

Equalities Impact Assessment

30. Members are referred to the attached Assessment. The key issues arising are that the project will not have a negative impact on people with protected characteristics. Provision will need to be made to continue providing facilities for people with different abilities and characteristics.

Options and Reason for Recommendation

31. The Victoria Park and Conningbrook Lakes Advisory Committee has helped steer this project and supported officers in the development of the bid, alongside the Cabinet and other key members. This continued support for the bid has been significant and was recognised early on as an important part of Ashford's growth.
32. Extensive consultation has identified significant areas for investment and improvement; without the funding from HLF a diluted project will result in potentially piecemeal and low-key solutions that do not meet the growing needs of local residents or the ambitions of the council.
33. There are no other identified external funding opportunities of a similar scale; this HLF funding stream is now closed and therefore this is the last opportunity to bid for the 'Parks for People' funding stream. Officers have submitted draft documents to the HLF that have passed their review process and show the commitment of the council to meet local needs.
34. With the imminent completion of new homes, a high proportion of which will use the park as their local open space, user numbers are expected to increase and therefore more pressure will be put on existing features. The works detailed in the bid respond to these pressures.

Next Steps

35. If Members are minded to support and endorse the bid and the necessary funding commitments, the Victoria Park Steering Group, involving corporate support from all services, will complete all the necessary minor changes and submit the bid in February 2019. The results of the bid submission will be provided mid 2019. If successful the delivery of the bid and the impact on finances will be from August 2019.

Conclusion

36. Victoria Park is recognised as a highly valued and growing strategic open space and heritage asset for the borough and the council. It is part of the corporate plan, Priority 3: Active & Creative Ashford "*Planned improvement to key public space and parks – Victoria Park*"; Priority 4: Attractive Ashford – Environment, Countryside, Tourism & Heritage "*To safeguard and conserve our local heritage and areas of outstanding landscape*"
37. The park forms an integral part of the Council's commitment to providing and supporting public open space for the borough. The development of this bid has provided the evidence and a clear direction for investment and improvement, to meet the needs of the existing and future community.

Portfolio Holder's Views

38. "A huge amount of consultation and detailed research has gone into this excellent report outlining our Heritage Lottery Fund Parks for People bid to transform Victoria Park to a high quality, safe and well managed open space in the heart of Ashford for a growing community and it has my total support".

Cllr Mike Bennett

Contact and Email

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HLF Parks for People bid for Victoria Park

Activity Plan summary

1. The activity plan provides full details of the research, consultation and testing that has taken place to inform activity planning, as well as a detailed, costed action plan setting out all the activities that will be delivered over three years.
2. During the consultation people were remarkably consistent in identifying the special things about Victoria Park and Watercress Fields:
 - It is the biggest open space in Ashford – a large green lung right in the heart of the town
 - The Park is on the banks of the River Stour, which is an important wildlife habitat and amenity
 - It forms part of the green corridor, which means people can walk or cycle across Ashford (north, south, east and west) through green spaces
 - The Hubert Fountain is a major feature for the Park, a recognisable icon and a peg for the Park's heritage stories.
3. As a result of desk-based research and the extensive consultation process, the following audiences have been identified as audiences for development:
 - Low income families
 - Low income adults
 - Older, isolated adults with physical and mental ill health
 - Young people (12 – 18 years)
 - Schools (particularly local schools)
 - Families from north Ashford
 - Black, Asian and Minority Ethnic (BAME) groups across all the above categories
4. The relationship with the core audiences, who already use the Park for walking, dog walking, exercising and playing, will be nurtured and deepened.
5. In turn, the activity programme is arranged around 5 key themes:
 - Young people shape the park
 - Activities for community engagement, fun and wellbeing
 - Learning outside the classroom
 - Upskilling and volunteering
 - Resources to deliver the project and sustain outcomes
6. New interpretation will feature the wildlife and heritage of the Park; an activity programme of small and large events, plus a volunteering programme, will engage the community with the Park; new learning resources will be available for schools and there will be opportunities for training and an apprenticeship.

7. There will be four members of HLF funded staff to develop and deliver the project:
 - The Project Manager will be a full-time post for three and a half years. It will be their role to manage the delivery of the capital and interpretation works, manage the HLF delivery team, report to HLF
 - The Volunteer and Community Engagement Officer will be a full-time post for three years. It will be their role to manage the activity and volunteer programme in the Park
 - The Youth Involvement Co-ordinator will be a 0.5 full-time equivalent (FTE) post who will be responsible for delivering the facilities, interpretation and projects that engage young people in the development and delivery of Victoria Park and Watercross Fields
 - The Victoria Park, Park Manager will be a full-time post and will be responsible for leading on the Park Management and Maintenance Plan, supporting volunteers work days and ensuring high horticultural standards.
8. The project will work with and empower the newly created Friends of Victoria Park; provide volunteering opportunities; training opportunities; work with key partners including Kentish Stour Countryside Partnership, Revelation and Victoria Park Nursey (on-site).
9. The cost of the activity programme over three years is £583,460, excluding VAT, contingency and inflation.

HLF Parks for People bid for Victoria Park

Capital works summary

1. The Design Report provides full details of the capital delivery, informed by the consultation results, surveys, historical research and stakeholder input.
2. Fountain and piazza restoration
 - The fountain pool will be made watertight and the pool's coping and cladding will be repaired. The setting of the fountain will be improved by removing insensitive modern additions such as brightly coloured picnic tables and bins, as well as creating more space around the fountain and introducing a low-level planting scheme inspired by the fountain.
3. River corridor
 - Works along the river will improve habitats for important native species, including white-clawed crayfish and water voles, as well as improved river margins with native marginal aquatic planting. Several interventions will make it easier for people to engage with the river, including pond dipping platforms, informal picnic areas and wetland boardwalk. This will be supported by educational activities, volunteering opportunities and improved management of the corridor.
4. Historic landscape
 - The historic park landscape will be restored and explained through tree planting and a range of interpretation measures. Existing entrances and bridges will be improved and made more accessible and welcoming. Improved lighting and sightlines will help to improve perceptions of safety, along with a greater staff presence and more activities in the park. Seating and bins will be repaired and replaced, while new cycling infrastructure will be installed, including parking and repair station.
5. Sensory Garden
 - Works here will include new paths to improve the access and connections with the park, and further removal of vegetation to improve visual connections across the space, and increased light to the stream and pond.
6. Community Hub
 - An improved community hub will be created by refurbishing and extending the existing building and improving its environmental performance. The improved building will include public toilets, community space to support activities, a café, dedicated nursery

space, and small office for park staff. The existing car park will be rationalised and resurfaced to make it more accessible.

7. Park HQ

- The new Park HQ compound will provide space to support volunteering and improve the environmental performance of the site. It will include an equipment store for volunteers and events, as well as space for composting, water butts, and growing plants.

8. Play space

- The existing play areas will be removed and replaced with an improved play space, adjacent to the community hub. The new play space will be more inclusive and accessible, as well as being more sensitively integrated into the historic landscape. The proposed Youth Involvement Coordinator combined with a range of activities, will ensure children are fully involved in the design and implementation of this and other capital works.

9. Adventure play

- The existing adventure play area will be converted to a wetland area with reed bed filtration, dipping platforms and new access paths. The graffiti wall and dirt bike track will be re-created outside of the flood zone, as will new opportunities for self-directed play by children and young people, including den building, damming watercourses, and other adventurous activities.

10. Watercress Fields

- Access for the residents of the adjacent social housing will be improved by creating a new path and access points along the southern boundary of the field. The community orchard will be extended, and management arrangements will be changed to improve ecological value. New interpretation will share hidden stories about this part of the park.

11. The cost of the capital delivery programme over three years is £3,193,229, excluding VAT, contingency and inflation. This split as £2,883,900 capital works, £15,250 anticipated surveys, £294,079 professional fees.



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- KEY**
- 1. Fountain & setting (piazza)
 - Tree / shrub clearance
 - Resurfacing and creation of grand seating area around fountain
 - Repairs to fountain basin
 - Creation of flexible grass / meadow area around fountain
 - Signage / interpretation
 - Feature tree & shrub planting
 - 2a. Park Entrances (existing)
 - Tree / shrub clearance
 - Entrance signage
 - Feature paving thresholds
 - 2b. Park Entrances (proposed)
 - Formation of new entrance
 - Paving thresholds and signage
 - 3. Potential Bowling Club Car Park (part of separate phase of works)
 - 4. Existing Bowls Centre building
 - 5. Existing Car Park
 - Resurface and extend existing car park
 - Increase capacity for cars, cycles and disabled parking
 - New / improved connections to Community Hub area
 - 6. Existing MUGA
 - Selective tree / shrub clearance to improve sight lines
 - New fencing & seating
 - 7. Proposed Community hub
 - Creation of new paved plaza with flexible spill out spaces for events and seating
 - Extend and improve the existing building, refurbish Public W/Cs and nursery space (ABC) and create new cafe area
 - 8. Proposed Park HQ
 - Park office for Grounds Maintenance Staff & Community Engagement officer
 - Tool storage containers and working compound area for park based volunteer activities
 - 9. Proposed 'Sensory Gardens' (existing 'Secret Garden')
 - Colourful & fragrant sensory planting
 - Selective tree and shrub clearance to improve sight lines and reduce overshadowing
 - 10. Bridges (existing)
 - New handrails
 - Refurbish and repaint metalwork
 - 11. Existing Adventure Play Area
 - New play equipment
 - New dirt track area
 - Improved sight lines / vistas through selective tree & shrub clearance
 - Feature semi mature tree planting
 - Creation of a new wetland area with dipping platforms.
 - 12. Enhancements to River Stour Corridor
 - Improvements to the river course including bank re-profiling, wetland creation & native planting
 - Creation of hibernacula including nesting boxes and log piles
 - Improvements to the management of existing vegetation / trees
 - New backwater areas with timber dipping platforms & seating areas
 - Signage & interpretation
 - 13. Proposed Watercress Fields access path
 - New pedestrian access path from existing entrances points
 - Feature semi mature tree planting
 - Native hedge planting
 - 14. Existing Community Orchard
 - Extend and improve existing community orchard with local and heritage fruit trees
 - 15. Proposed children's playground
 - 16. Proposed meadow grass area
 - 17. Existing Ford River crossing
 - Replace / repair existing broken surfacing
 - New seating area
 - Feature tree and shrub planting
 - 18. New bridge by developer
 - 19. Outdoor gym equipment (by others)

HLF Parks for People bid for Victoria Park

Management and Maintenance Plan summary

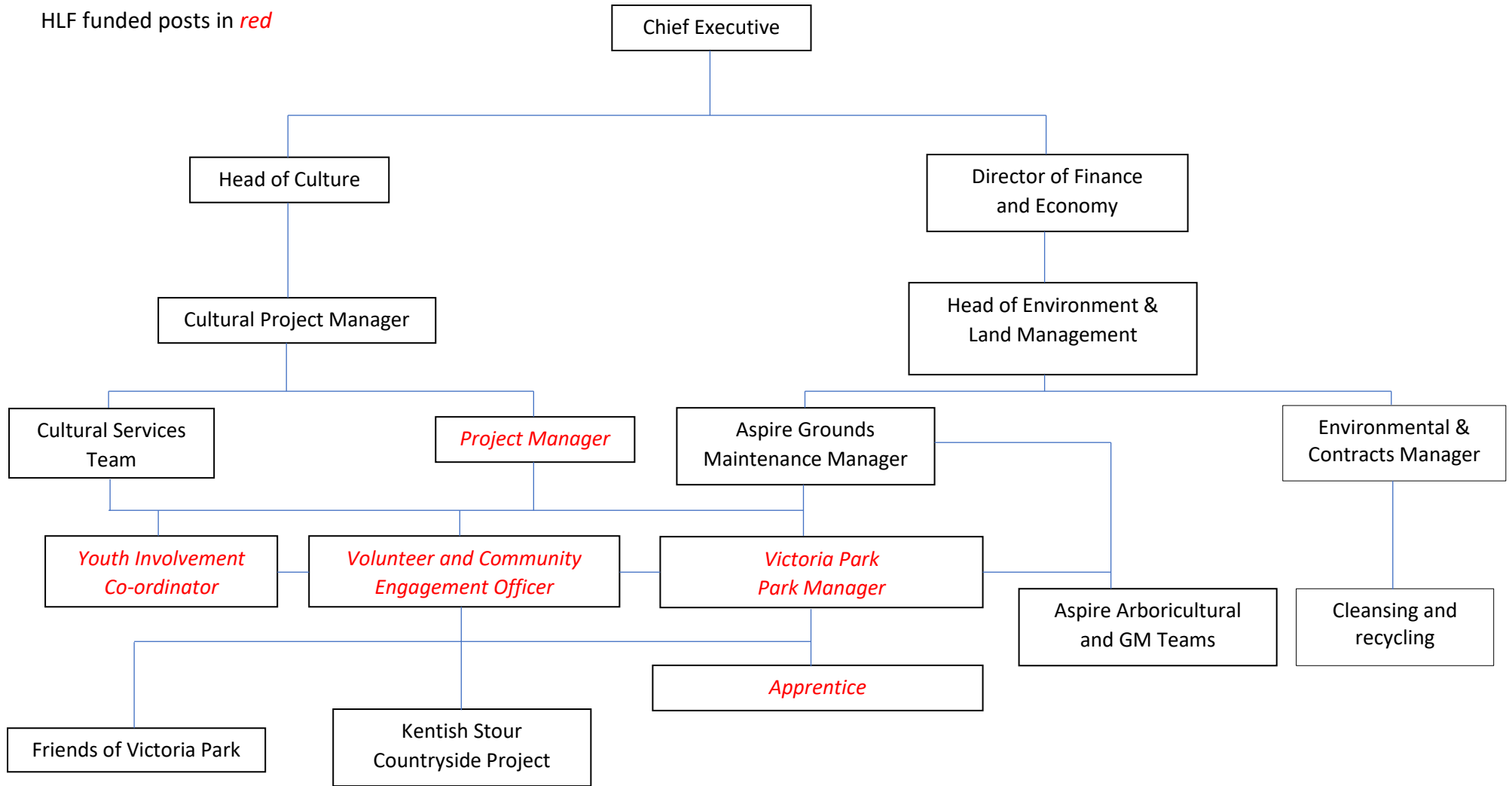
1. The ten year Park Management and Maintenance Plan (PMMP) sets out how the council, in partnership with the HLF and park stakeholders, will protect and enhance the capital investment to be made in the Park. The PMMP addresses the management and maintenance of the Park on completion of the HLF funded project.
2. Opportunities to engage and work with the local community are central to the realisation of this vision. The PMMP sets out how the project will work with stakeholders and increase involvement in the management and maintenance of the Park.
3. The PMMP provides a description of how the Park is currently managed and addresses the management and maintenance of the Park on completion of the HLF funded project in 2022, based on the current design.
4. The PMMP addresses a ten year period post completion and also addresses the transitional phase between 2019 and 2022, during which the restoration and enhancement works are delivered, with particular regard to the development of management structures, training and maintenance practice, in order that management of the Park will be adequately resourced and funded on completion. The PMMP is informed by other surveys and reports prepared in support of the HLF project and should be read in association with those documents.
5. The PMMP will be updated by ABC at project completion and will include more detailed prescriptions for management and maintenance as informed by updated surveys, detailed design and finalised plans.
6. Attainment of Green Flag status is a key management objective and a requirement of the HLF Parks for People Grant award. The PMMP includes an assessment of the Park against the Green Flag criteria and sets out actions to be addressed either through the Parks for People project or by other means, to work towards attainment and maintenance of Green Flag status on completion of the HLF project. Victoria Park does not currently pass the assessment for Green Flag.
7. The Park will remain in the ownership and stewardship of ABC with day to day management and maintenance overseen by Environment and Land management and Corporate Property and Projects.

8. The Park restoration and enhancement works will introduce a number of new features. The proposals set out in the PMMP promote a better skilled and resourced management team and a proactive, as opposed to reactive, approach to the management of the semi natural habitats and other features within the Park. These interventions will require some different skills and an enhanced resource to protect the capital investment made by the HLF and ABC and to ensure local people are both engaged and get the maximum benefit from this investment.
9. The community consultation has highlighted concerns relating to safety and security, a lack of on site presence and general standards of cleanliness which can be addressed through management and maintenance.
10. The PMMP details the planned changes to Park stewardship with regard to the staffing, skills and resources of the in house teams and partnership working. The proposed staffing structure and resource to be dedicated to Victoria Park and Watercress Fields is shown on the organigram below.
11. The principal additional staffing post directly related to Park management will be the appointment of a Victoria Park, Park Manager, with responsibility for Victoria Park and Watercress Fields. A horticultural/landscape apprentice will also be appointed. The Victoria Park, Park Manager and Apprentice appointments will be made through Aspire. The Victoria Park, Park Manager will provide a key role in the implementation of the PMMP working to the Aspire GM Manager and the ABC Environment and Land Management Team.
12. As a result of the project, the PMMP identifies the following outcomes:
 - A greatly enhanced on site presence
 - Improved park safety and security for users
 - Increased community engagement in all aspects of park management
 - Progressively better understanding and conservation of the heritage of the Park
 - A move to proactive management of the whole park
 - Improved management and maintenance of the landscape and built heritage of the Park
 - Realisation of the benefits of the Park to the health and well being of all members of the community
 - Enhanced wildlife habitat and informed management of the river corridor

Victoria Park HLF Parks for People - Project staff structure

HLF funded posts in *red*

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HLF Parks for People bid for Victoria Park

S106 contributions - summary

	Confirmed S106 for the HLF bid			
S106 Agreement	16/01157/AS	16/00986/AS	16/00981/AS	15/1671/AS
Name	Brewery	Victoria Crescent (South)	Victoria Crescent (North)	Powergen
Dwellings	216	28 flats	31 flats	660 flats
Amount	£150,000	£19,432	£21,514	£270,002
Restrictions	Victoria Park Improvement Project	Victoria Park Improvement Project	Victoria Park Improvement Project	Victoria Park Improvement Project
Likely Date	Early 2020 1 st occupation	Paid	Due Immediately (ABC site)	5 payment triggers 1 st occupation on each block, from Summer 2019

Equality Impact Assessment

1. An Equality Impact Assessment (EIA) is a document that summarises how the council has had due regard to the public sector equality duty (Equality Act 2010) in its decision-making. Although there is no legal duty to produce an EIA, the Council must have **due regard** to the equality duty and an EIA is recognised as the best method of fulfilling that duty. It can assist the Council in making a judgment as to whether a policy or other decision will have unintended negative consequences for certain people and help maximise the positive impacts of policy change. An EIA can lead to one of four consequences:

- (a) No major change – the policy or other decision is robust with no potential for discrimination or adverse impact. Opportunities to promote equality have been taken;
- (b) Adjust the policy or decision to remove barriers or better promote equality as identified in the EIA;
- (c) Continue the policy – if the EIA identifies potential for adverse impact, set out compelling justification for continuing;
- (d) Stop and remove the policy where actual or potential unlawful discrimination is identified.

Public sector equality duty

2. The Equality Act 2010 places a duty on the council, when exercising public functions, to have due regard to the need to:
- (a) Eliminate discrimination, harassment and victimisation;
 - (b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it (ie tackling prejudice and promoting understanding between people from different groups).

3. These are known as the three aims of the general equality duty.

Protected characteristics

4. The Equality Act 2010 sets out nine protected characteristics for the purpose of the equality duty:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership*
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

*For marriage and civil partnership, only the first aim of the duty applies in relation to employment.

Due regard

5. Having 'due regard' is about using good equality information and analysis at the right time as part of decision-making procedures.
6. To 'have due regard' means that in making decisions and in its other day-to-day activities the council must consciously consider the need to do the things set out in the general equality duty: eliminate discrimination, advance equality of opportunity and foster good relations. This can involve:
- removing or minimising disadvantages suffered by people due to their protected characteristics.
 - taking steps to meet the needs of people with certain protected characteristics when these are different from the needs of other people.
 - Encouraging people with certain protected characteristics to participate in public life or in other activities where it is disproportionately low.

7. How much regard is 'due' will depend on the circumstances. The greater the

potential impact, the higher the regard required by the duty. Examples of functions and decisions likely to engage the duty include: policy decisions, budget decisions, public appointments, service provision, statutory discretion, decisions on individuals, employing staff and procurement of goods and services.

8. In terms of timing:

- Having 'due regard' should be considered at the inception of any decision or proposed policy or service development or change.
- Due regard should be considered throughout development of a decision. Notes shall be taken and kept on file as to how due regard has been had to the equality duty in research, meetings, project teams, consultations etc.
- The completion of the EIA is a way of effectively summarising this and it should inform final decision-making.

Case law principles

9. A number of principles have been established by the courts in relation to the equality duty and due regard:

- Decision-makers in public authorities must be aware of their duty to have 'due regard' to the equality duty and so EIA's must be attached to any relevant committee reports.
- Due regard is fulfilled before and at the time a particular policy is under consideration as well as at the time a decision is taken. Due regard involves a conscious approach and state of mind.
- A public authority cannot satisfy the duty by justifying a decision after it has been taken.
- The duty must be exercised in substance, with rigour and with an open mind in such a way that it influences the final decision.
- The duty is a non-delegable one. The duty will always remain the responsibility of the public authority.
- The duty is a continuing one so that it needs to be considered not only when a

policy, for example, is being developed and agreed but also when it is implemented.

- It is good practice for those exercising public functions to keep an accurate record showing that they have actually considered the general duty and pondered relevant questions. Proper record keeping encourages transparency and will discipline those carrying out the relevant function to undertake the duty conscientiously.
- A public authority will need to consider whether it has sufficient information to assess the effects of the policy, or the way a function is being carried out, on the aims set out in the general equality duty.
- A public authority cannot avoid complying with the duty by claiming that it does not have enough resources to do so.

The Equality and Human Rights Commission has produced helpful guidance on "Meeting the Equality Duty in Policy and Decision-Making" (October 2014). It is available on the following link and report authors should read and follow this when developing or reporting on proposals for policy or service development or change and other decisions likely to engage the equality duty. [Equality Duty in decision-making](#)

Lead officer:	Emma Powell
Decision maker:	Cabinet
Decision: <ul style="list-style-type: none"> • Policy, project, service, contract • Review, change, new, stop 	Endorse the HLF Parks for People bid
Date of decision: The date when the final decision is made. The EIA must be complete before this point and inform the final decision.	6 th December 2018
Summary of the proposed decision: <ul style="list-style-type: none"> • Aims and objectives • Key actions • Expected outcomes • Who will be affected and how? • How many people will be affected? 	<p>To ask for Member's to endorse the HLF Parks for People bid which has been compiled jointly by external consultants with Ashford Borough Council; Support the release of S106 funding and ABC corporate funding (in addition to the £150k already allocated to the delivery stage); Delegate authority for officers to deliver the bid.</p> <p>The delivery of the HLF bid will affect the population borough-wide.</p>
Information and research: <ul style="list-style-type: none"> • Outline the information and research that has informed the decision. • Include sources and key findings. 	<p>The development stage has involved detailed research, engagement and consultation, to inform the park design, activities, management and staffing.</p> <p>Consultation highlighted key elements and issues with the park which have shaped the park project: The importance of the river / improvements for wildlife; the condition of the toilets (poor); café provision in the park; antisocial behaviour and not feeling safe in the park; more things to do in the park – events and activities; better play areas.</p> <p>The Parks for People bid addresses the above issues and provides a focus on the elements and steps required to improve and maintain the park for the long-term benefit of local people. Key themes include: Conserving existing historical and ecological features and sharing stories about them; improving facilities such as toilets, play areas, lighting, car park and path network; providing a café; improving wildlife and river corridor habitats; creating interpretation and educational resources; developing a long-term management and maintenance strategy; providing on site-staff and an in-house team dedicated to the park project; developing an activity and event programme, in partnership with the community and local organisations.</p>
Consultation: <ul style="list-style-type: none"> • What specific consultation has occurred on this decision? 	Consultation was undertaken with stakeholders and the community during the development stage of the bid.

<ul style="list-style-type: none"> • What were the results of the consultation? • Did the consultation analysis reveal any difference in views across the protected characteristics? • What conclusions can be drawn from the analysis on how the decision will affect people with different protected characteristics? 	<p>The consultation has resulted in key findings above.</p> <p>The decision will have no impact on people with different protected characteristics.</p> <p>The decision to endorse the HLF bid positively affects people with different protected characteristics</p>
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Assess the relevance of the decision to people with different protected characteristics and assess the impact of the decision on people with different protected characteristics.

When assessing relevance and impact, make it clear who the assessment applies to within the protected characteristic category. For example, a decision may have high relevance for young people but low relevance for older people; it may have a positive impact on women but a neutral impact on men.

Protected characteristic	Relevance to Decision High/Medium/Low/None	Impact of Decision Positive (Major/Minor) Negative (Major/Minor) Neutral
<u>AGE</u> Elderly	MEDIUM	POSITIVE
Middle age	MEDIUM	POSITIVE
Young adult	MEDIUM	POSITIVE
Children	MEDIUM	POSITIVE
<u>DISABILITY</u> Physical	MEDIUM	POSITIVE
Mental	MEDIUM	POSITIVE
Sensory	LOW	POSITIVE
<u>GENDER RE-ASSIGNMENT</u>	NONE	NEUTRAL
<u>MARRIAGE/CIVIL PARTNERSHIP</u>	NONE	NEUTRAL
<u>PREGNANCY/MATERNITY</u>	NONE	NEUTRAL
<u>RACE</u>	NONE	NEUTRAL
<u>RELIGION OR BELIEF</u>	NONE	NEUTRAL
<u>SEX</u> Men	NONE	NEUTRAL

Women	NONE	NEUTRAL
<u>SEXUAL ORIENTATION</u>	NONE	NEUTRAL

Mitigating negative impact: Where any negative impact has been identified, outline the measures taken to mitigate against it.	N/A
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Is the decision relevant to the aims of the equality duty?	
Guidance on the aims can be found in the EHRC's Essential Guide , alongside fuller PSED Technical Guidance .	
Aim	Yes / No / N/A
1) Eliminate discrimination, harassment and victimisation	YES
2) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it	YES
3) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it	YES

Conclusion:	
<ul style="list-style-type: none"> Consider how due regard has been had to the equality duty, from start to finish. There should be no unlawful discrimination arising from the decision (see guidance above). Advise on whether the proposal meets the aims of the equality duty or whether adjustments have been made or need to be made or whether any residual impacts are justified. How will monitoring of the policy, procedure or decision and its implementation be undertaken and reported? 	<p>Due regard has been made to the equality duty, from start to finish of the HLF development stage process.</p> <p>There will be no unlawful discrimination arising from the decision</p> <p>The proposal meets the aims of the equality duty as all sections of the community including those with protected characteristics will benefit from the enhancements to the centre.</p> <p>Monitoring of the policy, procedure or decision and its implementation will be undertaken and reported by the partners.</p>

	<i>The council's revised policy register will assist services to meet this</i>
EIA completion date:	04-11-18

**Notes of a Meeting of the
Ashford Town Centre Place Making Board
Thursday 11th October 2018 at 4.00 p.m.**

Present:

Board Members

Cllr. Clarkson (Chairman)

Cllrs. Mrs Bell, Bennett, Clokie, Ovenden.

Non-Board Members

Cllrs. Barrett, Heyes

Chief Executive, Director of Place and Space, Director of Finance and Economy, Head of Corporate Policy, Economic Development and Communications, Head of Environment and Land Management, Head of Corporate Property and Projects, Head of Planning and Development, Head of Culture, Economic Development Manager, Communications and Marketing Manager, National Management Trainee, Member Services Manager (Operational).

Apologies

Cllrs. Bell, Galpin, Shorter

Item	Notes	Action
1.	<p>Notes of Previous Meeting – 19th July 2018</p> <p>Noted and agreed.</p>	
2.	<p>‘What the Public are Telling Us’ – Update on Consultation and the Stakeholder Event held on 2nd October 2018</p> <p>The Head of Corporate Policy, Economic Development and Communications gave a presentation outlining the feedback received so far during the consultation process. This had started on 23rd July and would continue until the end of October. The pre-cursor to this had been the residents survey over the Spring and the process had also included specific face to face events in the town and at events such as the Create Festival, along with the ongoing online consultations. This had all generated nearly 1300 comments and she ran through the headline feedback, grouped together under the four open-ended questions that had been asked: -</p>	

	<p><i>“How do we create a buzz about Ashford and make it stand out from the crowd?”;</i> <i>“How do we create a fun, thriving place in the daytime and at night?”;</i> <i>“How do we create a place that is accessible and welcoming to all?”;</i> and <i>“How can we make Ashford a place we are proud to call home?”.</i></p> <p>The Leader said that one of the key points coming through was the perception of crime and Ashford town centre not being a very safe place to be at night. This was interesting because Ashford’s crime rate was relatively low, but he considered this was more to do with a lack of things happening in the evening which made the town centre seem less vibrant and not particularly welcoming. He considered that the new developments coming forward would increase footfall in the town centre and begin to change that perception. He was also pleased that there was a recognition within the feedback that the Council was making efforts to improve things.</p> <p>A Member said that one of the main issues mentioned to him was a lack of available public transport in the evening. It appeared that Stagecoach’s ‘Little and Often’ bus service had changed and whilst that may not have resulted in a net reduction in service, there was again a perception that there had been and this was perhaps an issue that needed to be addressed through the Quality Bus Partnership.</p>	
3.	<p>Vicarage Field/Odeon Square – Presentation on Work by Ash Sakula Architects and Next Steps/Programme</p> <p>The Director of Place and Space gave a detailed presentation on the draft options available for the former Mecca Bingo Hall/Vicarage Lane car park site and initial design work undertaken by Ash Sakula Architects. The initial work had generated some extremely exciting results and a delivery timetable of March 2019 to Summer 2022 was being targeted.</p> <p>Board Members expressed their strong interest and excitement for the emerging proposals from Ash Sakula which, if pursued would of course be subject to a detailed design and planning application in due course. The concept of a town square and all that could be delivered around that was seen as a particular opportunity.</p> <p>In recognition of the recently received petition calling for the</p>	

	<p>former Mecca Bingo building to be converted into a theatre, the Director of Place and Space advised that Council had already commissioned work to look at opportunities for providing a new indoor multi-purpose performance space within the town and outcomes from that work would help guide future plans.</p> <p>With regard to the lower end of the High Street more generally, a Member mentioned the message coming through from the Town Centre consultation that people would like to see the cobbles removed. It was confirmed that this would be investigated further as part of the wider work in the area.</p>	
4.	<p>Resource Planning – In-Year and 2019/2020 Budget Setting</p> <p>The Director of Place and Space introduced the report and advised that a considerable amount of work had already been carried out since the Administration had set its focus on the Town Centre earlier in the year. As this had happened after the current budget was set, it had involved Officers working hard to redirect existing approved budgets and achieving more for less. They had now though reached a point where to sustain and scale up the momentum achieved, they would need to make a bid for two elements of additional funding as part of the 2019/20 budget. The next meeting of this Board would consider a prioritised list of projects, but it was accepted that ideas were generated very quickly and it would be useful to have an allocation of funds that would allow the flexibility to be able to respond at pace.</p> <p>The Board supported the request for additional revenue funding of £130,000 and a one off allocation of £150,000 to cover anticipated capital costs, as well as a proposal to allow the Member lead for the relevant theme to endorse the project spend and obtain sign-off for the spending from the Chairman of this Board. It was noted that these proposals were subject to Cabinet and Council approval as part of setting the 2019/20 budget.</p>	RA
5.	<p>Tackling the Walking Route Between the Stations and the Town Centre</p> <p>The Head of Environment and Land Management gave an update on this key element of the Impatience Team Work Stream. She advised that improved lighting in public areas was part of a wider review by KCC and this was a good news story. The issue of lighting and safety/security had been raised by residents and the important pedestrian/cycle</p>	

	<p>route from the Designer Outlet to the Town Centre, particularly at the underpass, had been an area of particular concern. She advised of the 'quick fixes' that had already been achieved in this area, including litter removal, tidying, vegetation clearance, tree pruning and border reductions.</p> <p>The project was a complicated one in that it involved a number of stakeholders and would need considerable partnership working. Land ownership and interest on the route included the Designer Outlet, HS1, Network Rail, Southeastern Rail, the Environment Agency and KCC along with ABC's own involvement. Project priorities were safety and security, accessibility, maintenance, information/wayfinding and aesthetics.</p> <p>She showed some slides and videos which gave examples of some of the longer term aspirations for the route. These included improving the underpass itself in terms of lighting and general maintenance and eventually making the route an attraction in its own right. Some examples of potential attractive lighting schemes were shown. Additional elements included improvements to the footbridge over the river, renewing the railing under the underpass and attention to the sub-structure of the underpass itself. Eventually it was hoped that the route could encompass some sort of theme and/or art trail.</p> <p>The Board was extremely supportive of the proposals and impressed with the work that had already been undertaken. Officers were asked to continue their work with stakeholders and draw up a project plan that could come back to a future meeting of this Board.</p>	TB
<p>6.</p>	<p>Update on Queen Marie Statue, Cinema Opening and Events Leading up to Christmas</p> <p>The Head of Culture advised that the unveiling of the Queen Marie statue would take place on Saturday 15th December at 12.30 with a delegation from the Romanian Royal Family and other dignitaries present. This would include speeches, anthems and a reception for invited guests. Work with the Romanian Cultural Institute continued over an exhibition related to Queen Marie to take place at the new Picturehouse Cinema.</p> <p>The Head of Corporate Property and Projects further advised that the official opening of the Elwick Place development would take place during the week prior (Saturday 8th December). This would include the opening of the cinema itself and the unveiling of the market gates and</p>	

	etchings project.	
7.	<p>Wrap-Up of Remaining Items from the Four Work Streams</p> <p>The National Management Trainee advised that the main points had already been covered during the meeting but he gave brief status updates on the following items: -</p> <ul style="list-style-type: none"> • Walking and Cycling Routes (work with Sustrans) • The Kent Wool Growers Site • Heritage Trail for the Town Centre • The Coachworks Project • Dover Place • Newtown Works. 	
8.	<p>Date of Next Meeting</p> <p>Post Meeting Note:</p> <p>This will now take place on Thursday 6th December 2018 - 4pm, Council Chamber</p>	

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**Notes of a meeting of the
Ashford Strategic Delivery Board
Friday 26 October 2018 at 10.00am**

Present:

Board Members

Cllr Gerry Clarkson (Chairman) – Leader, ABC
Rt Hon Damian Green MP
Cllr Paul Clokie – Portfolio Holder for Planning, ABC
Cllr Graham Galpin – Portfolio Holder for Corporate Property, ABC
Cllr Mark Dance - KCC, Cabinet Member for Economic Development
Barbara Cooper – KCC, Director – Growth, Environment and Transport
Paul Harwood - Highways England
Tracey Kerly, ABC

Non Board Members

Cllr Neil Shorter, ABC
Cllr Aline Hicks, ABC
Paul Kent, Southern Water
Simon Sharp, Southern Water
Stephen Gasche, KCC
Matthew Hogben, KCC
Victoria Seal, KCC
Richard Alderton, ABC
Simon Cole, ABC
Christina Fuller, ABC
Paul McKenner, ABC
Jessica Brown, ABC
Danny Sheppard, ABC

Apologies

Cllr Mike Whiting, KCC
Mark Lumsdon-Taylor, Hadlow Group
Chris Moore, Homes England
Rebecca Spore, KCC
Lois Jarrett, ABC
Charlotte Hammersley, ABC

Item	Notes	Action
1.	<p>Welcome</p> <p>The Chairman welcomed all those present and advised of a change to the order of the Agenda.</p>	
2.	<p>Station Spurs</p> <p>Stephen Gasche (SG), of KCC introduced this item. He advised that the problems being experienced by the new Eurostar trains at Ashford International Station were not related to the new signalling project, which had been successfully completed back in April, but with a conflict of power systems. A huge amount of work was going on behind the scenes between Network Rail, Eurostar and High Speed 1 in order to identify the most appropriate solution to remedy the problem. It was hoped that a decision would be taken in December as to the best solution in order for the work to be completed, fully tested and operational by April 2019. SG hoped to be in a position to give a more detailed update at the next Board meeting on 25th January 2019.</p> <p>Both the Chairman and the MP stressed the importance of this project for Ashford and the desire not only to retain international train services, but to increase them. The Board considered it would be good if the completion of works could coincide with announcements about Eurostar's new timetable.</p>	
3.	<p>Provision of Waste Water Infrastructure – Planning for Ashford Borough's Housing Growth - Update</p> <p>Paul Kent (PK), of Southern Water, gave an update on progress since the last meeting on 27th July 2018. He advised that they had made a fair amount of progress in the last quarter including working with the developers' chosen third party supplier for waste water – IWNL. With regard to the programme for completion for the Chilmington Green connection, PK advised that they had been examining this closely with ABC and been able to reduce the target date for completion by three months. Indeed, they were looking to try and shave even more time off.</p> <p>Whilst the permanent connection for Chilmington Green had been the priority, they were also beginning to focus on the other developments nearby. PK advised that a large</p>	

	<p>pumping station would be built at the edge of the Chilmington Green development that would also be able to link in to other developments. It was also likely that they would be able to complete works without the need for tankering, which was extremely welcome news.</p> <p>Cllr Shorter (NS) reiterated that the focus would shortly be moving from Chilmington to other areas in Ashford, although there did remain a risk of delay in the Chilmington project if a full Environmental Impact Assessment was deemed necessary.</p> <p>Simon Sharp (SS) said he would appreciate a follow up meeting with the Chairman on their business plan and, if it was possible, he would like to include the MP in that also.</p>	<p>Southern Water</p>
<p>4.</p>	<p>Town Centre Place Making</p> <p>Cllr Clarkson (GC) advised that he has asked for Town Centre Place Making to be the main focus of this meeting. A lot of work was already going on behind the scenes since this project had been made a priority earlier in the year. Several key projects were under consideration and moving ahead at pace. The target was to have built out and completed these by the end of 2021/22 and whilst that was an ambitious target, the Council was determined to meet it.</p> <p>Richard Alderton (RA) gave a presentation updating on progress with Town Centre Place Making since the last Board meeting in July. This captured the range of work that had already happened or was underway under the different workstreams and via the Council's Ashford Town Centre Place Making Board. More specifically, he gave a presentation on the draft options for the former Mecca Bingo Hall/Vicarage Lane car park site and initial design work undertaken by Ash Sakula Architects.</p> <p>Board Members expressed their strong interest in the emerging proposals from Ash Sakula which, if pursued, would of course be subject to a detailed design and planning application in due course. The concept of a town square enjoying new views of the church and which could be 'discovered' by locals and visitors alike, as well as a tree-lined section of Station Road, were seen as potential highlights.</p> <p>Cllr Galpin (GG) advised that the BBC Children in Need's Rickshaw Challenge would be coming to Ashford on its first night on Friday 9th November and broadcasting live from Ashford Town Centre. Along with the increased visitor</p>	

	<p>numbers Ashford was already seeing as a result of the Snowdogs project, this would be another good opportunity for the town to show itself positively on a national platform.</p> <p>In response to questions about the recently received petition calling for the former Mecca Bingo building to be converted into a theatre, GC advised that this would be responded to in the proper way at Council. Related to this, the Council had already commissioned work to look at opportunities for providing a new indoor, multi-purpose performance space within the town and outcomes from that work would help to guide future plans.</p>	
5.	<p>Commercial Quarter</p> <p>Paul McKenner (PMcK) advised that the resurfacing of the International House car park had been completed and the additional public realm works were continuing. The planning application for the Coachworks would be coming to the Planning Committee soon and the only remaining issue to progress was the footbridge across the river and how that would complement the one already planned at the Kent Woolgrowers site.</p>	
6.	<p>Newtown Works</p> <p>PMcK gave a confidential update on the landowner's current progress in securing a third party purchaser for the site. It was expected that there would be progress on this in the next couple of weeks, when a wider update would be able to be issued.</p>	
7.	<p>Elwick Place</p> <p>PMcK advised that the centre was due for its official opening on Saturday 8th December, which would include the unveiling of the market gates and etchings. Practical completion was therefore ahead of schedule for 7th December, with the completion of the car park to take place the week before in order to allow for some testing. The unveiling of the Queen Marie statue would take place the following week (15th December), with a delegation from the Romanian Royal Family and other dignitaries.</p> <p>GC advised that they were also looking to use the date of the statue unveiling to award the first recipient of the newly created Ashford Ambassador Scheme. This would be Liliana Ţoriou of the Romanian Cultural Institute, for her work in bringing the statue to Ashford.</p>	

	<p>NS asked if KCC Highways could do all they could to ensure that the Shared Space area was looking its best for these two weekend events in December. These were important and potentially high profile events for the town and first impressions would really count and some of the 'black top' repairs that had taken place in the vicinity of the new development did need some attention. He accepted the point previously made on developer funding, but these developments would bring significant income to Ashford.</p> <p>GC advised that ABC was confident that the eateries would be fully taken up in due course. There was an element of 'chicken and egg' in that when the centre was open and there was a 'buzz' around the place, there would be no shortage of companies willing to come on board.</p> <p>On a general point the Board considered that this project was one of Ashford's huge successes. It was high quality, delivered on-time and under budget. Working relationships with the developer had been excellent and all involved had been successful in their desire to deliver something special.</p>	KCC Highways
8.	<p>Ashford College</p> <p>Mark Lumsdon-Taylor had given his apologies for the meeting but the project was on schedule with Phase 1A construction works scheduled to commence on site in July 2019 and to open to students in September 2020. The Group's focus in recent months had been the Ofsted inspections at their West Kent Campus, but results had been excellent.</p> <p>GC advised that the Council would be placing one of its town centre Christmas trees outside the main entrance to the College which he hoped would be a mutually beneficial location.</p>	
9.	<p>Designer Outlet Expansion</p> <p>Tracey Kerly (TK) advised that the work continued at a good pace and to plan. The new car park was open and already being well used during the half-term holidays. In response to a question Matt Hogben (MH) confirmed that the Newtown Road works would be complete by the end of November and the road would be reopened on time. Whilst the road works were always going to cause disruption, it was considered that the initial level of complaints had reduced significantly and the area had coped reasonably well.</p>	

10.	<p>Chilmington Green</p> <p>TK advised that both progress on site and working relationships with the developers were good. Houses were now being constructed and first occupations were expected for early Summer 2019. New applications were also being progressed.</p> <p>With regard to the A28 improvements, talks continued between KCC and the developer in order to secure the LEP funding and guarantee the project costs. It was hoped that this would be concluded in the coming weeks.</p>	
11.	<p>Garden Communities – Funding Bid to MHCLG</p> <p>RA advised that ABC was keen to put together a bid for funds to further progress its work in this area and deliver new garden communities in Chilmington and south of Kingsnorth. ABC was, as ever, keen to collaborate and work in partnership and would need support from its partners in the bid. In principle backing had been received from KMEP/SELEP but was also needed from this Board and DG as the local MP. The detailed bid would be shared in due course and both the Board as a whole, and DG signified their support for the bid and that the figure requested should actually be higher than that stated in the papers. It was noted that the department was now known as MHCLG rather than DCLG and this would need to be reflected in the bid documents.</p>	ABC
12.	<p>Junction 10A</p> <p>Simon Cole (SC) advised that the funding agreement for the scheme was now complete and forward funding from MHCLG had now been received. Paul Harwood (PH) said that work was ongoing and all on schedule. All were aware of the need to carefully co-ordinate the works with others happening on the M20 and to be cognisant of the effect a no-deal Brexit may have on that stretch of motorway from March 2019.</p>	
13.	<p>Jasmin Vardimon</p> <p>Christina Fuller (CF) advised that the project was on schedule with a planning application due imminently. Barbara Cooper (BC) said that KCC was working with JV on their bid to the Arts Council. The KCC contributions would have to go through their capital programme, so any support from relevant Members would be welcomed.</p>	

14.	<p>Victoria Park</p> <p>CF reported that work was ongoing with the design team to agree a revenue and capital position within the bid to the Heritage Lottery Fund (HLF). There had been an extensive consultation with local residents and stakeholders which had shown the desire for additional elements and a need to extend the original bid to meet those demands. These included a café/community hub, additional lighting and safety elements and further car parking. The proposed bid was therefore approx. £500k higher than the original, and ABC would be making a contribution of more than £1m along with the £3.7m being sought from the HLF.</p>	
15	<p>Conningbrook Country Park</p> <p>CF advised that as part of the masterplanning process for the site they were looking to address the issue of the KCC owned Depot which appeared to be a prime site for a potential community hub. There had been positive meetings with 'The Education People (TEP)' (KCC's Education Company) with a view to being able to provide some sort of Water Sports Centre on the site, close to the lake.</p> <p>GC said that whilst there had initially been some discussions about ABC acquiring the KCC Depot site, this was always with the aim of being able to work in partnership to deliver something that complemented all uses and added to the overall offer at the site. He considered it was not really important who owned the building if the objectives were met and he welcomed the comments made about improved collaborative working.</p>	
16.	<p>Date of Next Meeting</p> <p>Friday 25th January 2019</p>	

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Agenda Item No: 14

Report To: CABINET

Date: 6TH DECEMBER 2018

Report Title: SCHEDULE OF KEY DECISIONS TO BE TAKEN

Report Author and Job Title: Danny Sheppard, Member Services Manager (Operational)

Portfolio Holder: Portfolio Holders are individually specified in the attached Schedule.



Summary:	To set out the latest Schedule of Key Decisions to be taken by the Cabinet of Ashford Borough Council.
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Key Decision: NO

Significantly Affected Wards: Where appropriate, individual Wards are indicated.

Recommendations **That the Cabinet receive and note the latest Schedule of Key Decisions.**

Policy Overview: Under The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, there is no longer a legal requirement to publish a Forward Plan of Key Decisions, however there is still a requirement to publish details of Key Decisions 28 clear days before the meeting they are to be considered at. The Council maintains a live, up to date rolling list of decision items on the Council's website, and that list will be presented to the Cabinet each month, in its current state, for Members' information.

Financial Implications: Nil

Legal Implications: n/a

Equalities Impact Assessment n/a

Other Material Implications: Nil

Exempt from publication: No

Background None

Papers:

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**CABINET
SCHEDULE OF KEY DECISIONS TO BE TAKEN**

The following Key Decisions will be taken by Ashford Borough Council's Cabinet on the dates stated.

Ashford Borough Council's Cabinet is made up of: - Councillors Gerry Clarkson; Neil Bell; Clair Bell; Mike Bennett; Gareth Bradford; Paul Clokie; Graham Galpin; Alan Pickering; Neil Shorter; and Gerald White.

Copies of the reports and any other relevant documents that are submitted to the Cabinet in connection with a proposed decision will be available for inspection, or on screen, five clear days before the decision date at the Civic Centre, Tannery Lane, Ashford and at The Town Hall, 24 High Street, Tenterden, during opening hours, or at www.ashford.gov.uk/councillors_and_committees.aspx

Decision Item	Report Summary	Relevant Portfolio Holder	Report Author	Open or Exempt	Added to Schedule
6th December 2018					
Draft Budget 2019/20	<i>To present the preliminary draft service budget and outline MTFP for the purposes of subsequent formal scrutiny by the O&S Task Group and public consultation.</i>	Cllr Shorter	Maria Stevens	Open	8/12/17
Council Tax Base 2019/20	<i>To present for approval the estimated 2019/20 Council tax base calculation for the Borough and each parished area, on which the major preceptors and local Parish Councils will base their requirements.</i>	Cllr Shorter	Maria Stevens	Open	8/12/17

Decision Item	Report Summary	Relevant Portfolio Holder	Report Author	Open or Exempt	Added to Schedule
Housing Revenue Account (HRA) Business Plan 2018 – 2048	<i>An annual update of the HRA Business Plan financial projections. This report updates the position for the period 2018-48.</i>	Cllr White	Sharon Williams	Open	8/12/17
Leisure Procurement	<i>To update Members on the progress, process and timescales anticipated and lease arrangements proposed with ALT. To seek approval to bring the selected leisure operator proposals to the Cabinet for consideration.</i>	Cllr Bennett	Christina Fuller	Open	9/3/18
Victoria Park Heritage Lottery Fund	<i>To ask Cabinet to agree the bid submission, endorse the spending of S106 contributions for the development stage, and agree to the release of S106 contributions and ABC funding, subject to a successful Round 2 bid from the HLF.</i>	Cllr Bennett	Emma Powell	Open	4/9/18
Affordable Housing Programme Delivery Update	<i>To provide an update on the delivery of approved projects and inform members of existing and future delivery. Also to identify a variety of means and potential delivery mechanisms that the Council will investigate to both maximise delivery and enhance its current position as a dynamic housing service.</i>	Cllr White	Mark James	Open (Exempt Appendix)	9/3/18

Decision Item	Report Summary	Relevant Portfolio Holder	Report Author	Open or Exempt	Added to Schedule
10th January 2019					
Revenues & Benefits Recommended Write-Offs Schedule	<i>Proposed formal write-off of debts</i>	Cllr Shorter	Nic Stevens	Open (Exempt Appendix)	12/1/18
High Weald AONB Management Plan 2019-2024	<i>To seek authority to adopt the revised AONB Management Plan.</i>	Cllr Clokie	Ian Grundy	Open	25/7/18
Undergraduate Work Placement and Bursary Scheme	<i>To recommend that the Council introduces a work placement and bursary scheme for undergraduates.</i>	Cllr Pickering	Michelle Pecci	Open	22/10/18
Aspire Update	<i>To outline the development and progress of the service from the creation of the depot and the new team, through to the progress the service has made in the last two years.</i>	Cllr Mrs Bell	Tracey Butler	Open	31/10/18
East Kent Growth Board – Business Rate Retention Pilot		Cllr Shorter	Tracey Kerly	Open	20/9/18
Elwick Place Phase 2	<i>To detail the chronology of how we arrived at this point (detailing options appraisals and previous plans) and to discuss a land-based deal as part of the proposal to work again with Cheyne Capital to deliver this residential phase.</i>	Cllr White	Mark James	Open	15/11/18

Decision Item	Report Summary	Relevant Portfolio Holder	Report Author	Open or Exempt	Added to Schedule
14th February 2019					
Financial Monitoring – Quarterly Report	<i>Quarterly budget monitoring report</i>	Cllr Shorter	Maria Stevens	Open	9/2/18
Revenue Budget 2019/20	<i>To present the draft revenue budget for 2019/20 to the Cabinet for recommendation to Council.</i>	Cllr Shorter	Maria Stevens	Open	9/2/18
Corporate Performance Report	<i>The report seeks to give Members and the Borough's residents an overview of how the Council is performing. It seeks to do this in a transparent and easily-accessible manner, giving a key performance 'snapshot'.</i>	Cllr Shorter	Will Train	Open	9/2/18
The Future Ashford Town Centre: Draft Vision and Action Plan	<i>To set out a draft vision and action plan for the Town Centre, informed by the findings from the consultation which will be appended to the report.</i>	Cllr Galpin/ Clokier	Richard Alderton/ Lorna Ford	Open	15/11/18
Station Road Multi-Storey Car Park		Cllr Galpin	Steve Parish	Open	9/11/18
Former Mecca Bingo Hall and Vicarage Lane Car Park – Next Steps	<i>To provide Cabinet with details of the proposed development scheme and ask for approval to work said scheme up into a planning application. Also to recommend the selection and appointment of a JV partner to work with the Council to deliver the project.</i>	Cllr Clokier	Richard Alderton	Open	24/10/18

Decision Item	Report Summary	Relevant Portfolio Holder	Report Author	Open or Exempt	Added to Schedule
Repton Park Community Facilities Commuted Sum		Cllr Bennett	Simon Harris	Open	19/11/18
14th March 2019					
Annual Pay Policy Statement	<i>A review of the annual Pay Policy Statement and Ashford Living Wage Allowance</i>	Cllr Pickering	Michelle Pecci	Open	9/3/18
Cycling and Walking Strategy		Cllr Bennett	Simon Harris	Open	4/9/18
Ashford Health and Wellbeing Board – Update on Progress and the Way Forward		Cllr Bradford	Angela d’Urso	Open	7/11/18
Conningbrook Masterplan	<i>To introduce the draft masterplan which provides a conceptual plan for the park and the main features to be delivered within it, with S106 contributions from current and potential future developments. The report will also confirm indicative costs and delivery timescales.</i>	Cllr Bennett	Len Mayatt	Open	4/9/18

Decision Item	Report Summary	Relevant Portfolio Holder	Report Author	Open or Exempt	Added to Schedule
11th April 2019					
Corporate Property Asset Management Strategy 2018–2021 – 12 Month Update		Cllr Galpin	Stewart Smith	Open	12/4/18
MAY 2019 – NO MEETING DUE TO BOROUGH COUNCIL ELECTIONS					
13th June 2019					
Final Outturn 2018/19	<i>Final budget outturn for previous financial year.</i>	Cllr Shorter	Maria Stevens	Open	18/6/18
Corporate Performance Report	<i>To give Members and residents an overview of how the council is performing with a key performance 'snapshot'.</i>	Cllr Shorter	Will Train	Open	18/6/18
Section 106 Agreements – Annual Progress Report	<i>Focus on s106 contributions received in the last year, contributions secured in new agreements and projects that have been supported by s106 funding.</i>	Cllr Clokie	Lois Jarrett	Open	18/6/18
11th July 2019					
Revenues & Benefits Recommended Write-Offs Schedule	<i>Proposed formal write-off of debts</i>	Cllr Shorter	Nic Stevens	Open (Exempt Appendix)	13/7/18

Decision Item	Report Summary	Relevant Portfolio Holder	Report Author	Open or Exempt	Added to Schedule
Annual Performance Report 2018/19	<i>The Annual Report will build upon the contents of quarterly performance monitoring, but will also include the following information – An Introduction from the Leader and Chief Executive; Facts and figures about Ashford; Timeline of key achievements in the Borough over the calendar year; Borough achievements; and a Financial Summary.</i>	Cllrs Clarkson/ Shorter	Lorna Ford	Open	13/7/18
8th August 2019					
Financial Monitoring – Quarterly Report	<i>Quarterly budget monitoring report</i>	Cllr Shorter	Maria Stevens	Open	10/8/18
Corporate Performance Report	<i>To give Members and residents an overview of how the council is performing with a key performance ‘snapshot’.</i>	Cllr Shorter	Will Train	Open	10/8/18
12th September 2019					
Corporate Commercial Property – Annual Report	<i>To advise of the revenue performance of the Council’s corporate property portfolio during the last financial period and to advise of proposals to increase profitability in the coming financial period.</i>	Cllr Shorter	Stewart Smith	Open	14/9/18
10th October 2019					

Decision Item	Report Summary	Relevant Portfolio Holder	Report Author	Open or Exempt	Added to Schedule
14th November 2019					
Corporate Performance Report	<i>To give Members and residents an overview of how the council is performing with a key performance 'snapshot'.</i>	Cllr Shorter	Will Train	Open	9/11/18
Medium Term Financial Plan	<i>To ask Cabinet to note the Medium Term Financial Plan ahead of this year's Budget process.</i>	Cllr Shorter	Maria Stevens	Open	9/11/18
Financial Monitoring – Quarterly Report	<i>Quarterly budget monitoring report.</i>	Cllr Shorter	Maria Stevens	Open	9/11/18

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23/11/18